

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Distribution of)
Proceeds Under ORS 275.275)
)
[2008 Distribution])
_____)

ORDER NO. 49 - 2008

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)(c) 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 is entitled to 66 percent of the 10 percent impact fees and the Vernonia RFPD is entitled to 34 percent; 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, the amounts due the County for penalties and fees and the supervision and maintenance of properties pursuant to ORS 275.275(1)(a)(B) & (C) exceed the amount of proceeds received under ORS 275.090 to 275.290, leaving a balance due Columbia County of \$19,239.34; 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 any such lease or conveyance described above; 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

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 immediately distributed.
4. That the Treasurer is authorized to immediately distribute those amounts set forth in Exhibit A, Section II "Gas/Mineral Expenses Reimbursable to County" to Columbia County.
4. That the amounts due the County under ORS 275.275(1)(a)(B) & (C) which exceed the revenues received under ORS 275.090 - 275.290, as reflected in Exhibit A, Section II, if any, shall be carried over to subsequent years until fully reimbursed.

DATED this 25th day of June, 2008.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: [Signature]
Office of County Counsel

By: _____
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

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EXHIBIT A

2008 DISTRIBUTION: REVENUES FROM GAS RENTS/ROYALTIES AND LAND SALES

I. GAS RENTS/ROYALTIES (June 2007 - June 2008)	PRINCIPAL	INTEREST	TOTAL
Revenue: Gas Rents/Royalties	\$ 319,032.30	\$ 8,202.50	\$ 327,234.80
Less Mist-Birkenfeld Impact			\$ (21,597.50)
Less Vernonia RFPD Impact			\$ (11,125.98)
Total Rents/Royalties for Distribution			\$ 294,511.32

II. GAS/MINERAL EXPENSES REIMBURSABLE TO COUNTY

A) County administrative expenses & costs incurred in FY 2007 - 08 [see, Exhibit C] \$ 25,299.56

Total County Expenses for Reimbursement \$ (25,299.56)

III. LAND SALES

Land Sales – Revenues & Interest	\$ 4,308.00
Less Expenses Reimbursable to County [see, Exhibit B]	<u>\$ 23,547.34</u>
(Total carry-over to be reimbursed to Columbia County in subsequent distributions)	(\$19,239.34)
Total Land Sales for Distribution	\$ 0.00

IV. TOTAL FOR THIS DISTRIBUTION \$ 269,211.76

V. DISTRIBUTION TO TAXING DISTRICTS

	2007 - 2008 Tax Rate	AMOUNT TO BE DISTRIBUTED
		\$ 269,211.76
Columbia County	12.154821	\$ 32,722.21
Columbia 4-H	0.404149	\$ 1,088.02
Columbia County 911	3.798209	\$ 10,225.23
Columbia Vector	0.771557	\$ 2,077.12
Gr St Helens Park & Rec	0.623940	\$ 1,679.72
Columbia Health	1.751605	\$ 4,715.53
Rainier Cemetery	0.100322	\$ 270.08
Clatskanie Park & Recreation	0.315481	\$ 849.31
Clatskanie Library	0.259743	\$ 699.26
Port of St. Helens	0.534769	\$ 1,439.66
Scappoose Library	0.392261	\$ 1,056.01
Clatskanie, City of	0.995430	\$ 2,679.81
West Mutnomah SWCD	0.000494	\$ 1.33
Columbia City, City of	0.493886	\$ 1,329.60
Prescott, City of	0.002093	\$ 5.63
Rainier, City of	1.966492	\$ 5,294.03
REDCO Special Levy	0.309117	\$ 832.18
Scappoose, City of	2.948759	\$ 7,938.41
St Helens, City of	2.836895	\$ 7,637.26
Vernonia, City of	1.126102	\$ 3,031.60
Clatskanie RFPD	1.475704	\$ 3,972.77
Mist-Birkenfeld RFPD	0.608688	\$ 1,638.66
Sauvie Island RFPD #30	0.018847	\$ 50.74
Scappoose RFPD	3.144849	\$ 8,466.30
Columbia River RFPD	10.851639	\$ 29,213.89
Vernonia RFPD	0.403243	\$ 1,085.58
NW Regional ESD	1.080162	\$ 2,907.92
St Helens 502 School	16.554186	\$ 44,565.82
Rainier 13 School	5.832520	\$ 15,701.83
Scapp 1 JT School	9.336486	\$ 25,134.92

Scappoose School Debt	1.063314	\$	2,862.57
Clatskanie 6J School	4.017417	\$	10,815.36
Vernonia 47 JT School	3.875626	\$	10,433.64
Portland Community College	2.649010	\$	7,131.45
REDCO	0.556079	\$	1,497.03
Columbia Development Agency	5.051341	\$	13,598.80
Fire Patrol	0.657874	\$	1,771.07
Fire Patrol Surcharge	0.359761	\$	968.52
Meadow View Service District	0.002690	\$	7.24
Beaver Drainage District	0.066740	\$	179.67
Clatskanie Drainage District	0.012357	\$	33.27
Columbia Drainage District	0.009517	\$	25.62
Deer Island Drainage District	0.035608	\$	95.86
John Drainage District	0.004501	\$	12.12
Magruder Drainage District	0.019791	\$	53.28
Marshland Drainage District	0.015129	\$	40.73
Midland Drainage District	0.040348	\$	108.62
Rainier Drainage District	0.034572	\$	93.07
West Rainier Drainage District	0.002155	\$	5.80
Sauvie Island Drainage District	0.020178	\$	54.32
Scappoose Drainage District	0.363193	\$	977.76
Woodson Drainage District	0.006915	\$	18.62
Westland Drainage District	0.016000	\$	43.07
Clatsop Diking District	0.006810	\$	18.33
Mobile Home Ombudsman	0.016548	\$	44.55
John Improvement Surcharge	0.004077	\$	10.98
TOTALS	100.000000	\$	<u>269,211.76</u>

EXHIBIT B

**LAND SALES: EXPENSES INCURRED BY COLUMBIA COUNTY – FY 2007 - 2008
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)]

PROPERTY OWNER	TAX MAP ID NO.	TAX ACCOUNT NO.	AMOUNT
Michael R Hecker	3N2W12-AC-00120	3325	\$ 201.44
Phineas & Barbara Reeves	4N2W16-CB-00700	7616	\$ 204.28
Michael R Hecker	4N1W03-BC-00600	9591	\$ 201.40
Michael R Hecker	4N1W04-DC-01399	11152	\$ 201.50
Cypress Ventures, Inc.	4N1W05-CC-01803	12257	\$ 205.00
Fir View Development LLC	4N1W05-CD-01016	12334	\$ 241.27
Dennis K Larsen & et al	4N1W05-DA-01500	12380	\$ 202.90
Mary L Ward-Adams	4N1W05-DA-05698	12437	\$ 201.50
Leslie Keenon & Sally Scott	4N4W08-AD-00100	24060	\$ 204.48
WA & Helen Rietman	7N4W08-DB-05400	26140	\$ 275.36
Unknown	7N4W08-db-02401	26113	\$ 1.19
August Thompson	7N4W17-00-00600	27219	\$ 240.12
Unknown	6N3W23-00-01500	12437	\$ 1.50
Unknown	4N1W05-CD-01016	21919	\$ 1.48
			\$ 2,383.42

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

a) SUPERVISION OF PROPERTIES BY STAFF

Cynthia Zemaitis, Natural Resources Administrator	120.4 hrs x \$40.10	\$	4,828.04
Sarah Hanson, County Counsel	10.4 hrs x \$63.46	\$	659.98
John Knight, Of Counsel	8.3 hrs x \$50	\$	415.00
	STAFF TIME		\$ 5,903.02

b) MAINTENANCE OF PROPERTIES

Rainier Estby	GeoCon Consultants	\$	1,000.00
Rainier Estby	EnviroLogic	\$	9,885.57
Rainier Estby	EnviroLogic	\$	1,200.00
Rainier Estby	DEQ - UST Fee	\$	540.00
Johnson Oil Site	Century Locksmith	\$	128.00
			\$ 12,753.57

c) EXPENSES INCURRED

Misc.	Mileage and advertisements	\$	123.91
			\$ 123.91

TOTAL REIMBURSABLE TO COLUMBIA COUNTY from Land Sales Revenues \$ 23,547.34

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 will be authorized in Order No. 49 - 2008.

Dated this 16 day of June, 2008.

COLUMBIA COUNTY TREASURER

By: Ruth Baker

Ruth Baker, Treasurer

EXHIBIT C

MIST GAS FIELD: ADMINISTRATIVE EXPENSES INCURRED – FY 2007 - 2008

I. COUNTY STAFF TIME

STAFF	HOURS	HOURLY RATE	TOTAL
Cynthia Zemaitis, Natural Resources Administrator	241.8	\$40.10	\$ 9,696.18
John K. Knight, Of Counsel	33.5	\$50.00	\$ 1,675.00
Tony Hyde, Commissioner	30.8	\$55.36	\$ 1,705.09
Ruth Baker, Treasurer	8.0	\$57.05	\$ 456.40

II. MINERAL FUND EXPENSES


Jay Evans, Consultant	\$ 11,625.00
Misc. expenses	\$ 141.89
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	\$ 25,299.56

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. 49 - 2008.

Dated this ____ day of June, 2008.

COLUMBIA COUNTY TREASURER

By: 
Ruth Baker, Treasurer