



**Wednesday, November 22, 2017**

**9:30 a.m. Regular Meeting**

**Commissioner's Meeting Room  
Lincoln County Courthouse  
225 W. Olive Street, Room 108  
Newport, Oregon**

**I. CALL TO ORDER**

**II. ROLL CALL - ESTABLISHMENT OF A QUORUM**

**III. RECOGNITION/PROCLAMATION**

**IV. ADOPTION OF CONSENT CALENDAR**

**A. Minutes of Board of Commissioners Meeting**

Order #11-17-\_\_\_\_\_ Board of Commissioners Meeting Minutes November 1, 2017

**B. Commission Appointments and Resignations**

Order #11-17-\_\_\_\_\_ Changes in Membership to the Local Public Safety Coordinating Council

**C. License Applications or Renewals**

**D. Tax Foreclosure, Right-of-Way, Sales and Deeds**

**E. General Budget Resolutions**

**F. Acting as Governing Body of County Wide Service Districts**

**G. Documents and Recording Matters in the Commissioners Journal**

**H. Execution of Documents**

Resolution #17-22-10\_\_ Declaring Certain County Owned Vehicle to be Surplus and Authorizing their Disposal

**V. PUBLIC HEARING**

Order # 11-17-\_\_\_\_\_

Petition from Greg Torland and Mary Holbert to Withdraw from the Toledo Rural Fire Protection District.  
– Presented by: Jerry Herbage

**VI. DECISION/ACTION**

**VII. DISCUSSION/INFORMATION**

**VIII. BOARD OF COMMISSIONERS AS THE GOVERNING BODY OF COUNTY-WIDE SERVICE DISTRICTS**

**IX. REPORTS**

**A. Elected Officials/Department Directors/Program Coordinators and Consultants**

**B. Commissioners**

**X. CONSTITUENT INPUT (Limited to five minutes per constituent)**

**XI. EXECUTIVE SESSION**

**XII. ADJOURN**

**XIII. OTHER SCHEDULED MEETINGS AND APPOINTMENTS OF THE BOARD**

**Monday, November 27, 2017 – 9:00 a.m. – Office Meeting and Board Briefing** in the Commissioner’s Small Meeting Room, Lincoln County Courthouse Room #110, 225 West Olive Street, Newport; meeting to cover office priorities, operations, procedures and workflow

**Wednesday, November 29, 2017 – 9:30 a.m. – Board of Commissioners Meeting** in the Commissioner’s Meeting Room, Lincoln County Courthouse Room #108, 225 West Olive Street, Newport.

***For special physical, language or other accommodations at Board's meeting, please contact the Board at 265-4100 (voice) or dial 7-1-1 Relay Service and include e-mail as soon as possible, but at least 48 hours before the meeting.***



35 WHEREAS, because of a scheduling conflict, the second and final hearing was  
36 rescheduled for November 22, 2017, at 9:30 A.M., in the Board of Commissioners Hearing  
37 Room, Room 108 of the Lincoln County Courthouse located at 225 West Olive Street in  
38 Newport, Oregon.

39 WHEREAS, notice of the second and final public hearing (with the changed date) was  
40 published in accordance with the ORS; and

41 WHEREAS, an insufficient number of written requests for an election on the proposed  
42 withdrawal were filed on or before the time of the final hearing as required by ORS 198.810;  
43 therefore, pursuant to ORS 198.875(1), 198.810, 198.815 and 198.820,

44 **IT IS HEREBY ORDERED THAT:**

45 (1) The territory described in Exhibit "1" of this order is withdrawn from the Toledo Rural  
46 Fire Protection District.

47 (2) Pursuant to ORS 198.870, within 10 days of the date of this order, duplicate copies of this  
48 order shall be filed with: The Oregon Department of Revenue; the Oregon Secretary of State, the  
49 Lincoln County Clerk; and the Lincoln County Assessor.

50 (3) Duplicate copies of this order shall also be forwarded to: Petitioners Greg Torland and  
51 Mary Holbert; the Toledo Rural Fire Protection District, c/o Jeff Doyle, District Secretary; the  
52 Lincoln County Planning Department; and Lincoln County Counsel Wayne Belmont.

53 DATED this 22nd day of November, 2017

54

55 LINCOLN COUNTY BOARD OF COMMISSIONERS

56

57

---

Terry N. Thompson, Chair

59

60

---

Doug Hunt, Commissioner

61

62

63

---

Bill Hall, Commissioner

64

EXHIBIT "1"

**PETITION TO WITHDRAW FROM  
TOLEDO RURAL FIRE PROTECTION DISTRICT**

The undersigned petitioners request that proceedings be taken for withdrawal of property from the Toledo RFPD, consisting of property on the South Bay Road. The property is depicted on the map attached to this petition, and a legal description is included below.

Statements required by ORS 198.750

- (a) This petition is filed pursuant to ORS 198.705 to 198.955.
- (b) Affected districts and counties are: Toledo Rural Fire Protection District and Lincoln County Oregon.
- (c) The following are the names and principal Acts of all affected districts and counties that currently exist in the territory proposed to be included within the district: Lincoln County (ORS chapter 203); Lincoln County Solid Waste District (ORS chapter 451); Lincoln County School District (ORS chapter 330); Lincoln County Extension District (ORS chapter 566); Oregon Coast Community College (ORS chapter 341); Linn-Benton Education Service District (ORS chapter 334); Lincoln County Transportation Service District (ORS chapter 451); Lincoln County Library District (ORS chapter 357); Port of Newport; Toledo Rural Fire Protection District (ORS chapter 478); and Pacific Communities Hospital District (ORS chapter 440).
- (d) This petition proposes removal of property from the Toledo Rural Fire Protection District.
- (e) The territory subject to this petition is inhabited.
- (f) The following is a description of the property proposed to be removed from the district: Twnshp 11 Rng 11 Acres 5.0. Map: 11-11-34-00-00603-00. See the attached copy of the legal description from the statutory bargain and sale deed.

**Justification:**

Our property is located at the end of the TRFPD annexation district on South Bay Road, Lincoln County, Oregon outside of Toledo city limits. We respectfully ask to be withdrawn from the TRFPD annexation district for the following reasons:

The Toledo fire station is 8.3 miles and 20 minutes away from our home.

Our insurance company rates our fire protection as a "Class 10." This is considered an unprotected rural rea without an adequate fire department or available fire hydrants.

The last 4.5 miles to our home is on a narrow winding gravel road.

There is a locked gate at the bottom of our steep driveway, which is another ¼ mile from our home.

Our only water supply is from a well.

There is no cell phone service at our home.

At times, the Willamette Dispatch Center is unreliable.

We are paying for a service that cannot be performed in time to make a difference.

On June 21st, 2017 the Toledo Rural Fire Protection District board of directors endorsed our request to withdraw from the district. A letter dated June 23<sup>rd</sup>, 2017 signed by Chief Ewing supporting our request to withdraw from the TRFPD is attached to this document.

### LANDOWNER PETITIONER

We hereby join in the foregoing petition to have our property withdrawn from the Toledo Rural Fire Protection District. We petition the Lincoln County Board of Commissioners to commence proceedings to do so.

Greg Torland  
Signature of Landowner/Petitioner

Greg Torland Mary Holbert  
Printed Name of Landowner/Petitioner

6085 S Bay Rd  
Residence Address of Landowner/Petitioner

PO Box 173  
Mailing Address of Landowner/Petitioner

Toledo, OR 97391  
City, State and ZIP of Landowner/Petitioner

541-867-7560  
Phone Number of Landowner/Petitioner

DATED and SIGNED this 30<sup>th</sup> day of June, 2017.

Torland/Holbert withdrawal from Toledo RFPD

Commencing at a point 449.43 feet South and 587.13 feet West of the meander corner between Sections 34 and 35, Township 11 South, Range 11 West, Willamette Meridian, Lincoln County, Oregon, said point being a 5/8" iron rod established by Lincoln County Survey # 15426; thence S 21°31'24"E 200.28 feet to a 5/8" iron rod set by said survey # 15426; thence S1°25'21"W 34.97 feet to an iron rod and the Point of Beginning of the following described tract:

Thence S 1°25'21"W 204.55 feet to a 5/8" iron rod set in County Survey 15426;

Thence continuing S 1°25'21"W 200.0 feet to a 5/8" iron rod;

Thence N 89°49'16"W 537.92 feet to a 5/8" iron rod;

Thence North 322.03' more or less to the east right-of-way of Lincoln County Road 520;

Thence northerly along said road right-of-way to a point that is N 89°49'16"W from the point of beginning;

Thence S 89°49'16"E 530.93 feet more or less to the Point of Beginning.

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

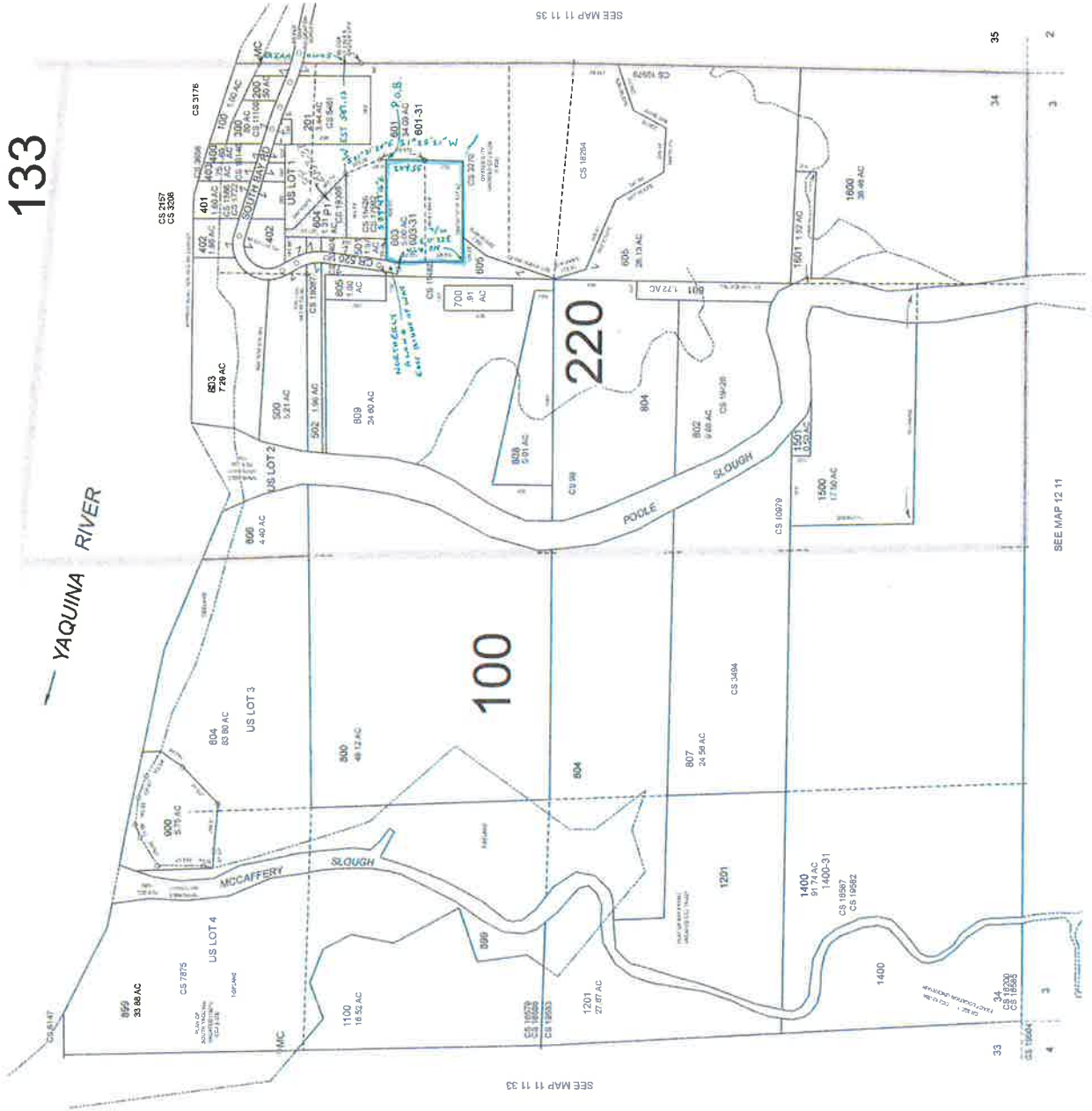
0 200 400 600 800 Feet

SECTION 34 T.11S. R.11W. W.M.  
LINCOLN COUNTY

1" = 400'

11 11 34

Cancelled  
198  
199  
400-T1  
600  
800-11  
801-11  
802  
802-11  
802-31  
800-10  
802-10  
804-10  
804-11  
805-10  
805-11  
1000  
1001  
1202  
1300  
1300-31  
1400-11  
1401  
1700  
1800  
1900

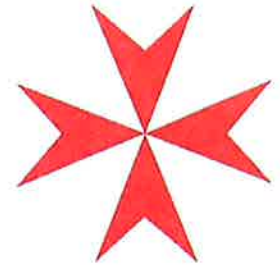


Revised: SEB  
11/18/2014

11 11 34



# Toledo Rural Fire Protection District



June 23, 2017

Lincoln county Commissioners

Regarding the request from Greg Torland 6085 South Bay road, (map 11-11-34-603) to withdraw from the Toledo Rural Fire Protection District. The District board of director considered all the information submitted by Mr Torland and Mary Holbert.

At the regular district board meeting held on June 21<sup>st</sup> 2017, Toledo Rural Fire Protection District board of directors approved the request to withdraw from the district.

Should you have any further questions regarding this matter please call me @ 541-336-3311 or E-Mail at [tfd@cityoftoledo.org](mailto:tfd@cityoftoledo.org). Thank you.

A handwritten signature in black ink that reads "William Ewing".

William Ewing  
Fire Chief