

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Determining)
the Results of the Election) ORDER NO. 112-02
for Board of Directors of the)
McNulty Water P.U.D.)
_____)

WHEREAS, on the 4th day of September, 2002, the Board of County Commissioners for Columbia County, Oregon, adopted Order No. 58-02, directing the Columbia County Clerk to place the question of the proposed formation of the McNulty Water People's Utility District and special levy on the November 5, 2002, election ballot; and

WHEREAS, on the 2nd day of October, 2002, the Board adopted Order No. 63-02 determining the boundaries of the proposed district; and

WHEREAS, pursuant to ORS 261.171, the question of the proposed district formation and special levy was submitted to the electors within the affected territory, i.e., within the boundaries of the proposed district, as determined by Order No. 63-02; and

WHEREAS, on the 25th day of November, 2002, the Columbia County Clerk prepared an abstract of the votes of the formation election and delivered it to the Board; and

WHEREAS, a majority of the votes cast at the November 5, 2002, election favored formation of the district and authorization of the special levy; and

WHEREAS, pursuant to ORS 261.200, on the 27th day of November, 2002, the Board adopted Proclamation and Order No. 96-02 proclaiming, declaring and ordering that the affected territory had been duly and legally incorporated as the McNulty Water People's Utility District and that the district has the authority to collect the special levy against the taxable property within the district; and

WHEREAS, pursuant to ORS 261.190, "[a]t all elections where the creation of a [people's utility] district is authorized, five directors shall be elected to manage and transact the business of the district"; and

WHEREAS, ORS 261.190 also provides: "Candidates for the office of director must be electors of this state, must have resided in the proposed district continuously for not less than two years next

preceding the date of the election, and must continue to reside in the district during their term of office"; and

WHEREAS, the following five persons filed as candidates for the position of director of the proposed district: Donald Rentenaar, May E. Mowrey, Claudia Weiss, Richard J. Louie, and Arthur Castor; and

WHEREAS, according to the abstract of votes prepared and delivered to the Board by the Columbia County Clerk on November 25, 2002, the five persons who filed for the position of director of the district received the highest number of votes in the area approved by the electors and declared by the Board to be a district; and

WHEREAS, the records of the Columbia County Elections Office indicate that each of these persons meets the qualifications required by ORS 261.190; and

WHEREAS, pursuant to ORS 255.295, "not later than the 30th day after receiving the abstract the [Board] shall determine from it the result of the election"; and

WHEREAS, the purpose of this order is to determine the result of the election as required by ORS 255.295 and to notify the Columbia County Clerk whether any candidate elected to district office is qualified to hold the office;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. On November 5, 2002, Donald Rentenaar, May E. Mowrey, Claudia Weiss, Richard J. Louie, and Arthur Castor were elected to the office of director of the McNulty Water People's Utility District.

2. Each of these candidates meet the qualifications required by ORS 261.190 to hold the office of director of the district.

3. Pursuant to ORS 261.190(4), each successful candidate is elected to serve as director until the first Monday in January after the first regular biennial general election which occurs not less than one year following the November 5, 2002, election which created the district, and until their successors are elected and qualified.

DATED this 18th day of December, 2002.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Chair

By: Joe Corvino
Commissioner

By: Steve M. Gerlach
Commissioner

Approved as to form

By: John K. Byrd
Office of County Counsel

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