

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Distribution of)
Proceeds Under ORS 275.275)
)
[2007 Distribution])
_____)
)

ORDER NO. 113 - 2007

WHEREAS, ORS 275.275(1), (3) and (4) and ORS 311.390 govern the distribution of proceeds arising under ORS 275.090 to 275.290 and 275.296 to 275.310, including proceeds from the sale of county lands; and

WHEREAS, ORS 275.275(2), (3) and (4) and ORS 311.390 govern the distribution of proceeds arising under ORS 275.294, including oil and gas rents and royalties; and

WHEREAS, a schedule showing how these proceeds should be distributed, as provided by ORS 275.275 and 311.390, and as provided by the Board of County Commissioners for approved funding requests under ORS 275.275(2)(c), is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, ORS 275.275(2) provides that an amount not to exceed 10 percent of the proceeds can be used to reimburse a taxing district within the county for costs and expenses necessarily incurred by the district in providing improved, additional or extraordinary services required on lands in the county as a result of activities authorized under ORS 275.294; and

WHEREAS, the Mist-Birkenfeld Rural Fire Protection District and the Vernonia Rural Fire Protection District have submitted impact statements showing the additional expenses incurred by the proximity of the Mist Gas Field; and

WHEREAS, by prior agreement, the Mist-Birkenfeld RFPD has, in the past, been entitled to 66 percent of the 10 percent impact fees and the Vernonia RFPD has been entitled to 34 percent; and

WHEREAS, Vernonia RFPD's impact statement was less than their 34 percent of the impact fees and Mist-Birkenfeld's impact statement was more than their 66 percent of the impact fees; and

WHEREAS, Vernonia RFPD is entitled to only its actual costs of \$30,697.50, and, therefore, the remaining \$10,599.18 from Vernonia's 34 percent of the impact costs should go to the Mist-Birkenfeld RFPD to reimburse the Mist-Birkenfeld RFPD toward its actual costs; and

WHEREAS, pursuant to ORS 275.275(1)(a)(B), the Columbia County general fund is entitled to reimbursement from the proceeds of the sale of county lands of an amount equal to the penalty and fee described in ORS 312.120 for each property upon which the county has foreclosed a lien for delinquent taxes; and

WHEREAS, pursuant to ORS 275.275(1)(a)(C), the Columbia County general fund is also entitled to reimbursement from the proceeds of the sale of county lands of the costs and expenses incurred in the maintenance and supervision of county-owned properties and in any action to quiet title; and

WHEREAS, a schedule setting forth the penalty and fee, costs and expenses incurred by Columbia County referred to above is attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, ORS 275.275(2)(d) provides that Columbia County may be reimbursed its actual costs and expenses incurred in proceedings arising under ORS 275.294 for: 1) the maintenance and supervision of a lease or conveyance granting rights to explore, prospect for, mine or remove valuable minerals, oil or gas from the lands, 2) the maintenance and supervision of a lease or conveyance granting rights to conduct underground storage, as defined in ORS 520.005, and 3) litigation resulting from a lease or conveyance described in subparagraph (A) or (B) of this paragraph; and

WHEREAS, a schedule setting forth the administrative expenses incurred by Columbia County under ORS 275.294 referred to above is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, in the June 2006 distribution the County was erroneously reimbursed an additional \$98,330.70 due to a mathematical error, said amount being returned for distribution in this June 2007 distribution as outlined in Exhibit A, Section II, "County Expenses".

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the schedules attached hereto as Exhibits A, B, and C are hereby approved.
2. That the Treasurer is authorized to immediately distribute those amounts set forth in Exhibit A, Section V, "Distribution to Taxing Districts", to the taxing districts shown therein;
3. That the proceeds to be distributed to the Mist-Birkenfeld and Vernonia Rural Fire Protection Districts for impact costs pursuant to ORS 275.275(2)(c), as set forth in Exhibit A, Section I, "Gas Rents/Royalties", shall be distributed only upon approval of an order for such distribution by this Board.
4. That administrative expenses incurred by the County which exceed the revenues received under ORS 275.294 as allowed under ORS 275.275(2)(d), as reflected in Exhibit A, Section II, if any, shall be carried over to subsequent years until fully reimbursed.

DATED this 27th day of June, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Erin Hanson
Office of County Counsel

By: John M. Berghard
Chair

By: _____
Commissioner

By: Joe Corvino
Commissioner

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EXHIBIT A

2007 DISTRIBUTION: REVENUES FROM GAS RENTS/ROYALTIES AND LAND SALES

I. GAS RENTS/ROYALTIES (June 2006 - June 2007)	PRINCIPAL	INTEREST	TOTAL
Revenue: Gas Rents/Royalties	\$ 1,181,249.57	\$ 33,358.61	\$ 1,214,608.18
Less Mist-Birkenfeld Impact			\$ -90,763.32
Less Vernonia RFPD Impact			\$ -30,697.50
Total Rents/Royalties for Distribution			<u>\$ 1,093,147.36</u>
II. COUNTY EXPENSES			
A) County administrative expenses & costs incurred in FY 2006 - 07 [see, Exhibit C]		\$ 25,681.99	
B) Over-reimbursed expenses for FY 2005-06		\$ -98,330.70	
Total County Expenses for Reimbursement			<u>\$ 72,648.71</u>
III. LAND SALES			
Land Sales – Revenues & Interest		\$ 16,675.08	
Less Expenses Reimbursable to County [see, Exhibit B]		\$ -7,609.35	
Total Land Sales for Distribution			<u>\$ 9,065.73</u>
IV. TOTAL FOR THIS DISTRIBUTION			<u>\$ 1,174,861.80</u>

	2006 - 2007 Tax Rate	Distribution Amount
		1,174,861.80
Columbia County	12.594471	\$147,967.63
Columbia 4-H	0.419880	\$4,933.01
Columbia County 911	3.932804	\$46,205.01
Columbia Vector	0.798262	\$9,378.48
Gr St Helens Park & Rec	0.652744	\$7,668.84
Columbia Health	1.812385	\$21,293.02
Rainier Cemetery	0.102890	\$1,208.82
Clatskanie Park & Recreation	0.328112	\$3,854.86
Clatskanie Library	0.270163	\$3,174.04
Port of St. Helens	0.552893	\$6,495.73
Scappoose Library	0.398014	\$4,676.11
Clatskanie, City of	1.051006	\$12,347.87
Columbia City, City of	0.539751	\$6,341.33
Prescott, City of	0.002210	\$25.96
Rainier, City of	2.021827	\$23,753.67
REDCO Special Levy	0.316789	\$3,721.83
Scappoose, City of	2.960657	\$34,783.63
St Helens, City of	2.997440	\$35,215.78
Vernonia, City of	1.150891	\$13,521.38
Clatskanie RFPD	1.537282	\$18,060.94
Mist-Birkenfeld RFPD	0.658352	\$7,734.73
Sauvie Island RFPD #30	0.021547	\$253.15
Scappoose RFPD	2.759310	\$32,418.08
Columbia River RFPD	11.315439	\$132,940.77
Vernonia RFPD	0.441734	\$5,189.76
NW Regional ESD	1.119593	\$13,153.67
St Helens 502 School	17.253777	\$202,708.04
Rainier 13 School	6.032030	\$70,868.02
Scapp 1 JT School	9.557942	\$112,292.61
Scappoose School Debt	1.166941	\$13,709.94
Clatskanie 6J School	4.163632	\$48,916.92
Vernonia 47 JT School	4.087978	\$48,028.09
Portland Community College	2.659042	\$31,240.07
REDCO	0.594384	\$6,983.19
Columbia Development Agency	1.793902	\$21,075.87

Fire Patrol	0.691932	\$8,129.24
Fire Patrol Surcharge	0.379724	\$4,461.23
Meadow View Service District	0.007214	\$84.75
Beaver Drainage District	0.072084	\$846.89
Clatskanie Drainage District	0.013347	\$156.81
Columbia Drainage District	0.010279	\$120.76
Deer Island Drainage District	0.061542	\$723.03
John Drainage District	0.004861	\$57.11
Magruder Drainage District	0.021376	\$251.14
Marshland Drainage District	0.020426	\$239.98
Midland Drainage District	0.038132	\$448.00
Rainier Drainage District	0.037301	\$438.24
West Rainier Edr	0.002327	\$27.34
Sauvie Island Drainage District	0.021753	\$255.57
Scappoose Drainage District	0.496919	\$5,838.11
Woodson Drainage District	0.007469	\$87.75
Westland Drainage District	0.017281	\$203.03
Clatsop Diking District	0.007355	\$86.41
Mobile Home Ombudsman	0.018201	\$213.84
John Improvement Surcharge	0.004403	\$51.73
TOTALS	100.000000	<u>\$ 1,174,861.80</u>

EXHIBIT B

LAND SALES: EXPENSES INCURRED BY COLUMBIA COUNTY – FY 2006 - 2007
REIMBURSABLE UNDER ORS 275.275(1)

1) ORS 275.275(1)(a)(B) - Penalty & Fee Under ORS 312.120

[Five Percent (5%) Penalty Plus Cost of Title Search (\$200 each)]

DEEDED	TAX ACCOUNT NO.	AMOUNT
F.F. Carter	01-08 3107-033-00100	\$201.12
Fritz Iler	01-08 3223-014-13200	\$206.09
American Homes	01-08 3224-023-02300	\$205.80
Alice Pierce	02-01 5133-044-11600	\$504.57
Dwight Estby	03-91 7216-042-01800	\$760.90
Unknown	04-01 4404-032-07800	\$201.55
Earl & Bertha Bennett	02-11 4213-010-00700	\$29.78
Todd Marchant	03-01 7216-043-05700	\$202.16
		\$2,311.97

2) ORS 275.275(1)(a)(C) – MAINTENANCE AND SUPERVISION OF PROPERTIES

a) SUPERVISION OF PROPERTIES BY STAFF

Cynthia Zemaitis, Paralegal /

Natural Resources

Administrator

84.4 hours x \$36.24 per hour \$ 3,058.66

John Knight, County Counsel

16 hours x \$66.95 per hour \$ 1,071.20

Sharmel Evans, Acctg

20 x \$34.4 per hour \$ 688.00

STAFF TIME

\$ 4,817.86

b) MAINTENANCE OF PROPERTIES

Rainier Estby

DEQ-underground storage tank fee \$ 340.00

Rainier Estby

DEQ-general registration permit fee \$ 75.00 \$ 415.00

c) EXPENSES INCURRED

0108 3107-033-00100

Notice of sale, Chronicle

\$ 64.52

TOTAL REIMBURSABLE EXPENSES

\$ 64.52

TOTAL REIMBURSABLE TO COLUMBIA COUNTY from Land Sales Revenues

\$ 7,609.35

VERIFICATION

Pursuant to ORS 275.275(5), I have reviewed the above administrative expenses incurred by Columbia County for which reimbursement is sought from proceeds arising under ORS 275.090 to 275.290 and 275.296 to 275.310, and hereby verify that, to the best of my knowledge, they represent actual costs incurred in the maintenance and supervision of County lands. The Board of County Commissioners has determined these costs to be reimbursable under ORS 275.275(1)(a)(C) and for which distribution has been authorized in Order No. 113 - 2007.

Dated this 26th day of June, 2007.

COLUMBIA COUNTY TREASURER

By: Ruth Baker

Ruth Baker, Treasurer

EXHIBIT C

MIST GAS FIELD: ADMINISTRATIVE EXPENSES INCURRED – FY 2006-2007

I. COUNTY STAFF TIME

STAFF	HOURS	HOURLY RATE	TOTAL
Cynthia Zemaitis	79.60	\$36.24	\$ 2,884.70
John K. Knight	33.10	\$66.95	\$ 2,216.05
Tony Hyde	10.30	\$51.37	\$ 529.11
Sharmel Evans	35	\$34.40	\$ 1,204.00

II. GENERAL FUND EXPENSES

Jay Evans, Consultant	\$ 18,597.13
	\$ 25,430.99

III. ROYALTY FUND EXPENSES

Klabzuba Oil-filing fee	06/09/06	\$ 87.00
NW Natural Gas-recording fee	12/14/06	\$ 31.00
Recording fees-gas lease	02/06/07	\$ 62.00
Meeting exp-NW Natural Gas	03/01/07	\$ 71.00
		\$ 251.00
		\$25,681.99

VERIFICATION

Pursuant to ORS 275.275(5), I have reviewed the above administrative expenses incurred by Columbia County for which reimbursement is sought from proceeds arising under ORS 275.294, and hereby verify that, to the best of my knowledge, they represent actual costs incurred in the administration of the Mist gas field and natural gas exploration, development, production and storage in the Mist gas fields. The Board of County Commissioners has determined these costs to be reimbursable under ORS 275.275(2)(d) and for which distribution has been authorized under Order No. 113 - 2007.

Dated this 26 day of June, 2007.

COLUMBIA COUNTY TREASURER

By: 
Ruth Baker, Treasurer