



MINUTES OF THE

Lincoln County Board of Commissioners

Board of Commissioners
225 West Olive Street
Room 110
Newport, OR 97365
Phone: 541.265.4100
FAX: 541.265.4176

REGULAR MEETING OF DECEMBER 18, 2024, AT 10:00 AM

I. CALL TO ORDER

Chair Miller called the meeting to order at 10:00 a.m.

II. ROLL CALL - ESTABLISHMENT OF A QUORUM

All commissioners were in attendance. A quorum was established.

III. RECOGNITION/PROCLAMATION

Commissioner Jacobson provided an impromptu recognition of Sheriff Landers in light of his upcoming retirement. She read an article regarding the Sheriff from the County Connections newsletter out loud.

IV. ADOPTION OF CONSENT CALENDAR

Commissioner Jacobson requested that item H.viii., "Modernization of two LC Courthouse Elevators" be pulled from the consent calendar and moved to the "Discussion/Information" section of the agenda. Commissioner Hall moved to accept the consent calendar with item H.viii., "Modernization of two LC Courthouse Elevators" moved to the "Discussion/Information" section of the agenda for further discussion. Commissioner Jacobson seconded the motion. The motion carried.

A. Minutes of Board of Commissioners Meeting

- i. 12-24-560 Board of Commissioners Minutes 12.11.2024

B. Commission Appointments and Resignations

- i. 12-24-561 Changes in Membership to the Lincoln County Fair Board - Helfrich

C. License Applications or Renewals

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

- i. N/A Haft Deed - 06-10-33-DA-1300

E. General Budget Resolutions

F. Acting as Governing Body of County Wide Service

G. Documents and Recording Matters in the Commissioners Journal

- i. 12-24-563 Green Light Signs - Signed 24-0300

- ii. 12-24-564 Green Light DD Lights signed 24-0299
- iii. 12-24-565 OHA IGA 180020-13 exe 24-0280
- iv. 12-24-566 Coastal Inn Amendment 2 24-0236
- v. 12-24-567 CHE January 23, 2025 All Staff Meeting 24-0294
- vi. 12-24-568 Independent Contractor Herd 24-0248
- vii. 12-24-569 026016-6 OHA Amendment 6 for BH 24-0303
- viii. 12-24-570 Seawater Bass School of Fish Child Care Grant Amendment
- ix. 12-24-571 Aponi's Daycare Child Care Grant Agreement
- x. 12-24-572 Tides 3 Painting Contract ARPA
- xi. 12-24-573 Kings Security & Fire Agreement_ARPA Approved 241104
- xii. 12-24-574 Female Tides 4 Flooring
- xiii. 12-24-575 Sub agreement. OHCS-HALC-YEHA-Exec 24-0277
- xiv. 12-24-576 OJP 2021 BJA FY 21 Comprehensive Opiod, Stimulant and Substance Abuse Program Grant
- xv. 12-24-577 FY23 COPS Technology and Equipment Program Grant
- xvi. 12-24-578 Surplus of County Equipment and Vehicles
- xvii. 12-24-579 184149-0 IGA PH 24-0273 Executed
- xviii. 12-24-580 OPRD Grant Agreement, Brown Park
- xix. 12-24-581 Agreement with CompuNet re Disaster Recovery Analysis and Planning
- xx. 12-24-582 Consulting Agree Anna Young Executed PH 24-0314
- xxi. 12-24-583 QUAD Lincoln City Shelter 24-0321 bg edit 12.07.24_QUAD signed
- xxii. 12-24-584 Contract For Services Coastal Fence & Deck
- xxiii. 12-24-585 Agreement with Mountain Man Excavation, LLC

xxiv. 12-24-586	Mishey Lease
xxv. 12-24-587	Newport Coast Investments Lease
xxvi. 12-24-588	Agreement with Tru-North Construction, LLC
xxvii. 12-24-589	LCSW Abandoned RV Removal Services Contract with Dahl ARPA
xxviii. 12-24-590	SADA Systems Google Workspace Contract
xxix. 12-24-591	Amendment to Agreement Lincoln County & Scan-It, Inc
xxx. 12-24-592	LCSW Abandoned RV Removal Services Contract with Thompson's Sanitary ARPA
xxxi. 12-24-593	Agreement with King Office Designs re DA ARPA
xxxii. 12-24-594	Agreement with Complete Wireless Solutions ARPA

H. Execution of Documents

i. 12-24-595	Lincoln City Animal Clinic Agreement Extension - LCSNP Feral Cats Program
ii. 12-24-596	Feral Cat Coalition Agreement Extension - LCSNP Feral Cats Program
iii. 12-24-597	Homeward Bound Pets Agreement Extension - LCSNP Feral Cats Program
iv. 12-24-598	Salem Friends of Felines Agreement Extension - LCSNP Feral Cats Program
v. 12-24-599	ARPA Sequoia Consulting BAT contract extension
vi. 12-24-600	Agreement with Astound ARPA
vii. 12-24-601	Modernization of two LC Jail Elevators ARPA
viii. See Discussion	Modernization of two LC Courthouse Elevators
ix. 12-24-602	Agreement with Green Light re 1105 SE Jetty Avenue, Lincoln City
x. 12-24-603	S&J Construction Contract ARPA for Youth Shelter Home Remodel Project

- xi. 12-24-604 MOU-Accruals LCEA Transit
- xii. 12-24-605 Delta AV ARPA Contract
- xiii. 12-24-606 Order re Jail Dishwasher Purchase
- xiv. 12-24-607 Personal Services Agreement with Sweitz
- xv. 12-24-610 Order re Contract for Seismic Report
- xvi. 12-24-608 Order re Facilities Space Needs for Courthouse

V. PUBLIC HEARING

A. Second Reading of Ordinance No. 537, amending the Lincoln County Code (LCC), Chapter One, to update sections of the code pertaining to the administration of the National Flood Insurance Program (NFIP) Special Flood Hazard Area requirements

Chair Miller reopened the public hearing at 10:05 a.m. The Board requested that Counsel Yuille read the ordinance by title only. Planning Director Onno Husing provided an update on the feedback since the first part of the hearing on December 4. He explained that the County has no choice except to adopt this ordinance.

Gary Miller provided In-person testimony. There was no public testimony online. Written public testimony was attached to the agenda. Commissioner Miller disclosed ex parte testimony from Joe Steer. There being no further public testimony, Commissioner Jacobson moved to close the public hearing. Commissioner Hall seconded the motion. The motion carried and the public hearing was closed at 10:19 a.m.

The Board then discussed the proposed ordinance. Commissioner Jacobson shared a letter from Cheri Brubaker. She asked County Counsel Yuille to explain how this ordinance would be removed if something were to change at federal level. Counsel Yuille explained that the same process of vetting and voting for the approval of an ordinance would be used to repeal an ordinance.

Commissioner Jacobson moved to adopt Ordinance No. 537. Commissioner Hall seconded the motion. The motion carried.

VI. DECISION/ACTION

A. County Fee Schedule to be effective January 1, 2025

Assistant County Counsel Gardner appeared before the Board to present the fee schedule in in final form. Commissioner Hall moved to approve the fee schedule. Commissioner Jacobson seconded the motion. The motion carried.

B. Ordinance No. 537, amending the Lincoln County Code (LCC), Chapter One, to update sections of the code pertaining to the administration of the National Flood Insurance Program (NFIP) Special Flood Hazard Area requirements

This decision was made directly after the discussion and is reflected in that section.

C. Moratorium on Short Term Rental Licenses Under LCC 4.405 Through 4.460

County Counsel Yuille reminded the Board that the current moratorium on short term rental licenses expires on December 31, 2025. After discussion, Commissioner Jacobson moved to extend the moratorium on short term rental licenses to March 31, 2025. Commissioner Hall seconded the motion. The motion carried. The Board was additionally in consensus that staff be directed to prepare a work session to refresh the Board on the short term rental ordinance.

D. ARPA Allocations

Commissioner Jacobson presented a staff report and discussed the details. She pointed out that these were funds that had been dedicated to other projects but had not been used. If these funds are not used, they will need to be returned. Commissioner Jacobson moved to reallocate ARPA funds as recommended in the report. Commissioner Hall seconded the motion. The motion carried.

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

A. Resolution Regarding the Lincoln County Water Systems Alliance (LCWSA)

Billy Jo Smith of the Lincoln County Water Systems Alliance refreshed the board on the reasons for the resolution. Commissioner Jacobson moved to adopt the resolution. Commissioner Hall seconded the motion. The motion carried.

B. Jurisdictional Transfer of Ocean View Drive, #813

Director of Public Works, Mikel Diwan, came forward to discuss this matter. He explained that his memo for the meeting identified four roads, but he asked that the Board dismiss two of those and initiate the jurisdictional transfer of Ocean View Drive (County Road #813) and Marine Drive (County Road #814) only. Counsel Yuille explained that an order would be prepared by Counsel. A "meets and bounds" description would need to be included detailing which portions of the road would be transferred, and this would need to be approved by the City of Yachats. Director Diwan will work toward receiving approval from the City of Yachats so that this matter may come before the Board at the January 8, 2025, regular meeting of the Board of Commissioners.

C. Modernization of Two Lincoln County Courthouse Elevators (moved from Consent Calendar)

This discussion item was moved from consent at the request for the Board. Facilities Manager Micheal Copp and Assistant County Counsel Gardner came before the Board to explain that the bid for modernization of the Courthouse elevators from Otis had increased beyond the allocated amount. The County then reopened negotiations with TK Elevators for the Courthouse elevators based on their proposal for the jail elevators. The bid from TK Elevators will only apply to the north Courthouse elevator. This is less money than the bid from Otis but does not allow for modernization of the south Courthouse elevator. They asked that the Board approve the allocation of \$185,484.41 for the modernization of the north Courthouse elevator so that a contract can be entered into with TK Elevators.

Commissioner Jacobson moved to approve the allocation of \$185,484.41 for modernization of the north courthouse elevator as presented by staff. Commissioner Hall seconded the motion. The motion carried.

VIII. REPORTS

County Administrator Johnson wished everyone happy holidays and thanked them for a good year of work. He reported that the County is working on the mid-year budget report.

IX. COMMISSIONER REPORTS

There were no reports from the Commissioners.

A. Commissioner Miller report 12.11.2024

The Board outlined appropriate items for Commissioner reports. Commissioner Hall pointed out the risk of a candidate using the report as a campaign platform. The Board requested that staff prepare a form with guidelines as to the appropriate items to be mentioned in a report. Such a report will be provided in the near future.

X. PUBLIC COMMENT (please limit comments to no more than 3 minutes)

Brian Gardner gave public comment as a constituent. He thanked all of staff that helped come together for last 6-7 weeks to complete the ARPA contracts.

There was no online or written public comment.

A. Public Comment 12-18-24

XI. EXECUTIVE SESSION

XII. ADJOURN

The meeting was adjourned at 11:28 a.m.

XIII. OTHER SCHEDULED MEETINGS AND APPOINTMENTS OF THE BOARD

- A. Wednesday, January 8, 2025 - 10:00 a.m. - Board of Commissioners Meeting - Hybrid**
- Wednesday, January 22, 2025 - 10:00 a.m. - Board of Commissioners Meeting - Hybrid**
- Wednesday, February 5, 2025 - 10:00 a.m. - Board of Commissioners Meeting - Hybrid**
- Wednesday, February 19, 2025 - 10:00 a.m. - Board of Commissioners Meeting - Hybrid**