

ORDINANCE NO. 13351

An ORDINANCE dissolving Joint Drainage District No .7 for Lewis and Thurston Counties pursuant to Chapter 36.96 RCW.

WHEREAS, Drainage District No. 7 (also known as the Zenkner Valley Drainage District) encompasses portions of both Thurston and Lewis Counties with the greatest portion of the district lying in Thurston County; and

WHEREAS, the last active Drainage District commissioner has requested the assistance of the Boards of County Commissioners of Thurston and Lewis Counties in disbanding the District; and

WHEREAS, the Thurston County Auditor has determined that there is no record of activity for Drainage District No. 7 since 1999; and the Lewis County Auditor has determined that the last known activity for the District was in 1996 and that the District has not collected assessments for at least 25 years; and

WHEREAS, the District appears to meet a criterion for being inactive and thus subject to dissolution under Chapter 36.96; and

WHEREAS, Chapter 36.96 RCW provides that the dissolution of inactive special purpose districts be initiated by the county legislative authority within whose boundaries the greatest portion of such special purpose district lies;

WHEREAS, by Resolution No. 13330, adopted March 14, 2005, the Board of Thurston County Commissioners declared its intent to dissolve Drainage District No. 7 pursuant to Chapter 36.96 RCW; and

WHEREAS, pursuant to Resolution No. 13330, a time for a public hearing on the proposed dissolution was set and notice of the hearing was given by publication, mailing and posting in the manner described in RCW 36.96.030; and

WHEREAS, pursuant to Resolution No. 13330 and the Notice of Public Hearing, the Board held a Public Hearing on April 18, 2005 at 6:30 p.m. at the Thurston County Fire Hall, District No. 16 at which time and place and the Board heard and considered comments made by members of the public and county staff regarding the inactive status of the district.

NOW, THEREFORE, The Board of County Commissioners of Thurston County, Washington, does ordain as follows:

Section 1. Findings. The Board adopts the following findings in support of the dissolution of Joint Drainage District No. 7.

- A. Joint Drainage District No. 7 qualifies as an inactive special purpose district because it meets one of the criteria of RCW 36.96.010(3).

Sent for Codification

Date: 05/05/05

1. The District has not carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period, thus meeting the first criterion in RCW 36.96.010(3) for being an "inactive" special purpose district.
2. The District last held an election for the purpose of electing a member of the governing body in 2002. Because an election was held in the last seven years, the District does not meet the second criterion of being inactive.

B. The dissolution of Drainage District No. 7 is in the public interest because the District:

1. Has not engaged in any actions to serve the public as stated in subsection A;
2. An insufficient number of property owners have been willing to stand for election to maintain an active governing body; and
3. The District does not own or operate any facilities or improvements that necessitate the District's continue existence.

Section 2. Any remaining funds held by the Thurston County Treasurer's Office on behalf of the Drainage District shall be proportionately disbursed to Thurston and Lewis Counties based on each jurisdiction's area within the District, as provided by RCW 36.96.070.

Section 3. Severability. If a section or provision of this Ordinance is declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. Effectiveness. Pursuant to RCW 36.96.040, Joint Drainage District No. 7 shall cease to exist thirty-one days after adoption of this Ordinance.

ADOPTED: April 18, 2005

ATTEST:

Roberto J. Boyer  
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

Kiam Obergall  
Chairman

Bob Marshall  
Commissioner

APPROVED AS TO FORM:  
EDWARD G. HOLM  
PROSECUTING ATTORNEY

Cathy Hagle  
Commissioner

By: Kristin Larson Doyle  
Kristin Larson Doyle  
Deputy Prosecuting Attorney

RESOLUTION NO. 13330

A RESOLUTION declaring the intention of the Board of County Commissioners to dissolve Joint Drainage District No. 7 for Lewis and Thurston Counties pursuant to Chapter 36.96 RCW and setting the date, time and place for a Public Hearing on the proposed dissolution.

WHEREAS, Drainage District No. 7 (also known as the Zenkner Valley Drainage District) encompasses portions of both Thurston and Lewis Counties with the greatest portion of the district lying in Thurston County; and

WHEREAS, the last active Drainage District commissioner has requested the assistance of the Boards of County Commissioners of Thurston and Lewis Counties in disbanding the District;

WHEREAS, Chapter 36.96 RCW provides a mechanism for the dissolution of inactive special purpose districts to be initiated by the county legislative authority within whose boundaries the greatest portion of such special purpose district lies;

WHEREAS, the Thurston County Auditor has determined that there is no record of activity for Drainage District No. 7 since 1999; and the Lewis County Auditor has determined that the last known activity for the District was in 1996, and the District has not collected assessments for at least 25 years; and

WHEREAS, the District appears to meet a criterion for being inactive and thus subject to dissolution under Chapter 36.96 RCW.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THURSTON COUNTY, STATE OF WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. The Board of County Commissioners declares and establishes its intent to dissolve Joint Drainage District No. 7 pursuant to Chapter 36.96 RCW.

Section 2. The Board will hold a public hearing on the proposed dissolution of Joint Drainage District No. 7 on April 18, 2005 at 6:30 p.m. at Thurston County Fire Hall, District No. 16, as set forth in the Notice of Public Hearing, Exhibit A hereto.

Section 3. Notice of the public hearing shall be given by publication, mailing and posting in the manner provided in RCW 36.96.030.

ADOPTED March 14, 2005

ATTEST:

Arbonia L. Brown  
Clerk of the Board

APPROVED AS TO FORM:  
EDWARD G. HOLM  
PROSECUTING ATTORNEY

By: Kristin Larson Doyle  
Kristin Larson Doyle  
Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

Miane Obregon  
Chairman

Bob MacLeod  
Commissioner

Gary Keefe  
Commissioner

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