

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the FFY 2012 Election)
Elections to receive O&C Land-Related)
Safety-Net Payments)

RESOLUTION 12-8-16-2

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of County business in formal/informal session on August 16, 2012, at 10:00 a.m. in Room 32 of the Courthouse, Commissioners Leslie Lewis, Kathy George, and Mary P. Stern being present.

WHEREAS, Congress enacted in 1937 and subsequently amended a law that requires 75 percent of the revenues derived from revested Oregon and California Railroad grant lands ("O&C Lands") be paid to counties in which the lands are situated, of which 50 percent has been available for use as general county funds; and

WHEREAS, the principal source of revenues from O&C Lands is from the sale and removal of timber, which has been sharply curtailed, with a corresponding decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize communities through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and reauthorized for FFY 2012 ("SRS 2012"); and

WHEREAS, SRS 2012 provides for guaranteed minimum payments for the benefit of affected counties, as well as an opportunity to invest a portion of the guaranteed minimum payments in projects or activities on federal, or in county projects or activities; and

WHEREAS, Title I of SRS 2012 gives each eligible county the right to elect to receive either its traditional share of revenues from the O&C lands ("50-percent payment"), or instead to receive guaranteed minimum amount ("full county payment"); and

WHEREAS, any county electing to receive the full county payment amount of \$100,000 must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount on projects; and

WHEREAS, Title I of SRS 2012 requires that counties electing to receive the full county payment amount must allocate their project funds for expenditure between projects under Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Interior; and

WHEREAS, Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees ("RACs"); and

WHEREAS, RACs recommend projects for consideration by the Secretary of the Interior, with project funding supplied in whole or in part out of monies allocated for Title II purposes by participating counties; and

WHEREAS, counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with the amount allocated to each RAC; and

WHEREAS, Title III provides for county projects or services, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

WHEREAS, a county receiving less than \$350,000 may allocate its project funds between Titles II and III in any proportion the county wishes; NOW THEREFORE,

IT IS HEREBY RESOLVED BY THE BOARD AS FOLLOWS:

1. Yamhill County hereby elects to receive the guaranteed minimum full county payment amount.
2. Yamhill County hereby allocates 15 percent of its full county payment amount for expenditure on projects under Title II and Title III. [Note: this entry must be not less than 15 percent and not more than 20 percent]. Yamhill County will return none (zero percent) of its full county payment amount to the Treasury of the United States.
3. Of the percent allocated to Title II and Title III projects above in paragraph 2, Yamhill County further allocates between such Titles for FFY 2012 (for expenditure after FFY 2012) on the following basis: 0 percent of the full county payment amount for expenditure on Title II projects, and 15 percent of the full county payment amount for

expenditure on Title III projects. [Note: Combined entries for allocation between Titles II and III must add up to equal the percent (15-20) inserted in election number 2 above. If the full county payment amount is less than \$350,000, the allocation may be divided between Titles II and III in any proportion, so long as the total is 15 to 20 percent.]

4. The original or a certified copy of this Resolution shall be transmitted to Kevin Q. Davis, Attorney, sent to the following address: One SW Columbia Street, Suite 1600, Portland, Oregon 97258.

DONE this 16th day of August, 2012, at McMinnville, Oregon.

ATTEST
YAMHILL COUNTY BOARD OF COMMISSIONERS

Rebekah Stern Doll
County Clerk
Rebekah Stern Doll
Chair

By: *Christine Britt*
Deputy ANNE BRITT
Commissioner
Christine Britt
KATHY GEORGE

Commissioner
Mary P. Stern
MARY P. STERN

APPROVED AS TO FORM:
Christian Boenisch
CHRISTIAN BOENISCH
Deputy County Counsel



Accepted by Yamhill County
Board of Commissioners on
8/16/12
by Board Order
12-462