

APPROVED BY ORDER # 10-21-332
MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
VIRTUAL MEETING OF SEPTEMBER 29, 2021 at 10:00 am
This meeting was audio and video recorded and a link is available at
co.lincoln.or.us/meetings

CALL TO ORDER

Chair Hunt called to order the regular session of the Lincoln County Board of Commissioners.

ROLL CALL - ESTABLISHMENT OF A QUORUM

Present at the meeting were Chair Hunt, Commissioner Jacobson, and Commissioner Hall. A quorum was established.

ADOPTION OF CONSENT CALENDAR

Chair Hunt introduced the Consent Calendar and the items were reviewed.

Commissioner Jacobson moved to adopt the consent calendar as presented and Commissioner Hall seconded; a vote was taken and passed unanimously.

Minutes of Board of Commissioners Meeting

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| 1. Order #9-21-310 | Board of Commissioners Meeting 4.19.2021 |
| 2. Order #9-21-311 | Board of Commissioners Meeting 5.26.2020 |
| 3. Order #9-21-312 | Board of Commissioners Meeting 9.15.2021 |
| 4. Order #9-21-313 | Board of Commissioners Joint Session 9.30.2020 |
| 5. Order #9-21-314 | Board of Commissioners Meeting 10.26.2020 |
| 6. Order #9-21-315 | Board of Commissioners Meeting 11.2.2021 |
| 7. Order #9-21-316 | Board of Commissioners Meeting 11.30.2020 |
| 8. Order #9-21-317 | Board of Commissioners Meeting 12.14.2020 |

Documents and Recording Matters in the Commissioners Journal

- | | |
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| 1. Order #9-21-318 | Changing the Lincoln County Personnel Department to the Lincoln County Human Resources Department |
| 2. Order #9-21-319 | Oregon Health Authority Intergovernmental Pass-Through Grant Agreement #171625 – Healthcare Preparedness Grant |

Execution of Documents

1. Memorandum of Understanding between Various Parties for Drug Court Services

DISCUSSION/INFORMATION (Note the Board could act on the following topics)

A. Petition to Vacate East End of Lee Lane – Presented by Roy Kinion, Public Works Director

Assistant County Counsel Jerry Herbage presented in the place of Roy Kinion. This came before the board as an information item last week. The county received the report from Director Kinion that recommended approving the vacation of the east end of Lee Lane. Herbage followed up on the property lines that may be neighboring this vacation and Mr. Kinion agreed that it would be best to move this to a public hearing to be able to get notice out to any neighboring properties. There is nothing else to do today, it will be brought back as a more formal proceeding. The commissioners agreed to come back to this as a public hearing.

B. STR Update – Presented by Attorney Wayne Belmont

Assistant County Counsel Wayne Belmont presented materials on the short-term rental (STR) licensing program. There are 7 sub regions of the county that will be included. Belmont presented the current number of STRs per region and the proposed numbers. In some regions they are proposing additional STRs while other regions will see a limit to the number.

There are four specific changes:

1. Onsite sewage disposal systems need to be verified and monitored. Brian Crawford, Lincoln County Sanitarian, presented that they have been looking into what this looks like. He reached out to companies in the county to see if they have the capacity to meet the needs of this program. The feedback he received is that they may need to extend the timeframe in which the initial ESER is completed or accepting a recent ESER completed within the last few years. Belmont added that they have extended that initial ESER deadline. They are also allowing a phasing schedule to spread out the ESERs over a longer period of time and accepting a recent ESER. Ongoing maintenance will require periodic inspections and will be dependent on the specific types of systems involved.
2. Capacity limits for individual STRs (per bedroom limits) would be capped at a maximum capacity at 2 persons per bedroom plus 2 more persons and is also based on the capacity of the onsite sewage disposal.

Commissioner Hall pointed out that our current limits are very generous, and these limits bring us more in line with other jurisdictions. Commissioner Jacobson brought concern about the vagueness of the “events” in the policy. What exactly is considered an event. Commissioner Hunt shared that he is personally against the grandfathering exception. He thinks that this policy should apply to all properties. He would also like to see the vague “event” wording more specific. Knowing what is considered an event would be helpful. Sherriff Landers agrees that more specific wording would be helpful to the sheriff’s department to be able to determine a violation. There was a discussion on what the limit should include.

3. Compliance enforcement would not change any of the current enforcement but would add to it to make it easier to deal with violations. There would be an administrative hearing that is basic and timely. Commissioner Jacobson raised concern about putting this on an already strained legal staff and suggested writing in hired help. Belmont clarified that the intention was to have outside help. Sherriff Landers stated that he believes this policy will make the process of compliance enforcement easier. If there is a violation, ultimately the owner of the property is responsible.
4. Limiting the number of STRs is addressed in the code language. If the recommendation is adopted there would be additional STRs east of Highway 101 but limit the number west of the Highway. The proposed

number are intended to try to spread out the concentration of STRs more evenly throughout the county. There would need to be a periodic review. Belmont clarified that no one would be losing their license currently. They do not allow the transfer of the license, so during sales and transfers of properties the numbers would come down. Commissioner Hall asked if there is any way to know a timeline for reaching these reduced caps. Because it is based on attrition, there is no way to know a timeline. Commissioner Jacobson added that you could also lose a license through violations and asked about the growth areas and how to manage the potential imbalance as those areas with growth proposed move to including additional STRs. Belmont confirmed that there could be potential growth in some regions before you see any limitations in other regions.

Counsel Belmont asked the board when they would like to review the changes to be made and revisit this policy. Belmont suggested October 13, 2021 and the commissioners were comfortable with this date.

Sherriff Landers shared concerns about the staffing and additional work on his department. While there may be fewer STRs eventually, there will be more management of procedures. He asked for clarification to be included on how the applicant list/lottery will be managed. Counsel Belmont clarified that those concerns can be done offline and do not need to be included in the code.

Commissioner Jacobson asked Counsel Belmont to address the ballot measure that is taking place and summarize why this is still needed and/or what the difference is between those processes. Belmont will be very limited in his comments because he can not make comment on political issues. He did share that the approach the county is taking falls in the realm in business license regulation. This is consistent with what is done across the state of Oregon. The ballot measure takes the approach of dealing with these as land use issues. Commissioner Hunt shared that he is very concerned about the ballot measure and shared that it could be financially crippling to the county. Commissioner Jacobson also shared that she has concerns about the ballot measure. She believes that there may be a misconception that the ballot measure is only for unincorporated Lincoln County. She is concerned that because the whole county is voting, there is a misconception that it affects the whole county which is not the case. Commissioner Hall is concerned that if this ballot measure is enacted, it is highly likely that it will face court battles. There are concerns about the amount of legal staff time spent fighting a measure that is flawed.

C. Lincoln County Social Media Policy – Presented by County Counsel Kristin Yuille

County Counsel Kristin Yuille presented that there are departments using third party web platforms. These platforms are private companies, but once it comes from the county it becomes public communication. This is a basic policy that goes through the platform that would not be allowed on any county website. The county has to be very careful about censoring individual viewpoints.

PIO Casey Miller included that this policy clears up what is acceptable in how public staff represent the county through social media. The county needs to procure software that will archive all posts and comments on social media sites to capture any activity on social media. They have seen an uptick in departments wanting to use social media and this policy will help make sure that there is consistency across the organization.

Commissioner Jacobson pointed out that this policy also gives the county staff the ability to remove comments on departments posts that violate these standards. An example of this are threats, inappropriate content, and

hate speech. Counsel Yuille clarified that this policy applies to county employees but that the social media sites should be catching and removing other violations like hate speech. PIO Miller included that the county has no control over what Facebook removes. He also pointed out that public comments on social media are getting archived and encourages them to be thoughtful about what they comment.

Chair Hunt asked who is responsible for deciding which information crosses a line. Counsel Yuille stated that there are PIOs in various departments who will look at the information and flag posts that clearly violate this policy for review.

This policy will come back to the board in a couple of weeks after more departments have had a chance to review.

D. Ambulance Service – Presented by Jeff Mathias, Pacific West Ambulance

Jeff Mathias of Pacific West Ambulance presented that Pacific West has been able to keep up with this pandemic but is starting to experience concerns with staffing and providing service to the county. Since July EMTs and paramedics have left and they are struggling to fill those positions. They are able to meet the minimum required within their contract with the county, but they are concerned that if they continue to lose people and are unable to replace them that will affect the ability to meet those contract requirements. The call volume is up 18-24% in any given month. They are also transferring further and further outside of the county, including sometimes out of state. Pacific West is also experiencing a hold at the hospital when transporting a patient. Multiple back-to-back calls in certain parts of the county are leading to Pacific West shifting resources around the county. Mathias has ideas for how to continue to meet the need and will be presenting these to his board. Pacific West is recruiting using websites, recruiting agencies, and Worksource Oregon. There is a nationwide shortage of staff for ambulance services. They are going to be asking for a waiver of response times through potentially the end of the year, but don't have those needs right now.

REPORTS

A. Echo Mountain Fire Update

Commissioner Jacobson reported that there is a continuation of the community request for technical assistance from the EPA/FEMA in the works. There is also work being done to find property in north Lincoln County for housing. If anyone knows of property, please reach out. Money went out for septic and well system replacements to property owners and repair companies last week and that program is ongoing. There is still no money for roads, but work continues trying to find funding.

B. COVID/Vaccination Update – Presented by Forence Pourtal, Health & Human Services Deputy Director

Deputy Director Florence Pourtal presented the COVID/Vaccine updates. There has been a state-wide decrease in hospitalizations and positive COVID cases. There are currently 19 outbreaks, half of which are in schools or day care facilities. Due to limitations, they are only opening outbreaks in congregate settings. Pourtal clarified that the 19 outbreaks are not representative of what is currently happening.

Pfizer vaccine boosters have been approved for specific populations. Find the full guidance on the CDC website. To be eligible for the Pfizer booster you must have received the Pfizer vaccine initially AND be

over 65 year old, or live in a long-term care facility, or be 50-64 with underlying medical concerns. You MAY receive a Pfizer booster if you received the Pfizer vaccine initially AND are 18-64 years old with and underlying medical condition or at an increased exposure and transmission risk.

Pourtal shared the upcoming vaccine clinics happening at the fairgrounds on the 10.1.21 and mobile clinics from 10.24.21 through 11.5.21. There are other clinics in the works.

Commissioner Hall asked about flu shots and COVID boosters. Pourtal confirmed that there are no concerns about getting both the flu shots and the COVID vaccine or booster at the same time.

Commissioner Hunt shared that Lincoln County was recognized by the Governor for the outstanding job done with vaccinations.

C. Commissioners

PUBLIC COMMENT

The public comments were acknowledged since the last meeting of the Board of Commissioners on September 22, 2021.

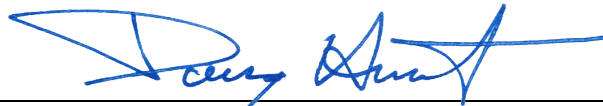
ADJOURNMENT

The next Board of Commissioners meeting will be held virtually on October 6, 2021 at 10:00 a.m.

The meeting adjourned at 12:04 p.m.

These meeting minutes were read and approved October 13, 2021.

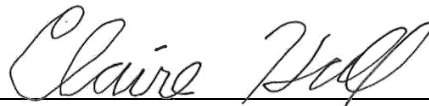
LINCOLN COUNTY BOARD OF COMMISSIONERS



DOUG HUNT, Chair

Excused

KAETY JACOBSON, Commissioner



CLAIRE HALL, Commissioner