FILED

DEC 06 2000

STEVE DRUCKENMILLER, Clerk

By _____ Deputy

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY

IN THE MATTER OF

CREATING THE LEBANON AQUATIC DISTRICT

ORDER No. 2000-653
(Formation Order)

WHEREAS, the Linn County Board of Commissioners received a petition to form the Lebanon Aquatic District, a park and recreation district under ORS Chapter 266, with a permanent rate limit for operating taxes for the proposed district;

WHEREAS, pursuant to ORS 198.810 and ORS 198.815, the Linn County Board of Commissioners held a hearing on June 28, 2000 on the petition to form the Lebanon Aquatic District and approved the petition for formation;

WHEREAS, on July 26, 2000, pursuant to ORS 198.810 and 198.815, the Linn County Board of Commissioners ordered that an election be held on November 7, 2000 to submit to the electors within the territory proposed for formation the question of forming the Lebanon Aquatic District with a permanent rate limit for operating taxes for the proposed district of twenty-four cents per one thousand dollars of assessed value;

WHEREAS, an election was held on November 7, 2000 asking the question, "shall the Lebanon Aquatic District be formed with a permanent rate limit of 24 cents per $1000 of assessed

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District Attorney
Linn County Oregon
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Albany, Oregon
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value?"; and

WHEREAS, an election was also held to elect the first members of the district board and the Linn County Board of Commissioners canvassed the votes for members of the first district board;

NOW THEREFORE THE LINN COUNTY BOARD OF COMMISSIONERS HEREBY FINDS:

THAT, an election was held on November 7, 2000 regarding the question of forming the Lebanon Aquatic District with a permanent rate limit for operating taxes for the proposed district;

THAT, the final vote was 5682 in favor and 5350 against. The majority of votes cast in the election to form the district were in favor of forming the district with a permanent rate limit for operating taxes. The election was a general election in an even numbered year for purposes of ORS 198.815(5)(b). A copy of certified election results are attached as Exhibit 1 and by this reference incorporated herein;

NOW THEREFORE IT IS HEREBY ORDERED:

1. THAT, a park and recreation district named the Lebanon Aquatic District is hereby formed in accordance with ORS Chapters 198 and 266. The boundaries of the district are described in Exhibit 2, attached hereto and by this reference incorporated herein. The purposes of the Lebanon Aquatic District are described in the petition for formation and include the following specific terms and conditions:
   a. The purpose of the special district shall be the maintenance and operation of an aquatic facility within or around the area of the City of Lebanon and within Linn County, Oregon;
   b. The foundation and operation of the special district and any funds derived for this purpose are only to be used for the maintenance and operation of the facility mentioned above;
2. THAT, pursuant to ORS 198.820(1), the Linn County Clerk shall issue certificates of election to the persons receiving the highest number of votes in the election on November 7, 2000 for

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the (five) 5 positions available for the district board. The certificates shall be issued to the following people:

Position 1: Steven L Wimer

Position 2: Delbert Scott

Position 3: Margie A. Brinkley

Position 4: Carolyn McMillin

Position 5: Judith A. Phillips

These five people shall hereby constitute the first District Board of the Lebanon Aquatic District.

3. THAT, a copy of this Order shall be sent to the Department of Revenue, the Secretary of State, the Linn County Clerk, and the Linn County Assessor within ten (10) days from the date of the signing of this Order, in accordance with ORS 198.780.

Ordered this 6th Day of December, 2000.
Signed this 6th Day of December, 2000.

BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

David R. Schmidt, Chairman

John K. Lindsey, Commissioner

Catherine Skiens, Commissioner

APPROVED AS TO FORM:

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Assistant Linn County Legal Counsel

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