

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Distribution of)
Proceeds Under ORS 275.275)
[2011 Distribution: Gas & Land Sales])
_____)

ORDER NO. 49 - 2011

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 2009 and 2010 distributions exceeded the amount of proceeds received under ORS 275.090 to 275.290, leaving a balance due Columbia County of \$26,866.10, which is to be carried over from year-to-year until paid;

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 the amount 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 to the County.

DATED this 29th day of June, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

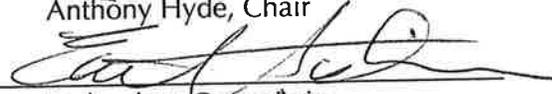
Approved as to form

By: 

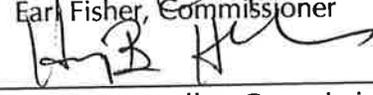
Office of County Counsel

By: 

Anthony Hyde, Chair

By: 

Earl Fisher, Commissioner

By: 

Henry Heimuller, Commissioner

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EXHIBIT A

2011 DISTRIBUTION: REVENUES FROM GAS RENTS/ROYALTIES AND LAND SALES

I. GAS RENTS/ROYALTIES (July 2010 - June 2011)	PRINCIPAL	INTEREST	TOTAL
Revenue: Gas Rents/Royalties	\$ 647,984.12	\$ 1,449.05	\$ 649,433.17
Less Mist-Birkenfeld Impact			\$ (42,862.59)
Less Vernonia RFPD Impact			\$ (22,080.73)
Total Rents/Royalties for Distribution			\$ 584,489.85
II. GAS/MINERAL EXPENSES REIMBURSABLE TO COUNTY			
A) County administrative expenses & costs incurred in FY 2010 - 11 [see, Exhibit B]		\$ 5,951.84	
Total County Expenses for Reimbursement			\$ (5,951.84)
III. LAND SALES			
Land Sales – Revenues & Interest		\$ 3,566.00	
Less Expenses Reimbursable to County [see, Exhibit B]		\$ (6,588.72)	
Carry-over from 2010 Distribution		*****	
<i>Carry-over to be reimbursed to Columbia County in subsequent distributions</i>		*****	
Total Land Sales for Distribution			\$ 0.00
 			\$ 578,538.01
IV. TOTAL FOR THIS DISTRIBUTION			
V. DISTRIBUTION TO TAXING DISTRICTS	2010 - 2011 TAX RATE	PERCENTAGE	AMOUNT TO BE DISTRIBUTED
			\$ 578,538.01
Columbia County (General Fund)	0.11945303	11.945303%	\$ 69,108.12
Columbia 4H & Extension Service	0.00403264	0.403264%	\$ 2,333.04
Columbia County 911 Communications District	0.03793150	3.793150%	\$ 21,944.81
Columbia Drainage Vector Control	0.00767375	0.767375%	\$ 4,439.56
Gr St Helens Park & Rec	0.00603395	0.603395%	\$ 3,490.87
Columbia Health (2)	0.01751828	1.751828%	\$ 10,134.99
Rainier Cemetery	0.00096487	0.096487%	\$ 558.21
Clatskanie Park and Rec.	0.00320713	0.320713%	\$ 1,855.45
Clatskanie Library	0.00264123	0.264123%	\$ 1,528.05
Port of St. Helens	0.00531648	0.531648%	\$ 3,075.79
Scappoose Public Library	0.00414631	0.414631%	\$ 2,398.80
Clatskanie City	0.01137265	1.137265%	\$ 6,579.51
Columbia SWCD	0.00704520	0.704520%	\$ 4,075.92
West Multnomah SWCD	0.00000625	0.000625%	\$ 3.62

Columbia City	0.00527900	0.527900%	\$	3,054.10
Prescott City	0.00002595	0.002595%	\$	15.01
Rainier City	0.02607643	2.607643%	\$	15,086.21
Scappoose City	0.02985624	2.985624%	\$	17,272.97
St Helens City	0.02666247	2.666247%	\$	15,425.25
Vernonia City	0.01113899	1.113899%	\$	6,444.33
Clatskanie Rural Fire Dist.	0.01515939	1.515939%	\$	8,770.28
Mist-Birk Rural Fire Dist.	0.00613550	0.613550%	\$	3,549.62
Sauvie Island RFPD #30	0.00019247	0.019247%	\$	111.35
Scappoose Rural Fire Dist.	0.03321492	3.321492%	\$	19,216.09
Columbia River Fire & Rescue	0.10426421	10.426421%	\$	60,320.81
Vernonia Rural Fire Dist.	0.00343197	0.343197%	\$	1,985.53
NW Regional ESD	0.01073791	1.073791%	\$	6,212.29
St Helens School Dist. #502	0.16060665	16.060665%	\$	92,917.05
Rainer School Dist. #13	0.05611105	5.611105%	\$	32,462.38
Scappoose School Dist. #1J	0.12631460	12.631460%	\$	73,077.80
Clatskanie School Dist. #6J	0.03914652	3.914652%	\$	22,647.75
Vernonia School Dist. #47J	0.05308761	5.308761%	\$	30,713.20
Portland Community College	0.02426366	2.426366%	\$	14,037.45
Portland Community College 2	0.00915624	0.915624%	\$	5,297.23
REDCO	0.00500886	0.500886%	\$	2,897.82
Columbia County Development Agency	0.00845729	0.845729%	\$	4,892.86
Fire Patrol	0.00663331	0.663331%	\$	3,837.62
Fire Patrol Surcharge	0.00426221	0.426221%	\$	2,465.85
Meadowview Lighting District	0.00006392	0.006392%	\$	36.98
Beaver Drainage	0.00080408	0.080408%	\$	465.19
Clatskanie Drainage	0.00016754	0.016754%	\$	96.93
Columbia Drainage District	0.00008602	0.008602%	\$	49.77
Deer Island Drainage	0.00019311	0.019311%	\$	111.72
John Drainage Dist.	0.00004068	0.004068%	\$	23.53
Magruder Drainage Dist.	0.00017889	0.017889%	\$	103.49
Marshland Drainage Dist.	0.00017094	0.017094%	\$	98.90
Midland Drainage Dist.	0.00036470	0.036470%	\$	210.99
Rainier Drainage Improvement	0.00031205	0.031205%	\$	180.53
West Rainier Drainage	0.00002026	0.002026%	\$	11.72
Sauvie Island Drainage	0.00018581	0.018581%	\$	107.50
Scappoose Drainage	0.00438538	0.438538%	\$	2,537.11
Woodson Drainage	0.00007500	0.007500%	\$	43.39
Westland Drainage Dist.	0.00014506	0.014506%	\$	83.92
Clatsop Diking	0.00006155	0.006155%	\$	35.61
MS Park Community	0.00014144	0.014144%	\$	81.83
John Improvement Surcharge	0.00003685	0.003685%	\$	21.32
	1.000000	100.0000%	\$	578,538.01

EXHIBIT B

MIST GAS FIELD: ADMINISTRATIVE EXPENSES INCURRED – FY 2010 - 2011

I. COUNTY STAFF TIME

STAFF	HOURS	HOURLY RATE	TOTAL
Cynthia Zemaitis, Natural Resources Administrator	79.9 \$	43.01 \$	3,436.50
Tony Hyde, Commissioner	20.0 \$	56.19 \$	1,123.80
Sarah Hanson, County Counsel	8.8 \$	69.83 \$	611.01
Jennifer Cuellar, Finance Director	5.0 \$	61.90 \$	309.50
Shelley Blickenstaff, Finance Department	5.0 \$	34.93 \$	174.65
		STAFF TIME	\$ 5,655.46

II. MINERAL FUND EXPENSES

<i>The Chronicle</i> , 7.28.10 Notice of Public Auction	\$	252.20
Federal Express - 8.30.10 overnight packet to Enerfin	\$	44.18
	MISC. EXPENSE:	\$ 296.38
	TOTAL EXPENSES	\$ 5,951.84

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 - 2011.

Dated this 13 day of June, 2011.

COLUMBIA COUNTY TREASURER

By:

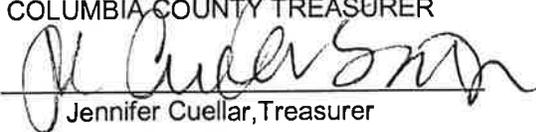

Jennifer Cuellar, Treasurer

EXHIBIT C

LAND SALES: EXPENSES INCURRED BY COLUMBIA COUNTY – FY 2010 - 2011
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 2010 [Five Percent (5%) penalty plus \$50 fee]

<u>PROPERTY OWNER</u>	<u>TAX MAP ID NO.</u>	<u>TAX ACCT NO.</u>	<u>TAXES DUE</u>	<u>5% PENALTY</u>	<u>AMOUNT REIMBURSABLE</u>
				\$ 50.00	
AYERS WILLIAM J	5N2W12-00-01400	16064	\$6,049.50	\$302.48	\$352.48
BARNES BARBARA JANE	4N1W04-BD-01900	10428	\$4,991.79	\$249.59	\$299.59
BIZON LISA	8N5W35-00-00504	434722	\$1,141.96	\$57.10	\$107.10
BRANDEFELS FRED/EBERT LELAND	4N1W19-AD-01400	8709	\$2,273.12	\$113.66	\$163.66
HECKMAN THOMAS R	3N2W01-A0-00204	5382	\$4,930.37	\$246.52	\$296.52
JAMES PATRICIA E	4N1W04-AA-02100	9899	\$6,920.90	\$346.05	\$396.05
OGBURN GLEN S & BEULAH O	3N2W23-AD-08000	7011	\$131.21	\$6.56	\$56.56
OLSON DARIN J & MELISSA	8N3W34-00-00400	21000	\$125.72	\$6.29	\$56.29
PRESTON ARHUR E & SHARON K	4N1W-8-CB-01400	17057	\$4,791.61	\$239.58	\$289.58
STANLEY THOMAS E	3N2W14-00-02702	4907	\$1,326.59	\$66.33	\$116.33
HAIN JEROME E	4N2W27-DC-00600	8207	\$8,579.86	\$428.99	\$478.99
SCHACHE BURTON J & BARBARA A	4N4W05-AA-00401	23145	\$10,490.37	\$524.52	\$574.52
WAKEFIELD DOUGLAS G	7N4W05-00-02500	26883	\$524.68	\$26.23	\$76.23
WESTERN PROPERTY INVESTMENTS	4N1W05-CB-08500	30472	\$27.20	\$1.36	\$51.36
WESTERN PROPERTY INVESTMENTS	4N1W05-CB-00152	31292	\$27.20	\$1.36	\$51.36
WILSON JAMES D	3N2W22-AC-12100	6256	\$138.00	\$6.90	\$56.90
WOOD FRANCES K	4N1W04-CD-017001	10711	\$39.90	\$2.00	\$52.00
			\$ 52,509.98	\$ 2,625.50	\$ 3,475.50

b) By Deed October 2010 [Five Percent (5%) Penalty Plus Cost of Title Search (\$200 each)]

<u>PROPERTY OWNER</u>	<u>TAX MAP ID NO.</u>	<u>TAX ACCT NO.</u>	<u>TAXES DUE</u>	<u>5% PENALTY</u>	<u>AMOUNT REIMBURSABLE</u>
				\$200.00	
Havlik Trust Albert Havlik Trustee.	3N2W13-CA-01600	4886	\$96.80	\$4.84	\$204.84
Havlik Trust Albert Havlik Trustee.	3N2W13-CA-01700	4887	\$101.45	\$5.07	\$205.07
Snodgrass, Gerald R & Sharon R	3N2W23-AD-09900	7030	\$455.96	\$22.80	\$222.80
Clark O C and Ida	4N1W04-CD-02400	10760	\$396.00	\$19.80	\$219.80
Explorer Development	4N1W05-CD-01100	12335	\$346.15	\$17.31	\$217.31
Lund Arthur E & Fannie	4N1W08-CB-01700	17060	\$84.48	\$4.22	\$204.22
Sirnio Agneda	8N4W26-B0-01400	28209	\$435.71	\$21.79	\$221.79
			\$ 1,916.55	\$ 95.83	\$ 1,495.83

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

a) SUPERVISION OF PROPERTIES BY STAFF

	HOURS	HOURLY RATE	TOTAL
Cynthia Zemaitis, Natural Resources Administrator	43.20	\$ 43.01	\$ 1,858.03
Sarah Hanson, County Counsel	10.00	\$ 69.83	\$ 698.30
MaryAnn Guess, Deputy Tax Collector	8.5	\$ 37.36	\$ 317.56
	STAFF TIME		<u>\$ 2,873.89</u>

b) MAINTENANCE OF PROPERTIES

Century Locksmith	07/15/10	\$ 85.00	
Columbia Shores Construction	04/11/11	\$ 3,300.00	
Dahlgren's Builders Supply	04/13/11	\$ 33.98	
			\$ 3,418.98

c) EXPENSES INCURRED

<i>The Chronicle</i> - Notice Private Sale	01/12/11	\$ 295.85	
			\$ 295.85

TOTAL REIMBURSABLE TO COLUMBIA COUNTY from Land Sales Revenues \$ 6,588.72

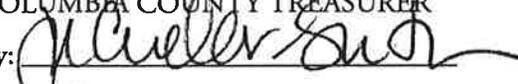
VERIFICATION

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 - 2011.

Dated this 13 day of June, 2011.

COLUMBIA COUNTY TREASURER

By:


Jennifer Cuellar, Treasurer