

PASSED

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 11-2-23- 13 IN THE MATTER OF ANNEXING TERRITORY WITHIN THE BOUNDARY OF THE BLUE RIVER WATER DISTRICT TO THE UPPER MCKENZIE RURAL FIRE PROTECTION DISTRICT (RFPD) AND SETTING THE FINAL HEARING (FILE NO. F UM 2011 - ANX 1, BLUE RIVER)

WHEREAS, a resolution initiating the annexation of territory to the Upper McKenzie Rural Fire Protection District was filed with Lane County on January 21, 2011 by the Upper McKenzie Rural Fire Protection District (the "Petition for Annexation"); and

WHEREAS, the territory proposed for annexation consists of all of the territory within the boundary of the Blue River Water District, more particularly described in Exhibit A and depicted on the map shown on Exhibit B, both of which are attached and incorporated by this reference; and

WHEREAS, the Blue River Water District conducted an election on November 2, 2010, approving the proposed annexation and terminating its authority to provide fire protection services on the condition that the annexation to the Upper McKenzie Rural Fire Protection District receives final approval from Lane County; and

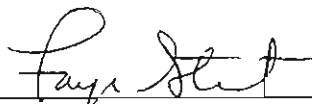
WHEREAS, legal notice was provided on February 13, 2011, for a February 23, 2011 public hearing according to ORS 198.800; and

WHEREAS, the Board of County Commissioners conducted a public hearing on February 23, 2011, where it received and considered both oral and written evidence.

NOW, THEREFORE, IT IS ORDERED as follows:

1. That the findings set forth in Exhibit C are hereby adopted and incorporated by this reference.
2. That based on the findings and evidence submitted, and the applicable law, the Petition for Annexation is hereby approved.
3. That a final hearing be held before the Board of County Commissioners on March 16, 2011, for the purpose of determining whether a sufficient number of requests for election have been filed in accordance with ORS 198.810(3) such that election on the annexation is required as provided by ORS 198.855.
4. That notice of the final hearing on March 16, 2011, be published according to law.
5. That if a sufficient number of requests for an election have not been filed in accordance with ORS 198.810(3) by the time of the final hearing on March 16, 2011, the Board of County Commissioners will issue its final order approving the annexation of the territory described on Exhibit A and depicted on Exhibit B to the Upper McKenzie Rural Fire Protection District, effective as of March 18, 2011.

ADOPTED: February 23, 2011.

  
 \_\_\_\_\_  
 Faye Stewart, Chairperson  
 Lane County Board of Commissioners

APPROVED AS TO FORM  
 Date 2-16-11 Lane County

## **EXHIBIT A**

The S  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of Section 20; the SW  $\frac{1}{4}$ ; the W $\frac{1}{2}$  of the SE $\frac{1}{4}$ ; the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; the S  $\frac{1}{2}$  of the NW $\frac{1}{4}$ ; all in Section 21; that portion of the NW $\frac{1}{4}$  of Section 28 lying North of the center line of the McKenzie River; that portion of the N $\frac{1}{2}$  of Section 29 lying North of the center line of the McKenzie River; all of which properties are located in Township 16 South Range 4 East Willamette Meridian in Lane County, Oregon.

29.43 546.4 AC

LOT 2  
29.49

File No:

F-UM-2011-ANX-1

LOT 3  
29.55

LOT 4  
30.30

LOT 5  
36.03

LOT 6  
31.60

5400  
31.35 AC  
LOT 7  
31.35

LOT 5  
41.65  
5200

LOT 6  
34.38

LOT 7  
34.67

4800  
80 AC

40.20  
5000

LOT 1  
39.58

240 AC

120.61 AC

LOT 3  
40.85

LOT 4  
39.56

17

5100  
74.67 AC  
S.19929

EXHIBIT B

466

SEE MAP  
16451600

LOT 4  
28.52  
4500

LOT 1  
40.92

5600  
602.81 AC

Blue River  
Water District

LOT 2  
40.78

19

Annexation  
Territory

SEE MAP  
16452100

LOT 4  
36.54

068-02

LOT 3  
40.63

LOT 4  
40.48

068-05

SEE MAP  
16452100

N89°43'E - 60.20 CH

LOT 3  
18

S.26900 S.28698

SEE MAP  
16453000

OLD MCKENZIE HWY  
U.S. HWY 126

SEE MAP  
16452920

RIVER STREET

MCKENZIE RIVER

SEE MAP  
16452900

LOT 4  
13

LOT 5  
19

COUGAR - STATION "S" NO. 1

LOT 3  
5

LOT 3  
3

LOT 1  
19.62  
S.34357

SEE MAP  
16453040

SEE MAP  
16452800

0

N89°02'W - 86.32 CH

S89°52'W - 79.50 CH

6300

LOT 1  
32.31

6200  
LOT 7  
32.70

6400  
560 AC

6600  
120 AC

6701  
200 AC

6800

7000  
200 AC

LOT 2  
40.78

LOT 8  
24.40

32

33

IAP  
100  
6204

LOT 9  
49.80

6700  
80 AC

6900  
40 AC

S.27330  
LOT 1  
29.58

LOT 2  
27.25

6500  
280 AC

N47°02'W - 49.84 CH

S78°01'W - 25.32 CH

N83°48'W - 54.67 CH

SEE MAP  
17450600

N082°15' - 65.55 CH  
N073°15' - 36.18 CH

F-UM-2011 ANX-1  
EXHIBIT C  
Findings of Fact

1. The annexation of territory to the Upper McKenzie Rural Fire Protection District ("Fire Protection District") was initiated by Resolution 2010-2 of the Fire District on January 7, 2011, as authorized by ORS 198.850. The resolution requesting annexation was filed with Lane County on January 21, 2011.
2. The application for annexation, map and legal description indicate that the territory proposed for annexation is all of the property within the boundary of the Blue River Water District ("Water District").
3. Legal notice for the initial public hearing on February 23, 2011, for the proposed annexation was made on February 13, 2011.
4. The first public hearing required by ORS 198.800 was held on February 23, 2011.
5. The final public hearing to consider whether an election is necessary as required by ORS 198.810(3) is scheduled to be held on March 16, 2011.
6. The decision criteria analysis considered by the Board of County Commissioners follows.

***When the electors of an area wish to annex to a district, in lieu of a petition, annexation may be initiated by resolution of the district board or of the county board. (ORS 198.850(3))***

The Fire Protection District adopted Resolution 2010-2 on January 7, 2011, initiating the annexation and setting forth the matters described by ORS 198.835 and filed the Resolution and application with Lane County.

Annexation of the affected territory to the Fire Protection District is consistent with this criterion.

***When determining whether to approve the resolution, the county board, in lieu of the criteria prescribed by ORS 198.805 (1) and 199.462, shall consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district. (ORS 198.850(3))***

The Lane County Rural Comprehensive Plan (RCP) is the applicable local comprehensive plan for the area. The annexation area is the territory within the Water District, which includes some land zoned Impacted Forest Land (F-2).

The community of Blue River is identified as an unincorporated community within the McKenzie Watershed with a "community" plan diagram designation in the RCP. Blue River is a developed and committed exception area and consists primarily of residential zones and other land use zones that provide for commercial, industrial, public facility and park uses. The provision of structural fire protection is consistent with plan policies that identify a rural level of fire

service as an appropriate level of service for properties in unincorporated communities. Blue River is not located within any city or urban growth boundary.

Annexation of the affected territory to the Fire Protection District is consistent with the applicable criteria from the RCP as addressed in the findings below. There are no service agreement's executed between a local government and the affected district.

RCP Goal 2 Policy 10 implements the state Unincorporated Community Rule by identifying and categorizing Lane County unincorporated communities and describing the appropriate levels of service and land division/development allowed in these exception areas that receive the Community plan designation.

***RCP Goal Two: Land Use Planning; Policy 10. c. applies a "community" plan diagram designation and zoning to Lane County developed and committed exception areas on a Watershed basis. In the McKenzie Watershed, under 10. d. vi. Blue River. is designated an Unincorporated Rural Community***

***RCP Goal 2 Policy 11 identifies the criteria and qualifying characteristics that must be met to receive the designation of Community. Blue River meets the following:***

- a. i. existing development pattern and density;***
- a. ii. on-site sewage disposal suitability or community sewerage;***
- a. iii. domestic water supply availability;***
- a. iv. access;***
- a. v. public services;***
- a. vi. lack of natural hazards; and***
- a. vii. effect on resource lands.***

The provision of fire service is necessary for structural and human safety throughout Lane County. Therefore, identifying the appropriate level of service for communities in all areas of the county is addressed under Goal 11.

***RCP Goal Eleven Public Facilities and Services; Policy 6. Land designations and service levels.***

***6.b. Forest Land: Impacted Forest Land (F-2) ...Uses that are not forest or farm related should be allowed only after assurance that such uses will not adversely affect the surrounding forest land.***

***6.f. Community (includes Rural Residential, Commercial, Industrial plan designations) Land that has an existing cohesive, dense settlement and development pattern to the degree that it may no longer be considered available for other uses . The service level for such designation includes: schools, on -site or community sewage disposal, individual water supply, electrical service, telephone service, rural level of fire and police protection and reasonable access to solid waste disposal facility.***

The above listed plan designations are found within the Water District. Appropriate level of fire protection for a rural community is provided by annexation of the affected territory to the Fire Protection District. Approval of this action is consistent with the service levels for the existing plan designations in the Blue River territory as described in the Rural Comprehensive Plan, therefore, this criteria is met.

***The county board shall cause notice of the hearing to be posted in at least three public places and published by two insertions in a newspaper. The notice shall state: (a) The purpose for which the district is to be formed; (b) The name and boundaries of the proposed district; (c) The time and place of the hearing on the petition, and (d) that all interested persons may appear and be heard. (ORS 198.800 (2))***

Legal notice including the required statements, above, was posted on February 11, 2011 by Lane County Land Management Division on public bulletin boards at the Blue River Market and the Blue River Post Office, and on the door of Harris Hall where the Board will hold the public hearings. In addition, a legal notice for the hearings was published in *The Register Guard* on Sunday, February 13, 2011. This procedural criteria has been met.

7. The decision criteria to allow the annexation to Upper McKenzie Rural Fire Protection District is found to be met by the applicant. Process criteria for considering the decision and providing opportunity for comment and participation by affected parties was followed and met in coming to a decision to approve the annexation. The Board of Commissioners finds approval of the Order annexing the territory is consistent with the Decision Criteria, Lane Code, and Oregon law.

## LANE COUNTY SUPPLEMENTAL ANNEXATION INFORMATION FORM

(Complete all the following questions and provide all the requested information. This form will be used to determine whether or not the application can be considered a land use decision and for the purpose of analysis and decision making by the Lane County Board of Commissioners. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

*Contact Person:* J. Kenneth Jones  
*Mailing Address:* 975 Oak Street, Suite 700  
*City/Zip:* Eugene, OR 97401  
*Phone #:* 541-485-5151  
*E-Mail:* [jkj@speerhoyt.com](mailto:jkj@speerhoyt.com)

The attached petition is for annexation to Upper McKenzie Rural Fire Protection District.

Supply the following information regarding the annexation area.

- Estimated Population (at present): **330**
- Number of Existing Residential Units: **150**
- Land Area: **750 +/- total acres**
- Existing Plan Designation(s): **See attached Lane County Plan Maps (Exhibits 1 & 2)**
- Existing Zoning(s): **See attached Lane County Zoning Maps (Exhibits 3 & 4)**
- Existing Land Use(s): **Forest uses, recreation, residential uses, industrial, parks, public facilities, commercial**
- Existing improvements (public or private); water; streets; sanitary sewer; storm drainage; parks; fire protection (both structural and timberland); electrical:

***The Community of Blue River is located within the boundaries of the annexation area. The annexation area incorporates water, streets, parks and fire protection.***

- Applicable Comprehensive Plan(s): **Lane County Rural Comprehensive Plan**
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans.

***This is an annexation of an existing water district area to a rural fire protection district to allow the RFPD to provide fire service to the annexation area. Continuation of fire service is consistent with the provisions of Goal 11 Policy 6: Land designations and service levels, for the properties located within the annexation area. See attached Lane County Rural Comprehensive Plan General Use Policies (Exhibit 5).***

- Are there development plans associated with this proposed annexation?

Yes \_\_\_\_\_ No  X

- Is the proposed use or development allowed on the property under the current plan designation and zoning?

Yes  X  No \_\_\_\_\_

- Indicate whether a change of zoning, a Conditional Use Permit or a Special Use Permit is required to allow the proposed use or development.

Zone Change: Yes \_\_\_\_\_ No  X

Conditional Use Permit: Yes \_\_\_\_\_ No  X

Special Use Permit: Yes \_\_\_\_\_ No  X

- Does this application include all contiguous property under the same ownership?

Yes \_\_\_\_\_ No  N/A

If no, state the reasons why all property not included?

***This is an annexation of an existing district boundary to a rural fire protection district.***

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City) (Zip)

\_\_\_\_\_  
(City) (Zip)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City) (Zip)

\_\_\_\_\_  
(City) (Zip)



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(The Section Below is for Land Management Staff Use Only)

Application Initiated by (refer to Instructions for Filing Application by Individuals):

- A-Single Property Owner [ORS 198.857]
- B-All Property Owners [ORS 198.855(3)]
- C-Electors and Owners [ORS 198.855(3)]
- D-Electors and Owners [ORS 198.855(1)]

Date received from Lane County Clerk: \_\_\_\_\_

Annexation Request Applies to Land Use:

- YES
- NO

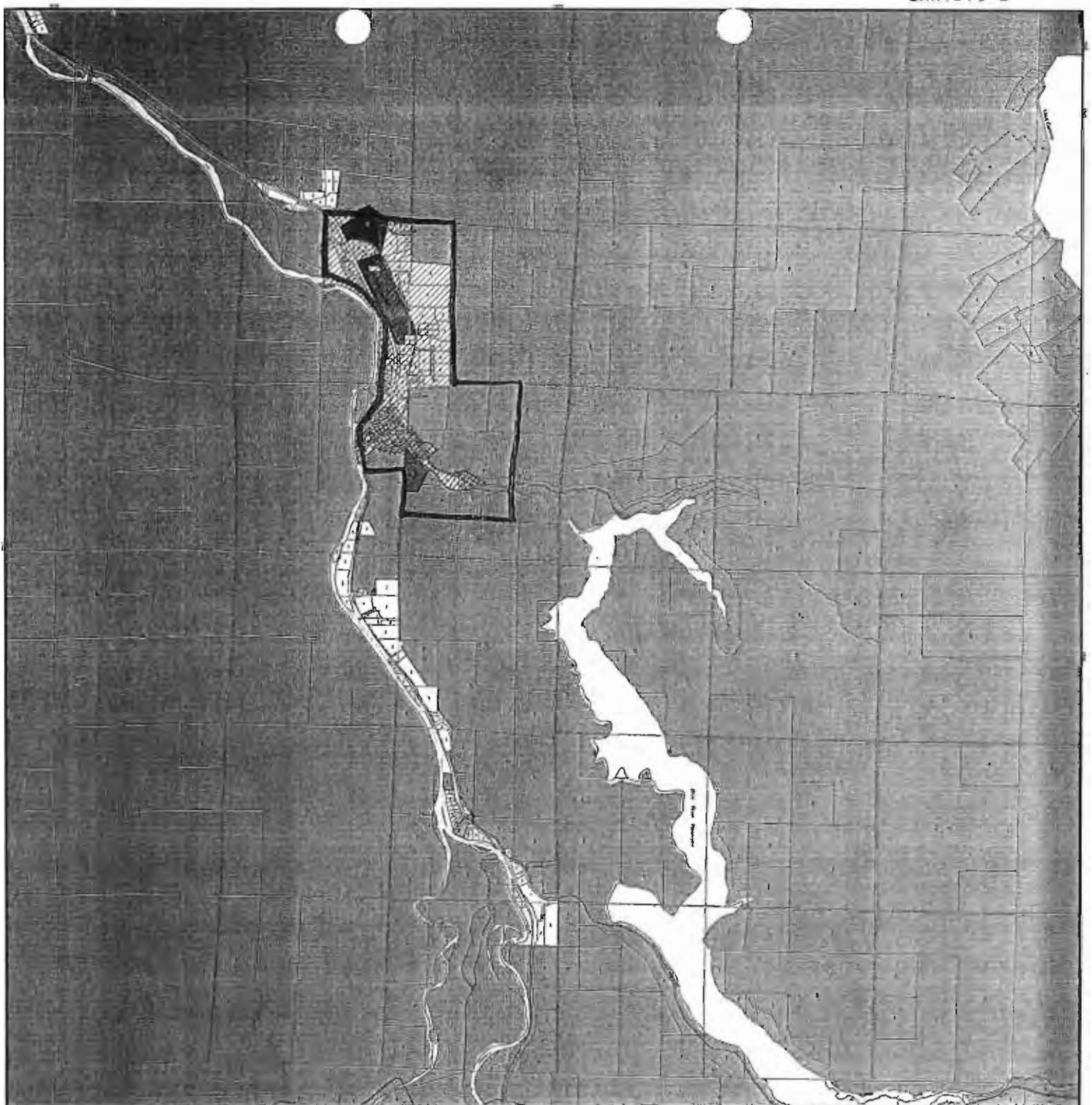
\_\_\_\_\_  
Planner, Land Management Division

\_\_\_\_\_  
Date Signed

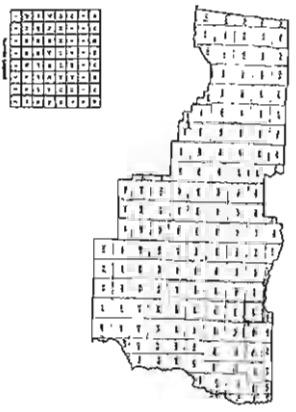
App # \_\_\_\_\_  
(completed by County Staff)

I:\CDCC\ELEC\District Annexations\Supplemental Annexation Information form.doc2/21/2008

Approximate boundaries of innovation area



Township 16 South, Range 04 East



Land Use Designations

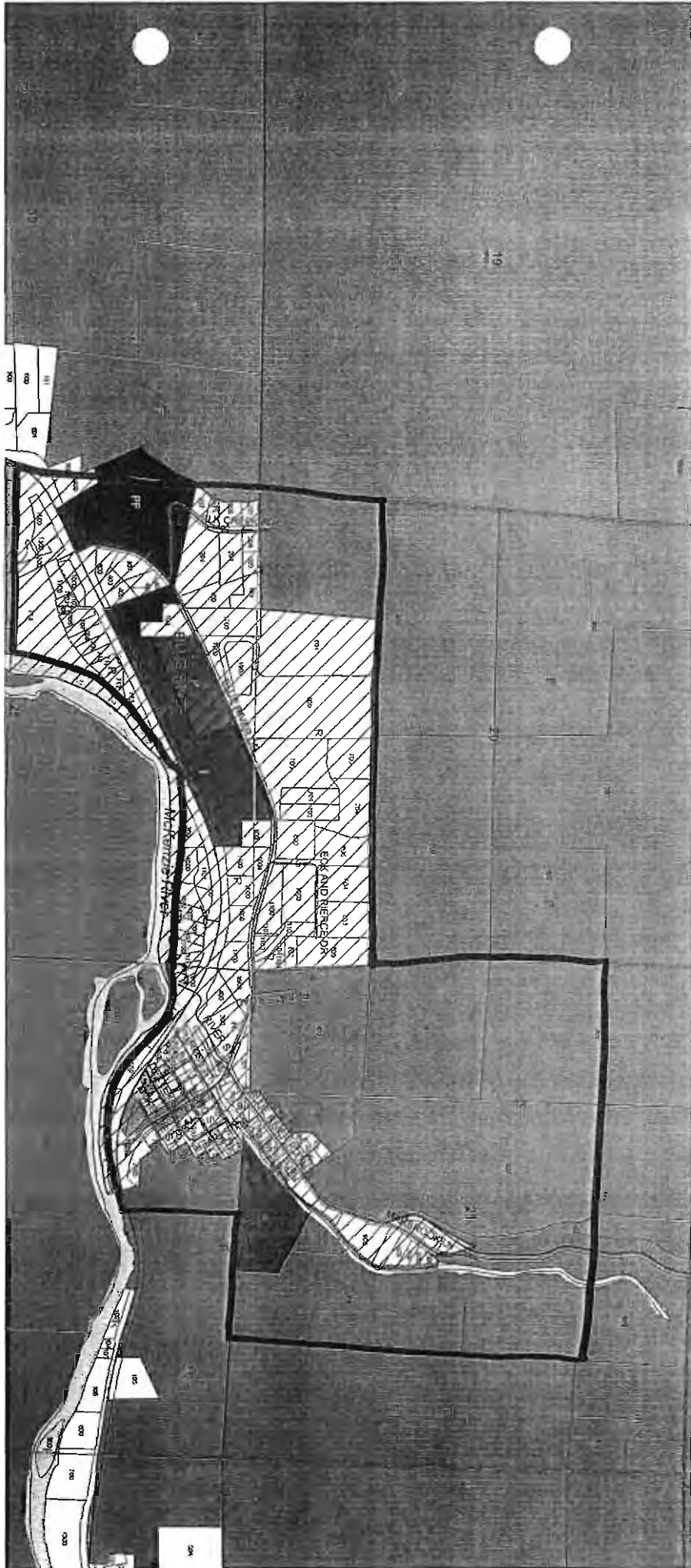
- 1 - Residential
- 2 - Agricultural
- 3 - Forest
- 4 - Conservation
- 5 - Wetland
- 6 - Water
- 7 - Other
- 8 - Unimproved
- 9 - Improved
- 10 - Roadway
- 11 - Airport
- 12 - Industrial
- 13 - Commercial
- 14 - Office
- 15 - Public
- 16 - Other

- 17 - Township Range
- 18 - Section
- 19 - Parcel
- 20 - Water
- 21 - Other
- 22 - Township Boundary
- 23 - Section Boundary
- 24 - Water
- 25 - Other

Parcel ID	Owner Name	Acres	Assessed Value	Map Adopted	Map Effective Date
1	...	...	...	...	...
2	...	...	...	...	...
3	...	...	...	...	...
4	...	...	...	...	...
5	...	...	...	...	...
6	...	...	...	...	...
7	...	...	...	...	...
8	...	...	...	...	...
9	...	...	...	...	...
10	...	...	...	...	...

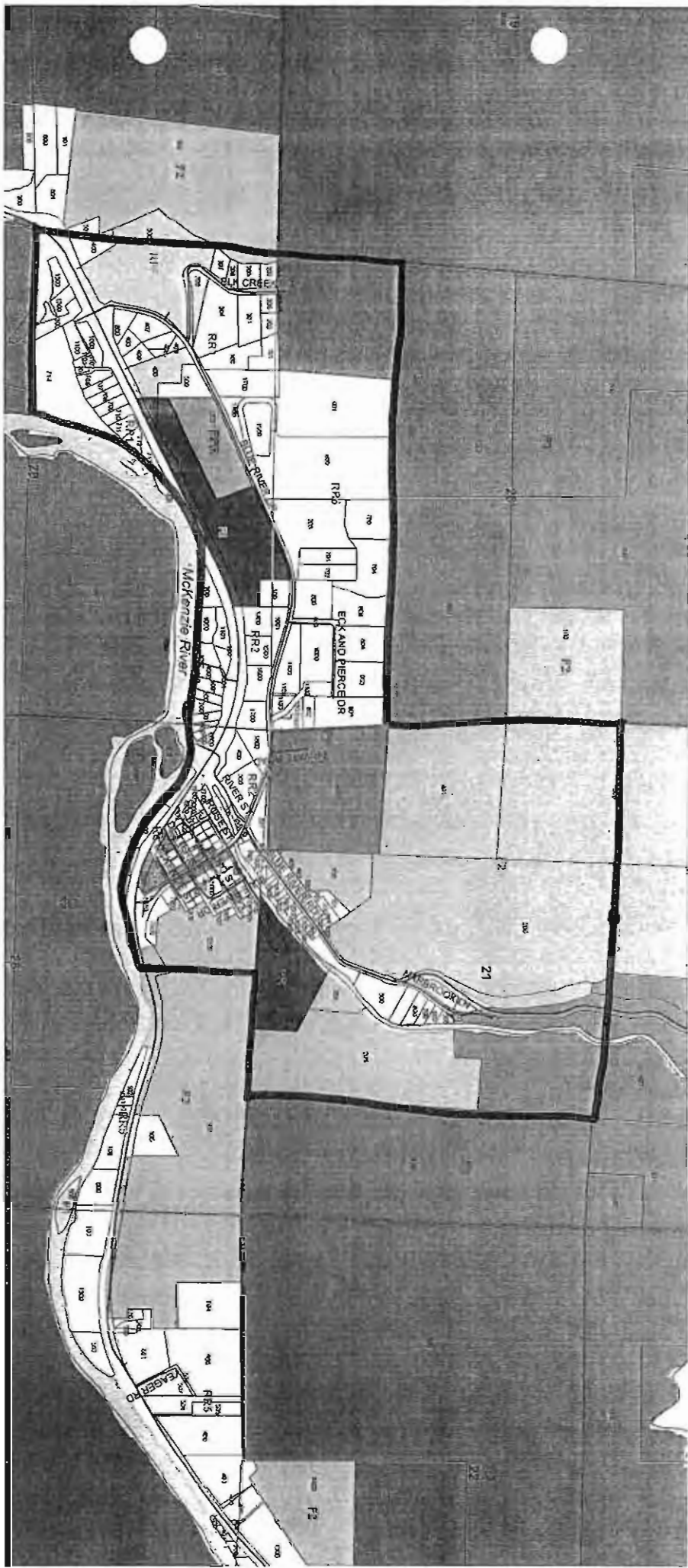
Official Lane County Plan Map

Official Lane County Plan Map

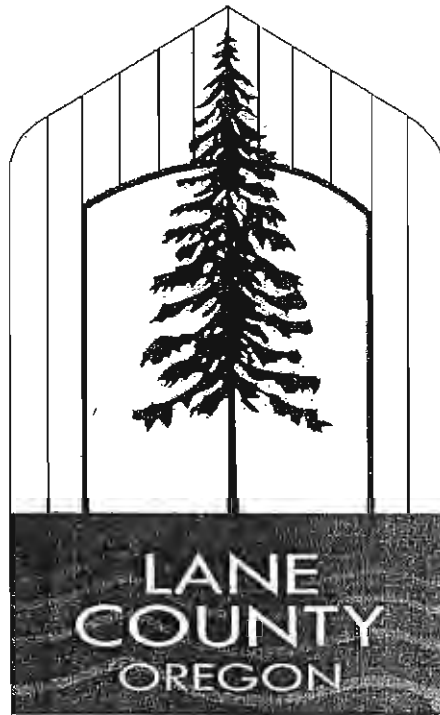


*Approximate boundaries of annexation area*





Approximate boundaries of annexation area



LANE COUNTY

RURAL COMPREHENXIVE PLAN

GENERAL PLAN POLICIES 1984

UPDATED:  
January 1998  
April 2003  
August 2003  
December 2003  
February 2004  
May 2004  
January 2005

## GOAL ELEVEN: PUBLIC FACILITIES AND SERVICES

1. Lane County shall provide an orderly and efficient arrangement for the provision of public facilities, services and utilities. Designation of land into any given use category either initially or by subsequent plan amendment, shall be consistent with the minimum level of services established for that category.
2. Any increases in the levels of public facilities and services generated by the application of new or revised land use designations within an area shall, to the extent practicable, be financed and maintained by revenues generated within or as a result of those designated land uses. Those land uses benefiting from increased levels of public facilities or services shall be expected to provide a significant share of the costs associated with providing such facilities and services, recognizing that in some instances, resources for such provision must be obtained on a widespread geographic or revenue basis and may involve capital investments exceeding the immediate needs of the area being served.
3. Lane County shall actively support and assist progressive solid waste management efforts. The Lane County Solid Waste Management Plan shall be the primary instrument to affect this policy.
4. Lane County shall maintain an active role to provide the facilities and services needed to make quality health, social and cultural services available and accessible to all Lane County residents. The County's specific objectives at any given time in these areas are contained in the work program objectives of the Departments of Community Health and Social Services, Public Work and the County Fair Board.
5. Lane County shall participate in the coordination of planning and development for various public facilities and utility services. The primary means of affecting this policy shall be through a system whereby land use applications shall be referred to the various providers of services including cities, utilities, special districts, County and other public agencies, as well as the Lane County Boundary Commission.
6. Land designations and service levels:

- a. Forest Land: Non-Impacted Forest Land (F-1)

Description: Forest land that requires the highest degree of protection from intrusion by non-forest uses. This land has a high value as commercial forest land or is valuable for one or more other forest uses. Use of the land should be directly related to existing or potential forest uses. Non-forest uses should be prohibited or severely restricted. (Refer to Goal #4 for Non-Impacted Forest Land General Characteristics)

Service Level: No minimum level of services is established for this category as it is intended primarily for resource management and not for habitation.

- b. Forest Land: Impacted Forest Land (F-2)

Description: Forest land that warrants a high level of protection from conversion to nonforest uses. This land has the capability to produce timber or is designated for one or more of the other forest uses; however, it is limited in commercial value by either productive capacity or impact of conflicting uses. Agricultural uses are frequently intermixed with forest land in this category. Conversion of this land from timber production to other forest-related uses is permitted. Uses that are not forest or farm related should be allowed only after assurance that such uses will not adversely affect the surrounding forest land. (Refer to Goal #4 for Impacted Forest Land General Characteristics)

- c. Agricultural Land: Exclusive Farm Use (E-25, E-30, E-40 or E-60)

Description: Land having soils of Class I, II, III or IV as identified by the United States Soil Conservation Service (SCS) land capability classification system. Adjacent and enclosed soils of other classes may be included as well as other soils currently in agricultural use. This land is of primary importance to the agricultural economy and uses should be directly related to agriculture. Non agricultural uses should be prohibited or severely restricted.

Service Level: No minimum level of services is established. Category is intended for resource management and not habitation.

- d. Natural Resource: Mineral (QM or SG)

Description: Lands that have an exploitable resource and are of sufficient significant size and/or duration to warrant designation on the plan diagram. Any mineral resource extraction activity such as surface or subterranean mining, quarries and excavation of alluvial aggregate (sand or gravel) is included in this category.

Service Level: No minimum level of services is established. Category is intended for resource management and not habitation.

- e. Rural Residential (RR-1, RR-2, RR-5, RR-10) (Outside Community Designations)

Description: Lands outside communities and not identified as Forest Land, Agricultural Land or Natural Resource: Mineral. These lands may have some productive capability, however, not to the degree warranting designation as resource land. This land can be used for low-density rural residences, part-time farming and similar activities. Settlement patterns will be primarily a factor of on-site conditions. (Refer to Goal #2, Policy #11, for criteria used to determine the application of the Rural Residential designation.)

Service Level: Schools, on-site sewage disposal, individual water supply system, electrical service, telephone service, rural level fire and police protection, reasonable access to solid waste disposal facility.

- f. Community (RR-1, RR-2, RR-5, RR-10, RA, RG, C1, C2, C3, M2, M3)



Description: Land that has an existing cohesive, dense settlement and development pattern to the degree that it may no longer be considered available for other uses. (Refer to Goal #2, Policy #10, for the characteristics an exception area must have to receive a Community designation.)

Service Level: Schools, on-site or community sewage disposal, individual or community water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

g. Rural Commercial (CR)

Description: Existing facilities providing goods and services. The category includes a broad range of such activities from a small isolated store to a large shopping complex. Only existing uses are shown as new commercial uses are expected to locate in development centers. New commercial establishments seeking to locate outside of a Community can do so only by a plan amendment or by justifying the location through the refinement process.

Service Level: Schools, on-site sewage disposal, individual water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

h. Industrial (M2, M3) (Outside Community Designations)

Description: Existing facilities engaged in the production of goods. The full range of such activities from small to large is included in this category. Only existing locations shown as new industrial uses are expected to locate in community centers. New industrial uses seeking to locate outside of a community can do so only through a plan amendment or by justifying the location through the refinement process. Expansion of existing uses will require justification through the exception process.

Service Level: Schools, on-site sewage disposal, individual water supply system, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility.

i. Park or Recreation (PR)

Description: Lands or buildings devoted to public or semi-public recreational use. Included are such uses as golf courses, parks, reservoirs and surrounding land, etc.

Service Level: No minimum level of services is established for Park or Recreation areas outside committed areas. Service level for Park or Recreation areas inside committed areas shall be consistent with that level required for the Community or committed area outside of a Community.

j. Marginal Lands (ML)

Description: Lands that satisfy the requirements of ORS 197.247 may be designated Marginal Lands in accordance with other Plan policies.

Service Level: Consistent with service levels for Rural Residential outside a Community designation.

k. Non-resource Lands (NRES)

Description: Lands that are not farm or forest lands as defined by Statewide Planning Goals #3 and #4. (Refer to Goal #2, Policy 16.)

Service Level: Consistent with service levels for Rural Residential outside a Community designation. The service level for cluster subdivisions of non-resource shall be consistent with Goal #2, Policy 24.

**LANE COUNTY INFORMATIONAL INSERT ONLY**  
**NOT FOR OFFICIAL USE**  
**NOVEMBER 2, 2010 GENERAL ELECTION**

- ▶ This insert provides the full text of all filed measures.
- ▶ Refer to your **Official Ballot** for specific measures you are qualified to vote on.
- ▶ Official Drop Site Locations are listed on page 5.
- ▶ *Do not vote this INFORMATIONAL INSERT.*
- ▶ *Do not return this INFORMATIONAL INSERT with your voted ballot.*

**FULL TEXT OF ALL LOCAL AND STATE MEASURES • THIS IS INFORMATION ONLY • USE YOUR OFFICIAL BALLOT TO VOTE**

**STATE**

Referred to the People by the Legislative Assembly  
State Measure 70

**Amends Constitution: Expands availability of home ownership loans for Oregon veterans through Oregon War Veterans' Fund.**

Result of "yes" vote: "Yes" vote extends home loan program for Oregon veterans to lifetime benefit and increases eligibility for non-combat veterans, National Guard veterans and veterans who served after 9/11.

Result of "no" vote: "No" vote retains current law: Some combat veterans who completed service within past 30 years are eligible for loans; other veterans honorably discharged and some National Guard veterans remain ineligible.

Summary: The Oregon Constitution currently provides that Oregon combat veterans may receive low-interest home loans from the Oregon War Veterans' Fund. Veterans must have received an honorable discharge and must have served for more than 210 consecutive days or been released because of injury or disability. Veterans must apply for loans within 30 years after release from service and must show ability to repay the loans. This measure amends the Oregon Constitution to make loans available to more veterans, including National Guard veterans, others who have honorably served overseas and veterans who have not seen combat. This measure would make low-interest home loans a lifetime benefit and would increase the number of honorably discharged veterans and surviving spouses who are eligible for the low-interest loan program.

Estimate of financial impact: There is no direct financial effect on either state or local government expenditures or revenues.

Referred to the People by the Legislative Assembly  
State Measure 72

**Amends Constitution: Authorizes exception to \$50,000 state borrowing limit for state's real and personal property projects**

Result of "yes" vote: "Yes" vote authorizes exception to \$50,000 state borrowing limit for state to issue lowest-cost bonds to finance state real and personal property projects. Prohibits property tax for repayment. Limits amount borrowed.

Result of "no" vote: "No" vote retains state borrowing limit prohibiting state from issuing lowest-cost general obligation bonds except for certain purposes.

Summary: Currently, the state constitution forbids lending the state's credit or borrowing in excess of \$50,000, with some exceptions. The measure would amend the state constitution to add a new exception to allow the state to issue general obligation bonds to finance acquisition, construction, remodeling, repair, equipping or furnishing of state owned or operated property. General obligation bonds are the cheapest method of borrowing the state may use and would cost less than the certificates of participation the state currently uses. The bonds would save an estimated \$5 million on interest costs for each \$100 million issued. The measure does not authorize any specific bonds, but authorizes the Legislative Assembly to enact implementing legislation. The measure prohibits the levy of property taxes to repay the bonds and limits the amount of outstanding bonds to one percent of the real market value of property in the state.

Estimate of financial impact: Measure 72 has no direct financial effect on state or local government expenditures or revenues. General obligation indebtedness authorized by this measure typically provides the lowest-cost method of financing. If the State of Oregon uses this authority to issue general obligation indebtedness or refinance current debt, the state should experience lower financing costs.

Referred to the People by the Legislative Assembly  
State Measure 71

**Amends Constitution: Requires legislature to meet annually; limits length of legislative sessions; provides exceptions.**

Result of "yes" vote: "Yes" vote requires Legislative Assembly to meet each year, limits regular sessions to 160 days in odd-numbered years and 35 days in even-numbered years, and allows five-day extensions by two-thirds vote.

Result of "no" vote: "No" vote retains current law, requiring regular sessions of Legislative Assembly only in odd-numbered years, with no limit on length of sessions.

Summary: The Oregon Constitution currently requires legislative sessions to be held biennially. Current law permits the Legislative Assembly to meet without a limit on the length of session. This measure requires the Legislative Assembly to meet each year, limits regular sessions to 160 calendar days in odd-numbered years and 35 calendar days in even-numbered years, and allows regular session to be extended by five days with an affirmative vote of two-thirds of the members of each chamber.

Estimate of financial impact: The direct effect of the measure on state or local government expenditures or revenues will not exceed \$100,000.

Proposed by Initiative Petition  
State Measure 73

**Requires increased minimum sentences for certain repeated sex crimes, incarceration for repeated driving under influence**

Result of "yes" vote: "Yes" vote increases minimum sentences for certain repeated sex crimes (300 months), imposes minimum incarceration sentence for certain repeated driving under influence convictions (90 days).

Result of "no" vote: "No" vote retains mandatory-minimum sentences of 70 to 100 months for certain sex crimes, provides no mandatory-minimum incarceration sentence for driving under influence.

Summary: Current law imposes mandatory-minimum sentences of 70 to 100 months for certain sex crimes; no mandatory-minimum incarceration sentence for driving under influence of intoxicants (DUI). Measure imposes mandatory-minimum sentence of 300 months for person convicted of "major felony sex crime" if previously convicted of major felony sex crime; defines "major felony sex crime" as first-degree rape, first-degree sodomy, first-degree unlawful sexual penetration, using child in sexually explicit display; previous conviction includes statutory counterpart in another jurisdiction, and separate criminal episode in same sentencing proceeding. Measure makes DUI a class C felony if defendant previously convicted of OUI, or statutory counterpart, at least twice in prior 10 years; imposes mandatory-minimum sentence of 90 days, at state expense. Other provisions.

Estimate of financial impact: The measure will require additional state spending of \$1.4 million in the first year, \$11.4 million to \$14.6 million in the second year \$13.9 million to \$21.0 million in the third year, \$16.7 million to \$26.6 million in the fourth year and \$18.1 million to \$29.1 million each year after that.

The measure does not require additional local government spending. The measure directly reduces expenditures for local government by \$0.4 million in the first year and \$3.2 million to \$4.6 million each year after that, primarily by shifting costs to the state. The measure does not increase the amount of funds collected for state or local government.

**FULL TEXT OF ALL LOCAL AND STATE MEASURES • THIS IS INFORMATION ONLY • USE YOUR OFFICIAL BALLOT TO VOTE**

**DISTRICT**

**Fern Ridge School District #28J Measure 20-179  
School district bond to expand facilities,  
improve safety and security**

**Question:** Shall Fern Ridge School District expand facilities and make safety and security improvements by issuing \$15,000,000 in general obligation bonds? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

**Summary:** If approved, this measure would provide funds for capital construction and improvements and pay bond issuance costs. Specifically, this measure would provide funds to:

- Expand and improve instructional space at Elmira Elementary with two new classrooms and a library. This addition would be added in a "master plan" method that would serve as the first phase of an eventual replacement of the school.
- Expand and improve instructional space at Veneta Elementary with a new classroom wing and multi-purpose room/cafeteria to reduce class sizes and accommodate future growth.
- Update and improve heating and ventilation systems and water treatment systems.
- Add, replace or upgrade surveillance cameras and implement additional electronic entry systems to improve campus safety and security at all school sites.
- Update and expand athletic facilities at Elmira High School to address safety concerns, deferred maintenance, and create facilities that are more readily available for community use.

The Bonds would mature in 13 years or less from the date of issuance and may be issued in one or more series.

**Blue River Water District Measure 20-177  
Terminating authority to provide fire services by Blue River WD**

**Question:** Shall the authority of Blue River Water District to provide fire protection services be terminated?

**Summary:** This measure will terminate the authority of the Blue River Water District to provide fire protection services under ORS 264.340.

Voter approval of this measure will allow for property within the boundaries of the Water District to be annexed by the Upper McKenzie Rural Fire Protection District. The Upper McKenzie Rural Fire Protection District, upon successful annexation, would then provide fire protection services to property in the District.

The Water District's Board of Directors has concluded that annexation will provide enhanced fire protection to area residents. Therefore, under ORS 264.349, it has submitted this measure to voters inside the Water District to end the Water District's authority to provide fire services.

This measure will take effect only upon the issuance by the Lane County Commissioners of an Order annexing the property within the Water District boundaries to the Upper McKenzie Rural Fire Protection District for fire services.

**Rainbow Water District Measure 20-178  
Four-Year Local Option Fire Protection Levy**

**Question:** Shall Rainbow levy \$561,731 per year outside its permanent rate for four years for fire protection, beginning fiscal year 2011-12? This measure renews current local option taxes.

**Summary:** Rainbow Water and Fire District contracts with the City of Springfield for fire protection services. This measure renews a measure passed in November 2006 which expires next year. The measure continues fire and emergency services at the current level of service. WITHOUT THIS LEVY, the District WILL NOT BE ABLE TO CONTINUE FIRE AND EMERGENCY SERVICE. The levy amount is \$561,731 per year for a total of \$2,246,924 over four years beginning July 1, 2011 and ending June 30, 2015. Voter approval of the measure will cost \$2.93 more per month for an owner of a home with an assessed value of \$150,000. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

**CONTACT INFORMATION**

**LANE COUNTY  
ELECTIONS CUSTOMER SERVICE:**

275 W 10<sup>th</sup> Ave, Eugene, OR 97401

Tel: 541-682-4234

Fax: 541-682-2303

Web: [www.lanecounty.org/elections](http://www.lanecounty.org/elections)

Email: [elections.customer@co.lane.or.us](mailto:elections.customer@co.lane.or.us)

**OREGON STATE ELECTIONS:**  
255 Capitol St NE, Suite 501, Salem, OR 97310  
[www.oregonvotes.org](http://www.oregonvotes.org)

**STATE & COUNTY  
TOLL FREE NUMBER:**  
1-866-ORE VOTE (1-866-673-8683)

**\*\*\*\*REMINDER\*\*\*\***

- 1. Review BOTH SIDES  
of your Official Ballot**
- 2. Sign your Return  
Ballot Envelope**
- 3. Save a stamp!  
Use an Official Ballot  
Drop Site Location  
(Refer to Page 5 for list)**

Over Votes . . . . . 58  
 Under Votes . . . . . 24,260

Lane County 20-175 Amendment Sect 21 Charter

VOTE FOR 1  
 Yes . . . . . 79,643 65.48  
 No. . . . . 41,994 34.52  
 Over Votes . . . . . 80  
 Under Votes . . . . . 23,943

Lane County 20-176 Amendment Sect 22 Charter

VOTE FOR 1  
 Yes . . . . . 93,224 75.92  
 No. . . . . 29,564 24.08  
 Over Votes . . . . . 40  
 Under Votes . . . . . 22,832

City of Oakridge 20-168 Amendment to Charter

VOTE FOR 1  
 Yes . . . . . 308 29.00  
 No. . . . . 754 71.00  
 Over Votes . . . . . 0  
 Under Votes . . . . . 88

City of Oakridge 20-169 Amendment to Charter

VOTE FOR 1  
 Yes . . . . . 378 35.06  
 No. . . . . 700 64.94  
 Over Votes . . . . . 1  
 Under Votes . . . . . 71

City of Oakridge 20-170 Amendment to Charter

VOTE FOR 1  
 Yes . . . . . 765 72.31  
 No. . . . . 293 27.69  
 Over Votes . . . . . 0  
 Under Votes . . . . . 92

City of Oakridge 20-171 Amendment to Charter

VOTE FOR 1  
 Yes . . . . . 813 76.77  
 No. . . . . 246 23.23  
 Over Votes . . . . . 0  
 Under Votes . . . . . 91

City of Oakridge 20-172 Advisory Ambulance Service

VOTE FOR 1  
 Yes . . . . . 493 43.94  
 No. . . . . 629 56.06  
 Over Votes . . . . . 0  
 Under Votes . . . . . 28

City of Springfield 20-173 Renewal Fire Safety

VOTE FOR 1  
 Yes . . . . . 12,088 70.47  
 No. . . . . 5,065 29.53  
 Over Votes . . . . . 4  
 Under Votes . . . . . 1,305

Blue River WD 20-177 Terminating Fire Services

VOTE FOR 1  
 Yes . . . . . 68 76.40  
 No. . . . . 21 23.60  
 Over Votes . . . . . 1  
 Under Votes . . . . . 4

# NOTICE

## Lane County Board of Commissioners Public Hearings in Harris Hall, Eugene

1:30 p.m. February 23<sup>rd</sup>, 2011 and March 3<sup>rd</sup>, 2011

Harris Hall is at 125 East 8<sup>th</sup> Avenue, Eugene, Oregon

**ORDER NO. 11-3-16-\_\_ . IN THE MATTER OF ANNEXING TERRITORY WITHIN THE BOUNDARY OF THE BLUE RIVER WATER DISTRICT TO THE UPPER McKENZIE RURAL FIRE PROTECTION DISTRICT (RFPD) TO ALLOW THE RFPD TO PROVIDE FIRE PROTECTION SERVICE TO THE ANNEXATION TERRITORY. (File No. F-UM-2011-ANX-1, Blue River).**

**PROPOSAL:** The Upper McKenzie Rural Fire Protection District has initiated the annexation of the territory included within the Blue River Water District in order to provide residential fire protection to that territory. By affirmative vote at an election held on November 2, 2010, the voters within the Blue River Water District approved the termination of fire protection services by the Blue River Water District, to be effective, if at all, upon final approval of this annexation proposal.

The Board of Commissioners will conduct two hearings, the February 23<sup>rd</sup> hearing will be to gather testimony from all interested persons who may appear and be heard and to consider written submittals from interested parties. At the second hearing, on March 16<sup>th</sup>, the Board will consider only whether a request for an election has been made by a sufficient number of electors as required by ORS 198.810(3). If approved by the Lane County Board of Commissioners, an Order annexing the territory to the RFPD will take effect on March 16, 2011 under ORS 198.800 regulations for special district annexations by resolution of the district board under ORS 198.850 (3).

For additional information please contact: Stephanie Schulz, Associate Planner, 541.682.3958; Fax: 541.682.3947; E-mail: [stephanie.schulz@co.lane.or.us](mailto:stephanie.schulz@co.lane.or.us); Mail: Attn. Stephanie Schulz, Lane County Land Management Division, 125 E. 8<sup>th</sup> Avenue, Eugene, Oregon 97401-2926. The meeting location is wheelchair-accessible. Anyone needing special accommodations (hearing impaired, language translation, chemical sensitivity needs, and large print copies of the agenda), please make your request at least 48 hours prior to the meeting by calling (541) 682-3153. TDD services are available at (541) 682-3995.

February 4, 2011

Register Guard, Legal Ad Department  
Eugene, Oregon 97401

Please run the following Legal Ad one time only in the Sunday edition on **February 13, 2011**, two columns wide.

**Notice of Public Hearings**  
**Lane County Board of Commissioners**

Notice is hereby given that the Lane County Board of Commissioners will hold two public hearings, on February 23<sup>rd</sup> and March 16<sup>th</sup> 2011, at 1:30 p.m. in Harris Hall, 125 East 8<sup>th</sup> Avenue, Eugene, Oregon to hear public testimony concerning:

**ORDER NO. 11-3-16-\_\_\_ . IN THE MATTER OF ANNEXING TERRITORY WITHIN THE BOUNDARY OF THE BLUE RIVER WATER DISTRICT TO THE UPPER MCKENZIE RURAL FIRE PROTECTION DISTRICT (RFPD) TO ALLOW THE RFPD TO PROVIDE FIRE PROTECTION SERVICE TO THE ANNEXATION TERRITORY. (File No. F-UM-2011-ANX-1, Blue River).**

**PROPOSAL:** The Upper McKenzie Rural Fire Protection District has initiated the annexation of the territory included within the Blue River Water District in order to provide residential fire protection to that territory. By affirmative vote at an election held on November 2, 2010, the voters within the Blue River Water District approved the termination of fire protection services by the Blue River Water District, to be effective, if at all, upon final approval of this annexation proposal.

The Board of Commissioners will conduct two public hearings: one on **February 23, 2011, at 1:30 p.m.**, to gather testimony from all interested persons who may appear and be heard and to consider written submittals from interested parties. A second hearing will be held on March 16, 2011, at 1:30 p.m., to consider only whether a request for an election has been made by a sufficient number of electors as required by ORS 198.810(3). If approved by the Lane County Board of Commissioners, an Order annexing the territory to the RFPD will take effect on March 16, 2011 under ORS 198.800 regulations for special district annexations by resolution of the district board under ORS 198.850 (3).

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**RECEIVED**  
JAN 21 2011  
LANE COUNTY ELECTIONS

RECEIVED JAN 10 2011

RESOLUTION NO. 2010 - 2

**INITIATING ANNEXATION OF TERRITORY OF BLUE RIVER WATER DISTRICT INTO THE UPPER MCKENZIE RURAL FIRE PROTECTION DISTRICT**

WHEREAS, this resolution for annexation is made pursuant to ORS 198.850(3), and is to be filed with the Board of County Commissioners for proceedings under ORS 198.835 to 198.845; and

WHEREAS, the Blue River Water District has been authorized to provide fire protection services under ORS 264.340, and has done so with the Upper McKenzie Rural Fire Protection District for a number of years; and

WHEREAS, the two districts have agreed that to provide improved and expanded fire protection services to residents in the greater Blue River/Upper McKenzie area in Lane County, the boundaries of property within the Blue River Water District should be annexed into the Fire District; and

WHEREAS, the authority for providing such services has been terminated through the affirmative approval of the voters of the Blue River Water District at the election held on November 2, 2010, conditional on the issuance of an Order of the County Commissioners annexing the property within the Water District boundaries to the Upper McKenzie Rural Fire Protection District (copy of the Ballot title attached as Exhibit A), and

WHEREAS, the principal act of the Blue River Water District is ORS Ch 264 and the principal act of the Upper McKenzie Rural Fire Protection District is ORS Ch 478;

THEREFORE, BE IT RESOLVED that the Upper McKenzie Rural Fire Protection District hereby initiates, adopts, and forwards to the Lane County Board of Commissioners this Resolution for Annexation of the territory described as the Blue River Water District, and further described in Exhibit B, attached hereto and incorporated by this reference, to the Upper McKenzie Rural Fire Protection District, and

BE IT FURTHER RESOLVED that the Board of Directors request that the Lane County Board of Commissioners act favorably upon this resolution, timely set any necessary hearings, and approve the proposed annexation.

DATED this 7<sup>th</sup> day of Jan, 2011.

UPPER MCKENZIE RURAL FIRE PROTECTION DISTRICT

By: Mike Voulgel  
President, Board of Directors

ATTEST:  
Tom Hayward  
Secretary

F:\Clients\Muni\Upper McKenzie FO\Annexation\RES Annexation of Blue River WD Into FO 120610 JKJcc.doc



# Notice of District Measure Election

## SEL 803

rev 01/10: DRS 250.035,  
250.041, 255.145, 255.345

### District and Notice Information:

Notice is hereby given that on November 2, 2010, a measure election will be held in the Blue River Water District located in Lane County, Oregon.

The following shall be the ballot title of the measure to be submitted to the district's voters:

#### CAPTION: 70 words

Terminating authority to provide fire services by Blue River WD

#### QUESTION: 20 words

Shall the authority of Blue River Water District to provide fire protection services be terminated?

#### SUMMARY: 75 words

This measure will terminate the authority of the Blue River Water District to provide fire protection services under ORS 264.340.

Voter approval of this measure will allow for property within the boundaries of the Water District to be annexed by the Upper McKenzie Rural Fire Protection District. The Upper McKenzie Rural Fire Protection District, upon successful annexation, would then provide fire protection services to property in the District.

The Water District's Board of Directors has concluded that annexation will provide enhanced fire protection to area residents. Therefore, under ORS 264.349, it has submitted this measure to voters inside the Water District to end the Water District's authority to provide fire services.

This measure will take effect only upon the issuance by the Lane County Commissioners of an Order annexing the property within the Water District boundaries to the Upper McKenzie Rural Fire Protection District for fire services.

The following authorized district official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

*Ann E. Robson*

nature of authorized district official not required to be notarized

8-10-2010

date signed mm/dd/yy

ANN E. ROBSON

printed name of authorized district official

*Sec/TRES*

title

