

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Approving the Formation)
of the new Columbia Health District)
_____)

ORDER NO. 36-2004

WHEREAS, on April 14, 2004, the Board of County Commissioners adopted Resolution No. 23-2004 initiating the formation of a new Columbia Health District; and

WHEREAS, the Board of County Commissioners scheduled a public hearing on the proposed formation of the new district for June 2, 2004, on or after 10:00 a.m., in the Board of County Commissioners Meeting Room, Room 308 of the Courthouse Annex in St. Helens, Oregon; and

WHEREAS, the Board caused notice of the public hearing to be posted in a least three public places and published by two insertions in a newspaper as provided by ORS 198.730, 198.800 and 198.840; and

WHEREAS, the public hearing was held on June 2, 2004, as scheduled and the Board heard testimony from proponents and opponents to the new district; and

WHEREAS, several exhibits were received by the Board at the June 2 hearing and are available for public inspection in the Office of County Counsel, Room 318, Courthouse, 230 Strand, St. Helens, Oregon; and

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The Board of County Commissioners, in accordance with the criteria prescribed by ORS 199.462, determines that the area could be benefited by the formation of a new health district. The Board has considered the benefit the proposed district will have within the territory in and out of the proposed district and approves the boundaries of the proposed district as originally proposed and as described in Resolution No. 23-2004. Accordingly, the Board approves the formation of a new health district.
2. The principal act of the proposed district is ORS Chapter 440. The name of the proposed district would be the Columbia Health District ("District"). The boundaries of the proposed District are described in Exhibit "A", which is attached hereto and incorporated herein by reference.
3. Pursuant to ORS 198.810, a final hearing shall be held at or after 10:00 a.m. on July 7, 2004, a date which is not less than 20 days and not more than 50 days from the effective date of this order, in the Commissioner's Meeting Room, Room 308 of the Columbia County Courthouse, in St. Helens, Oregon. Notice of the hearing shall be given by publication as provided by ORS 198.730(2) and 198.810(1).

4. ORS 198.810 provides that unless written requests for an election are filed at or before the final hearing by not less than 15 percent of the electors or 100 electors, whichever is the lesser number, registered in the proposed district, the Board, at the time of the final hearing, shall enter its order creating the District.

5. However, ORS 198.810 also provides that if a petition for formation includes a permanent rate limit for operating taxes for the proposed district and the petition is approved by the county board, an election on the question of forming the district shall be held. Because the formation proceedings were initiated by resolution of the Board, and not by petition, this statute does not directly apply. Nevertheless, the Board has been asked to put the question of whether to establish a permanent rate limit for the district on the ballot for the November 2, 2004, election. The Board will consider the proposal for a permanent rate limit at its July 7, 2004, hearing and, if it agrees to put the question on the ballot, the question of formation of the district will also be placed on ballot for the November 2, 2004, election.

DATED this 9th day of June, 2004.

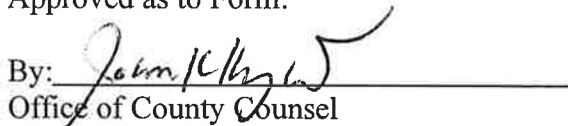
BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, OREGON

By: 
Chair

By: 
Commissioner

By: 
Commissioner

Approved as to Form:

By: 
Office of County Counsel