

APPROVED BY ORDER # 11-21-373
MINUTES OF THE
LINCOLN COUNTY BOARD OF COMMISSIONERS
VIRTUAL MEETING MARCH 29, 2021 at 3:00 p.m.

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; Kristi Peters requested to remove items B-1 and B-2.

Chair Hunt entertained a motion to adopt the consent calendar with the removal of those items. Commissioner Jacobson moved and Commissioner Hall seconded.

Chair Hunt asked that the commissioners agree to the removal of the first motion before a final vote is taken. All commissioners agreed.

A vote was taken and passed unanimously.

Minutes of Board of Commissioners Meeting

1. Order #3-21-87 Lincoln County Budget Committee Meeting Minutes 5.20.2020

Commission Appointments and Resignations

1. ~~Removed~~ ~~Changes in Membership to the Alcohol Prevention and Recovery Committee (APARC)~~

2. ~~Removed~~ ~~Changes in Membership to the Mental Health Advisory Committee~~

Tax Foreclosure, Right-of-Way, Sales and Deeds

1. Order #3-21-88 Quitclaim Deed for Certain Tax Acquired Property to Christopher Bucheit and Jennifer Bucheit

2. Order #3-21-89 Correction Quitclaim Deed – Pompel Homestead
3. Order #3-21-90 Land Sales Installment Contract #2/22/21-1 – Nicole Renee Moore

Documents and Recording Matters in the Commissioners Journal

1. Order #3-21-91 Transfer of Registrar for Vital Statistics for Lincoln County
2. Order #3-21-92 Agreement #34617 between ODOT and Lincoln County for Delivered Federal Project – South Beaver Creek Road: South Fork Beaver Creek Bridge (No. 12081)
3. Order #3-21-93 OCHIN Statement of Work #7812
4. Order #3-21-94 Amendment #1 to Intergovernmental Agreement #159283 between Oregon Health Authority and Lincoln County
5. Order #3-21-95 Relias Subscription Contract for Lincoln County Juvenile

Execution of Documents

1. Amendment #20 to Intergovernmental Agreement #159820 between Oregon Health Authority and Lincoln County for the Financing of Public Health Services

DECISION/ACTION

A. Letter to Newport City Council regarding the Vacation of a Portion of SW 2nd Street between SW Angle Street and US Highway 101

County Counsel Wayne Belmont reported that this is a request initiated by the city of Newport to vacate a portion of SW 2nd street between Angle and US 101. Since this request was initiated by the city, it removes the necessity to include a public interest component. The letter before the commissioners has been drafted and reviewed by Assistant County Counsel Jerry Herbage.

Planning Department Director Onno Husing continued the presentation. He indicated that this vacation is right outside of his office and is used heavily by the public and for parking. Director Husing indicated that when there was a hearing at the public commission level he testified, and Bill Barton sent a letter that there are still a lot of issues to be discussed. He clarified that the request is to take land that is now owned by the public and giving ownership to a private individual. In this case, he would like the city-initiated petition reversed to give time for a visioning session with feedback from the community. He stated that he doesn't have answers for what the best process is but would like a more vigorous public discussion about how to best utilize that property. The letter in front of the commissioners is asking them for that public process. He ended by commending the city of Newport for the work they have done to make improvements to streets throughout the city but added that he thinks this particular right of way conversion so close to public activity is short-sighted.

Commissioner Hall agreed with Director Husing that this is important public property that is used for access to county offices but has other uses as well. She thinks that the proposed letter to the city is reasonable and makes the appeal for an open public process.

Commissioner Jacobson is also in support of sending this letter and making the city aware of their interests and the wider process.

Commissioner Hunt commented that all they are asking for is a more public process and that all elected officials should have a responsibility to protect public assets.

Commissioner Hall moved to adopt and agree to sign the proposed letter to the Newport City Council regarding the vacation of a portion of SW 2nd Street. Commissioner Jacobson seconded; a vote was taken and passed unanimously.

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

A. STR Update – Presented by Wayne Belmont, County Counsel

County Counsel Wayne Belmont updated on the amendments to the short-term rental licensing program with some specific code language suggestions to address some of the issues they have been looking at over the last two years. Counsel Belmont noted that this does not include any recommendation on fees to finance this program at this point. They are also looking at making recommended changes and adjustments to the Lincoln County Code Chapter 5: the transient room tax. With that they will address some of the management models and practices that have seen.

Currently there is a series of 4 recommendations to the current program and practices. The first is the option of reducing the occupancy per unit that is allowed in the STR. Occupancy is a key factor in the viability of the program and its impact on neighbors. The recommendation is to reduce the number of people per sleeping area from 3 persons down to 2 persons per sleeping area with an additional 2 persons allowed during the day. He is also recommending that there be a maximum limitation to the occupancy to the unit during the day and that “events” be prohibited at the site. The current provisions have less than ten units grandfathered in that have higher occupancy.

The second item is onsite waste management systems. A significant percentage of short-term rentals in unincorporated Lincoln County use onsite waste management systems, usually septic systems or other systems not connected to municipal systems. The recommendation is to provide a baseline evaluation for every STR on an onsite waste management system. They would incorporate a DEQ established procedure with qualified professionals to evaluate the condition and capacity for every STR. This initial report will make sure that the system is properly operating, find any deficiency to the system and give a report on the capacity of the system.

The third recommendation area is in code enforcement which would create a new administrative hearing process to address complaints and violations. This would give the sheriff’s office team the opportunity to cite to a hearings officer any violations. This would provide everybody with appropriate notice, due process, and allow for determination of whether a violation occurred.

The fourth recommendation is on whether the county should place a cap on the number of short-term rentals. Counsel Belmont discussed four different alternatives he is presenting.

Counsel Belmont indicated that they are not looking for any action from the board but would like to provide another opportunity for public comment on these recommendations. Wednesday April 2, 2021 at 6:00 pm there

will be another virtual workshop. He will then come back to the board on April 12 to share the information they received and to get input from the board.

Commissioners asked Counsel Belmont questions regarding these recommendations.

B. Request to Increase Building Department Fees – Presented by Onno Husing, Planning Director, & Al Eames, Building Inspector

Planning Director Onno Husing acknowledged that those departments that have fees associated are encouraged to raise those fees modestly over a period of time. He indicated that for the first time since 2012 they are proposing some modest building fee increases. There will be a formal hearing on May 24, 2021 and it would be scheduled for adoption on June 21, 2021. Director Husing will be soliciting further input before this increase would take place. Currently a building permit fee is around \$2,000. The proposed fee would increase that by about \$70. This equates to about a 5% increase.

Commissioners asked Director Husing questions regarding the fee increase and made comments. Everyone recognized that they do not want fees to be a barrier to home ownership and that the fee waiver for wildfire survivors will still be in place.

REPORTS

A. Lincoln County Public Health COVID-19 Update – Presented by Florence Pourtal, Public Health Deputy Director

Deputy Director Florence Pourtal updated that there is an upward trend on the cases per day and we have moved up to the moderate risk category last Friday. There are a few outbreaks, one at a restaurant including staff and household members, another at the jail. Deputy Director Pourtal commended the staff who responded to this outbreak and indicated that it is already under control. Sherriff Landers added that they had a COVID positive individual, but they already had a plan in place to follow and the staff put it into action immediately. They came back with five more asymptomatic cases. All positive cases were moved to a pod for isolation. Vaccinations are available for adults in custody. None of the positive cases at the jail were fully vaccinated. So far, no staff have tested positive.

Vaccination rates are increasing. Public Health is receiving a lot of vaccines from the state for targeted events as well as their public events. The focus right now is on getting access to individuals who might not have easy access to getting the vaccine. The registration for vaccine availability is becoming difficult to manage. They are looking at some new tools and possibly retiring the waitlist in the next couple of weeks. More groups are eligible to receive the vaccine reducing the need for the waitlist.

Commissioners made comments and asked questions regarding the update.

Commissioner Hunt acknowledged Public Health Director Rebecca Austen. He wished her a happy retirement, offered words of encouragement, and thanked her for her service.

Director Austen thanked the commissioners and the county for the opportunity she was given.

Commissioner Jacobson thanked Director Austen as well and stated that she could not have imagined making it through this last year without her.

Commissioner Hall echoed her other commissioners' thoughts and thanked Director Austen.

B. Siletz Tribal Clinic Vaccinations – *Invited*

The update was rescheduled.

C. Echo Mountain Complex Fire Update

Public Works Director Roy Kinion updated that there are 53 lots that have been cleaned. This is over 50%. ODOT is continuing to take ROEs and he encouraged anyone who has not submitted that to do so. ODOT has started the clean up on the Salmon River RV Park.

Counsel Belmont updated that the community planning process for long-term recovery is being held with FEMA resources tomorrow. This will get them looking at needs and goals for community planning. They have also made a request to the legislature for planning and building needs. The potable water resources taskforce is coming out to assess some of the drinking water needs in Otis.

D. Lincoln County Comprehensive Annual Financial Report – *Presented by Christina Shearer, Finance Director, and Paul Nielson, CPA*

Director Shearer was excused from the presentation. Deputy Finance Director Deanna Gravelle is here in her absence.

CPA Paul Nielson reported that there were no difficulties encountered during the audit. The county meets the Oregon minimum standards. He reported on expenditures and transfers and days in cash for various funds.

Commissioner Hunt asked how COVID may have impacted these numbers. Nielson doesn't believe that it affected this year's audit that much and that he would expect for it to affect next year much more. COVID did however lead to some challenges in processing the audit.

Commissioners made comments on the presentation by Neilson.

E. Commissioners

No commissioner reports for today.

PUBLIC COMMENT

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

ADJOURNMENT

The next Budget Meeting will be held virtually on March 30, 2021 at 1:30 p.m.

The next Board of Commissioners meeting will be held virtually on April 5, 2021, at 3:00 p.m.

The meeting adjourned at 4:43 p.m.

These meeting minutes were read and approved November 3, 2021.

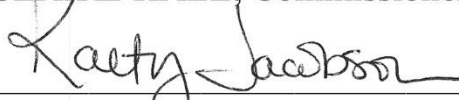
LINCOLN COUNTY BOARD OF COMMISSIONERS



DOUG HUNT, Chair



CLAIRE HALL, Commissioner



KAETY JACOBSON, Commissioner