

W.3.F.2.

Memo Date: February 4, 2008
Meeting Date: February 20, 2008



TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division, Planning Department
PRESENTED BY: Stephanie Schulz, Planner
AGENDA ITEM TITLE: ORDER NO. 08 - - - / IN THE MATTER OF AMENDING
CHAPTER 60 OF LANE MANUAL TO ADOPT A FEE RELATING
TO SPECIAL DISTRICT BOUNDARIES (LM 60.812).

I. MOTION:

Move approval of the Order.

II. ISSUE/PROBLEM:

On December 12, 2007, the Board adopted two Board Orders relating to processing applications for formations and changes in boundaries of special districts. Order No. 07-12-12-18 established processing guidance, and Order No. 07-12-12-19 established fees for program cost recovery. Both Orders became effective January 2, 2008. The fee schedule adopted by Order No. 07-12-12-19 inadvertently omitted a fee for the annexation or withdrawal of "50 acres or more but less than 100 acres." The accompanying order and attached fee schedule is intended to correct that error.

III. DISCUSSION/ACTION

Lane Manual 60.812(4) establishes fees for special district boundary changes and changes in district function. LM 60.812(4)(a) contains the fees for annexations or withdrawals. In December the Finance and Audit committee reviewed the entire fee schedule, including the line that was inadvertently left off the drafted Lane Manual page, and recommended adoption of Option 2 to the Board. However, the proposed fee structure attached to the Order presented to the Board did not contain a fee for the annexation or withdrawal of 50 acres or more but less than 100 acres. As a result, the fee schedule shown in Lane Manual on page 60-8 is missing the following acreage: "50 acres or more but less than 100 acres". The fee for that size category is \$6,400. This is consistent with the size distribution percentages per acre as shown in Lane Manual 60.812(4)(a). The missing category should be included in the list.

Timing/Recommendation

Order No. 17-12-12-18 took effect on January 2, 2008. The forms, instructions, and processing guidelines are now in place for use. Staff recommends adopting this order for inclusion of this additional fee in LM 60.812(4)(a) as reviewed and recommended by F&A and as intended by the Board.

IV. ATTACHMENT

1. Order No. 08- - -
Lane Manual 60.812 _____

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF
THE LANE MANUAL TO ADOPT FEES RELATING
TO SPECIAL DISTRICT BOUNDARIES (LM 60.812)

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 60 is hereby amended by removing, substituting, and adding the following section:

REMOVE THIS SECTION

60.812

as located on page 60-8 through 60-9
(a total of 2 pages)

INSERT THIS SECTION

60.812

as located on page 60-8 through 60-9
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to adopt fees relating to preparation and processing of formations of special districts, and changes to special district boundaries and functions as required by state law or applicable Lane Code (LM 60.812).

Adopted this _____ day of _____ 2008.

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 2/11/08 Lane County

OFFICE OF LEGAL COUNSEL

(a) The applicant must provide Lane County's Office of County Administration with:

- (i) A copy of the completed state application.
- (ii) Certification from Lane County Land Management Division that the project complies with the applicable land use plan, or goals and guidelines. A \$100 nonrefundable fee is required to determine land use compliance.

(b) The applicant or applicant's designated representative must appear before the Board to present the project, focusing on community benefit as it relates to:

- (i) Job creation (State Part III) including job retention AND new job development; as well as how this business expansion increases the market share of the local related industries.

- (ii) Environmental impact (State Part IV) including what impact, if any, this expansion has on infrastructure and service requirements.

(c) The application will not be scheduled for Board consideration until after land use findings are complete. The applicant is advised to apply through Lane County at least 45 days prior to the State EDC consideration date.

(3) Notification of Approval. The Office of County Administration will directly notify the Economic Development Commission of the Board's action and provide all necessary documentation. *(Revised by Order No. 94-6-15-4, Effective 6.15.94)*

FEES

60.812 Fees to be Charged by the County Clerk.

(1) For the preparation of and processing of a marriage license waiting period waiver request, the fee is \$4.

(2) For solemnizing a marriage after normal working hours or on weekends or legal holidays, the fee is \$80. The fee for solemnizing a marriage during working hours is as authorized by state law.

(3) For the expenses of conciliation/mediation services, the fee is \$10, to be charged for issuing a marriage license or registering a declaration of domestic partnership, and to be used as described in ORS 107.615.

(4) For the preparation and processing of formations of special districts, and changes to special district boundaries and functions as required by state law or applicable Lane Code. The fees are as follows:

(a) Special district boundary changes that are annexations or withdrawals:

- (i) Consisting of less than 1 acre..... \$ 2,080.00
- (ii) Consisting of 1 acre or more but less than 5 acres..... \$ 2,660.00
- (iii) Consisting of 5 acres or more but less than
10 acres \$ 3,550.00
- (iv) Consisting of 10 acres or more but less than
25 acres \$ 4,480.00
- (v) Consisting of 25 acres or more but less than
50 acres \$ 5,560.00
- (vi) Consisting of 50 acres or more but less than
100 acres \$ 6,400.00
- (vii) Consisting of 100 acres or more \$ 8,820.00

(b) Special district boundary changes that are formations, dissolutions, mergers*, consolidations*, and incorporations:

- (i) Under \$10 million assessed valuation..... \$ 8,890.00
- (ii) \$10,000,001 to 100,000,000 assessed valuation \$12,480.00

- (iii) \$100,000,001 to 250,000,000 assessed valuation ... \$17,790.00
- (iv) Over \$250 million assessed valuation..... \$24,600.00
- (c) Pre-Application Conference \$ 235.00
- (d) Re-notice..... \$ 398.00

*NOTE: For mergers and consolidations, the highest fee is used based on the highest assessed value of merging or consolidating districts.

(5) For certification of signatures for annexations to or withdrawals from a city in Lane County, excluding signatures collected for the purpose of calling for an election, the fee is \$1 per signature. *(Revised by Order No. 92-8-12-25, Effective 8.12.92; 07-12-5-5, 12.5.07; 07-12-12-8, 12.12.07)*

60.814 Property Instrument Fee.

To insure at least partial recovery of associated administrative costs, a \$50 minimum per transaction property instrument fee is hereby established for all real property instruments executed by Lane County at the request of a private person. The fee hereby established is waived for instruments executed in connection with the administration of County planning controls. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.815 Park Fees.

(See LM 18.110) (Revised by Order No. 98-4-1-11, Effective 4.1.98)

60.817 Pollution Control and Other Revenue Bonds.

To insure at least partial recovery of the administrative and legal costs associated with issuing Pollution Control bonds pursuant to ORS 468.263-468.272 or any other type of revenue bond issued at the request of a private person or entity other than Lane County, Lane County shall receive the following minimum fee.

<u>Dollar Value of Bonds</u>	<u>Fee</u>
\$0-\$2.5 million	\$2,500
\$2.5 million-\$10 million...	1% of face value
Over \$10 million.....	\$10,000

(Revised by Order No. 98-4-1-11, Effective 4.1.98)

60.820 Returned Check Fee.

The Department of Management Services shall collect a fee of \$15 from the maker of any check to Lane County which is returned for non-sufficient funds in the maker's checking account. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.822 Child Support Garnishment Fee.

The Department of Management Services shall collect a fee of \$5.00 per month for withholding garnishment of child support from garnished employees. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

60.823 Duplicate W-2 Fee.

The Department of Management Services shall collect a fee of \$5.00 for providing duplicate W-2s. *(Revised by Order No. 98-4-1-11, Effective 4.1.98)*

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At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

**LEGISLATIVE
FORMAT**

~~60.81460.814~~

Lane Manual

~~60.82360.823~~

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