

Prineville Lake Acres Unit 1 Special Road District

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Greetings PLA1-SRD owners,

The Prineville Lake Acres Unit 1 – Special Road District (PLA1-SRD) Board was formed in 1984 to serve the citizens of the PLA1 Subdivision. The Special Road District Board consists of three (3) members: a President, Secretary and Treasurer. Your current Board members are: (Board members serve as volunteers and are not paid positions)

- **President:** Buck Sherman
- **Secretary:** Position Vacant
- **Treasurer:** Debbie Kowalski

Meetings are held once a month at 7:00 p.m. and are held on the last Tuesday of each month, and are held at the Juniper Canyon Fire Station. The public is invited to attend and participate at the meetings. Please come and share your suggestions and/or ideas for improving the roadways.

The PLA1 Board members would like to first thank our volunteers. Without volunteers, many projects would not be completed and/or accomplished. We'd especially like to thank Lealand Sherman for his many dedicated hours of grader roadwork, plus the maintenance on the grader. We would also like to thank the many other volunteers that have helped fill in pot holes on Remington Road, and attend the Annual Road Cleanup Day & Potluck.

The PLA1 Board would also like to thank the "prior" Special Road District Board members for their many years of dedicated volunteer service. Most of you know who you are. We know it takes a lot of dedication, and at sometimes feels like a thankless job; but a very necessary one.

As Special Road District Board members, our main responsibility is the maintenance and road improvements to more than 12 miles of roadway within the Prineville Lake Acres Unit 1 Subdivision. Also, as part of our responsibility, we are required to make sure there are no encroachments constructed within the 60 foot dedicated roadway as shown on the official plat. What this means is no "fencing or buildings" are allowed to be constructed within the road 60 foot Right-Of-Way. As a property owner, it is your responsibility to know where your property lines are located prior to constructing fencing and/or buildings; not the Special Road District Board members.

Prior to developing your property, please make sure to check with the Crook County Community Development prior to building your driveway access or constructing buildings. You can contact the Crook County Community Development by calling 541-447-8156 with your questions

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TAX LEVY REVENUES

You may wonder how the PLA1- Special Road District receives the funds to maintain the roadways. Each year, as a property owner, you receive a Crook County Property Tax Statement. A portion of your total amount due to the county goes towards the Tax Levy amount for the Special Road District. As a Special Road District, we file a "Tax Levy." This rate is regulated by the State of Oregon. The SRD Board is required to submit a budget and necessary paperwork to the Crook County Assessor's Office by July 15th each year, after the required public meetings are held to discuss and adopt the upcoming fiscal years anticipated tax levy estimated revenues and expenditures. At this time, the "Tax Levy" rate is limited to 1.8913@ per \$1000 of improvements on your property; residence, shop, barns, wells, etc.

The total amount the PLA1-SRD receives varies each year. However, for the 2013/2014 fiscal year the amount is \$22,359.97. Please remember that this amount is what the PLA1-SRD would receive if every property owners were to pay their full amount due each year. However, this doesn't always happen. The Tax Levy revenue amount will vary year by year depending on each individual lot appraisal evaluations (new & removed improvements), and as the improvement values go up and/or down each year. Please remember, we have over 12 miles of roadway to maintain with about \$22,000 a year of revenue. Each mile of pavement will cost about \$140,000.

PLA1 SUBDIVISION

Property Owners Association (POA) vs. Special Road District (SRD)

The Prineville Lake Acres Unit 1 Subdivision plat was originally platted in 1971. Crook County adopted a minimum road standard in 1977. The Prineville Lake Acres Unit 1 was platted prior to any kind of road standards being in place. The original "Land Use" intent of this area was for seasonal – recreation activity; not full-time residences. However, the times have changed since 1971. This is one of the many reasons for the substandard roadways within the subdivision.

When the Plat was recorded in 1971, the "Property Owners Association" (POA) was established. The POA was a five (5) member board, and operated successfully for a number of years, but with "very limited" resources. The purpose and objective of the POA was to provide for the operation, maintenance, repair, rebuilding or rehabilitation of roads, streets and public ways of Prineville Lake Acres Unit 1 Subdivision, for the benefit of the members of the association who have purchased lots. By-Laws were adopted and amended over the years. When the plat was recorded, it clearly stated that the roads were dedicated to the "*property owners of this unit.*"

The Property Owners Association (POA) has never been dissolved, but is not active. If it were to be re-activated, certain procedures would be required. Remember, this was a five (5) member board.

In 1984, the Crook County Court held meetings to discuss the issue of organizing a "*Special Road District*" by the request of the property owners. The County Court ordered that the *Prineville Lake Acres Unit 1, Special Road District* be formed. The Crook County Court further ordered that the boundaries of the "*Special Road District*" shall be described as the Prineville Lake Acres Unit 1, as platted in the Crook County Clerk's Office. The SRD is required to operate as outlined within ORS 371.336. From the date of the SRD formation, the SRD is a "Municipal Corporation" for the purchase of

Purpose

improving roads within the district. The "*Special Road District*" was formed to serve the citizens of the PLA1 subdivision. A "*Special Road District*" is unique in one respect in that the directors/board members are appointed by the Crook County Court, rather than elected by qualified electors of the district (POA).

As stated within the January 28, 1985 Minutes, when the "*Special Road District*" was first proposed, it was assumed by many people that the Property Owners Association (POA) would dissolve, thereby leaving the road repair and maintenance solely to the SRD. Apparently, many individuals feel that the POA should remain in existence. Of course, as long as a majority of the property owners wish to maintain the association, there is no reason why they should not do so. It is the feeling of the SRD Board that the jurisdiction over the roads within PLA1 Subdivision should be vested solely in the SRD. If the POA is dissolved, the SRD will continue to provide road improvements and maintenance to the extent possible with the funds available. At this time, the Crook County Court made it very clear that under no circumstances will they take over the roads as County roads unless and until they are brought up to county road standards. Even then, there is no guarantee that the county would take over the PLA1 subdivision roads.

PLA1 SUBDIVISION ROADS

(Private or Public Roadways)

On March 27, 1986, G.T. Duffy and Central Oregon Sun Country, Inc. as grantors, release and quitclaim to THE GENERAL PUBLIC, subject to the right of Prineville Lake Acres Unit 1, Special Road District to maintain, rebuild and improve, Grantees, all their right, title and interest in and to the following described real property:

All that portion of the East 50 feet of the E1/2 of Section 14 lying South of the County Road as now located and constructed, in Township 16 South, Range 16 East WM, being more commonly known as the first 7/10ths mile of Remington Road.

According to a Quitclaim Deed recorded on March 31, 1986, (Crook County Clerk's Office MF #79002) the President Kenneth L. Shipley signed the following document:

All of the roads within the recorded subdivision know as PRINEVILLE LAKE ACRES, UNIT 1, are hereby dedicated to THE GENERAL PUBLIC, subject to the right of Prineville Lake Acres, Unit 1, Special Road District having the sole authority and responsibility to operate and maintain roads, streets, and public ways within Prineville Lake Acres, Unit 1 subdivision, and to assess lots in said subdivision for those purposes.

PLA1 – SRD BOARD OF DIRECTORS

The role of the Crook County Court is to appoint three board members from among willing property owners of the Prineville Lake Acres Unit 1 Subdivision. Once appointed, the board is autonomous. The Crook County Court does not exercise day-to-day supervision over the Special Road District's affairs. That makes it doubly important that the SRD board members appointed provide services needed in a fiscally responsible fashion in a manner which is responsive to the public.

Clearly, the success or failure of the PLA1-SRD Board rises on the ability of the county to attract high-quality, well respected Board members. The Crook County Court is deeply grateful to the two existing Board members, and to the prior Board members who have VOLUNTEERED their time to what can be a very demanding and thankless job. Unfortunately, one of the existing board member seats has been open for quite some time, and another board member will be resigning in a few months; leaving the board with only ONE board member.

In the interest of attracting an adequate application pool from which to appoint replacement board members, the Crook County Court is encouraging you to submit your name for consideration.

The qualified applicant will:

- *Be a resident or property owner within the Prineville Lake Acres Unit 1 – Special Road District;*
- *Be willing to serve as a volunteer;*
- *Be available for appointment to a three-year term;*
- *Commit to participating in a monthly board meeting;*
- *Administer approximately \$22,500 annually in tax revenues to improve/maintain roads within the subdivision;*
- *Be personally liable for any misexpenditure or misappropriation of funds;*
- *Be willing to comply with Oregon Local Budget Law and the Oregon Ethics Code.*

If you're an interested candidate to serve on your Special Road District, please complete the attached form and return it ASAP to the Crook County Court Administration, Room 10, 300 NE Third Street, Prineville, OR 97754.

We are hoping a couple owners will want to step up and serve on the Special Road District. Please remember, these are your roadways. It depends on VOLUNTEERS. If no one steps up to serve, what will happen with the Special Road District? The following will happen:

- The Crook County Court will not take over the PLA1-SRD roads;
- Special Road District meetings cannot be held unless there are at least two (2) board members present at the meeting;
- All motions must be approved by a majority vote: two or three board members present at a meeting;
- No Special Road District bills will be paid;
- No roadway maintenance will be done;
- No grader work will be done;
- No snow removal;
- No rock will be placed on roadways;
- In other words, NOTHING CAN BE DONE without at least a two member board.
- The "Special Road District" requires a three (3) member board and the "Property Owners Association" requires a five (5) member board.

Please submit the attached form to VOLUNTEER for your Special Road District.
Respectfully.... President Buck Sherman and Treasurer Debbie Kowalski