



MEMORANDUM

Memorandum Date: December 16, 2024

Order Date: January 7, 2025

TO: Board of County Commissioners

DEPARTMENT: Office of Legal Counsel

PRESENTED BY: Andrea Nagles, Sr. Assistant County Counsel

AGENDA ITEM TITLE: ORDER 25-01-07-XX/ IN THE MATTER OF SELECTING A NEWSPAPER TO PUBLISH MONTHLY NOTICES OF EXPENDITURES, PERSONAL PROPERTY TAX WARRANTS, AND NOTICES OF REAL PROPERTY TAX FORECLOSURE

I. MOTION

Move to approve Board Order selecting The Register Guard and The Chronicle to publish notices related to the County's monthly statement of expenditures, personal property tax warrants, and notice of real property tax foreclosures to meet applicable statutory requirements and timelines.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve the selection of a newspaper of general circulation in the County for publication of various legal notices.

III. FURTHER ANALYSIS

Both ORS 311.615 and ORS 312.040 require publication of notices of tax warrants and real property tax foreclosures, respectively, in a newspaper designated by the County. ORS 294.250 requires publication of notices of the County's monthly statement of expenditures in either a newspaper or on the Internet, or both.

Newspaper selection is done in accordance with ORS 193.020, which requires designation of a newspaper that is "best suited to give actual notice". "Newspaper" is defined by ORS 193.101(2), in part, as a newspaper of "general circulation" and that meets a number of other specifics.¹ The table below shows that the Register Guard has the largest number of subscribers

¹ ORS 193.010(2): Newspaper means a newspaper of general circulation, published in the English language for the dissemination of local or transmitted news or for the dissemination of legal news, made up of at least four pages of

and readers, and the widest geographic coverage. As such, the Board could reasonably conclude that it is the newspaper “best suited to give actual notice” of the matter being advertised. For this reason, staff recommends that The Register Guard be selected to provide the required notices referenced above.

Publication	Frequency of Publication	Total Circulation	Cost of Advertisement/ Classifieds	General Coverage Area
Cottage Grove Sentinel	Wednesdays	1,700	\$13/column inch	Cottage Grove, Drain, Creswell, Saginaw
Register Guard	Monday – Friday, Sunday	18,245	Classifieds: \$1.37/line Legals Section: \$13.15/Column inch Affidavits: \$0	Lane County, Coast to Langlois, North to Newport, Sweet Home, part of Douglas County
Siuslaw News	Wednesdays	2,200	\$13/column inch	Winston, Florence, Dunes City, Mapleton, West Lake
The Chronicle	Thursdays	1,500	Classifieds: \$7 for 20 words plus \$.25 for each additional word	Springfield, Cottage Grove, Creswell, Pleasant Hill, Eugene

Updated December 2024

Alternatives/Options

As noted, notices of monthly statements of expenditures may be published in either a newspaper or the Internet, or both. Historically, staff has chosen to publish these notices on the County’s webpage to save money. Notices of tax warrants or real property tax foreclosures must be published in at least the newspaper designated by the County, which would be The Register Guard if staff’s recommendation is approved by the Board. Additionally, publication, either via

at least five columns each, with type of matter of a depth of at least 14 inches, or, if smaller pages, then comprising an equivalent amount of type matter, which has bona fide subscribers representing more than half of the total distribution of copies and regularly and uninterruptedly publish at least once a week during a period of at least 12 consecutive 3 months immediately preceding the first publication of the public notice. Interrupted publication because of labor-management disputes, fire, flood, or other elements for a period not to exceed 120 days, either before or after a newspaper is qualified for publication of public notices, shall not affect such qualification.

Internet or other newspapers, is optional. The Board has given direction to staff to designate The Chronicle as a second option.

IV. RECOMMENDATION

Recommend that the Board designates The Register Guard to publish the monthly notices of expenditures, personal property tax warrants, and real property tax foreclosure notices. Further recommend that The Chronicle be designated as an additional approved publication that may be used at County staff discretion.

V. TIMING/IMPLEMENTATION

This designation would apply until changed.

VI. FOLLOW-UP

The Board's decision will be communicated to the affected departments. It is recommended that this item come back to the Board on an annual basis to determine if any changes are necessary.

VII. ATTACHMENTS

Proposed Order.

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 25-01-07-XX

IN THE MATTER OF SELECTING A
NEWSPAPER TO PUBLISH MONTHLY
NOTICE OF EXPENDITURES, PERSONAL
PROPERTY TAX WARRANTS, AND
NOTICES OF REAL PROPERTY TAX
FORECLOSURE

WHEREAS, the Board of Commissioners has determined that The Register Guard and the The Chronicle are newspapers of general circulation in the County; and

WHEREAS, ORS 311.615 requires the County to publish in a newspaper of general circulation in the County personal property tax warrants; and

WHEREAS, ORS 312.040 requires the County to publish in a newspaper of general circulation in the County notice of real property tax foreclosure proceedings; and

WHEREAS, the Board of Commissioners has determined that The Register Guard and the The Chronicle are newspapers that under ORS 193.020 are best suited to give actual notice by publication as contemplated by ORS 311.615 and 312.040, and that The Register Guard is available when a daily newspaper is necessary to meet applicable statutory timelines and that the The Chronicle is an appropriate newspaper to use in all other instances where cost savings can be realized.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. That The Register Guard and the The Chronicle are hereby selected as newspapers of general circulation in the County in which personal property tax warrants under ORS 311.615 and notices of real property tax foreclosure proceedings under ORS 312.040 may be published to satisfy the respective statutory requirements.
2. That The Register Guard is the appropriate newspaper to use when a daily newspaper is necessary to meet applicable statutory timelines and that the The Chronicle is the appropriate newspaper to use in all other instances where its use will result in cost savings to the county.

ADOPTED this ____ day of January, 2025.

Chair
Lane County Board of Commissioners