

# YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 13- 85

## Resolution of Intent to Create Yellowstone County Special District No. 1 for Lockwood Area

WHEREAS, pursuant to Sections 7-11-1001 through 7-11-1029 of the Montana Code Annotated, a board of county commissioners has the authority to create special districts for various purposes. One method to create a special district is through a resolution with a referendum. Section 7-11-1011 of the Montana Code Annotated. A board holds a public hearing on the creation of the district, passes a resolution of intent to create the district, sets a public hearing on the creation of the district, provides notice of the public hearing, receives comments on the creation of the district, holds a referendum on the creation of the district and either passes a resolution to create or not create the district depending on the result of the referendum.

WHEREAS, the Yellowstone County Board of County Commissioners received requests from several residents in the Lockwood area of the County as to whether the County could construct and maintain various improvements, such as sidewalks, trails and street lights, to enhance the safety of pedestrians and provide for alternative means of traffic transportation in the area. The Board considered the requests and came to the conclusion that a special district may be able to construct and maintain the improvements to enhance the safety of pedestrians and provide for alternative means of traffic transportation in the area. Exhibit 1 contains the specifics of the special district such as name, location, parcels, map, property owners, activities, administration, duration, costs, and financing method. Below is a summary of the specifics of the District.

### District Summary


District Name:	Yellowstone County Special District No. 1 for Lockwood Area.
District Necessity:	Enhance pedestrian safety and provide for alternative means of traffic transportation in the Lockwood area.
District Location:	Boundaries of School District No. 26, (Lockwood School).
District Activities:	Construct and maintain improvements to enhance pedestrian safety and provide for alternative means of traffic transportation in the area.
District Administration:	Yellowstone County Board of County Commissioners
District Duration:	Perpetual
First Year of Levy:	Tax Year 2015
District Est. Annual Revenues:	\$212,697 at 10 mills
District Mills:	Not to exceed 10 Mills
District Financing Method:	Taxable Value (Section 7-11-1024(3)(a)(ii) of the Montana Code Annotated)
District Tax Impact:	Fair Market Value \$100,000.00 Home = \$13.09 Fair Market Value \$200,000.00 Home = \$26.18


NOW THEREFORE, BE IT RESOLVED,

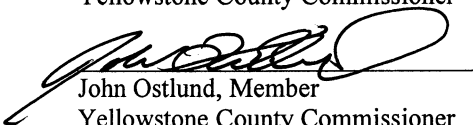
The Yellowstone County Board of County Commissioners intends to create a special district to enhance pedestrian safety and provide for alternative means of traffic transportation in the Lockwood area. On December 3, 2013, the Board shall hold a public hearing on the district. At the hearing, the Board will receive comments on the district. The Board orders the Yellowstone County Clerk and Recorder to publish notice of the public hearing, mail notice of the public hearing to all property owners within the district, receive written comments on the district and provide the comments to the Board before the hearing. After the hearing, if the Board believes that it is in the best interest of the public to create the District, it will pass a resolution to hold a referendum on the creation of the district. Conversely, if the Board believes that it is not in the best interest of the public to create the District, it will pass a resolution not to create the District.

Passed and Adopted on the 5<sup>th</sup> day of November 2013.

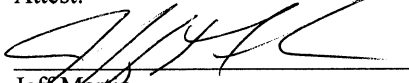
BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
James E. Reno, Chairman  
Yellowstone County Commissioner

  
Bill Kennedy, Member  
Yellowstone County Commissioner

  
John Ostlund, Member  
Yellowstone County Commissioner

Attest:

  
Jeff Martin  
Yellowstone County Clerk and Recorder

### Chronology

Agenda – October 8, 2013  
Resolution to Hold Public Hearing on Creation of Special District – October 15, 2013  
Notice of Public Hearing on Creation of Special District – Publication – October 18, 2013 & October 25, 2013  
Public Hearing on Creation of Special District – November 5, 2013  
Resolution of Intent to Create District – November 5, 2013  
Notice of Public Hearing on Creation of Special District – Publication and Mailing – November 22, 2013 & November 29, 2013  
Public Hearing – December 3, 2013  
Resolution for Referendum – December 3, 2013  
Referendum – February 25, 2014  
Referendum Certification – March 4, 2013  
Resolution to Create – March 11, 2014

### Documents

Resolution to Hold Public Hearing on Creation of Special District  
Notice of Public Hearing on Creation of Special District – Publication  
Resolution of Intent to Create District  
Exhibit to Resolution of Intent  
Notice of Public Hearing on Creation of Special District – Publication and Mailing  
Resolution for Referendum  
Referendum Ballot  
Resolution to Create / Resolution Not to Create

## Yellowstone County Special District No. 1 for Lockwood Area

### District Summary

District Name: Yellowstone County Special District No. 1 for Lockwood Area.  
District Necessity: Enhance pedestrian safety and provide for alternative forms of traffic in the Lockwood area.  
District Location: Boundaries of School District No. 26, (Lockwood School).  
District Activities: Construct and maintain improvements to enhance pedestrian safety and provide for alternative forms of traffic in the area.  
District Administration: Yellowstone County Board of County Commissioners  
District Duration: Perpetual  
First Year of Levy: Tax Year 2015  
District Est. Annual Revenues: \$212,697.00 at 10 mills  
District Mills: Not to exceed 10 Mills  
District Financing Method: Taxable Value (Section 7-11-1024(3)(a)(ii) of the Montana Code Annotated)  
District Tax Impact: Fair Market Value \$100,000.00 Home = \$13.09  
Fair Market Value \$200,000.00 Home = \$26.18

### District Name:

The name of the District shall be Yellowstone County Special District No. 1 for Lockwood Area.

### District Location:

Yellowstone County Special District No. 1 for Lockwood Area shall be the boundaries of School District No. 26, the Lockwood School District. Attached is a map of the District.

### District Parcels:

Yellowstone County Special District No. 1 for Lockwood Area shall include 4340 parcels. Attached is a list of the legal description of each parcel and the current owner of each parcel.

### District Activities:

Yellowstone County Special District No. 1 for Lockwood Area shall construct and maintain improvements for pedestrian safety and provide for alternative forms of traffic in the Lockwood area, including but not limited to sidewalks, trails and street lighting. The District shall have bonding authority that may be financed by the revenue provided by the assessments authorized by this special district, may utilize funding for right-of-way acquisition and grant matches.

### District Administration:

Yellowstone County Special District No. 1 for Lockwood Area shall be managed by the Yellowstone County Board of County Commissioners. An independent board shall not be created to manage the District. A representative advisory board from the property owners within the district shall be established to provide recommendations to the Yellowstone County Board of County Commissioners.

### District Duration:

Yellowstone County Special District No. 1 for Lockwood Area shall have perpetual existence. It shall continue to exist until dissolved. The levy will begin in tax year 2015 if approved by the voters.

### District Costs:

There is not a projected cost for the improvements. It is anticipated that improvements will be constructed and maintained through revenues created by the authorized mill levy. Yellowstone County Special District No. 1 for Lockwood Area is projected to raise approximately \$212,697.00 per year with a 10 mill levy based on current taxable valuation within the district

### District Financing Method:

Yellowstone County Special District No. 1 for Lockwood Area shall use a taxable value per parcel method of taxation with a maximum levy of 10 mills per year. A home with a taxable value of \$100,000.00 would pay an additional \$13.09 in taxes per year because of the District. A home with a taxable value of \$200,000.00 would pay an additional \$26.18 in taxes per year because of the District.

**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

**Notice of Public Hearing on Creation of Yellowstone County Special District No. 1 Lockwood Area**

On December 3, 2013, at 9:30 a.m., in Room 403(A) of the Yellowstone County Courthouse, Billings, Montana, the Yellowstone County Board of County Commissioners will hold a public hearing to receive public comments on the proposed creation of Yellowstone County Special District No. 1 Lockwood area for the construction and maintenance improvements for pedestrian safety and alternative forms of traffic in the area. The District would have the authority to impose 10 mills to finance its activities. A home with a taxable value of \$100,000.00 would pay an additional \$13.09 in taxes because of the District. A home with a taxable value of \$200,000.00 would pay an additional \$26.18 in taxes because of the District. After the hearing, if the Board believes that it may be in the best interest of the public to create the District, it will pass a resolution to hold a referendum on the creation of the District. The District would be created depending on the result of the referendum. If you would like to submit a written comment on the proposed District, please send it to the Yellowstone County Clerk and Recorder, Attn: Public Comment on Proposed Special District for Lockwood Area, P.O. Box 35001, Billings, Montana 59107. Further information on the proposed District can be obtained from Daniel L. Schwarz, Deputy Yellowstone County Attorney, P.O. Box 35025, Billings, Montana, 59107, (406) 256-2830, [dschwarz@co.yellowstone.mt.gov](mailto:dschwarz@co.yellowstone.mt.gov).

Done this 5<sup>th</sup> day of November, 2013

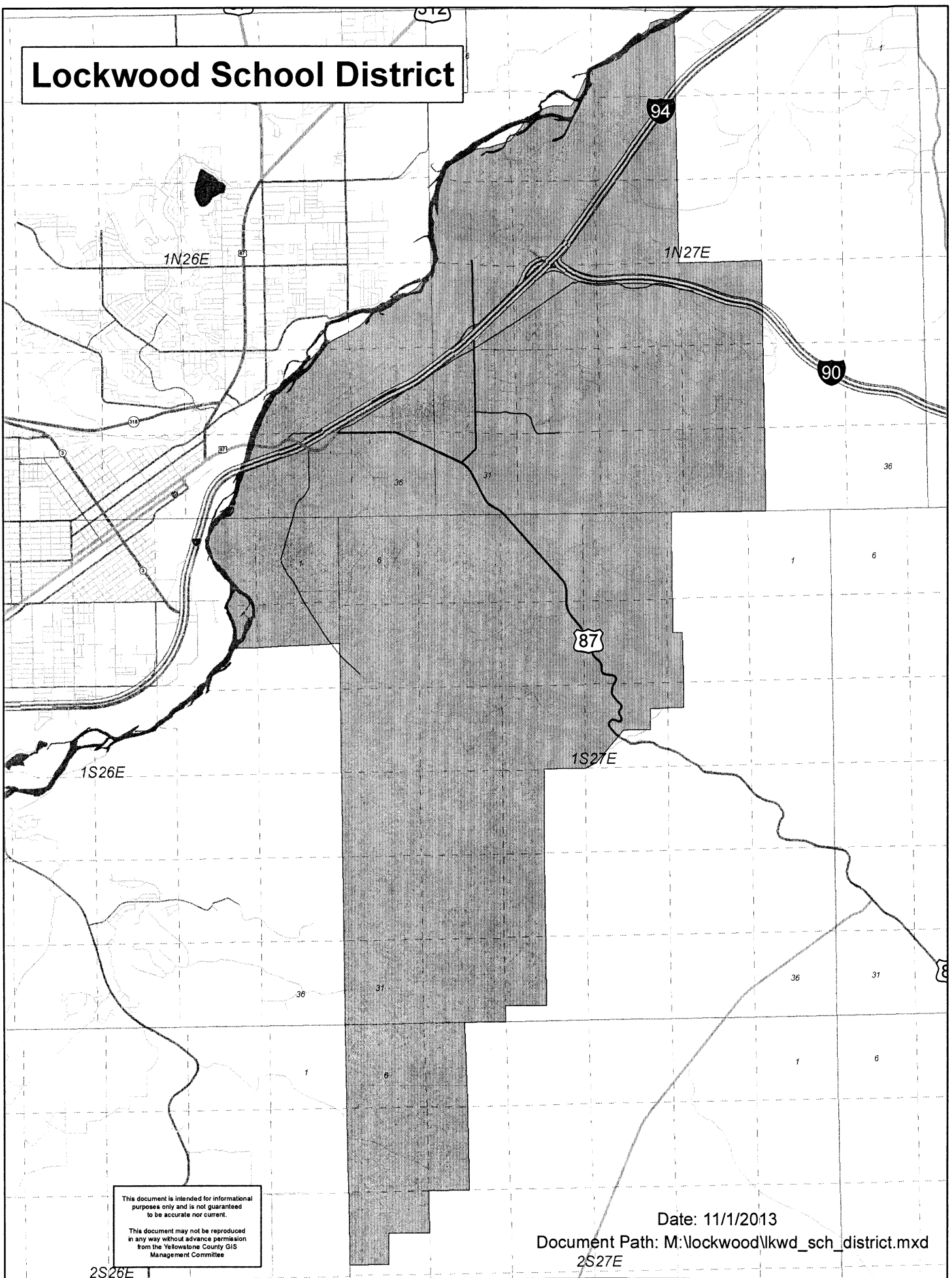
Board of County Commissioners  
Yellowstone County, Montana

/a/ James E. Reno, Chairman

(SEAL)  
ATTEST:

/a/ Jeff Martin, Clerk and Recorder

# Lockwood School District



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