

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Distribution of)
Proceeds Under ORS 275.275)
[2009 Distribution])
_____)

ORDER NO. 36 - 2009

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, 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, 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 sixty-six percent (66%) of the 10 percent impact fees and the Vernonia RFPD is entitled to thirty-four percent (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 B and incorporated herein by this reference; 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 C 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) in the 2008 distribution exceeded the amount of proceeds received under ORS 275.090 to 275.290, leaving a balance due Columbia County of \$19,239.34 which is to be carried over until paid; 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) for fiscal year 2008 - 2009, after reimbursement of the 2008 carry-over amount of \$19,239.34, exceed the amount of proceeds received under ORS 275.090 to 275.290, leaving a balance due Columbia County of \$4,291.38;

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.
5. That the Treasurer is authorized to immediately reimburse the County the amount received for Land Sales Revenues and Interest set forth in Exhibit A, Section III.
6. 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 III shall be carried over to subsequent years until fully reimbursed.

DATED this 24th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Approved as to form

By: Suzanne Hanson
Office of County Counsel

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

EXHIBIT A

2009 DISTRIBUTION: REVENUES FROM GAS RENTS/ROYALTIES AND LAND SALES

I. GAS RENTS/ROYALTIES (June 2008 - June 2009)	PRINCIPAL	INTEREST	TOTAL
Revenue: Gas Rents/Royalties	\$ 757,807.27	\$ 3,695.95	\$ 761,503.22
Less Mist-Birkenfeld Impact			\$ (50,259.21)
Less Vernonia RFPD Impact			\$ (25,891.11)
Total Rents/Royalties for Distribution			\$ 685,352.90

II. GAS/MINERAL EXPENSES REIMBURSABLE TO COUNTY

A) County administrative expenses & costs incurred in FY 2008 - 09 [see, Exhibit B]	\$ 36,742.61
Total County Expenses for Reimbursement	\$ (36,742.61)

III. LAND SALES

Land Sales – Revenues & Interest	\$ 28,941.29
Less Expenses Reimbursable to County [see, Exhibit C]	\$ (13,993.33)
Carry-over from 2008 Distribution	\$ (19,239.34)
(Total carry-over to be reimbursed to Columbia County in subsequent distributions)	(\$4,291.38)
Total Land Sales for Distribution	\$ 0.00

IV. TOTAL FOR THIS DISTRIBUTION

\$ 648,610.29

V. DISTRIBUTION TO TAXING DISTRICTS

	2008 - 2009 Tax Rate	PERCENTAGE	AMOUNT TO BE DISTRIBUTED
			\$ 648,610.29
Columbia County	0.127419	12.7419%	\$ 82,645.54
Columbia 4-H & Extension	0.004289	0.4289%	\$ 2,781.67
9-1-1 Communications District	0.040298	4.0298%	\$ 26,137.72
Columbia Vector	0.008224	0.8224%	\$ 5,334.16
Gr St Helens Park & Rec	0.006616	0.6616%	\$ 4,291.39
Columbia Health (2)	0.018718	1.8718%	\$ 12,140.98
Rainier Cemetery	0.001053	0.1053%	\$ 683.04
Clatskanie Park & Recreation	0.003346	0.3346%	\$ 2,170.46
Clatskanie Library	0.002756	0.2756%	\$ 1,787.39
Port of St. Helens	0.005697	0.5697%	\$ 3,695.35
Scappoose Library	0.004271	0.4271%	\$ 2,770.52
Clatskanie, City of	0.011213	1.1213%	\$ 7,272.70
West Mutnomah SWCD	0.000005	0.0005%	\$ 3.54
Columbia City, City of	0.005153	0.5153%	\$ 3,342.35
Prescott, City of	0.000023	0.0023%	\$ 14.96
Rainier, City of	0.024913	2.4913%	\$ 16,159.00
Scappoose, City of	0.032813	3.2813%	\$ 21,282.53
St Helens, City of	0.030026	3.0026%	\$ 19,475.44

Vernonia, City of	0.010597	1.0597%	\$	6,873.29
Clatskanie RFPD	0.015687	1.5687%	\$	10,174.94
Mist-Birkenfeld RFPD	0.006406	0.6406%	\$	4,155.22
Sauvie Island RFPD #30	0.000199	0.0199%	\$	129.14
Scappoose RFPD	0.034202	3.4202%	\$	22,183.56
Columbia River Fire & Rescue	0.114456	11.4456%	\$	74,237.37
Vernonia RFPD	0.003343	0.3343%	\$	2,168.06
NW Regional ESD	0.011425	1.1425%	\$	7,410.38
St Helens 502 School	0.175147	17.5147%	\$	113,602.31
Rainier 13 School	0.061424	6.1424%	\$	39,840.23
Scapp 1 JT School	0.103731	10.3731%	\$	67,280.91
Clatskanie 6J School	0.039924	3.9924%	\$	25,895.21
Vernonia 47 JT School	0.039630	3.9630%	\$	25,704.40
Portland Community College	0.028023	2.8023%	\$	18,175.97
REDCO	0.005663	0.5663%	\$	3,672.83
Columbia Development Agency	0.001570	0.1570%	\$	1,018.60
Fire Patrol	0.007755	0.7755%	\$	5,029.66
Fire Patrol Surcharge	0.006883	0.6883%	\$	4,464.11
Meadow View Lighting District	0.000057	0.0057%	\$	36.70
Beaver Drainage District	0.000672	0.0672%	\$	435.67
Clatskanie Drainage District	0.000124	0.0124%	\$	80.67
Columbia Drainage District	0.000096	0.0096%	\$	62.12
Deer Island Drainage District	0.000215	0.0215%	\$	139.46
John Drainage District	0.000045	0.0045%	\$	29.38
Magruder Drainage District	0.000199	0.0199%	\$	129.20
Marshland Drainage District	0.000190	0.0190%	\$	123.46
Midland Drainage District	0.000406	0.0406%	\$	263.39
Rainier Drainage District	0.000348	0.0348%	\$	225.68
West Rainier Drainage District	0.000022	0.0022%	\$	14.07
Sauvie Island Drainage District	0.000203	0.0203%	\$	131.72
Scappoose Drainage District	0.004005	0.4005%	\$	2,597.80
Woodson Drainage District	0.000084	0.0084%	\$	54.17
Westland Drainage District	0.000161	0.0161%	\$	104.45
Clatsop Diking District	0.000069	0.0069%	\$	44.46
Mobile Home Ombudsman	0.000164	0.0164%	\$	106.32
John Improvement Surcharge	0.000041	0.0041%	\$	26.61
TOTALS	1.000000	100.0000%	\$	648,610.29

EXHIBIT B

MIST GAS FIELD: ADMINISTRATIVE EXPENSES INCURRED – FY 2008 - 2009

I. COUNTY STAFF TIME

STAFF	HOURS	HOURLY RATE	TOTAL
Cynthia Zemaitis, Natural Resources Administrator	468.8	\$ 40.60	\$ 19,033.28
John K. Knight, Of Counsel	82.6	\$ 50.00	\$ 4,130.00
Tony Hyde, Commissioner	37.2	\$ 55.50	\$ 2,064.60
Sarah Hanson, County Counsel	3.3	\$ 64.84	\$ 213.97
Sharmel Evans, Finance Department	20.0	\$ 36.49	\$ 729.80
Shelley Blickenstaff, Finance Department	34.0	\$ 32.50	\$ 1,105.00
		STAFF TIME	\$ 27,276.65

II. MINERAL FUND EXPENSES

Jay Evans, Consultant	\$ 7,880.00
Publication of notice of storage auction, <i>The Oregonian</i>	\$ 1,430.28
Publication of notice of oil and gas auction, <i>The Independent and The Clatskanie Chief</i>	\$ 155.68
	MISC. EXPENSES \$ 9,465.96
	TOTAL EXPENSES \$ 36,742.61

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. 36 - 2009.

Dated this 22nd day of June, 2009.

COLUMBIA COUNTY TREASURER

By: 
Ruth Baker, Treasurer

EXHIBIT C

LAND SALES: EXPENSES INCURRED BY COLUMBIA COUNTY – FY 2008 - 2009

REIMBURSABLE UNDER ORS 275.275(1)

1) ORS 275.275(1)(a)(B) - PENALTY AND FEE UNDER ORS 312.120

a) By General Judgment October 2008 [Five Percent (5%) penalty plus \$50 fee]

\$ 50.00

<u>PROPERTY OWNER</u>	<u>TAX MAP ID NO.</u>	<u>TAX ACCT NO.</u>	<u>AMOUNT REIMBURSABLE</u>	<u>TAXES DUE</u>	<u>5% PENALTY</u>
Burum, Mary K	3N2W12-AD-04600	3444	\$ 295.50	\$ 4,909.91	\$ 245.50
Clark, OC & Ida	4N1W04-CD-02400	10760	\$ 66.75	\$ 334.98	\$ 16.75
Explorer Development Co	4N1W05-CD-01100	12335	\$ 52.03	\$ 40.65	\$ 2.03
Havlik Trst Albert Havrlik Trustee	3N2W13-CA-01600	4886	\$ 52.02	\$ 40.37	\$ 2.02
Havlik Trst Albert Havrlik Trustee	3N2W13-CA-01700	4887	\$ 52.17	\$ 43.48	\$ 2.17
Houha, Thomas H	4N3W13-DO-01101	5149	\$ 51.27	\$ 25.35	\$ 1.27
Lund, Arthur E & Fannie M	4N1W08-CB-01700	17060	\$ 51.48	\$ 29.60	\$ 1.48
Martin, Ann Montaque	7N2W36-BC-00800	18672	\$ 230.38	\$ 3,607.54	\$ 180.38
Martin, Ann Montaque	7N2W36-BC-01800	18682	\$ 51.75	\$ 35.02	\$ 1.75
Miller, Jason W & Elizabeth S	4N1W05-AD-11300	11788	\$ 680.45	\$ 12,609.00	\$ 630.45
Mitchell, Sykes & Beverly Ann	5N4W10-Do-00400	24853	\$ 70.28	\$ 405.55	\$ 20.28
Sampson, Gregory D & Loretta J	3N2W14-00-02703	5803	\$ 134.12	\$ 1,682.45	\$ 84.12
Sandoval, Susan	4N4W05-AC-02301	23187	\$ 112.22	\$ 1,244.30	\$ 62.22
Sirnio, Agneda	8N4W26-BO-01400	28209	\$ 55.69	\$ 113.81	\$ 5.69
Snodgrass, Gerald R & Sharon R	3N2W23-AD-09900	7030	\$ 56.72	\$ 134.36	\$ 6.72
Unknown	4N1W03-BC-12200	9717	\$ 51.69	\$ 33.85	\$ 1.69
Vigoren, Donald Edward & Diana M	7N2W16-CA-08300	17980	\$ 447.63	\$ 7,952.69	\$ 397.63
Petersen, Pamela A	5N1W28-DB-03704	14729	\$ 829.90	\$ 15,598.05	\$ 779.90
Tarbell, George & Frances Trustees	5N2W36-CO-00900	17597	\$ 470.58	\$ 8,411.59	\$ 420.58
			\$ 3,812.63	\$ 57,252.55	\$ 2,862.63

b) By Deed October2008 [Five Percent (5%) Penalty Plus Cost of Title Search (\$200 each)]

\$200.00

<u>PROPERTY OWNER</u>	<u>TAX MAP ID NO.</u>	<u>TAX ACCT NO.</u>	<u>AMOUNT REIMBURSABLE</u>	<u>TAXES DUE</u>	<u>5% PENALTY</u>
Lowrey, David	3N2W22-AD-11100	6329	\$ 204.82	\$ 96.48	\$ 4.82
Myers, David M & Lori G	4N1W04-AD-00304	10139	\$ 208.39	\$ 167.72	\$ 8.39
Peterson, Ward R, DBA Pilchuck Constr Co	5N1W33-DD-10104	13674	\$ 368.64	\$ 3,372.77	\$ 168.64
Wallace, Bruce G & Roxanne	6N3W11-00-0200	18807	\$ 294.70	\$ 1,894.05	\$ 94.70
Fritsch, Horst & Carol	6N4W30-A0-01100	25050	\$ 404.57	\$ 4,091.32	\$ 204.57
Cecel, Frank	7N4W10-A0-00100	27839	\$ 259.39	\$ 1,187.76	\$ 59.39
			\$ 1,740.51	\$ 10,810.10	\$ 540.51

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

a) SUPERVISION OF PROPERTIES BY STAFF

Cynthia Zemaitis, Natural Resources Administrator	123.3 hrs x \$40.60	\$	5,005.98
Sarah Hanson, County Counsel	21.3 hrs x \$64.84	\$	1,381.09
John Knight, Of Counsel	5.3 hrs x \$50.00	\$	265.00
MaryAnn Guess, Deputy Tax Collector	10 hrs x \$33.75	\$	337.50
	STAFF TIME	\$	6,989.57

b) MAINTENANCE OF PROPERTIES

Recording fees	07/02/08	\$	62.00
Recording fees	07/23/08	\$	93.00
Change locks, 751 West Street, St. Heler	Century Locksmith	\$	66.50
Daryl M. Owne, Refund	12/23/08	\$	145.00
Property Taxes, 5318	03/25/09	\$	109.70
Plumbing Repair, Rainier Estby	06/30/08	\$	778.84
Garbage clean-up espense	01/07/09	\$	56.54
		\$	1,311.58

c) EXPENSES INCURRED

Misc.	Mileage and advertisements	\$	139.05
		\$	139.05

TOTAL REIMBURSABLE TO COLUMBIA COUNTY from Land Sales Revenues **\$ 13,993.33**

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. 36 - 2009.

Dated this ____ day of June, 2009.

COLUMBIA COUNTY TREASURER

By: _____

Ruth Baker, Treasurer