ACTION MINUTES
CANYON VIEW SPECIAL ROAD DISTRICT
BOARD OF DIRECTOR'S MEEETING
October 08, 2021

MEMBERS PRESENT:

Directors: Raschke, Mehlberg
Members: None
Guests: None

1. Call to Order:

Meeting called to order at 12:00 PM, October 08, 2021 at the Jefferson County Offices, 66 SE D St., Madras.

2. Consent - Agenda/Minutes:

A. Director Raschke moved that the agenda for the October 08, 2021 meeting be approved. Director Mehlberg seconded the motion. The motion passed by a 2 to 0 vote.

B. Director Raschke moved that the minutes for the September 10, 2021 meeting be approved. Director Mehlberg seconded the motion. The motion passed by a 2 to 0 vote.

3. Visitor Comments:

None

4. Continuing Discussions:

A. Treasurer's Report:

1. County Fund $46,192.25 Checking Account $5,234.96 Total $51,427.21

B. Road Work - Status

1. Directors Hurd and Raschke will meet with the County Public Works Director on October 12th to discuss chip seal work.

C. Permitting

1. Director Hurd discussed permitting with the County and the County confirmed that they will continue to be responsible for permitting utility work, etc. in the roadway. Anyone wanting to do any work in or on the roadway needs to get a permit from the County.

5. Additional Comments, reports, etc:

A. Petition To Leave District

1. A petition for withdrawal from the Canyon View Special Road District was received from the owners of lot number 44, Jeremy and Vanessa Nilles, at 319 SE Barber Road (see attached petition). The County Commissioners are required to have a meeting to discuss and approve or disapprove the petition. The District will have one or more Directors attend this meeting to provide information to the Commission. As soon as a date is set for the meeting the District will inform the membership of the time and place. If the County approves the withdrawal, the District will have to decide whether or not to call for an election to approve or disapprove of the withdrawal. A petition signed by 15 property owners is required to call for an election. If no election petition is presented the County's decision is final. If the County does not approve the withdrawal the District will consider the case closed.

6. Adjourn

A motion to adjourn was made by Director Raschke at 12: 30 PM and was seconded by Director Mehlberg. The motion passed by a vote of 2 to 0.

NOTE!!!

NEXT MEETING: 12 Noon, Friday, November 12, 2021 at the Jefferson County Board Room, 66 SE D St., Madras.

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September 20, 2021

Canyonview Road District
ATTN: Secretary
c/o Jefferson County
66 SE D Street
Madras, OR 97741

Re: Niles Petition for Withdrawal from Canyonview Road District

To Whom It May Concern:

Enclosed please find a certified copy of the Petition for Withdrawal from the Canyonview Road District filed by Jeremy and Vanessa Nilles with the Jefferson County Board of Commissioners on or about September 20, 2021.

If you have any questions, comments, or concerns, please feel free to contact me.

Very Truly Yours,

Jered Reid
Attorney at Law

Enclosure(s) (per text)
cc: Client

CERTIFIED TRUE COPY
SIGNED _____

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF JEFFERSON COUNTY

PETITION FOR WITHDRAWAL FROM THE CANYONVIEW ROAD DISTRICT

1. **Affected Entity**. This Withdrawal Petition affects only Jefferson County and Canyonview Road District ("Canyonview"), a special road district organized and operating under its principal act, ORS 371.305 to 371.660. Canyonview is a special district as defined in ORS 198.010(12) and a unit of local government and a local service district under ORS 174.116(2)(r).

2. **Petitioners and Affected Properties.** The Petitioners seeking an order of withdrawal are: Jeremy D. Nilles, and Vanessa L. Nilles, Trustees of the Jeremy and Vanessa Nilles Joint Revocable Living Trust, dated April 1, 2021, who are the landowners and registered electors of the following real property located at 319 SE Barber Road, Madras, Oregon 97741 and more particularly descripted as: Lot 44, CANYON VIEW SUBDIVISION, recorded December 8, 1995 as instrument #954948, Jefferson County, Oregon

3. **Board of County Commissioner Jurisdiction to Consider Withdrawal Request.** ORS 198.870(1)(a) provides that an owner of land may petition the Board of County Commissioners ("Board") for withdrawal of property from Canyonview. Similarly, ORS 198.870(10(b) allows electors of an area within Canyonview to petition the Board for withdrawal of an area. The Board is empowered to conduct a hearing process in accord with ORS 198.800 to 198.820. The Board may approve this Petition as presented or it may adjust the boundaries and approve. ORS 198.870(4) provides that the Petition shall be approved if it has not been, or not or would not be, feasible for the affected properties described in the Petition to receive service from Canyonview.

4. **Basis for Approval.** Petitioners respectfully ask to be withdrawn from Canyonview for the following reasons:

   A. Petitioner's property is fully bordered by Barber Road on its Eastern boundary. Petitioner's driveway is on Barber Road. Barber Road is a road that intersects with S. Adams Drive on its Western end and SE Sagebrush Drive on its Eastern end.
   B. Petitioners access their property from S. Adams Drive, as that is the most direct route to Petitioners' property.
   C. Most of Barber Road is not within Canyonview's boundaries, and a majority of the road is in disrepair.
   D. Petitioners have been in possession of the Property since May 2018 and during that three years, Barber Road has not been maintained or plowed by Canyonview.
   E. Petitioners would like to utilize the funds that are currently being given to Canyonview to help repair and maintain the private access portions of Barber Road.

5. **Request for Hearing.** The Petitioners request that the Board of County Commissioners set a date for hearing on this Petition not less than 30 days nor more than 50 days from the date this Petition is filed under ORS 198.800 and cause notice of the hearing to be

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posted and published. Petitioners further request that the Board conduct the hearing and approve this Petition.

6. **Notice to Canyonview.** Within five (5) days of the filing of this Petition, Petitioners shall provide notice to the Secretary of Canyonview by filing a certified copy of this Petition as filed with the Board.

WHEREFORE, Petitioners request the Board grant this Petition and approve withdrawal of the affected properties from Canyonview.

Jeremy D. Nilles, Trustee of the Jeremy and Vanessa Nilles Joint Revocable Living Trust dated April 1, 2021.

9/20/21
Date

Vanessa L. Nilles, Trustee of the Jeremy and Vanessa Nilles Joint Revocable Living Trust dated April 1, 2021.

9/13/21
Date

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