

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting a Fee)
for Processing Applications for)
Compensation under the Columbia)
County Ballot Measure 7 Claims)
Ordinance)
_____)

ORDER NO. 111-2000

WHEREAS, Section 5B of the Columbia County Ballot Measure 7 Claims Ordinance authorizes the Board of County Commissioners to adopt, by order or resolution, a fee for processing applications for compensation under the Ordinance based upon the reasonable cost to the County of processing such applications including the cost of an independent appraisal and/or technical review; and

WHEREAS, the Ordinance provides for a process which is similar to that required for processing an application for a conditional use permit, requiring notice to neighboring property owners and affected agencies, preparation of a staff report, a hearing, a written decision and an opportunity for review; the fee established for conditional use permits is currently set at \$900.00; and

WHEREAS, the cost of hiring an independent appraiser to conduct a technical review of the applicant's appraisal and/or a separate appraisal could range from as low as \$500.00 to as high as \$10,000.00, depending on the amount of the claim and the complexity of the claim, according to one appraiser; and

WHEREAS, it is impossible to know in advance, at least at this point in time, how much it will cost for the services of an independent appraiser in any particular case, therefore, it is reasonable to require an advance deposit which will likely cover the cost of at least a limited review; and

WHEREAS, the Board does not desire to set a deposit amount which is so high the legitimate claimants are unable to have their claims considered; nor does the Board desire to set the deposit so low that the Board will be unable to pay for the services necessary to properly analyze applications for compensation; and

WHEREAS, it is likely the amount of deposit will need to be reconsidered as further guidance is received as to the proper interpretation and application of Ballot Measure 7, but in the interim, \$1000.00 seems to be a reasonable amount to require for a deposit;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. The fee for processing applications for compensation

under the Columbia County Ballot Measure 7 Claims Ordinance is set at \$900.00 plus the actual cost to Columbia County for the cost of hiring an independent appraiser to conduct a technical review of the applicant's appraisal and/or a separate appraisal.

2. Because the actual cost of the appraiser cannot be determined in advance, applicants for compensation shall be required to pay in advance \$900.00 for the County's costs in processing the application, plus a deposit in the amount of \$1000.00 toward the cost of retaining an appraiser.

3. If the actual cost to the County for the appraiser is less than \$1000.00, the difference shall be promptly refunded to the applicant. If the actual cost is greater, the applicant shall be required to promptly pay the additional amount to the County upon invoice.

4. Pursuant to Section 15C of the Ordinance, any award for compensation shall also provide for reimbursement of the application fee paid by a prevailing applicant, including the cost of the independent appraiser.

DATED this 6th day of December, 2000.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: John R. Peterson
Chair

By: John D. Steward
Commissioner

By: [Signature]
Commissioner

Approved as to form

By: [Signature]
Office of County Counsel
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