

CROOK COUNTY WORK SESSION




**Administration Conference Room
203 NE Court Street, Prineville, OR**

Tuesday October 11, 2022 at 9 a.m.

Members of the public and media are welcome to attend in person with social distancing or via WebEx 1-408-418-9388; Access Code: 2557 624 5694

Meeting Password: 37qgD2rbpy2

Public comment will take place at the beginning of the Work Session

	Requester	Discussion Matter	Packet Docs
1	Will VanVactor	TSR North Continuance Request	
2	Will VanVactor	Community Development Update	
3	Eric Blaine	HB 2174 Secure Rural Schools Funding Process	

	Requester	Executive Discussion Matter	Packet Docs
Exec #1			

Items placed on the Work Session agenda are intended for discussion only, without making decisions or finalizing documents unless an emergency exists.

**The Court may add additional items arising too late to be part of this Agenda. Agenda items may be rearranged to make the best use of time.*

**The meeting location is accessible to persons with disabilities. If additional accommodations are required, please submit your request 48 hours prior to the meeting by contacting County Administration at 541-447-6555.*

*Requests to be placed on the Work Session agenda are
due by 5 p.m. the Thursday before the Work Session*

October 11, 2022 Work Session Agenda

Request for Continuance - TSR North - Application No. 217-20-000581-PLNG, Appeal Hearing No. 217-21-000321-PLNG [SR-ACTIVE.FID5059719]

Moeller, Merissa A. <merissa.moeller@stoel.com>

Wed 10/5/2022 10:01 AM

To: John Eisler <John.Eisler@co.crook.or.us>

Cc: Will VanVactor <Will.VanVactor@co.crook.or.us>; Donald Erin L <erin.l.donald@doj.state.or.us>; Max Yoklic <myoklic@newsunenergy.net>; Jake Stephens <jstephens@newsunenergy.net>

John,

In the above-referenced appeal hearing, the applicant, TSR North Solar Farm LLC, wishes to request a two-month continuance of the appeal hearing currently scheduled for October 19, 2022. The applicant has conferred with counsel for the appellant and understands that ODFW has no objection to a continuance. We have not conferred on scheduling and request that the hearing be rescheduled to a time and date certain convenient for the County. The purpose of the requested continuance is so the parties can continue discussions in the hope of resolving one or more issues in the appeal.

Please include this request in the appeal record.

Thank you,

Merissa Moeller | Attorney

STOEL RIVES LLP | 760 SW Ninth Ave, Suite 3000 | Portland, OR 97205

Direct: (503) 294-9455 | Mobile: (208) 863-0933

merissa.moeller@stoel.com | [Bio](#) | [vCard](#) | [LinkedIn](#) | www.stoel.com



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Community Development Department

Mailing: 300 NE Third St. RM 12, Prineville, OR 97754

☐ Phone: 541-447-3211



MEMO

TO: Crook County Court

FROM: Will Van Vactor, Director
Randy Davis, Building Official

DATE: October 5, 2022

SUBJECT: Community Development Activity Update

Below is a summary of building, planning and onsite activity for the last month.

Building:

Permits issued summary (September):

Permit Type	Number of Permits
New Residential Dwellings (Site Built or Manufactured)	13
Commercial (plumbing, electrical, structural, etc.)	34
Residential Permits (plumbing, electrical, mechanical etc.)	122
Residential Structural (shops, etc.)	27
Other (e.g. demo)	2
TOTAL	198

Current year compared to prior year:

Time Frame	Permits
September 2022	198
September 2021	219
YTD 2022	1,984
YTD Comparison 2021	2,107

Active Permits:

Permit Type	Amount Still Active as of end of September
Dwellings (Site Built or Manufactured)	329
Residential Structural	250
Commercial Structural	91

Daily Inspections:

Inspection Type	Amount this month
Residential	1,142
Commercial	313
All	1,455

Currently Under Construction:

CCO3 Data Center
CCO5&6 Data Center
Apple Data Center
Shell Occupancy of Portions of Prineville Campus
Extraction Facility at Prineville Campus
3 Commercial Structures at Tom McCall Industrial Park
PRN1 Retro Fit
Apple Data Center Phase 2 (other half of the building)
Wilco Building at Ochoco Lumber Site
Mid Oregon Credit Union Tenant Improvement
Pioneer School

Currently Under Review or Incoming:

Justice Center
NW Murphy lane. 1- 68 unit 13,600 sq' and 1 -30 unit 7,500 sq' building.

Planning:

Applications received (September):

Application Type	# of Applications (September 2022)	YTD
Appeals	0	4
Variance	1	7
Site Plan Review	20	226
Land Partition	0	17
Combine/Un-Combine Lots	2	3
Road Approach	9	55
Boundary Line Adjustment	1	5
Destination Resort	0	1
Conditional Use	0	19
Miscellaneous	2	27
Road Name/Rename	0	2
Extension	0	2
Amendment	0	2
TOTAL	35	370

Current year compared to prior year:

Time Frame	Permits
September 2022	35
September 2021	53
YTD 2022	370
YTD Comparison 2021	537

Notable Land Use Applications:

Request	Status
Solar (Powell East, 320 Acres)	PC Hearing for Deliberations to be held October 12 th .
Solar (TSR North)	Appeal scheduled for October 19 th .
Solar Modification (Empire)	Conditional Use Approved. Comp Plan Amendment for Goal Exception to be forwarded to County Court
Pulguero Rock and Stone CO LLC Conditional Use and Comp Plan Amendment	Conditional Use Approved. Comp Plan Amendment for Adding Pit to the inventory to be forwarded to County Court

Notable City Applications:

Request	Status
Industrial Development near airport (Tax Lot 151502DA00701)	Industrial Building for Rosendin Electric warehouse and offices.

Compliance:

Time Frame	Permits
September 2022 Cases Closed	9
YTD 2022 Cases Closed	120
2015	45
2016	94
2017	88
2018	70
2019	88
2020	52
2021	90
2022 End of Year Estimate	150+

On-Site:

Applications (September 2022):

Application Type	Number of Applications
Residential Authorization	3
Commercial Authorization	1
Construction Permit (Residential)	7
Construction Permit (Commercial)	0
Repair (Major) - Residential	1
Repair (Minor) - Residential	1
Repair (Major) - Commercial	0
Residential Site Evaluation	7
Commercial Site Evaluation	0
Alteration (Minor) – Residential	1
Alteration (Major) – Residential	0
TOTAL	21

Current year compared to prior year:

Time Frame	Permits
September 2022	21
September 2021	39
YTD 2022	232
YTD Comparison 2021	363

Crook County Counsel's Office

267 NE 2nd St., Ste 200 • Prineville, Oregon 97754 • (541) 416-3919 • FAX (541) 447-6705

MEMO

*For Work Session
October 11, 2022*

TO: Crook County Court

FROM: Eric Blaine, County Counsel

DATE: October 6, 2022

RE: HB 2174 secure rural schools funding process

Effective January 1, 2022, House Bill 2174 created a method whereby Secure Rural Schools (SRS) funds could be allocated to three new types of public entities. As described by the bill's sponsor, Representative Owens, and the Association of Oregon Counties, the effect of this diversion would be to increase the amount of SRS payment in lieu of taxes (PILT) from the United States to Oregon public entities by \$22 million. In testimony before the Legislature, Representative Owen stated that under the current Payment in Lieu of Taxes (PILT) formula, federal receipts from SRS, Refuge Revenue Sharing Fund, The National Forest Fund, Taylor Grazing Act, Mineral Leasing Act, Federal Power Act, and the Community Self determination Act of 2000 are deducted from the next year's PILT allocation as prior payments received by the county. However, if a separate public body receives the payment instead of the county, the amount is not deducted from the next year's PILT payment as a prior payment.

The three types of entities authorized by HB 2174 to receive the funds are:

- An intergovernmental entity created pursuant to ORS 190.003 to 190.130;
- A county road district formed under ORS 371.055 to 371.110; or
- A service district for roads formed under ORS Chapter 451.

In either case, by its terms, HB 2174 requires that the "service territory under the public body include the entire county...."

If allocated to one of these three entities, then those funds may be used in the same manner and subject to the same restrictions as would have applied to the county. This includes the requirements and uses of ORS Chapter 368, regarding county roads.

Forming one of these three types of entities is not necessarily difficult, but does require the County to meet certain requirements including deadlines. This memo explains what those processes are, and how the County might address them.

1. Formation of an intergovernmental entity.

ORS Chapter 190 authorizes units of government to execute intergovernmental agreements, and, as pertinent here, the creation of a new governmental entity. As described by ORS 190.080, such new entities can perform most of the functions that cities, counties, and districts are able to perform.

To create such an entity, two or more existing public agencies will draft and execute an intergovernmental agreement describing the duties, authorities, and responsibilities for the entity. This should include how the creators contribute funds or resources to the new entity, how the entity's governing body would be constituted, and how the new entity would take action. The creating public bodies would also adopt ordinances ratifying the intergovernmental agreement, copies of which would be transmitted to the Secretary of State's office.

One of the advantages of creating an intergovernmental entity is that, while forming it requires at least two participants, other public agencies may thereafter join into the creating agreement. One complication is that under ORS 190.083, a majority of cities in the county must approve the terms and conditions of an IGA creating a new entity if it affects "transportation facilities." That term is not defined in the statute, and no court has interpreted its meaning. However, Crook County only has one incorporated city, so its burden under 190.083 is comparatively small.

It is my understanding that Jefferson County has used this method in furtherance of SRS fund redistribution.

2. Formation of County Road District and Service District for Roads.

"Districts" are units of local government which are, generally, formed to address specific locations or specific types of activities. ORS Chapter 451 allows for the creation of a service district for roads, among other things. This would include county roads. ORS Chapter 371 allows for the creation of road districts for the purpose of maintaining county roads, or public roads within the boundaries of cities or other districts.

Fortunately, the method of creating either of these two types of districts is identical. Both are established under the provisions of ORS Chapter 198.

First, under ORS 198.720, a district may not include territory included within another district formed under the same Principal Act (that is, either ORS Chapter 451 or ORS 371.005 to 371.110) when the other district is authorized to perform and is performing the services the affected district is authorized to perform, unless:

- (a) Withdrawal of such territory is proposed and the territory is withdrawn by withdrawal proceedings conducted in the other district

simultaneously with the formation or annexation proceedings, and the proposed boundary changes are approved for both districts; or

(b) The principal Act provides for automatic withdrawal of the affected territory in such a case.

This is important because, under HB 2174's provisions, the service territory under the new SRS-focused district must include the entire county.

In Crook County, other districts have been formed under ORS 371.055 *et seq.*, most recently the Flat Rock Road District formed earlier this year. There is then a question of whether those districts "is authorized to perform and is performing the services the affected district is authorized to perform." The purpose of the new district would be to utilize SRS funds for applicable purposes, including uses permitted by the County road funds limitations. Whether any of these road maintenance districts cross that line might require a fact-specific inquiry. If they do, then under ORS 198.720, either they must cease such activity for any territory located in Crook County, or the County cannot comply with HB 2174's provisions.

However, the County Clerk has informed me that that there are no Chapter 451 service districts for roads in Crook County. If such a district is formed, the question of overlapping territories is avoided altogether.

Under ORS 198.835, the County could initiate a formation petition. The petition must include a number of components. One of these includes an "economic feasibility statement" under ORS 198.749. This must include:

- (1) A description of the services and functions to be performed or provided by the proposed district;
- (2) An analysis of the relationships between those services and functions and other existing or needed government services; and
- (3) A proposed first year line item operating budget and a projected third year line item operating budget for the new district that demonstrate its economic feasibility.

The petition would also include a bond, cash deposit, or other form of security under ORS 198.775. In pertinent part, this must be equal to \$100.00 per precinct in the district's territory. For a district encompassing the entire County, that would be seventeen precincts. The purpose of the security is to ensure that there are available funds to pay for the costs for formation, if the formation does not actually happen. Normally, the chief petitioner is also liable for any costs which exceed the deposit. However, if the proceedings are initiated by the County, then the costs are the liability of the County instead.

The requirement for a security makes a great deal of sense if there's going to be an election, but the requirement to submit such a security is not limited to formations that require elections. The good news is that in this instance, if no

election is required, then the costs for formation would be modest – some publication costs for notice, and some staff time, but that’s it.

Another complication is the involvement of the City. Under ORS 198.720, if any part of the territory subject to a petition for formation or annexation is within a city, the petition shall be accompanied by a certified copy of a resolution of the governing body of the city approving the petition. There are no formation-specific requirements for such a resolution, however, so drafting such a document would not pose too much of a challenge.

Then, under ORS 198.800, the County would hold a first of two public hearings. At this hearing, the County Court would seek input as to whether the area could be benefited by the formation of the district. A component of that is to consider criteria established by ORS 199.462. These include:

- The comprehensive planning for the area;
- The demographic and sociological trends and projections pertinent to the petition;
- Any past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change; and
- The statewide planning goals adopted under ORS 197.225 that local governments must use when drafting and evaluating comprehensive plans.

The statewide planning goals as applicable to Crook County are:

1. Citizen Involvement;
2. Land Use Planning;
3. Agricultural Lands;
4. Forest Lands;
5. Natural Resources, Scenic and Historic Areas, and Open Spaces;
6. Air, Water, and Land Resources Quality;
7. Areas Subject to Natural Disasters and Hazards;
8. Recreational Needs;
9. Economy of the State;
10. Housing;
11. Public Facilities and Services;
12. Transportation;
13. Energy Conservation; and
14. Urbanization.

Realistically, some of these goals will just not be implicated in a district to receive SRS funds, but the County must make those findings anyway.

After the first hearing, and assuming the County has determined that there is sufficient basis to proceed, the County would schedule a second hearing. Per ORS 198.810, this second hearing must be held not sooner than 20 days, and not later than 50 days, after the first hearing.

After receiving testimony, the County can then decide whether to approve the petition for formation, deny the petition, or modify the to-be-formed district. The order would include appointing a board. The members of the district board would serve in staggered terms.

If the district does not have taxing authority, there does not necessarily need to be an election to form the district. However, a sufficient number of interested citizens may request that an election be held. Under ORS 198.810, such a request must be received prior to the second public hearing, and must include either 15% of the qualifying electors of the proposed district, or 100 electors, whichever is fewer. If no such request is adequately received, no election is required.

After the hearings have been conducted, and the orders approved, the County as petitioner would have ten days to submit a copy to four entities: the Department of Revenue, the Secretary of State, the County Clerk, and the County Assessor.

Finally, under HB 2174, the County would need to notify the Oregon Department of Administrative Services to begin crediting the new district with the appropriate SRS funds.

3. Attachments.

Attached to this memo are two documents: a draft order to be considered at a first district-forming hearing; and a draft petition including the necessary 704 form.

Please let me know if you have any questions.

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

IN THE MATTER OF FINDINGS)	
OF FACT REGARDING A PET-)	
ITION TO FORM A COUNTY)	ORDER NO. 2022-__
SERVICE DISTRICT FOR ROADS)	
PURSUANT TO ORS CHAPTER 198)	

WHEREAS, approximately 50% of the land in Crook County is owned by the United States, and is not subject to real property taxation. Since 1908, the Forest Service provided counties and schools 25 percent of the revenues collected from management activities on the National Forest System. The Secure Rural Schools (SRS) program was enacted in 2000 to provide funding for counties and schools to compensate for steep reductions in revenues from timber harvests. Under the SRS program, the United States provides funds to the State of Oregon, Department of Administrative Services, which thereafter distributes the funds to qualifying Oregon counties; and

WHEREAS, on September 25, 2021, the legislature approved and governor signed into law House Bill 2174, which became effective January 1, 2022. HB 2174 permitted three types of legal entities (an intergovernmental entity created under ORS Chapter 190; a county road district formed under ORS Chapter 371; or a service district for roads created under ORS Chapter 451) to be credited moneys allocated under ORS 294.060(1); and

WHEREAS, as described by Representative Mark Owens, the chief sponsor of HB 2174, the purpose of this bill was to allow for additional Secure Rural Schools funding to be allocated to Oregon communities. Prior to the adoption of HB 2174, federal receipts from SRS, Refuge Revenue Sharing Fund, The National Forest Fund, Taylor Grazing Act, Mineral Leasing Act, Federal Power Act, and the Community Self Determination Act of 2000 are deducted from the next year's Payment In Lieu of Taxes allocation as prior payments received by the county; and

WHEREAS, HB 2174 allows for funds to be allocated to one of three different types of public entities, provided that the service territory of the public entity includes the entire county: an intergovernmental entity formed under ORS 190.003 to 190.130; a county road district formed under ORS 371.055 to 371.110; or a service district for roads formed under ORS Chapter 451; and

WHEREAS, to consider forming a service district for roads under ORS Chapter 451, the County must first schedule a public hearing within the timeframe required by ORS 198.805, at which time public testimony will be received regarding the proposed formation petition. The first public hearing is scheduled for _____, 2022; and

WHEREAS, notice of the _____ public hearing was published and distributed as required by law, with the invitation that all interested parties may appear and be heard; and

WHEREAS, the petition proposes the creation of a service district for roads which would not have taxing authority and whose board of commissioners would be appointed by the Crook County Court; and

WHEREAS, the formation of a special road district may only occur after the conclusion of a second public hearing, which as of the date of this Order 2022-___ has not occurred.

NOW, THEREFORE, the Crook County Court adopts the recitals above as Findings of Fact, and ORDERS and DIRECTS, based upon the above recitals, that:

Section 1. After considering the criteria listed in ORS 199.462 (described below) and the testimony received, the County Court finds that the following real property, all of which is located within Crook County, would be benefitted by the formation of a special road district:

Beginning at the southeast corner of township 21 south, range 24 east of Willamette Meridian; thence west along township lines to the southwest corner of township 21 south, range 21 east; thence to the northwest corner of such township; thence west to the southwest corner of township 20 south, range 20 east; thence north to the northwest corner of such township; thence west along township lines to the southwest corner of township 19 south, range 17 east; thence north to the northwest corner of such township; thence west along township lines to the southwest corner of township 18 south, range 15 east; thence northerly to the northwest corner of township 17 south, range 15 east; thence west to the southwest corner of township 16 south, range 14 east; thence northerly along the range line to the northwest corner of township 14 south, range 14 east; thence easterly to the northeast corner of such township; thence north to the northwest corner of township 13 south, range 15 east; thence easterly to the southeast corner of section 32, township 12 south, range 16 east; thence northerly along section lines to the northwest corner of section 4 of such township; thence easterly to the northeast corner of township 12 south, range 19 east; thence south along the range line

to the southwest corner of section 18, township 13 south, range 20 east; thence along section lines easterly to the east boundary of range 22 east; thence south along the range line to the southwest corner of township 13 south, range 23 east; thence easterly to the southeast corner of such township; thence south to the southwest corner of township 14 south, range 24 east; thence east to the east line of range 25 east; thence south along such range line to the southeast corner of township 18 south, range 25 east; thence west to the southwest corner of such township; thence south along the west line of range 25 east to the point of beginning.

These boundaries correspond to the boundaries of Crook County, as described in ORS 201.070.

Section 2. The criteria described in ORS 199.462 includes:

- local comprehensive planning for the area,
- economic, demographic and sociological trends and projections pertinent to the proposal,
- past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change or application under ORS 199.464
- and the goals adopted under ORS 197.225.

The goals adopted under ORS 197.225 are the state of Oregon's land use planning goals, consisting of (as applicable to Crook County) the following:

1. Citizen Involvement;
2. Land Use Planning;
3. Agricultural Lands;
4. Forest Lands;
5. Natural Resources, Scenic and Historic Areas, and Open Spaces;
6. Air, Water, and Land Resources Quality;
7. Areas Subject to Natural Disasters and Hazards;

8. Recreational Needs;
9. Economy of the State;
10. Housing;
11. Public Facilities and Services;
12. Transportation;
13. Energy Conservation; and
14. Urbanization.

Section 3. The County finds that there is no property beyond what is described in Section 1 above that would be benefitted by the proposed service district for roads.

Section 4. The County Court finds that the boundaries of the proposed service district for roads will correspond to the legal description of those benefitted properties described in Section 1.

Section 5. The service district for roads, to be entitled the _____, would not have authority to levy taxes. The members of the district's board would be appointed by the County Court to regular terms of three years, which terms would be staggered in the first and second year so that each year the appointment of one commissioner would be scheduled for consideration.

Section 6. The County Court finds that the duration of the special road district is established as an indefinite duration, unless sooner dissolved according to ORS 198.920 *et seq.* or other applicable law.

Section 7. A second public hearing, at which time the County will consider an order formally creating the _____ district, will be held on the ____th day of _____, 2022. The hearing will be held at __:00 a.m., at the _____, _____ Street, Prineville, OR 97754. If written requests for an election are not filed as provided by ORS 198.810(3), the County Court, at the time of

the final hearing, will enter its order creating the district. Such written requests may be sent to the following addresses:

County Administration Office
300 NE Third Street
Prineville, OR 97754
Or
Amy.albert@co.crook.or.us

Section 8. The County Court invites all interested parties to appear and be heard.

DATED this ____ day of _____, 2022.

CROOK COUNTY COURT

Judge Seth Crawford

Commissioner Jerry Brummer

Commissioner Brian Barney

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	_____	_____	_____	_____
Jerry Brummer	_____	_____	_____	_____
Brian Barney	_____	_____	_____	_____



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754
 Physical: 203 NE Court Street • Prineville, Oregon 97754
 Phone (541) 447-6555

<Date>

The Hon. Cheryl Seely
 Crook County Clerk

Re: Petition to form a county service district for roads.

Dear Ms. Seely,

Please accept this petition pursuant to ORS 198.705-198.955 for the formation of a county service district for roads, under Principal Act ORS 451.410 to 451.610.

The name of the proposed district is _____.

1. Description of Boundaries.

Pursuant to ORS 198.748, the boundaries for the proposed district are as follows:

Beginning at the southeast corner of township 21 south, range 24 east of Willamette Meridian; thence west along township lines to the southwest corner of township 21 south, range 21 east; thence to the northwest corner of such township; thence west to the southwest corner of township 20 south, range 20 east; thence north to the northwest corner of such township; thence west along township lines to the southwest corner of township 19 south, range 17 east; thence north to the northwest corner of such township; thence west along township lines to the southwest corner of township 18 south, range 15 east; thence northerly to the northwest corner of township 17 south, range 15 east; thence west to the southwest corner of township 16 south, range 14 east; thence northerly along the range line to the northwest corner of township 14 south, range 14 east; thence easterly to the northeast corner of such township; thence north to the northwest corner of township 13 south, range 15 east; thence easterly to the southeast corner of section 32, township 12 south, range 16 east; thence northerly along section

Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner

lines to the northwest corner of section 4 of such township; thence easterly to the northeast corner of township 12 south, range 19 east; thence south along the range line to the southwest corner of section 18, township 13 south, range 20 east; thence along section lines easterly to the east boundary of range 22 east; thence south along the range line to the southwest corner of township 13 south, range 23 east; thence easterly to the southeast corner of such township; thence south to the southwest corner of township 14 south, range 24 east; thence east to the east line of range 25 east; thence south along such range line to the southeast corner of township 18 south, range 25 east; thence west to the southwest corner of such township; thence south along the west line of range 25 east to the point of beginning.

2. Description of the proposed district.

Pursuant to ORS 198.750:

- a) This petition is filed pursuant to ORS 198.705-198.955.
- b) The names of all affected districts are: None.
- c) The names of all affected counties are: Crook County, Oregon.
- d) The Principal Act for the proposed district is: ORS 371.055 – ORS 371.110.
- e) The nature of the proposal is: to form a new road district.
- f) The territory of the district is: inhabited.
- g) The number of board members for the district is: Three (3).
- h) Would the district have taxing authority: No.
- i) The proposed terms and conditions to which a proposed formation is to be subject: only those terms and conditions described in ORS Chapter 451, ORS Chapter 198, and other applicable law.
- j) Whether the signers of the petition are landowners within the proposed district: Yes (all three signers.)
- k) Whether the signers of the petition are electors registered within the proposed district: Yes (all three signers).
- l) The petitioners request that “proceedings be taken for the formation proposed.”

3. Security Deposit:

Pursuant to ORS 198.775, attached to this petition is a cash deposit of \$1,700.00, to equal \$100.00 per precinct in territory proposed to be included in the district. This deposit is conditioned that, if the attempted formation is not effected, the chief petitioners will may the costs thereof, excluding any costs incurred by a local government boundary commission (if any.)

The cash deposit is accompanied by the form prescribed by the Oregon Secretary of State (form 704).

As required by ORS 198.775(4), notwithstanding the requirement to submit a bond, cash deposit, or other security, the costs for proceedings initiated by the County (excluding costs for any local government boundary commission, if any) will be paid by the initiating County Court out of County funds.

4. Verification of Duplication of Certain Documents:

Pursuant to ORS 198.780, the Petitioners certify that within ten (10) days after this petition is filed with the County Clerk, the Petitioners will cause duplicate copies to be filed with:

- The Oregon Department of Revenue;
- The Oregon Secretary of State;
- The County Assessor of Crook County.

5. Petitioners:

Pursuant to ORS 198.835, this petition is submitted by the Crook County Court, the governing body of Crook County.

6. Duration / Dissolution:

No date is established for the dissolution of the proposed district, and the district will continue in force and effect until dissolved according to law.

7. Dates of Public Hearings:

Pursuant to ORS 198.800 and 198.835, the County Court held public hearings at meetings open to the general public, regarding the formation of the proposed district:

First meeting: _____
Second meeting: _____

The petitioners certify that, pursuant to ORS 198.840, notice of the hearing was provided according to the requirements of ORS 198.800, including the statement that the Crook County Court has entered an order declaring its intention to initiate the formation of a district. The hearings were conducted as required by ORS 198.800 to 198.825.

8. Findings Regarding Public Benefit and Statewide Planning Goals:

Pursuant to ORS 199.462, at the public hearings referenced above, the County Court sought public testimony whether, according to the standards described in that statute, the area described in the petition "could be benefitted by the formation of the district." Among those standards are the statewide planning goals adopted under ORS 197.225.

The findings regarding public benefit and the statewide planning goals are memorialized in Order 2022-____, attached hereto and by this reference incorporated herein.

9. Petition Costs:

Pursuant to ORS 198.845, the County will bear the costs for the formation of the district. If the district is formed, the district will reimburse the County for any expenses incurred by the county in making any necessary preliminary engineering studies and surveys in connection with the formation of the district.

10. No Election Required:

Pursuant to ORS 198.810, no petition showing the requisite number of qualifying electors which requests that the formation of the proposed district be considered at an election was received within the timeframe specified by law (prior to the first public hearing). The proposed district would not have taxing authority. Therefore, no election is required to approve the formation of the proposed district.

11. Economic Feasibility Statement:

Pursuant to ORS 198.749, attached to this petition is an economic feasibility statement for the proposed district.

12. Conclusion.

Please accept this petition form for the formation of the proposed district.

Sincerely,

Judge Seth Crawford

Commissioner Jerry
Brummer

Commissioner Brian
Barney

Crook County Court

List of Attachments:

1. Order 2022-____, regarding the first public hearing.
2. Order 2022-____, approving the formation of the district and appointing board members.
3. Secretary of State 704 form.
4. Economic feasibility statement.
5. Resolution of the City of Prineville.

Security Deposit

Special District Formation or Reorganization

SEL 704

rev 01/18
ORS 198.775☒ Formation☐ Annexation☐ Withdrawal☐ Dissolution**District and Precinct Information**

Name of District

Number of Precincts in District

17

Amount of Deposit per Precinct

\$100.00

Total Deposit (max of \$10,000)

\$1,700.00

Chief Petitioners

I/We hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of

_____ district exceeds the

deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

Name print

(see page 2)

Signature

Residence

Mailing Address if different

City

State

Zip Code

Prineville

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

☒ Cash☐ Bond☐ Other Security Deposit

Name print

Signature

Residence

Mailing Address if different

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

☐ Cash☐ Bond☐ Other Security Deposit

Name print

Signature

Residence

Mailing Address if different

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

☐ Cash☐ Bond☐ Other Security Deposit

Continued on the reverse side of this form

Person/Organizations Providing Any Part of Cash/Security Deposit

Name print Judge Seth Crawford, on behalf of Crook County			Signature		
Residence			Mailing Address if different 300 NE 3rd Street		
City Prineville	State OR	Zip Code 97754	City Prineville	State OR	Zip Code 97754
Amount of Contribution/Value of Secured Deposit 100% (\$1,700.00)			Kind of Contribution* <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit		

Name print Commissioner Jerry Brummer, on behalf of Crook County			Signature		
Residence			Mailing Address if different 300 NE 3rd Street		
City Prineville	State OR	Zip Code 97754	City Prineville	State OR	Zip Code 97754
Amount of Contribution/Value of Secured Deposit N/A			Kind of Contribution* <input type="checkbox"/> Cash <input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit		

Name print Commissioner Brian Barney, on behalf of Crook County			Signature		
Residence			Mailing Address if different 300 NE 3rd Street		
City Prineville	State OR	Zip Code 97754	City Prineville	State OR	Zip Code 97754
Amount of Contribution/Value of Secured Deposit			Kind of Contribution* <input type="checkbox"/> Cash <input type="checkbox"/> Bond <input type="checkbox"/> Other Security Deposit		

Additional Description

*Provide additional description of security deposit below, on the back of this form or on separate sheets. Additional contributors may be listed on separate sheets and attached.

Crook County, a political subdivision of the State of Oregon, has submitted a formation petition pursuant to ORS 198.835. This 704 form is signed by a quorum of the Crook County Court, the board of commissioners for Crook County. The deposit is submitted by petitioner Crook County.