



ROBERTS CREEK
WATER DISTRICT



November 12, 2020

Douglas County Board of Commissioners
Douglas County Courthouse - CH217
1036 S.E. Douglas Avenue
Roseburg, Oregon 97470

Subject: Proposed Formation of the Green Area Water and Sanitary Authority

Dear Commissioners Boice, Freeman and Kress,

Confirming recent communications with Joshua Shaklee, Director of the Douglas County Planning Department, the Boards of the Roberts Creek Water District and Green Sanitary District have proposed formation of the Green Area Water and Sanitary Authority. This letter further describes this proposal and respectfully requests the Douglas County Board of Commissioners consider approving a resolution to proceed with formation of the proposed Green Area Water and Sanitary Authority.

The Roberts Creek Water District and Green Sanitary District (the Districts) currently provide water and sanitary sewer services, respectively, to the unincorporated community of Green, Oregon. Roberts Creek Water District also provides water services to outlying areas including Roberts Creek, Shady and Glengary. The boundaries of Green Sanitary District are fully contained within the boundaries of Roberts Creek Water District.

The proposed Green Area Water and Sanitary Authority (the Authority) would replace the two existing Districts and provide the same water and sanitary sewer services to the Districts' existing customers. Under this proposal, the existing Districts would be dissolved upon formation of the Authority.

Oregon Revised Statutes establish at least two methods of forming a joint water and sanitary authority. One option, ORS 198.750(1), specifies that formation of a joint authority may be initiated by public petition. Alternatively, ORS 198.835 specifies that if the proposed authority will be located entirely within one county, the county board for that county may initiate the formation of the proposed authority.

The Districts had originally anticipated using the public petition process specified in ORS 198.750(1) to initiate the Authority formation process. However, in light of the unique nature of this proposal and given current conditions, it now appears that formation by the Douglas County Board of Commissioners would be more appropriate for the reasons outlined below.

- The duration and intensity of the current COVID-19 pandemic could not have been foreseen. Petition signature gathering during the ongoing pandemic would necessitate additional COVID-related procedures and may pose additional risks of spreading of the virus. The recent rise in positive cases in Douglas County would undoubtedly cause citizens to be wary of signing a publicly circulated petition. Furthermore, at least one business in the Green District has denied volunteers access to its premises to gather signatures, citing coronavirus risks. Other businesses would presumably follow suit.
- A petition process is typically put forth because a community and its citizens are motivated to make a change or add new public services. In this case, the services to be provided by the proposed Green Area Water and Sanitary Authority are currently provided by the existing Districts. Unless citizens in the community are unhappy with how the current Districts are being run, it seems unlikely that voters would take it upon themselves to bring forth a petition for change, much less be willing to volunteer the time needed to gather signatures.
- Election regulations prohibit signature gathering on District properties or by District staff. Thus, advocating for and gathering of signatures would largely be left up to elected Board members, many of whom have “day jobs” and are unable to commit the time and resources needed for such an effort.
- The county-initiated formation process specified in ORS 198.835 requires a public hearing be held on the proposal. As a result, the public would have an opportunity to comment on this proposal and the County Board of Commissioners would be aware of public concerns related to formation of the proposed Authority.
- Formation of the proposed Green Area Water and Sanitary Authority would result in significant benefits to the Districts’ existing customers including cost savings, operational efficiencies, improved service, better public policies, and more effective long-term planning. The new proposed Authority would not require a permanent tax rate and by dissolution of the existing Districts concurrent with the formation of the proposed Authority, these benefits would be achieved without the addition of another jurisdiction or public agency.

In summary, given the unique nature of this proposal, having the Douglas County Board of Commissioners initiate the formation of the Green Area Water and Sanitary Authority would allow this proposal to efficiently move forward and result in significant benefits to our community, while also accommodating public input and limiting public health risks associated with signature gathering during the ongoing COVID-19 pandemic.

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For these reasons, the Boards of Roberts Creek Water District and Green Sanitary District respectfully request that the Douglas County Board of Commissioners consider approving a resolution to proceed with formation of the Green Area Water & Sanitary Authority. The Districts sincerely appreciate your consideration of this matter. We would be happy to meet with you to further explain the Districts' objectives and benefits of the proposed Green Area Water and Sanitary Authority.

Please feel free to contact either of us through our District offices. Alternatively, you may direct any questions to the District managers:

- David Campos, Roberts Creek Water District Office Manager, 541-679-6451, david@rcwaterdistrict.com, or
- Kay Huff, Green Sanitary District Manager, 541-679-7191, huff.gsd@gmail.com

We look forward to your favorable consideration of this request.

Sincerely,



Tracey Parker
Board President
Roberts Creek Water District



Ron Curry
Board President
Green Sanitary District