

OFFICIAL AGENDA
MONDAY November 7, 2016
Meeting Start Time: 9:30 a.m.
Board of County Commissioners
Yellowstone County, Montana
Yellowstone County Courthouse
217 N. 27th Street Room 403A
Billings, MT
9:00 a.m. Agenda Setting

Pledge to the Flag: Moment of Silence: Minutes

9:30 a.m. PUBLIC HEARING

- a. Planning Board Recommendation to Board of County Commissioners for Comprehensive Development Plan - Lockwood TEDD
- b. Ordinance 16-119 Establishing the Lockwood Targeted Economic Development District (TEDD) Creating the Lockwood TEDD, and adopting the Lockwood TEDD Plan with a Tax Increment Financing Program Pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Code Annotated - 1st Reading of the Ordinance, 2nd Reading is Scheduled for Tuesday November 22, 2016 @ 9:30 a.m. in Room 403A

REGULAR AGENDA

1. **METRA PARK**
 - a. Calendar
 - b. Events
 - c. Ticket Reports
 - d. Conference

PUBLIC COMMENTS ON METRAPARK/FAIR BOARD BUSINESS

2. **COMMISSIONERS**

Resolution 16-122 to Appoint Construction Management Contract Award Committee for the Expansion of the Yellowstone County Detention Facility

CLAIMS

CONSENT AGENDA

1. **PURCHASING**
 - a. Contract Extension with Joe's Lawn Care for Riverside Cemetery
 - b. Request to Expend for 400 KACE Licenses with 3 Years of Support & Maintenance
 - c. Request to Expend by MetraPark for a New Wireless Phone for the Catering Department
2. **COMMISSIONERS**
 - a. Walsh Letter of Appreciation
 - b. Auditor's Quarterly Report for the Period Ending September 30, 2016

3. **COUNTY ATTORNEY**

Journal Technologies, Inc. Sales Order

4. **PUBLIC WORKS**

Agreement with Design 3 for Engineering Services for Bridges 36-03, 36-25, 54-03 and 54-04

5. **SHERIFF**

Modification to U.S. Marshal Intergovernmental Agreement Increasing Daily Prisoner Per Diem from \$70 to \$85 Per Day

6. **TREASURER**

Authorization Approval for Wells Fargo to Open an Account for Yellowstone County Health Plan with EBMS

7. **HUMAN RESOURCES**

a. URx Pharmacy Until June 30, 2017

b. **PERSONNEL ACTION REPORTS - Detention Facility** - 13 Appointments, Termination; **Sheriff's Office** - 1 Appointment, 1 Termination; **MetraPark** - 1 Appointment; **Justice Court** - 1 Salary & Other

FILE ITEMS

1. **CLERK AND RECORDER**

Letter and Petition Requesting Subdivision Review for the Amended C/S 2085 Creating a Tract Using the Family Member Gift Exemption

2. **COMMISSIONERS**

HRDC General Relief Assistance Program Report for the Quarter Ending September 30, 2016

3. **PURCHASING**

Agreement with Andy Dean to Replace a Culvert at Hill Estates

PUBLIC COMMENTS ON COUNTY BUSINESS

B.O.C.C. Regular

Agenda Item a.

Meeting Date: 11/07/2016

Title: Planning Board Comprehensive Development Plan Recommendation -
Lockwood TEDD

Submitted By: Wyeth Friday

TOPIC:

Planning Board Recommendation to Board of County Commissioners for
Comprehensive Development Plan - Lockwood TEDD

BACKGROUND:

The Yellowstone County Board of County Commissioners is working with property owners in Lockwood and Big Sky Economic Development to establish a Targeted Economic Development District (TEDD) in the northeast area of Lockwood. The process has involved development of a TEDD study area, determining a specific boundary for the TEDD as per the participation of property owners that petitioned to be included, expansion of the Unified Zoning Jurisdiction Boundary to include the TEDD area, and zoning of the properties added to the zoning jurisdiction within the TEDD.

The final step in the process is for a Comprehensive Development Plan (CDP) and Ordinance to be approved and adopted by the Board of County Commissioners. As part of that process, the Yellowstone County Board of Planning conducted a public hearing on the CDP and made a recommendation to the Board of County Commissioners that the CDP is in compliance with the 2016 Lockwood Growth Policy and the 2008 Yellowstone County and City of Billings Growth Policy. The Planning Board reviewed the CDP at its meeting on October 12, 2016 and conducted a public hearing and took action on October 25.

The Planning Board reviewed the applicable growth policies and determined they support the CDP for creation of the TEDD for the following reasons:

- Existing conditions and future trends address economic well-being
- Goals and objectives support the development of secondary value-adding industries
- Tax Increment Financing is identified as an implementation strategy, and
- Land use maps support zoning designations.

The 2016 Lockwood Growth Policy supports the CDP for creation of the TEDD in the following areas:

Chapter 2, Page 4, Lockwood Growth Guidelines references that "A Targeted Economic Development Districts may be used to foster secondary, value adding economic development." The Guidelines also state, "Commercial retail and services may be considered appropriate in areas designated for industrial land uses along principal and minor arterials in addition to areas designated for commercial land uses."

Chapter 6, Implementation Tools and Strategies references many past studies of Lockwood and the 2008 Yellowstone County and City of Billings Growth Policy referenced below that all support and encourage further economic and infrastructure development in Lockwood to make it a more prosperous, safe and attractive community for residence and businesses. Further, the CDP itself on page 13 references the goals of the Lockwood TEDD that mirror some of the same goals of the applicable growth policies, including fostering economic and employment opportunities within Yellowstone County and Lockwood; a planned industrial area in Lockwood that attracts industry and leads to additional private investment; implementing a development plan that supports and encourages commercial and industrial growth while supporting non-motorized transportation and safety.

The existing 2008 Yellowstone County and City of Billings Growth Policy supports the CDP and creation of the TEDD in the following areas:

- **Chapter 4.1 Land Use, page 37** references the Lockwood Community Plan that outlines the preferred land uses for industrial purposes in Lockwood: **Lockwood Community Plan, Community Background section, page 6**: “Lockwood’s location as the eastern gateway to the City of Billings, its significant commercial and industrial business presence and its community-oriented residence make the community a place where continued growth and change is expected to occur. The Lockwood Community Plan and its specific Community Focus Areas and Action Steps will help Lockwood prepare for its future and continue to foster its individuality and community atmosphere.”
- **Chapter 3 Community Goals and Objectives, Economic Development Element, page 7**, Goal 1: “Coordinated economic development efforts that target business recruitment, retention, and expansion” and Goal 7: “Preserve and sustain the rural community centers throughout the County.”
- **Chapter 5.1 Implementation Tools and Strategies, page 202**, lists Urban Renewal Districts and tax increment funds as a tool to redevelop and rehabilitate “blighted” areas. The Targeted Economic Development District had not been authorized at the time the 2008 Growth Policy was adopted, but is now part of the Urban Renewal Law that is cited in this section.

RECOMMENDED ACTION:

The Planning Board has determined that the 2016 Lockwood Growth Policy and the 2008 Yellowstone County and City of Billings Growth Policy support the Comprehensive Development Plan for the Lockwood TEDD, and recommends approval of the CDP to the Yellowstone County Board of County Commissioners.

Attachments

Lockwood TEDD CDP

EXHIBIT C

**LOCKWOOD TARGETED ECONOMIC
DEVELOPMENT DISTRICT**
Comprehensive Development Plan

October 2016



PREPARED FOR:
Big Sky Economic Development

FOR PRESENTATION TO:
Yellowstone County Board of County Commissioners

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1. INTRODUCTION

Overview

Yellowstone County, in conjunction with the Big Sky Economic Development (BSED), is seeking to enhance and expand economic activities through the development of planned, ready-to-go industrial space that supports secondary, value adding industries. This effort would be enriched through the creation of a Targeted Economic Development District (TEDD) on 570 acres of land in the Lockwood area. Yellowstone County intends to use tax increment financing as part of its overall strategy to provide infrastructure in support of value-adding industry.

The purpose of the Lockwood TEDD is to provide planned industrial space in order to attract and retain industrial and manufacturing businesses in Yellowstone County. This Comprehensive Development Plan has been prepared in accordance with Montana Code Annotated, Title 7, Chapter 14, Parts 42 and 43. In accordance with MCA 7-15-4279, the Lockwood TEDD will host a diversified tenant base of multiple, independent tenants. This Comprehensive Development Plan lays the framework to guide the development of the TEDD. The *Lockwood TEDD Strategic Plan* contains information regarding market analysis, targeted industries, development and implementation strategies.

Purpose

When creating the state statutes for the provision for a TEDD, the Montana Legislature noted that the lack of infrastructure is an impediment to development of value-adding economic development and that local governments often times lack the financial resources to expand infrastructure that would serve such development. In response to those two issues, the legislature authorized the creation of districts that would support value adding industries and determined that tax increment financing can be used to pay for needed infrastructure.

According to MCA 7-15-4279(3)(b) of the, secondary value-adding industry means “a business that produces secondary value-added products or commodities or a business or organization that is engaged in technology based operations within Montana that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting in the creation of new wealth.” These industries will be the primary targeted industries within the Lockwood TEDD.

The *Yellowstone County Industrial Park Feasibility Study*, completed in 2014, noted that demand for industrial space is strong and will continue to grow through 2030. It is expected to outpace supply, particularly for space associated with value-added commodities. The study also noted that realtors, developers and business owners interviewed for the study, felt that Yellowstone County had missed opportunities for business development because space with infrastructure in place was not readily available.

In response to the needs of the community and recommendations of the *Feasibility Study*, BSEDA has undertaken the task of identifying a site for planned industrial space that can accommodate the demand for industrial space. In an effort to develop a strategy for funding of needed infrastructure improvements, the area is designated as the Lockwood TEDD, with the intent to use tax increment financing as one option for such funding.

Lockwood Community

Lockwood is an unincorporated community, located directly east of the City of Billings. The population of Lockwood, as reported in the American Community Survey in 2014 as the Lockwood Census Designated Place, is 6,943. This includes the area of the proposed TEDD. Between 2000 and 2014, Lockwood saw a 61.2-percent increase in population, outpacing the growth in the rest of Yellowstone County, which grew by approximately 17-percent.

The American Community Survey also reported that approximately 55-percent of all workers who live in Lockwood travel to work between 15 to 24 minutes, with the mean travel time of 20 minutes. This pattern suggests that Lockwood residents travel to Billings and other parts of Yellowstone County for work. Increasing job opportunities within the Lockwood TEDD would allow a greater percentage of Lockwood residents the opportunity for employment within their community.

Employment of Lockwood residents is spread over multiple industries throughout Yellowstone County. As shown below, “education, health care & social assistance” sector employs the most people, followed by the “retail trade” sector. Manufacturing, transportation, warehousing and utilities, the primary targeted industries of the Lockwood TEDD, make up approximately 15-percent of current employment.

LOCKWOOD EMPLOYMENT BY INDUSTRY

Source: American Community Survey, 2014

	Number	Percentage
Civilian employed population > 16 years	3,771	
Ag, forestry, fishing & hunting, mining	199	5.3%
Construction	363	9.6%
Manufacturing	268	7.1%
Wholesale trade	184	4.9%
Retail trade	659	17.5%
Transportation, warehousing, and utilities	292	7.7%
Information	30	0.8%
Finance and insurance, and real estate	222	5.9%
Prof, scientific, mgmt., admin, & waste mgmt.	231	6.1%
Education, health care, & social assistance	677	18.0%
Arts, entertain., rec., accommodation, & food	321	8.5%
Other services, except public administration	237	6.3%
Public administration	88	2.3%

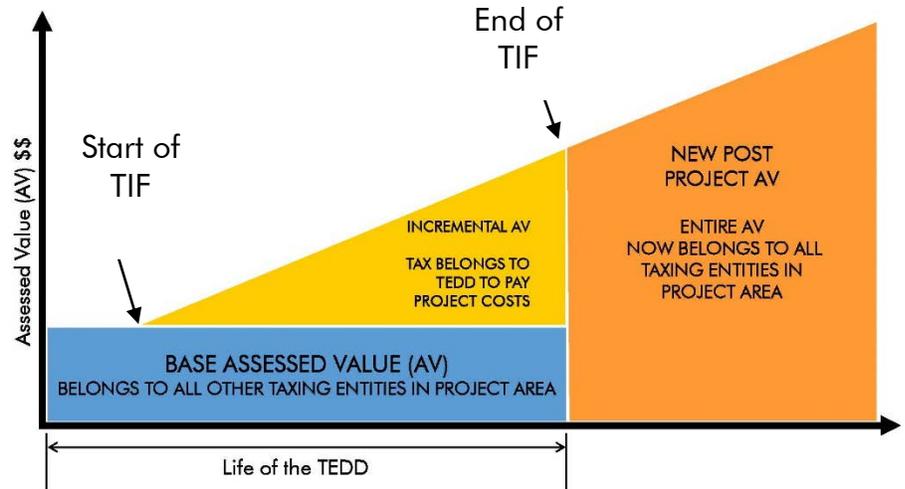
Tax Increment Financing

Yellowstone County intends to use tax increment financing within the Lockwood TEDD, which encompasses an area of approximately 570 acres. For the purposes of measuring any incremental value, the base year is 2016, with values as of, January 1, 2016.

Tax increment financing (TIF) is a public financing method that promotes economic development by allowing cities and counties to use new property tax revenues from investment in the TEDD to

invest in public infrastructure. In 2013, the Montana Legislature authorized the use of TIF within targeted economic development districts.

TIF uses future increases in property values to pay for improvements within the district, thus improving and enhancing the district. This allows taxes from the district to be invested in the infrastructure that supports the business development and investment in that area.



Taxes that are derived from the base assessed value within the TEDD continue to be distributed to those taxing entities that levy mills within the district. TIF can be used to support these taxing entities through the funding of infrastructure that is required to connect to services that are located outside of the district. For example, it will be necessary to install water and sewer mains outside of the district boundary that will connect to the Lockwood Water and Sewer District system and enable service to be provided to the district.

Additionally, TIF generated within the district can help fund public services and facilities in proportion to services they provide within the district.

2. SITE ANALYSIS

Site Description

The Lockwood TEDD is located in an area of primarily agricultural use with some industrial sites. The area is approximately 570 acres and is located north of Interstate 90 and 94 and south of the Yellowstone River. The BNSF railroad bisects the area and has a rail spur with access to the Pacific Recycling facility, located within the TEDD boundary.

Access to the area is provided by local roads, including Johnson Lane, Coulson Road and the Frontage Road. The Interstate 90 interchange at Johnson Lane connects the TEDD to the greater transportation network.

The Montana Department of Transportation is currently in the planning and design phase for the Billings Bypass project. This project will provide a 5-mile long, two lane limited access roadway connection across the Yellowstone River between Interstate 90 and Old Highway 312. There are several roadway improvements within Lockwood that are associated with this project. The Interstate 90 interchange at Johnson Lane will be reconstructed to accommodate the new bypass. Alternative alignments are still under consideration. Additionally, a new intersection with the bypass and

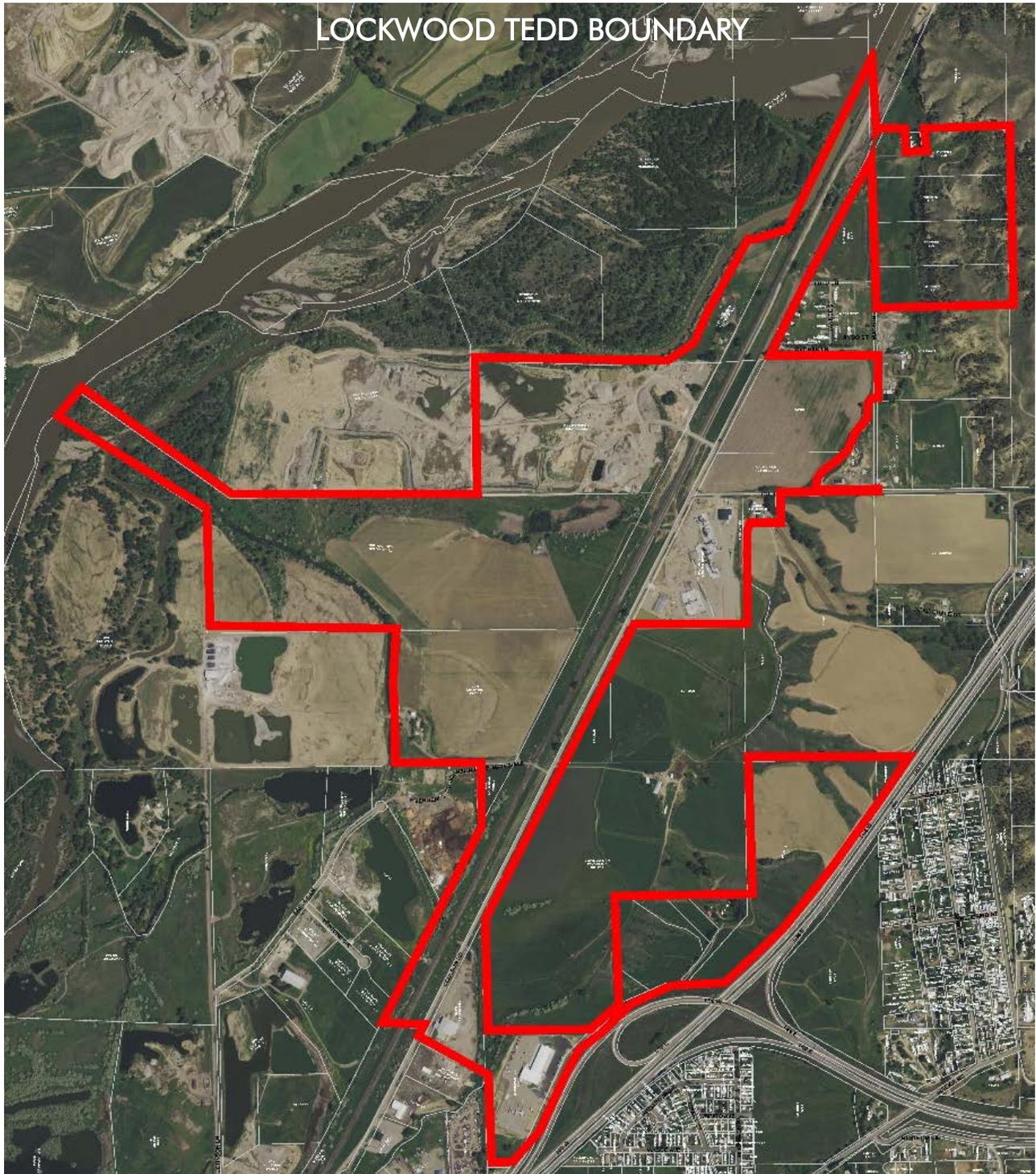


Figure 1: Lockwood TEDD Boundary

Coulson Road will be constructed, which will create direct access to the southern portion of the Lockwood TEDD. An additional access point to the bypass from the TEDD area will be considered as design of the bypass progresses.

Legal Description

The legal description of the Lockwood TEDD is as follows:

A tract of land situated in Sections 7, 8, 17, 18, 19 and 20, Township 1 North, Range 27 East, P.M.M., Yellowstone County, Montana; more particularly described as follows:

Beginning at the northeast corner of Tract 4A2, Certificate of Survey No. 1225; thence southerly along the east boundary line of Certificate of Survey No. 1225 to the southeast corner of Tract 3B, Certificate of Survey No. 1225; thence westerly to the centerline of the Watson Road right of way; thence northerly along the centerline of the Watson Road right of way to a point which is the intersection of the Watson Road right of way and the east boundary line of Tract 3A, Certificate of Survey No. 2807; thence southwesterly along the east boundary line of Tract 3A to the northwest corner of Tract 1, Certificate of Survey No. 3540; thence easterly along the north boundary line of Tract 1 to the northeast corner of Tract 1; thence southerly, westerly and southwesterly along the east boundary lines of Certificate of Survey No. 3540 to the southeast corner of Tract 2, Certificate of Survey No. 3540; thence easterly along the south boundary line of Tract 1, Certificate of Survey No. 3092 to the southeast corner of Tract 1; thence southerly to the northeast corner of Certificate of Survey No. 632; thence westerly along the north boundary line of Certificate of Survey No. 632 to the northwest corner of Certificate of Survey No. 632; thence southerly along the east boundary line of Tract 1, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 1 to the northeast corner of the Lockwood Irrigation District Parcel lying west of ditch between Certificate of Survey No. 632 and Certificate of Survey No. 2009; thence southwesterly to the intersection of Lockwood Irrigation District Parcel and Tract 2, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 2 to the southwest corner of Tract 2; thence westerly to a point which is the intersection of the south boundary line of Tract 2 and the centerline of the Coulson Road right of way; thence southeasterly along the centerline of the Coulson Road right of way to a point which is the intersection of the Coulson Road right of way and the east boundary line of Lot 1, Block 1, Great Plains Subdivision; thence southerly to the northwest corner of Tract 1, Certificate of Survey No. 3376; thence northeasterly to the southwest corner of Lot 5, Seiffert Industrial Subdivision; thence northerly along the west boundary line of Seiffert Industrial Subdivision to the northwest corner of Lot 4, Seiffert Industrial Subdivision; thence easterly along the north boundary line of Seiffert Industrial Subdivision to the northeast corner of Lot 1, Seiffert Industrial Subdivision; thence northerly to the northwest corner of Tract 1, Certificate of Survey No. 1734; thence easterly to the northeast corner of Tract 1, Certificate of Survey No. 1734; thence southwesterly to the southeast corner of Tract 1, Certificate of Survey No. 1734; thence westerly to the southwest corner of Tract 1, Certificate of Survey No. 1734; thence westerly to a point which is the intersection of the south line of Tract 1, Certificate of Survey No. 1734 and the centerline of the North Frontage Road right of way; thence southwesterly along the centerline of the North Frontage Road right of way to a point which is the intersection of the North Frontage Road right of way and the south boundary line of Tract 1, Certificate of Survey No. 3376; thence westerly to the southwest

corner of Tract 1; thence northerly along the west boundary line of Tract 1 to the southeast corner of Lot 1, Block 1, Great Plains Subdivision; thence northwesterly to the southwest corner of Lot 1; thence northeasterly to a point which is the intersection of the west boundary line of Lot 1 and the south boundary line of Section 18; thence westerly along south boundary line of Section 18 to a point which is the intersection of the south boundary line of Section 18 and the east boundary line of Lot 2C, Johnson Lane Materials Subdivision; thence northeasterly to the southeast corner of Lot 5, Johnson Lane Materials Subdivision; thence northerly to the northeast corner of Lot 5; thence westerly to the southwest corner of Lot 1, Block 1, Weaver Flats Subdivision; thence north to the northwest corner of Lot 1; thence westerly to the southwest corner of Tract 2, Certificate of Survey No. 3477; thence northerly to the northeast corner of Lot 2, Block 1, Weaver Flats Subdivision; thence northeasterly to the northwest corner of Lot 2; thence northwesterly to the northwest corner of Lot 2; thence northeasterly to the northeast corner of Tract 1, Certificate of Survey No. 3477; thence southeasterly to the southwest corner of Tract 1; thence easterly to the southeast corner of Tract 1; thence northerly to the southwest corner of Government Lot 9; thence easterly to the southwest corner of Tract 1B, Certificate of Survey No. 2807; thence northeasterly to the northwest corner of Tract 1B; thence northeasterly to the northeast corner of Tract 1B; thence northeasterly along the east boundary line of Tract 1A, Certificate of Survey No. 2807 to the southwest corner of the tract of land described as survey overlap of Certificate of Survey No. 1225 and Certificate of Survey No. 2868; thence southerly to a point which is the intersection of the west line of the tract of land described as survey overlap of Certificate of Survey No. 1225 and the west right of way line of the Montana Rail Link right of way; thence northeasterly to the southwest corner of Tract 5, Certificate of Survey No. 1225; thence easterly to the northwest corner of Tract 4A1, Certificate of Survey No. 1225; thence southerly to the southwest corner of Tract 4A1; thence easterly to the southeast corner of Tract 4A1; thence northerly to the northeast corner of Tract 4A1; thence easterly to the Point of Beginning; parcels containing 570.83 acres, more or less, subject to any existing easements and/or rights of way, whether of record or apparent on the ground.

Parcels

Land owners and property descriptions are listed below.

Owner Last Name	Legal Description	Geocode	Tax ID	Property Address	Mailing Address	City State ZIP	Zoning
BKPN Properties LLC	GREAT PLAINS SUBD, S19, T01 N, R27 E, BK 1, Lot 1	03103419101160000	C11082	1655 Coulson Rd	1655 Coulson Rd	Billings, MT 59101	Heavy Industrial
G2 Properties LLC	S20, T01 N, R27 E, C.O.S. 3376, PARCEL 1	03103420211040000	D06449	3255 N Frontage Rd	455 Highway 195, Suite A	Georgetown, TX 78633	Controlled Industrial
JDW Industrial Park 2 LLC	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 1	03103417101200000	D06407	2150 Coulson Rd E	PO Box 22745	Billings, MT 59104	Heavy Industrial
JDW Industrial Park 2 LLC	WEAVER FLATS SUB (14), S17, T01 N, R27 E, BK 1, Lot 1	03103417201010000	D06415	3306 Coulson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial

JDW Industrial Park 2 LLC	S17, T01 N, R27 E, FRACTION NWSW LYING N & W OF RR	03103417360010000	D06415A	Coulson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Lockwood Irrigation District	S17, T01 N, R27 E, PORTION OF SWNWNWNE LYING WEST OF DITCH BETWEEN COS 632 2ND	03103417201100000	D13115	Coulson Rd	PO Box 3292	Billings, MT 59103	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, S2SW WEST OF RAILROAD	03103408301010000	D06329	3530 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, C.O.S. 2807, PARCEL 1B	03103408101010000	D06331	3553 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S18, T01 N, R27 E, C.O.S. 3477, PARCEL 2	03103418101010000	D06416	Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
Montana Rail Link	S19, T01 N, R27 E	03103419350010000	D13145J	Coulson Rd	PO Box 16624	Missoula, MT 59808	Rail ROW
Pacific Hide And Fur Depot	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 2	03103408320010000	D06329B	Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Pacific Hide And Fur Depot	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 2	03103417201040000	D06408	3385 Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Seiffert Trust	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 1, AMND	03103417418150000	D06413	N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial
Terry L. Seiffert	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 2, AMND	03103417301100000	D06414	3333 N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial
Roger and Peggy Webb	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 1	03103408401010000	D06329A	Coulson Rd	1132 Ginger Way	Billings, MT 59105	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 3A	03103408403110000	D06336	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, 1225, PARCEL 3B	03103408403090000	D06337	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 4A2, AMD TR 4A	03103408403170000	D06338	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial

Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 4B, AMND	03103408403140000	D06339	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Michael Stanhope	PINE HILL SUB, S17, T01N, R27 E, BLOCK 1, LOTS 12-15	03-1034-17-4-18-01-0000	C04920	Bobolink Rd	PO Box 819	Choteau, MT 59422	Agricultural

Compliance with Growth Policy

As required by MCA 7-15-4279, the TEDD must be zoned in accordance with the area growth policy. The Lockwood TEDD is located within the Lockwood Planning Boundary. The Lockwood Growth Policy was adopted by the Yellowstone County Commission on May 17, 2016 and is intended to reflect public values within Lockwood. The document should be considered when land use applications and infrastructure investment proposals are presented.

In creating the growth policy, the Lockwood community contemplated the development of the Lockwood TEDD. Of the 11 growth guidelines identified in the document, one specifically addresses the TEDD:

A Targeted Economic Development District (TEDD) may be used to foster secondary, value adding economic development. Properties within the general area of the TEDD may be initially zoned as agriculture with the intent to rezone to an industrial zoning district when and if the TEDD is implemented.

--Lockwood Growth Policy, 2016

In accordance with the Lockwood Growth Policy, the properties within the Lockwood TEDD are zoned Agricultural, Controlled Industrial, or Heavy Industrial.

The Lockwood Growth Policy noted two previous planning documents, from which specific goals are still applicable to the Lockwood community. These documents are the Lockwood Community Plan (2006) and the Yellowstone County & City of Billings Growth Policy (2008). The City of Billings Growth Policy (2016) updates the City elements of the 2008 Growth Policy, therefore elements related to the unincorporated portions of the County are still applicable.

Goals from the 2006 Lockwood Community Plan that apply to the Lockwood TEDD, include the following:

Infrastructure: Continue to research and support the improvement and INSTALLATION of community infrastructure that will better serve Lockwood.

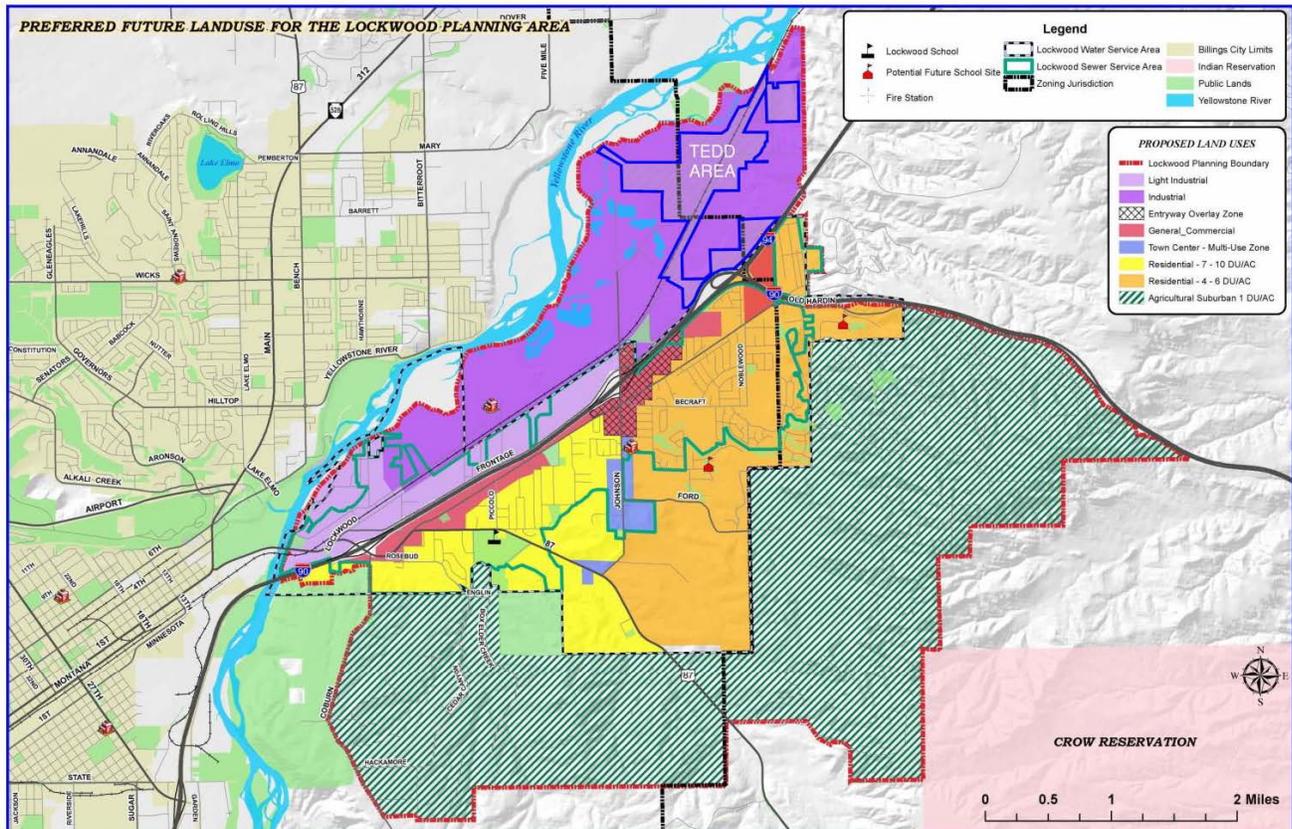
--Lockwood Community Plan, 2006

Goals from the 2008 Yellowstone County Growth Policy that apply to the Lockwood TEDD include the following:

Economic Development: Coordinated economic development efforts that target business recruitment, retention, and expansion.

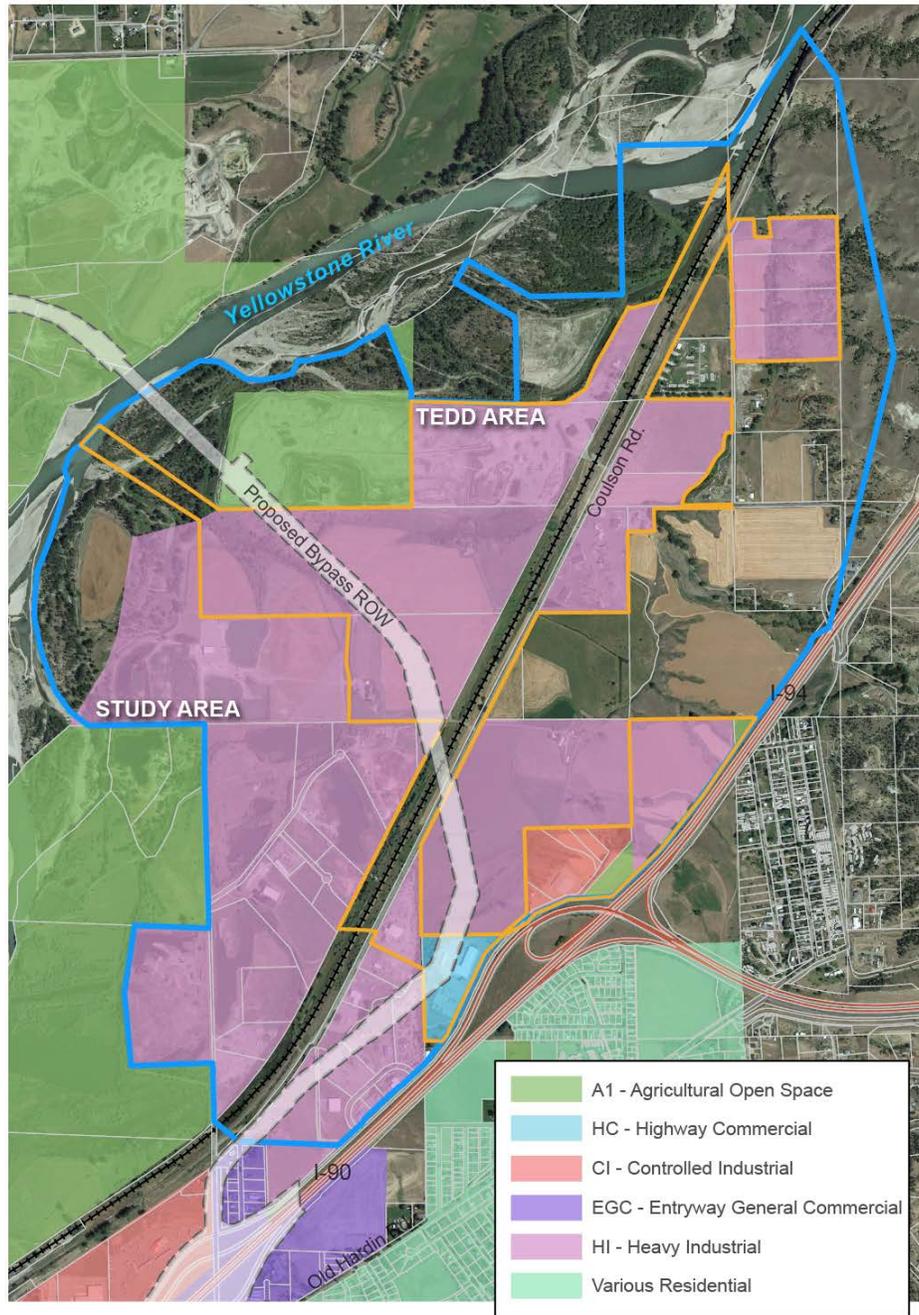
--Yellowstone County & City of Billings Growth Policy, 2008

Supporting a diversified economy that includes industrial development and manufacturing is important to the economy of Yellowstone County. Planning for industrial development can pave the way for business development and expansion and provide predictability for business and property owners.



Compliance with Zoning

The area of the Lockwood TEDD is zoned Heavy Industrial, Controlled Industrial and Agricultural. Based on the Guideline Statement in the Lockwood Growth Policy, this area is zoned in accordance with the growth policy.



Zoning

Figure 3: Area Zoning

3. GOALS OF THE LOCKWOOD TEDD

The goals of Yellowstone County in creating the Lockwood TEDD are as follows:

- Support the expansion of existing industry, and the recruitment of new industry, within Yellowstone County by facilitating the provision and development of planned, ready-to-go industrial space.
- Provide a locally-driven funding tool that can be used to partner with private industry and developers to fund the construction and maintenance of key infrastructure investments that are needed to foster the growth of value-added industry.
- Foster economic and employment opportunities within Yellowstone County and the Lockwood community through the development of secondary value-adding industries.
- Create a planned industrial area in Lockwood that attracts industry and leads to additional private investment in the Lockwood area.
- Implement a development plan centered around the growth of industrial businesses, while supporting non-motorized transportation facilities with the Billings Bypass.

4. INFRASTRUCTURE ANALYSIS

In order for a local government to create a TEDD, a Resolution of Necessity must be adopted. According to MCA 7-15-4280, this resolution must find that:

1. One or more infrastructure-deficient areas existing in the local government; and
2. The infrastructure improvements of the area are necessary for the welfare of the residents of the local government.

April 21, 2015, the Yellowstone County Board of County Commissioners adopted the Resolution of Necessity declaring an infrastructure deficient area known as the Lockwood Concept Targeted Economic Development District Study Area. The following infrastructure deficient conditions were identified:

- **Water System:** a public water system is not available in the area, and will require expansion of the Lockwood Water and Sewer District, main extensions, and increased filtering capacity.

The Lockwood Water and Sewer District serves the community of Lockwood. However, the service area does not include the Lockwood TEDD area. The closest water service line is located at the intersection of Johnson Lane and the North Frontage Road. New service lines, modifications to the treatment facility and potentially new water rights as demand increases will be necessary to service the Lockwood TEDD area. Preliminary estimates indicate that water service to the Lockwood TEDD, not including treatment facility upgrades or water rights acquisition, will likely be over \$4,000,000.

- **Sewer System:** a public sewer system is not available in the area. Main extensions, upgrades of an existing lift station and expansion of the Lockwood Water and Sewer District may be required. Renegotiation of the agreement with the City of Billings for additional treatment capacity would be required in conjunction with District expansion.

The Lockwood Water and Sewer District transmits wastewater from Lockwood to the City of Billings' treatment plant. This agreement between the District and the City limits the amount that can be transmitted to the plant. Expansion of the District to include the Lockwood TEDD area would require installation of new service lines, upgrades to an existing lift station at Johnson Lane and potentially an additional lift station within the TEDD area. Preliminary cost estimates for the sewer main extensions and lift station improvements will likely be over \$5,000,000.

- **Transportation:** both on- and off-site transportation upgrades, including rights-of-way, will be required for traffic circulation, safety and access. Rail trans-loading facilities and multi-modal opportunities are not available.

Roads to and within the TEDD area will require improvement to the minimum standards for a Commercial Collector road, as specified by Yellowstone County Subdivision Regulations. Specifically, Coulson Road will initially provide primary access to the TEDD area and will need to be improved to a County standard road. Road improvements to service the TEDD area will like be over \$4,000,000.

Montana Department of Transportation (MDT) is currently working on design plans for the Billings Bypass, a project that will connect Interstate 90 at Johnson Lane with Highway 312, north of Billings. The proposed bypass will cross the Yellowstone River adjacent to the Lockwood TEDD. The final design will have to consider access points to serve the area and the future industrial development. Such access points will need to be funded in conjunction with MDT.

Non-motorized transportation has been identified as a key issue in Lockwood. There are no sidewalks or multi-use trails within the Lockwood TEDD area. Providing multi-modal access in conjunction with the Billings Bypass – particularly with the bridge over the Yellowstone – has been identified as an important element in the development of a plan for the Lockwood TEDD.

- **Utilities:** electric and gas service for ordinary industrial users is available with right-of-way and line expansions. Heavy load industrial users would require supply, transmission line and substation expansions and redundancy.

Electric power is provided by Yellowstone Valley Electric Company. As noted in the Statement of Infrastructure Deficiency, service for future industrial users would require

substantial upgrades to the transmission lines within the Lockwood TEDD area. Industrial users typically have high electrical demands. Additional transmission lines to create redundancy and possibly a new substation would be required to adequately serve the area with new industrial users. Costs for additional transmission lines, not including a new substation are approximately \$400,000.

Natural gas is available in the vicinity. However, main lines would need to be extended to serve the Lockwood TEDD area.

- **Broadband Connectivity:** the area has limited access to broadband service and upgrades would be required. Critical information infrastructure would have to incorporate redundancy to assure reliable service. Broadband service would need to be extended from Johnson Lane to serve the Lockwood TEDD area.
- **General improvements:** additional infrastructure and public service deficiencies will be identified over time. As the TEDD area is developed, improvements and provisions for lighting, storm water drainage systems, and emergency services will need to be addressed.

5. TARGETED ECONOMIC DEVELOPMENT ACTIVITIES

Targeted Industries

A local government may create a TEDD in support of value-adding economic development, by development of infrastructure within the district that would encourage the location and retention of value-adding projects. The Lockwood TEDD will target businesses that produce products defined in MCA 7-15-4279 (a):

"secondary value-added products or commodities" means products or commodities that are manufactured, processed, produced, or created by changing the form of raw materials or intermediate products into more valuable products or commodities that are capable of being sold or traded in interstate commerce.

Additionally, the Lockwood TEDD will also support secondary value-adding industry, defined in MCA 7-15-4279 (b):

"secondary value-adding industry" means a business that produces secondary value-added products or commodities or a business or organization that is engaged in technology-based operations within Montana that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting in the creation of new wealth.

The Industry Cluster Analysis and Marketing Plan completed in 2013 for Big Sky Economic Development, identified the industries that should be prioritized for recruitment and retention in the Yellowstone County region. The following industry sectors identified in that study that produce

secondary value-added products or are a value-adding industry, and therefore appropriate for the Lockwood TEDD are as follows:

Upstream and Midstream Oil and Gas	oil and gas exploration and production field services pipeline companies refineries petroleum marketing companies
Health Care Services and Supply Chain	laboratories medical supply wholesaling and distribution medical equipment manufacturing
Manufacturing	value added food products machinery and equipment chemicals, guns
Warehousing and Distribution	distribution hubs to serve the region shipping and logistics companies distribution and warehousing

Examples of the types of businesses that may be targeted for the TEDD include:

- Pea Processing Facility
- Bulk Commodity Distribution Facility
- Malting Plant
- Feed Pellet Manufacturing
- Shingle Manufacturers
- Asphalt Manufacturing
- Fertilizer Manufacturers
- Ceramic Capacitors Manufacturing (found in laptops and cell phones)
- Catalytic Converter Manufacturing
- Galvanizing Plant
- Bolt/fastener manufactures
- Steel Painting/Powder-coating Facilities
- Prosthetic manufacturing
- New to market medical device manufacturing
- Transloading Operation
- Fly Ash Operations
- Co-Packer for Regional Manufacturers
- Shipping and Labeling Companies

Capital Improvements Plan

A capital improvements plan to identify the specific infrastructure needs for the development of the Lockwood TEDD will be required. This will include infrastructure improvements, costs associated with the improvements and timing of the improvements. Infrastructure design and development could include water and sewer service main extensions, treatment plant upgrades, road improvements, utilities, multi-modal transportation, and communication infrastructure such as cell towers and broadband fiber.

Recruitment

Once the Lockwood TEDD is established, efforts to recruit secondary, value-adding industries will be necessary. A recruitment work plan will be developed and implemented in partnership with the Lockwood TEDD Advisory Board, BSED, business and property owners, developers and industry representatives. These key partners will work to implement the goals of this plan by identifying opportunities to expand local businesses and to assist with new business formation. Meeting with industry representatives and commercial real estate brokers on a regular basis to understand current prospects and to represent the opportunities within the Lockwood TEDD should also be developed. BSED will use other local and state business incentive tools to recruit industry.

Financing

The infrastructure improvements needed to support the recruitment and expansion of value-adding industries in the Lockwood TEDD will require a variety of available financing mechanisms. Construction of public infrastructure may be financed using proceeds from tax increment financing, private developer payments, and/or grant and loan programs.

Tax Increment Financing

Yellowstone County could use tax increment financing to fund some or all of the public infrastructure needed to support the value-adding industry development within the Lockwood TEDD. The private industrial development that will generate the property taxes needed to finance the infrastructure, will also need that infrastructure to develop. Therefore, initial investment by private entities for public infrastructure will be necessary to start development within the TEDD. Once property taxes have increased enough to generate revenue for the TEDD, there are several mechanisms that Yellowstone County can use to pay for expansion of needed infrastructure.

- Tax Increment Bonds – Revenues from the tax increment would be pledged to pay bond principal and interest annually. The terms of the bond would be dependent on tax increment revenues available. The amount of tax increment realized each year must exceed the amount of the bond payment to be made each year, by as much as two times and the County must maintain an adequate reserve account.

Tax increment districts are authorized by Montana law for a period of 15 years. However, the time period may be extended up to 25 years to coincide with the term of a tax increment bond.

- Annual Tax Increment Appropriations – Smaller projects may be financed by annual tax increment receipts by appropriation. Funds would be determined each year based on the amount of the annual increment minus prior commitments, including debt service administrative costs.
- Revolving Loan Funds – The Montana statutes allow for loan programs that use TIF funds. Such funds may be loaned for the construction of private infrastructure or other activities in support of the goals of the TIF district. As principal and interest payments are made, the funds may be loaned again.
- Conventional Financing –Yellowstone County may borrow funds from commercial lending institutions in order to finance public infrastructure improvements. Annual tax increment revenues will pay principal and interest on the loan. A conventional loan agreement will not, however, extend the authorized 15-year time period for a TEDD.
- Developer Reimbursement Agreements – Because the initial investment for the improvements and extensions of public improvements will likely be funded by private entities, Yellowstone County could enter into reimbursement agreements with private entities for eligible expenses. Such expenses would include public utility and road improvements that serve the TEDD District to support value adding industries.

Federal and State Grants

Yellowstone County may pursue other funding sources in conjunction with the TIF program. Federal and state grants are available to assist local governments in financing capital improvements.

Potential sources include the following:

- Treasure State Endowment Program (TSEP) is a state funded program to assist local governments finance capital improvements to sewer and water facilities. Grants can be requested up to \$500,000 and a match from the local government is usually required. The match may be in the form of another grant.
- The Montana InterCap Program (INTERCAP) is a loan program to assist with costs associated with infrastructure, and the acquisition and installation of equipment or personal and real property.
- Community Development Block Grant (CDBG) is a federally funded program that provides assistance to communities for things such as public facilities, economic development and planning grants.
- Transportation Alternatives Program (TA Program) is a federal program to assist local government develop transportation alternatives, including on- and off-road pedestrian and

bicycle facilities, infrastructure projects that improves access to public transportation, recreational trail improvements, and safe routes to schools.

- The Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program is a federal program that funds the building and repairing of critical pieces of road, rail, transit and port facilities.

Unused Tax Increment

In accordance with MCA 7-15-4291, Yellowstone County “may enter into agreements with the other affected taxing bodies to remit to such taxing bodies any portion of the annual tax increment not currently required for the payment of the costs listed in 7-15-4288 MCA or pledged to the payment of the principal of premiums, if any, and interest on bonds to in 7-15-4289.”

6. PROGRAM ADMINISTRATION

The Lockwood TEDD program will be managed by an advisory board, which may include representatives from the community, property owners within the TEDD, and/or taxing entities. The board will report to the Yellowstone County Board of County Commission. Decisions concerning annual work plans and budgets, programs, recruiting and other actions will be made directly by the Yellowstone County Board of County Commissioners. The Lockwood TEDD Advisory Board will prepare an annual work plan and budget, including anticipated revenues, project priorities and financing strategies. Once the work plan and budget have been reviewed and set by the Board of County Commissioners, it will be the responsibility of the Advisory Board to implement the work plan and oversee/manage the budget.

Each annual work plan will include the following elements:

- Anticipated increment revenue
- Financing strategies anticipated, including:
 - Tax increment
 - Debt financing
 - Additional funding sources
- Project priorities and associated costs
- Administrative budget, including staff and consulting services
- The Yellowstone County Board of County Commissioners will review the work plan and determine whether any changes are necessary before setting the budget. Once the budget is set, the TEDD Advisory Board, in conjunction with the County, will be responsible for:
- Developing financing strategies
- Working with the County, property owners, and developers to identify public infrastructure projects for the future
- Reviewing proposed infrastructure development projects for the future

- Following all local government procurement rules with respect to:
 - Preparing bid and proposal requests
 - Reviewing proposals from engineers, contractors, and other vendors
 - Making recommendations to the BOCC regarding contractor selection
- Monitoring projects
- Conducting market analysis, engineering studies, and project feasibility analyses

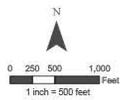
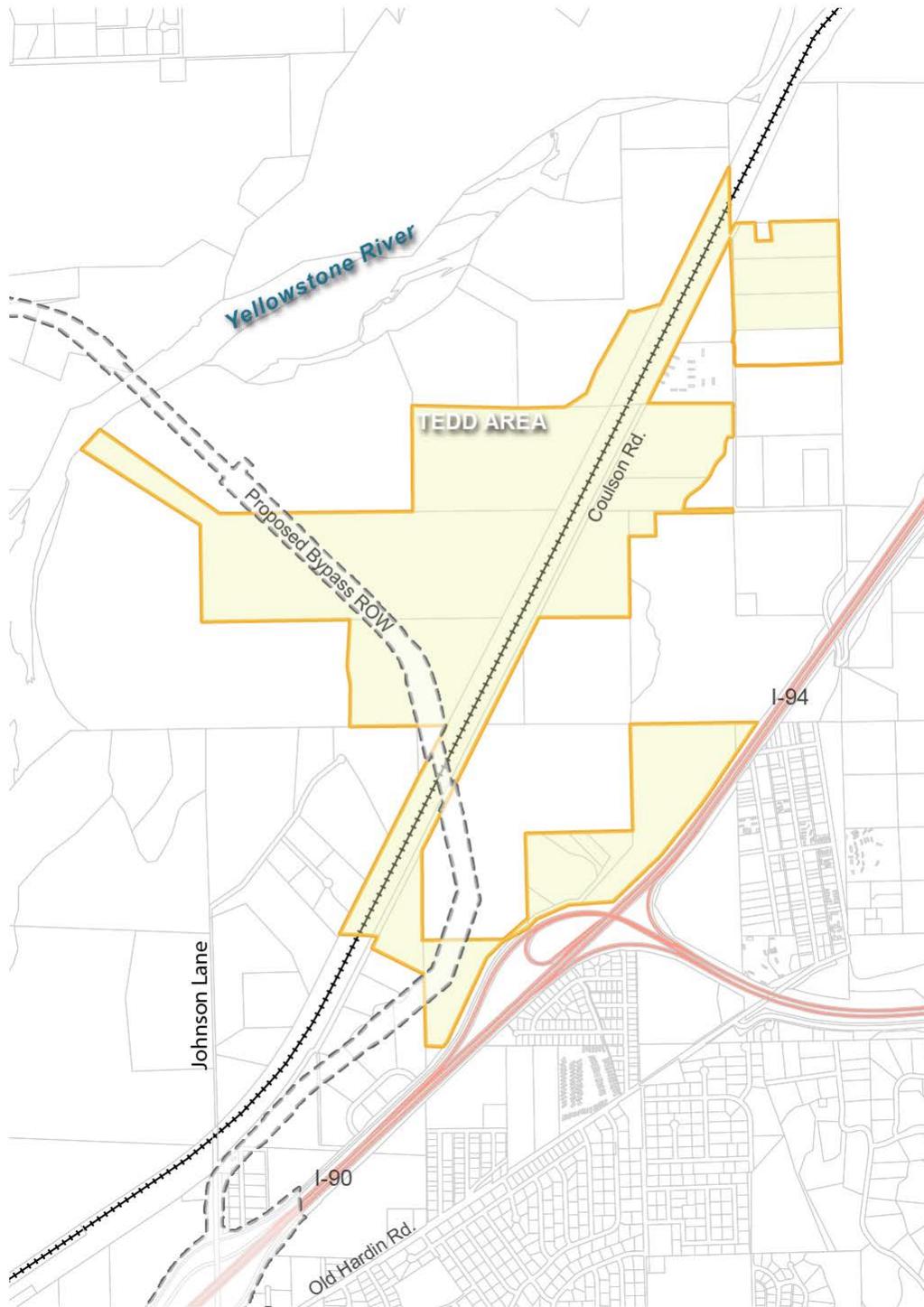
TEDD Program Criteria

Yellowstone County can use tax increment financing in conjunction with other funding mechanisms to support the development of secondary value-adding industry within the Lockwood TEDD. Infrastructure projects identified for funding will need to meet criteria that have been established based on the goals of this plan. The following criteria may be used to evaluate requests for improvement projects using tax increment financing. Future criteria may be added as District needs warrant.

- Project Location. The project must meet one of the following criteria:
 - Be located within the Lockwood TEDD area, or
 - May be outside of the TEDD area but provide vital and necessary connection from public infrastructure to the TEDD area
- Job Creation. Projects that demonstrate an increase in the number of jobs within the area.
- Taxable Valuation. Projects that demonstrate an increase in the valuation of the property, which will increase the tax base.
- Value-Adding. Projects must be engaged in value-adding industries as defined in MCA 7-15-4279 (a) and (b).

7. PLAN AMENDMENTS

While this plan provides flexibility to accommodate different approaches and variances in development, changes may be necessary. Amendments to this plan, including changes to the District boundary, may be made by resolution by the Yellowstone County Board of County Commissioners.





B.O.C.C. Regular

Agenda Item b.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Ordinance 16-119 Establishing the Lockwood Targeted Economic Developemnt District (TEDD) Creating the Lockwood TEDD, and adopting the Lockwood TEDD Plan with a Tax Increment Financing Program Pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Code Annotated - 1st Reading of the Ordinance, 2nd Reading is Scheduled for Tuesday November 22, 2016 @ 9:30 a.m. in Room 403A

BACKGROUND:

N/A

RECOMMENDED ACTION:

Approve 1st Reading

Attachments

Ordinance 16-119
Legal Description
Ordinance - Exhibit B
Ordinance Exhibit C

ORDINANCE No. 16-119

AN ORDINANCE ESTABLISHING THE LOCKWOOD TARGETED ECONOMIC DEVELOPMENT DISTRICT (TEDD), CREATING THE LOCKWOOD TEDD, AND ADOPTING THE LOCKWOOD TEDD PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODE ANNOTATED

WHEREAS, in Yellowstone County there is an unincorporated area of urban development commonly referred to as "Lockwood."

WHEREAS, a portion of Lockwood is zoned either Industrial or Agricultural Open.

WHEREAS, In accordance with MCA § 7-15-4210, on April 21, 2015, the Yellowstone County Board of Commissioners passed Resolution No. 15-22 (Resolution of Necessity), declaring the Lockwood TEDD described below as "infrastructure deficient" as described in MCA § 7-15-4279.

WHEREAS, Resolution 15-22 generally established boundaries of the Lockwood TEDD, as described in the following attached Exhibits "A" and "B" and determined the existence of infrastructure deficiencies in the area.

WHEREAS, on October 25, 2016, the Yellowstone County Board of Commissioners passed Resolution No. 16-118, a Resolution of Intent to Establish the Lockwood TEDD, creating the Lockwood TEDD and Adopting the Lockwood TEDD Plan with a Tax Increment Financing Program Pursuant to Title 7, Chapter 15, Part 42 and 43 of the Montana Code Annotated.

WHEREAS, Yellowstone County is interested in fostering redevelopment, growth and retention of secondary, value adding industries as part of the County's overall goal to promote, stimulate, develop and advance the general welfare, commerce, economic development and prosperity of the citizens of Yellowstone County and the State of Montana. Therefore, pursuant to MCA § 7-15-4212, Yellowstone County caused a Comprehensive Development Plan to be prepared.

WHEREAS, Yellowstone County is interested in using Tax Increment Financing as authorized in MCA §§ 7-15-4282 through 7-15-4294, to help fund the supportive public infrastructure needed for the development of secondary, value-adding industries in the Lockwood TEDD area.

WHEREAS, pursuant to § 7-15-4279, a local government may by ordinance and following a public hearing authorize the creation of a TEDD in support of value-adding economic development.

WHEREAS, the TEDD Plan for the Lockwood targeted area, including tax incentive provision, has been prepared to guide the industrial development program and public infrastructure projects in the infrastructure deficient area established by Resolution No. 16-118.

NOW, BE IT ORDAINED THE YELLOWSTONE COUNTY COMMISSION AS FOLLOWS:

SECTION 1: The Lockwood TEDD encompasses an area of primarily agricultural use with some industrial sites. The area is approximately 570 acres and is located north of Interstate 90 and 94 and south of the Yellowstone River. The BNSF railroad bisects the area and has a rail spur with access to the Pacific Recycling facility, located within the TEDD boundary.

SECTION 2: The legal description and map of the TEDD are attached as Exhibits "A" and "B."

- a. The property to be included in the District consists of a continuous area with an accurately described boundary.
- b. The TEDD includes about 20 separately described parcels, more than large enough to afford maximum opportunity, consistent with the sound needs of Yellowstone County as a whole, for the rehabilitation or redevelopment.
- c. The TEDD is not comprised of any property included within an existing Tax Increment Financing District.

SECTION 3: The area was zoned in accordance with the Lockwood Growth Policy as provided for in MCA § 7-15-4279.

SECTION 4: A plan for the Lockwood TEDD was prepared according to the Montana Code Annotated and is attached as Exhibit "C."

SECTION 5: The Lockwood TEDD plan was submitted to the Yellowstone County Planning Board for review, and on October 25, 2016, the Planning Board executed a resolution that found the Lockwood TEDD Plan to be in conformity with the Lockwood Growth Policy and found that the TEDD was zoned for uses in accordance with the growth policy.

SECTION 6: Definitions. The following terms wherever used or referred to in this Ordinance shall have the following meanings:

1. "Act" means Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated.
2. "Actual taxable value" means the taxable value of taxable property at any time, as calculated from the assessment roll last equalized.
3. "Base taxable value" means the actual value of all taxable property within an urban renewal area prior to the effective date of a tax increment financing provision. This value may be adjusted as provided in MCA §§ 7-15-4287 or 7-15-4293.
4. "Incremental taxable value" means the amount, if any, by which the actual taxable value at any time exceeds the base taxable value of all property within a TEDD.
5. "Tax increment" means the collections realized from extending the tax levies, expressed in mills, of all taxing bodies which the TEDD area or a part thereof is located, against the incremental taxable value.
6. "Tax increment provision" means a provision for the segregation and application of tax increments as authorized by MCA §§ 7-15-4282 through 7-15-4294.
7. "Taxes" means all taxes levied by a taxing body against property on an ad valorem basis.
8. "Targeted Economic Development District" means a defined area that supports value-adding economic development and may utilize tax increment financing.
9. "Targeted economic development project" means a project undertaken within or for a TEDD that consists of any or all of the activities authorized by MCA § 7-15-4288.

SECTION 7: It is the desire of the Yellowstone County Board of Commissioners to exercise, within the defined area, the powers conferred by Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated.

SECTION 8: A notice of the public hearing in substantially the form presented in, and attached hereto as Exhibit "D," was published on October 28, 2016 and November 4, 2016. A notice of the public hearing was mailed by certified mail to all property owners in the District based on a list of the geocodes for all real property, the assessor codes for all personal property, and a description of all centrally assessed property located within the TEDD at the time of its creation.

SECTION 9: The Lockwood TEDD is hereby established.

SECTION 10: The Lockwood TEDD Plan, attached as Exhibit "C," is hereby adopted.

SECTION 11: For the purpose of calculating the incremental taxable value for each year of the life of the District, the base taxable value shall be calculated as the taxable value of all real and personal property within the District as of January 1, 2017.

SECTION 12: Yellowstone County is hereby authorized to segregate, as received, the tax increment derived in the TEDD, and use and deposit such increment into the TEDD fund for use as authorized the Montana Code Annotated and as authorized herein or by the Board of County Commissioners from time to time.

SECTION 13: The tax increments received from the TEDD may be used to directly pay costs of approved targeted economic development projects, or to pay debt service on bonds issued to finance targeted economic development projects as defined in the Montana Code Annotated as may from time to time be approved by the Board of County Commissioners. The Board of County Commissioners hereby authorizes the use of tax increment in the TEDD to be used to pay debt service on internal and bank financed loans issued to finance all or a portion of the costs of eligible improvements in compliance with the Montana Code Annotated and subject to any limitations imposed by the Montana Constitution.

SECTION 14: The tax increment financing provision of the TEDD will terminate in accordance with the Montana Code Annotated. After termination of the tax increment financing provision, all taxes shall continue to be levied upon the actual taxable valuation of the taxable property within the TEDD, but shall be paid into funds of the taxing bodies levying taxes within the TEDD.

SECTION 15: The creation of a targeted economic development project or program or the approval of a targeted economic development project or program does not affect, abrogate or supersede any rules, ordinances, or regulations of Yellowstone County relating to zoning, land use regulations or other applicable state, local or federal laws or regulations.

SECTION 16: All parts of ordinances and resolutions in conflict with the subject matter or this ordinance are hereby repealed.

SECTION 17: Should any part of this ordinance be found to be illegal or unenforceable by a Court of Competent Jurisdiction, the remaining portions that are not illegal or unenforceable shall remain in full force and effect.

SECTION 18: This Ordinance shall be in full force and effect thirty days after final passage and adoption by the Yellowstone County Board of Commissioners.

Passed first reading this 7th day of November, 2016.

John Ostlund, Chairperson

James E. Reno, Commissioner

Robyn Driscoll, Commissioner

ATTEST:

Jeff Martin, Clerk & Recorder

PASSED second reading this 22nd day of November, 2016.

John Ostlund, Chairperson

James E. Reno, Commissioner

Robyn Driscoll, Commissioner

ATTEST:

Jeff Martin, Clerk & Recorder

Exhibit “A”

Legal Description

The legal description of the Lockwood TEDD is as follows:

A tract of land situated in Sections 7, 8, 17, 18, 19 and 20, Township 1 North, Range 27 East, P.M.M., Yellowstone County, Montana; more particularly described as follows:

Beginning at the northeast corner of Tract 4A2, Certificate of Survey No. 1225; thence southerly along the east boundary line of Certificate of Survey No. 1225 to the southeast corner of Tract 3B, Certificate of Survey No. 1225; thence westerly to the centerline of the Watson Road right of way; thence northerly along the centerline of the Watson Road right of way to a point which is the intersection of the Watson Road right of way and the east boundary line of Tract 3A, Certificate of Survey No. 2807; thence southwesterly along the east boundary line of Tract 3A to the northwest corner of Tract 1, Certificate of Survey No. 3540; thence easterly along the north boundary line of Tract 1 to the northeast corner of Tract 1; thence southerly, westerly and southwesterly along the east boundary lines of Certificate of Survey No. 3540 to the southeast corner of Tract 2, Certificate of Survey No. 3540; thence easterly along the south boundary line of Tract 1, Certificate of Survey No. 3092 to the southeast corner of Tract 1; thence southerly to the northeast corner of Certificate of Survey No. 632; thence westerly along the north boundary line of Certificate of Survey No. 632 to the northwest corner of Certificate of Survey No. 632; thence southerly along the east boundary line of Tract 1, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 1 to the northeast corner of the Lockwood Irrigation District Parcel lying west of ditch between Certificate of Survey No. 632 and Certificate of Survey No. 2009; thence southwesterly to the intersection of Lockwood Irrigation District Parcel and Tract 2, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 2 to the southwest corner of Tract 2; thence westerly to a point which is the intersection of the south boundary line of Tract 2 and the centerline of the Coulson Road right of way; thence southeasterly along the centerline of the Coulson Road right of way to a point which is the intersection of the Coulson Road right of way and the east boundary line of Lot 1, Block 1, Great Plains Subdivision; thence southerly to the northwest corner of Tract 1, Certificate of Survey No. 3376; thence northeasterly to the southwest corner of Lot 5, Seiffert Industrial Subdivision; thence northerly along the west boundary line of Seiffert Industrial Subdivision to the northwest corner of Lot 4, Seiffert Industrial Subdivision; thence easterly along the north boundary line of Seiffert Industrial Subdivision to the northeast corner of Lot 1, Seiffert Industrial Subdivision; thence northerly to the northwest corner of Tract 1, Certificate of Survey No. 1734; thence easterly to the northeast corner of Tract 1, Certificate of Survey No. 1734; thence southwesterly to the southeast corner of Tract 1, Certificate of Survey No. 1734; thence westerly to the southwest corner of Tract 1, Certificate of Survey No. 1734; thence westerly to a point which is the intersection of the south line of Tract 1, Certificate of Survey No. 1734 and the centerline of the North Frontage Road right of way; thence southwesterly along the centerline of the North Frontage Road right of way to a point which is the intersection of the North Frontage Road right of way and the south boundary line of Tract 1, Certificate of Survey No. 3376; thence westerly to the southwest corner of Tract 1; thence northerly along the west boundary line of Tract 1 to the southeast corner of Lot 1, Block 1, Great Plains Subdivision; thence northwesterly to the southwest corner of Lot 1; thence northeasterly to a point which is the intersection of the west boundary line of Lot 1 and the south boundary line of

Section 18; thence westerly along south boundary line of Section 18 to a point which is the intersection of the south boundary line of Section 18 and the east boundary line of Lot 2C, Johnson Lane Materials Subdivision; thence northeasterly to the southeast corner of Lot 5, Johnson Lane Materials Subdivision; thence northerly to the northeast corner of Lot 5; thence westerly to the southwest corner of Lot 1, Block 1, Weaver Flats Subdivision; thence north to the northwest corner of Lot 1; thence westerly to the southwest corner of Tract 2, Certificate of Survey No. 3477; thence northerly to the northeast corner of Lot 2, Block 1, Weaver Flats Subdivision; thence northeasterly to the northwest corner of Lot 2; thence northwesterly to the northwest corner of Lot 2; thence northeasterly to the northeast corner of Tract 1, Certificate of Survey No. 3477; thence southeasterly to the southwest corner of Tract 1; thence easterly to the southeast corner of Tract 1; thence northerly to the southwest corner of Government Lot 9; thence easterly to the southwest corner of Tract 1B, Certificate of Survey No. 2807; thence northeasterly to the northwest corner of Tract 1B; thence northeasterly to the northeast corner of Tract 1B; thence northeasterly along the east boundary line of Tract 1A, Certificate of Survey No. 2807 to the southwest corner of the tract of land described as survey overlap of Certificate of Survey No. 1225 and Certificate of Survey No. 2868; thence southerly to a point which is the intersection of the west line of the tract of land described as survey overlap of Certificate of Survey No. 1225 and the west right of way line of the Montana Rail Link right of way; thence northeasterly to the southwest corner of Tract 5, Certificate of Survey No. 1225; thence easterly to the northwest corner of Tract 4A1, Certificate of Survey No. 1225; thence southerly to the southwest corner of Tract 4A1; thence easterly to the southeast corner of Tract 4A1; thence northerly to the northeast corner of Tract 4A1; thence easterly to the Point of Beginning; parcels containing 455.83 acres, more or less, subject to any existing easements and/or rights of way, whether of record or apparent on the ground.

Parcels

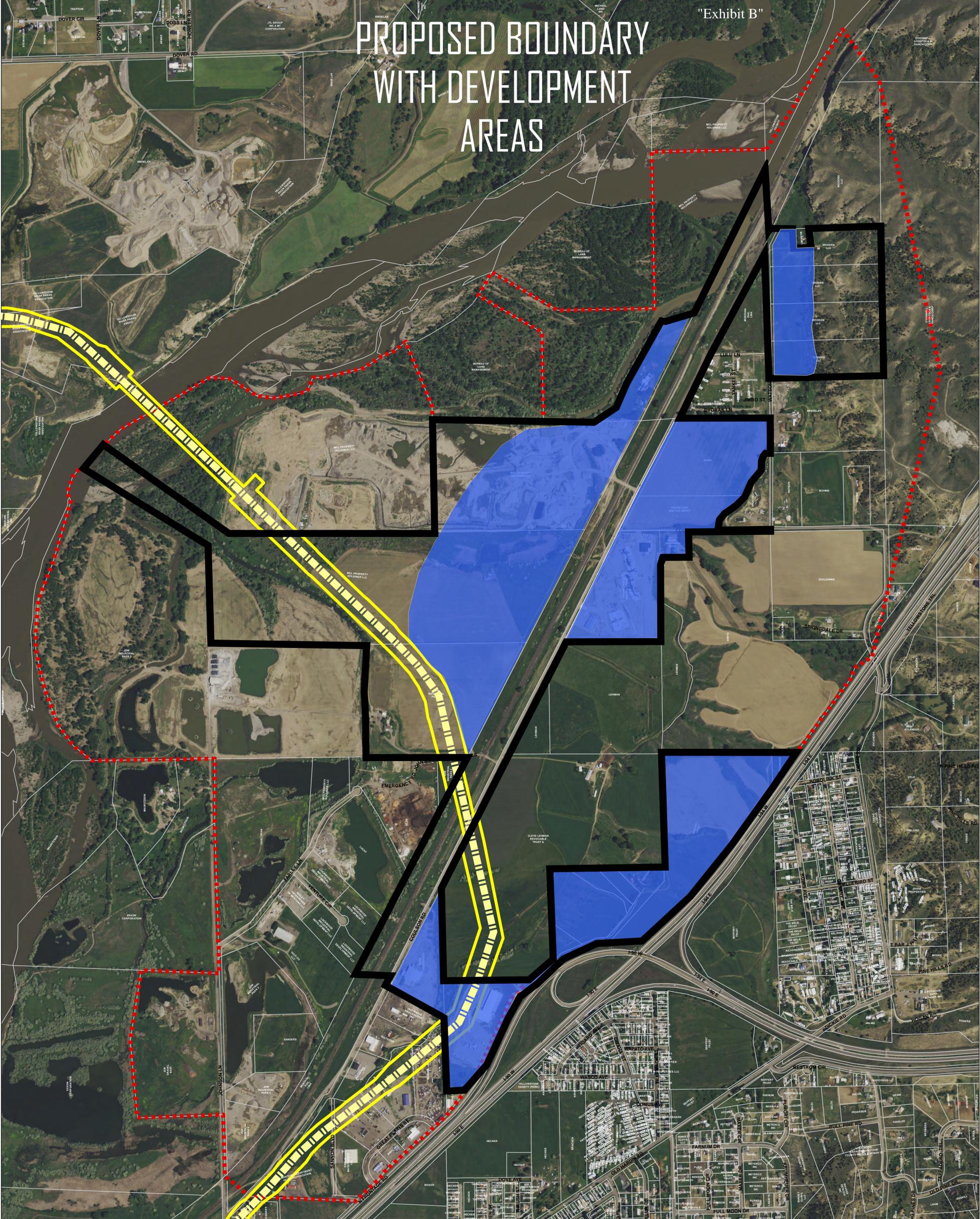
Land owners and property descriptions are listed below.

Owner Last Name	Legal Description	Geocode	Tax ID	Property Address	Mailing Address	City State ZIP	Zoning
BKPN Properties LLC	GREAT PLAINS SUBD, S19, T01 N, R27 E, BK 1, Lot 1	03103419101160000	C11082	1655 Coulson Rd	1655 Coulson Rd	Billings, MT 59101	Heavy Industrial
G2 Properties LLC	S20, T01 N, R27 E, C.O.S. 3376, PARCEL 1	03103420211040000	D06449	3255 N Frontage Rd	455 Highway 195, Suite A	Georgetown, TX 78633	Controlled Industrial
JDW Industrial Park 2 LLC	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 1	03103417101200000	D06407	2150 Coulson Rd E	PO Box 22745	Billings, MT 59104	Heavy Industrial
JDW Industrial Park 2 LLC	WEAVER FLATS SUB (14), S17, T01 N, R27 E,	03103417201010000	D06415	3306 Coulson Rd	PO Box 22745	Billings, MT 59104	Ag Sub/Not Zoned

	BK 1, Lot 1						
JDW Industrial Park 2 LLC	S17, T01 N, R27 E, FRACTION NWSW LYING N & W OF RR	03103417360010000	D06415A	Coulson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Lockwood Irrigation District	S17, T01 N, R27 E, PORTION OF SWNWNWNE LYING WEST OF DITCH BETWEEN COS 632 2ND	03103417201100000	D13115	Coulson Rd	PO Box 3292	Billings, MT 59103	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, S2SW WEST OF RAILROAD	03103408301010000	D06329	3530 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, C.O.S. 2807, PARCEL 1B	03103408101010000	D06331	3553 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S18, T01 N, R27 E, C.O.S. 3477, PARCEL 2	03103418101010000	D06416	Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
Montana Rail Link	S19, T01 N, R27 E	03103419350010000	D13145J	Coulson Rd	PO Box 16624	Missoula, MT 59808	Rail ROW
Pacific Hide And Fur Depot	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 2	03103408320010000	D06329B	Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Pacific Hide And Fur Depot	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 2	03103417201040000	D06408	3385 Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Seiffert Trust	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 1, AMND	03103417418150000	D06413	N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial
Terry L. Seiffert	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 2,	03103417301100000	D06414	3333 N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial

	AMND						
Roger and Peggy Webb	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 1	03103408401010000	D06329A	Coulson Rd	1132 Ginger Way	Billings, MT 59105	Heavy Industrial
Town and Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 3A	03103408403110000	D06336	2611 Watson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Town and Country Supply Association	S08, T01 N, R27 E, 1225, PARCEL 3B	03103408403090000	D06337	Watson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Town and Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 4A2, AMD TR 4A	03103408403170000	D06338	Watson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Michael Stanhope	PINE HILL SUB, S17, T01N, R27 E, BLOCK 1, LOTS 12-15	03-1034-17-4-18-01-0000	C04920	Bobolink Rd	PO Box 819	Choteau, MT 59422	Agricultural

PROPOSED BOUNDARY WITH DEVELOPMENT AREAS



TEDD AREA: 567 ac
 Gross Development Area: 293 ac
 Net Development Area: 219 ac

LEGEND

-  STUDY AREA
-  PROPOSED BOUNDARY
-  PROPOSED BYPASS
-  DEVELOPMENT AREAS

EXHIBIT C

**LOCKWOOD TARGETED ECONOMIC
DEVELOPMENT DISTRICT**
Comprehensive Development Plan

October 2016



PREPARED FOR:
Big Sky Economic Development

FOR PRESENTATION TO:
Yellowstone County Board of County Commissioners

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1. INTRODUCTION

Overview

Yellowstone County, in conjunction with the Big Sky Economic Development (BSED), is seeking to enhance and expand economic activities through the development of planned, ready-to-go industrial space that supports secondary, value adding industries. This effort would be enriched through the creation of a Targeted Economic Development District (TEDD) on 570 acres of land in the Lockwood area. Yellowstone County intends to use tax increment financing as part of its overall strategy to provide infrastructure in support of value-adding industry.

The purpose of the Lockwood TEDD is to provide planned industrial space in order to attract and retain industrial and manufacturing businesses in Yellowstone County. This Comprehensive Development Plan has been prepared in accordance with Montana Code Annotated, Title 7, Chapter 14, Parts 42 and 43. In accordance with MCA 7-15-4279, the Lockwood TEDD will host a diversified tenant base of multiple, independent tenants. This Comprehensive Development Plan lays the framework to guide the development of the TEDD. The *Lockwood TEDD Strategic Plan* contains information regarding market analysis, targeted industries, development and implementation strategies.

Purpose

When creating the state statutes for the provision for a TEDD, the Montana Legislature noted that the lack of infrastructure is an impediment to development of value-adding economic development and that local governments often times lack the financial resources to expand infrastructure that would serve such development. In response to those two issues, the legislature authorized the creation of districts that would support value adding industries and determined that tax increment financing can be used to pay for needed infrastructure.

According to MCA 7-15-4279(3)(b) of the, secondary value-adding industry means “a business that produces secondary value-added products or commodities or a business or organization that is engaged in technology based operations within Montana that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting in the creation of new wealth.” These industries will be the primary targeted industries within the Lockwood TEDD.

The *Yellowstone County Industrial Park Feasibility Study*, completed in 2014, noted that demand for industrial space is strong and will continue to grow through 2030. It is expected to outpace supply, particularly for space associated with value-added commodities. The study also noted that realtors, developers and business owners interviewed for the study, felt that Yellowstone County had missed opportunities for business development because space with infrastructure in place was not readily available.

In response to the needs of the community and recommendations of the *Feasibility Study*, BSEDA has undertaken the task of identifying a site for planned industrial space that can accommodate the demand for industrial space. In an effort to develop a strategy for funding of needed infrastructure improvements, the area is designated as the Lockwood TEDD, with the intent to use tax increment financing as one option for such funding.

Lockwood Community

Lockwood is an unincorporated community, located directly east of the City of Billings. The population of Lockwood, as reported in the American Community Survey in 2014 as the Lockwood Census Designated Place, is 6,943. This includes the area of the proposed TEDD. Between 2000 and 2014, Lockwood saw a 61.2-percent increase in population, outpacing the growth in the rest of Yellowstone County, which grew by approximately 17-percent.

The American Community Survey also reported that approximately 55-percent of all workers who live in Lockwood travel to work between 15 to 24 minutes, with the mean travel time of 20 minutes. This pattern suggests that Lockwood residents travel to Billings and other parts of Yellowstone County for work. Increasing job opportunities within the Lockwood TEDD would allow a greater percentage of Lockwood residents the opportunity for employment within their community.

Employment of Lockwood residents is spread over multiple industries throughout Yellowstone County. As shown below, “education, health care & social assistance” sector employs the most people, followed by the “retail trade” sector. Manufacturing, transportation, warehousing and utilities, the primary targeted industries of the Lockwood TEDD, make up approximately 15-percent of current employment.

LOCKWOOD EMPLOYMENT BY INDUSTRY

Source: American Community Survey, 2014

	Number	Percentage
Civilian employed population > 16 years	3,771	
Ag, forestry, fishing & hunting, mining	199	5.3%
Construction	363	9.6%
Manufacturing	268	7.1%
Wholesale trade	184	4.9%
Retail trade	659	17.5%
Transportation, warehousing, and utilities	292	7.7%
Information	30	0.8%
Finance and insurance, and real estate	222	5.9%
Prof, scientific, mgmt., admin, & waste mgmt.	231	6.1%
Education, health care, & social assistance	677	18.0%
Arts, entertain., rec., accommodation, & food	321	8.5%
Other services, except public administration	237	6.3%
Public administration	88	2.3%

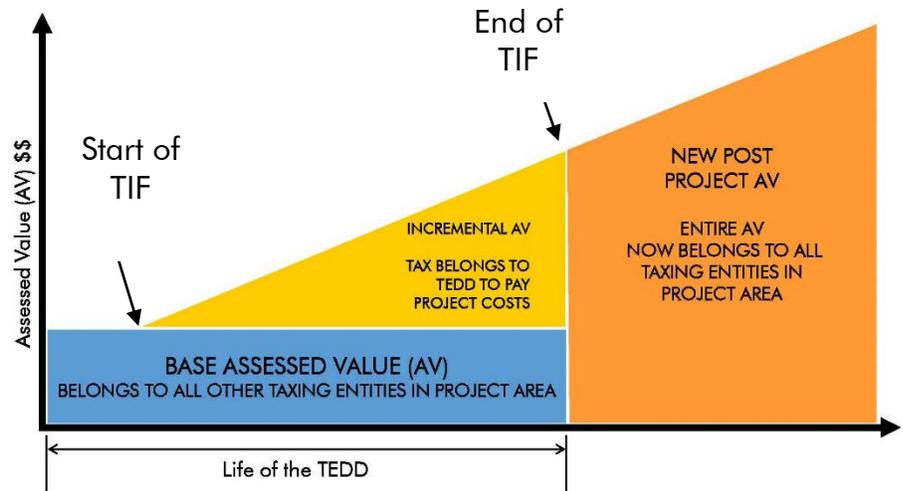
Tax Increment Financing

Yellowstone County intends to use tax increment financing within the Lockwood TEDD, which encompasses an area of approximately 570 acres. For the purposes of measuring any incremental value, the base year is 2016, with values as of, January 1, 2016.

Tax increment financing (TIF) is a public financing method that promotes economic development by allowing cities and counties to use new property tax revenues from investment in the TEDD to

invest in public infrastructure. In 2013, the Montana Legislature authorized the use of TIF within targeted economic development districts.

TIF uses future increases in property values to pay for improvements within the district, thus improving and enhancing the district. This allows taxes from the district to be invested in the infrastructure that supports the business development and investment in that area.



Taxes that are derived from the base assessed value within the TEDD continue to be distributed to those taxing entities that levy mills within the district. TIF can be used to support these taxing entities through the funding of infrastructure that is required to connect to services that are located outside of the district. For example, it will be necessary to install water and sewer mains outside of the district boundary that will connect to the Lockwood Water and Sewer District system and enable service to be provided to the district.

Additionally, TIF generated within the district can help fund public services and facilities in proportion to services they provide within the district.

2. SITE ANALYSIS

Site Description

The Lockwood TEDD is located in an area of primarily agricultural use with some industrial sites. The area is approximately 570 acres and is located north of Interstate 90 and 94 and south of the Yellowstone River. The BNSF railroad bisects the area and has a rail spur with access to the Pacific Recycling facility, located within the TEDD boundary.

Access to the area is provided by local roads, including Johnson Lane, Coulson Road and the Frontage Road. The Interstate 90 interchange at Johnson Lane connects the TEDD to the greater transportation network.

The Montana Department of Transportation is currently in the planning and design phase for the Billings Bypass project. This project will provide a 5-mile long, two lane limited access roadway connection across the Yellowstone River between Interstate 90 and Old Highway 312. There are several roadway improvements within Lockwood that are associated with this project. The Interstate 90 interchange at Johnson Lane will be reconstructed to accommodate the new bypass. Alternative alignments are still under consideration. Additionally, a new intersection with the bypass and

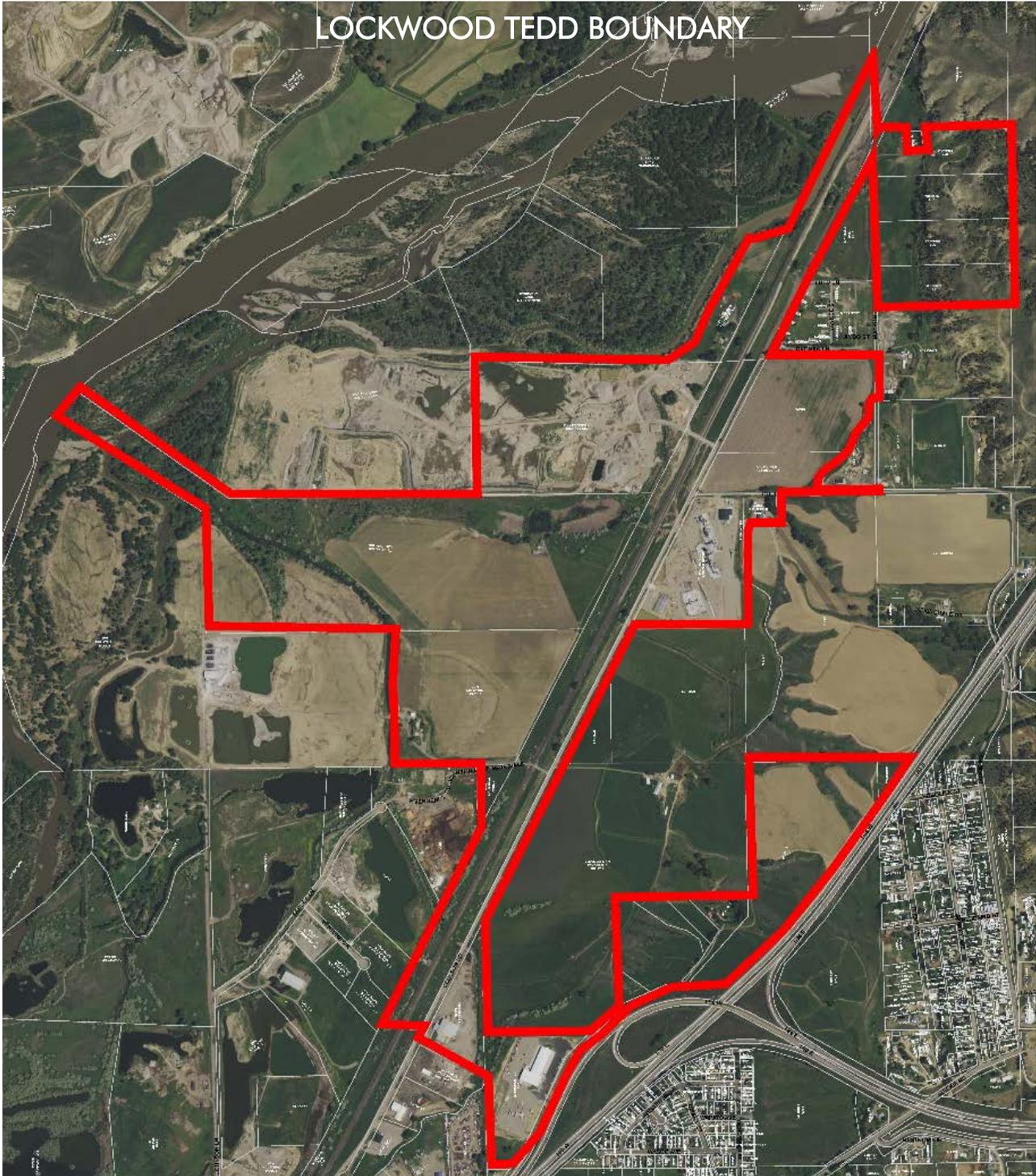


Figure 1: Lockwood TEDD Boundary

Coulson Road will be constructed, which will create direct access to the southern portion of the Lockwood TEDD. An additional access point to the bypass from the TEDD area will be considered as design of the bypass progresses.

Legal Description

The legal description of the Lockwood TEDD is as follows:

A tract of land situated in Sections 7, 8, 17, 18, 19 and 20, Township 1 North, Range 27 East, P.M.M., Yellowstone County, Montana; more particularly described as follows:

Beginning at the northeast corner of Tract 4A2, Certificate of Survey No. 1225; thence southerly along the east boundary line of Certificate of Survey No. 1225 to the southeast corner of Tract 3B, Certificate of Survey No. 1225; thence westerly to the centerline of the Watson Road right of way; thence northerly along the centerline of the Watson Road right of way to a point which is the intersection of the Watson Road right of way and the east boundary line of Tract 3A, Certificate of Survey No. 2807; thence southwesterly along the east boundary line of Tract 3A to the northwest corner of Tract 1, Certificate of Survey No. 3540; thence easterly along the north boundary line of Tract 1 to the northeast corner of Tract 1; thence southerly, westerly and southwesterly along the east boundary lines of Certificate of Survey No. 3540 to the southeast corner of Tract 2, Certificate of Survey No. 3540; thence easterly along the south boundary line of Tract 1, Certificate of Survey No. 3092 to the southeast corner of Tract 1; thence southerly to the northeast corner of Certificate of Survey No. 632; thence westerly along the north boundary line of Certificate of Survey No. 632 to the northwest corner of Certificate of Survey No. 632; thence southerly along the east boundary line of Tract 1, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 1 to the northeast corner of the Lockwood Irrigation District Parcel lying west of ditch between Certificate of Survey No. 632 and Certificate of Survey No. 2009; thence southwesterly to the intersection of Lockwood Irrigation District Parcel and Tract 2, Certificate of Survey No. 2009; thence westerly along the south boundary line of Tract 2 to the southwest corner of Tract 2; thence westerly to a point which is the intersection of the south boundary line of Tract 2 and the centerline of the Coulson Road right of way; thence southeasterly along the centerline of the Coulson Road right of way to a point which is the intersection of the Coulson Road right of way and the east boundary line of Lot 1, Block 1, Great Plains Subdivision; thence southerly to the northwest corner of Tract 1, Certificate of Survey No. 3376; thence northeasterly to the southwest corner of Lot 5, Seiffert Industrial Subdivision; thence northerly along the west boundary line of Seiffert Industrial Subdivision to the northwest corner of Lot 4, Seiffert Industrial Subdivision; thence easterly along the north boundary line of Seiffert Industrial Subdivision to the northeast corner of Lot 1, Seiffert Industrial Subdivision; thence northerly to the northwest corner of Tract 1, Certificate of Survey No. 1734; thence easterly to the northeast corner of Tract 1, Certificate of Survey No. 1734; thence southwesterly to the southeast corner of Tract 1, Certificate of Survey No. 1734; thence westerly to the southwest corner of Tract 1, Certificate of Survey No. 1734; thence westerly to a point which is the intersection of the south line of Tract 1, Certificate of Survey No. 1734 and the centerline of the North Frontage Road right of way; thence southwesterly along the centerline of the North Frontage Road right of way to a point which is the intersection of the North Frontage Road right of way and the south boundary line of Tract 1, Certificate of Survey No. 3376; thence westerly to the southwest

corner of Tract 1; thence northerly along the west boundary line of Tract 1 to the southeast corner of Lot 1, Block 1, Great Plains Subdivision; thence northwesterly to the southwest corner of Lot 1; thence northeasterly to a point which is the intersection of the west boundary line of Lot 1 and the south boundary line of Section 18; thence westerly along south boundary line of Section 18 to a point which is the intersection of the south boundary line of Section 18 and the east boundary line of Lot 2C, Johnson Lane Materials Subdivision; thence northeasterly to the southeast corner of Lot 5, Johnson Lane Materials Subdivision; thence northerly to the northeast corner of Lot 5; thence westerly to the southwest corner of Lot 1, Block 1, Weaver Flats Subdivision; thence north to the northwest corner of Lot 1; thence westerly to the southwest corner of Tract 2, Certificate of Survey No. 3477; thence northerly to the northeast corner of Lot 2, Block 1, Weaver Flats Subdivision; thence northeasterly to the northwest corner of Lot 2; thence northwesterly to the northwest corner of Lot 2; thence northeasterly to the northeast corner of Tract 1, Certificate of Survey No. 3477; thence southeasterly to the southwest corner of Tract 1; thence easterly to the southeast corner of Tract 1; thence northerly to the southwest corner of Government Lot 9; thence easterly to the southwest corner of Tract 1B, Certificate of Survey No. 2807; thence northeasterly to the northwest corner of Tract 1B; thence northeasterly to the northeast corner of Tract 1B; thence northeasterly along the east boundary line of Tract 1A, Certificate of Survey No. 2807 to the southwest corner of the tract of land described as survey overlap of Certificate of Survey No. 1225 and Certificate of Survey No. 2868; thence southerly to a point which is the intersection of the west line of the tract of land described as survey overlap of Certificate of Survey No. 1225 and the west right of way line of the Montana Rail Link right of way; thence northeasterly to the southwest corner of Tract 5, Certificate of Survey No. 1225; thence easterly to the northwest corner of Tract 4A1, Certificate of Survey No. 1225; thence southerly to the southwest corner of Tract 4A1; thence easterly to the southeast corner of Tract 4A1; thence northerly to the northeast corner of Tract 4A1; thence easterly to the Point of Beginning; parcels containing 570.83 acres, more or less, subject to any existing easements and/or rights of way, whether of record or apparent on the ground.

Parcels

Land owners and property descriptions are listed below.

Owner Last Name	Legal Description	Geocode	Tax ID	Property Address	Mailing Address	City State ZIP	Zoning
BKPN Properties LLC	GREAT PLAINS SUBD, S19, T01 N, R27 E, BK 1, Lot 1	03103419101160000	C11082	1655 Coulson Rd	1655 Coulson Rd	Billings, MT 59101	Heavy Industrial
G2 Properties LLC	S20, T01 N, R27 E, C.O.S. 3376, PARCEL 1	03103420211040000	D06449	3255 N Frontage Rd	455 Highway 195, Suite A	Georgetown, TX 78633	Controlled Industrial
JDW Industrial Park 2 LLC	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 1	03103417101200000	D06407	2150 Coulson Rd E	PO Box 22745	Billings, MT 59104	Heavy Industrial
JDW Industrial Park 2 LLC	WEAVER FLATS SUB (14), S17, T01 N, R27 E, BK 1, Lot 1	03103417201010000	D06415	3306 Coulson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial

JDW Industrial Park 2 LLC	S17, T01 N, R27 E, FRACTION NWSW LYING N & W OF RR	03103417360010000	D06415A	Coulson Rd	PO Box 22745	Billings, MT 59104	Heavy Industrial
Lockwood Irrigation District	S17, T01 N, R27 E, PORTION OF SWNWNWNE LYING WEST OF DITCH BETWEEN COS 632 2ND	03103417201100000	D13115	Coulson Rd	PO Box 3292	Billings, MT 59103	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, S2SW WEST OF RAILROAD	03103408301010000	D06329	3530 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S08, T01 N, R27 E, C.O.S. 2807, PARCEL 1B	03103408101010000	D06331	3553 Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
MCL Properties LLC	S18, T01 N, R27 E, C.O.S. 3477, PARCEL 2	03103418101010000	D06416	Coulson Rd	6513 Trade Center Ave	Billings, MT 59101	Heavy Industrial
Montana Rail Link	S19, T01 N, R27 E	03103419350010000	D13145J	Coulson Rd	PO Box 16624	Missoula, MT 59808	Rail ROW
Pacific Hide And Fur Depot	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 2	03103408320010000	D06329B	Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Pacific Hide And Fur Depot	S17, T01 N, R27 E, C.O.S. 2009, PARCEL 2	03103417201040000	D06408	3385 Coulson Rd	PO Box 1549	Great Falls, MT 59403	Heavy Industrial
Seiffert Trust	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 1, AMND	03103417418150000	D06413	N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial
Terry L. Seiffert	S17, T01 N, R27 E, C.O.S. 1734, PARCEL 2, AMND	03103417301100000	D06414	3333 N Frontage Rd	PO Box 31181	Billings, MT 59107	Controlled Industrial
Roger and Peggy Webb	S08, T01 N, R27 E, C.O.S. 3540, PARCEL 1	03103408401010000	D06329A	Coulson Rd	1132 Ginger Way	Billings, MT 59105	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 3A	03103408403110000	D06336	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, 1225, PARCEL 3B	03103408403090000	D06337	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 4A2, AMD TR 4A	03103408403170000	D06338	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial

Town And Country Supply Association	S08, T01 N, R27 E, C.O.S. 1225, PARCEL 4B, AMND	03103408403140000	D06339	Watson Rd	PO Box 367	Laurel, MT 59044	Heavy Industrial
Michael Stanhope	PINE HILL SUB, S17, T01N, R27 E, BLOCK 1, LOTS 12-15	03-1034-17-4-18-01-0000	C04920	Bobolink Rd	PO Box 819	Choteau, MT 59422	Agricultural

Compliance with Growth Policy

As required by MCA 7-15-4279, the TEDD must be zoned in accordance with the area growth policy. The Lockwood TEDD is located within the Lockwood Planning Boundary. The Lockwood Growth Policy was adopted by the Yellowstone County Commission on May 17, 2016 and is intended to reflect public values within Lockwood. The document should be considered when land use applications and infrastructure investment proposals are presented.

In creating the growth policy, the Lockwood community contemplated the development of the Lockwood TEDD. Of the 11 growth guidelines identified in the document, one specifically addresses the TEDD:

A Targeted Economic Development District (TEDD) may be used to foster secondary, value adding economic development. Properties within the general area of the TEDD may be initially zoned as agriculture with the intent to rezone to an industrial zoning district when and if the TEDD is implemented.

--Lockwood Growth Policy, 2016

In accordance with the Lockwood Growth Policy, the properties within the Lockwood TEDD are zoned Agricultural, Controlled Industrial, or Heavy Industrial.

The Lockwood Growth Policy noted two previous planning documents, from which specific goals are still applicable to the Lockwood community. These documents are the Lockwood Community Plan (2006) and the Yellowstone County & City of Billings Growth Policy (2008). The City of Billings Growth Policy (2016) updates the City elements of the 2008 Growth Policy, therefore elements related to the unincorporated portions of the County are still applicable.

Goals from the 2006 Lockwood Community Plan that apply to the Lockwood TEDD, include the following:

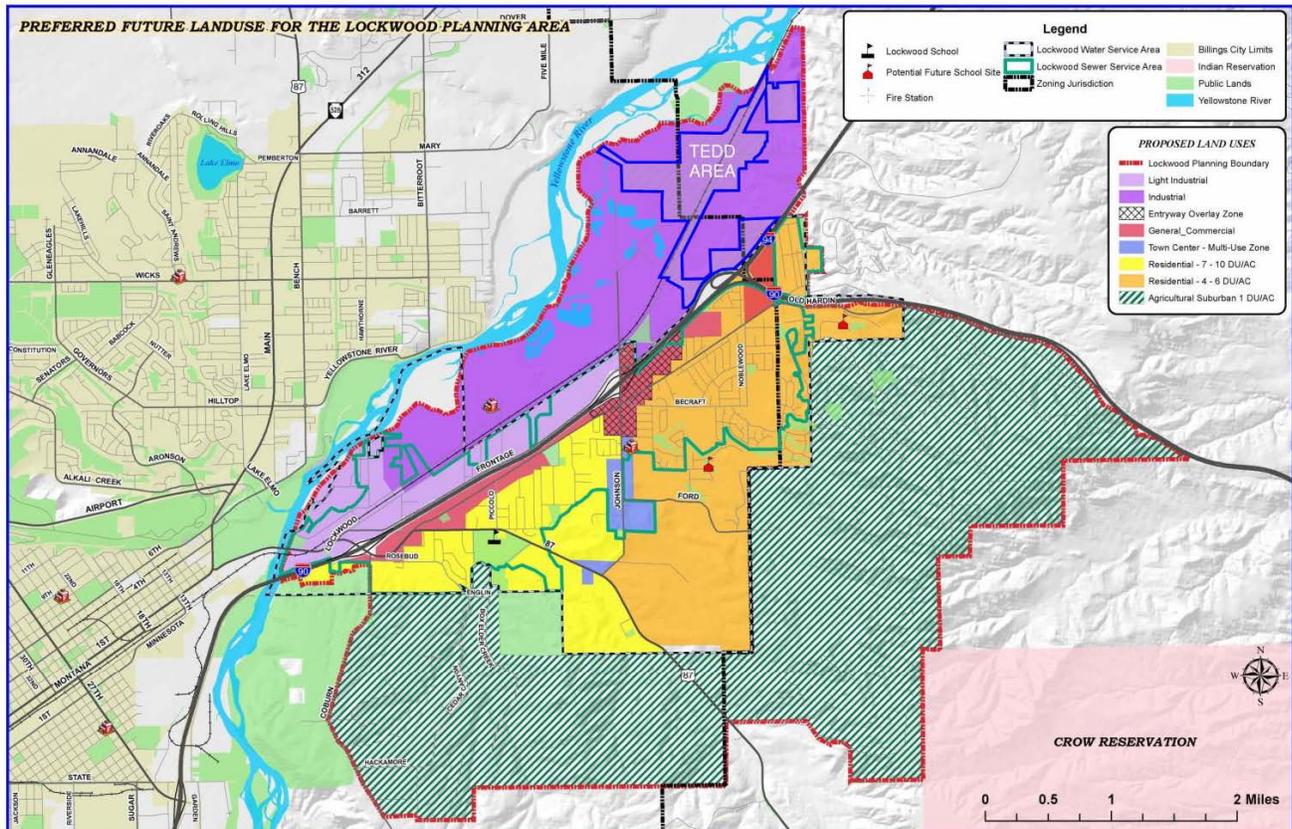
Infrastructure: Continue to research and support the improvement and INSTALLATION of community infrastructure that will better serve Lockwood.

--Lockwood Community Plan, 2006

Goals from the 2008 Yellowstone County Growth Policy that apply to the Lockwood TEDD include the following:

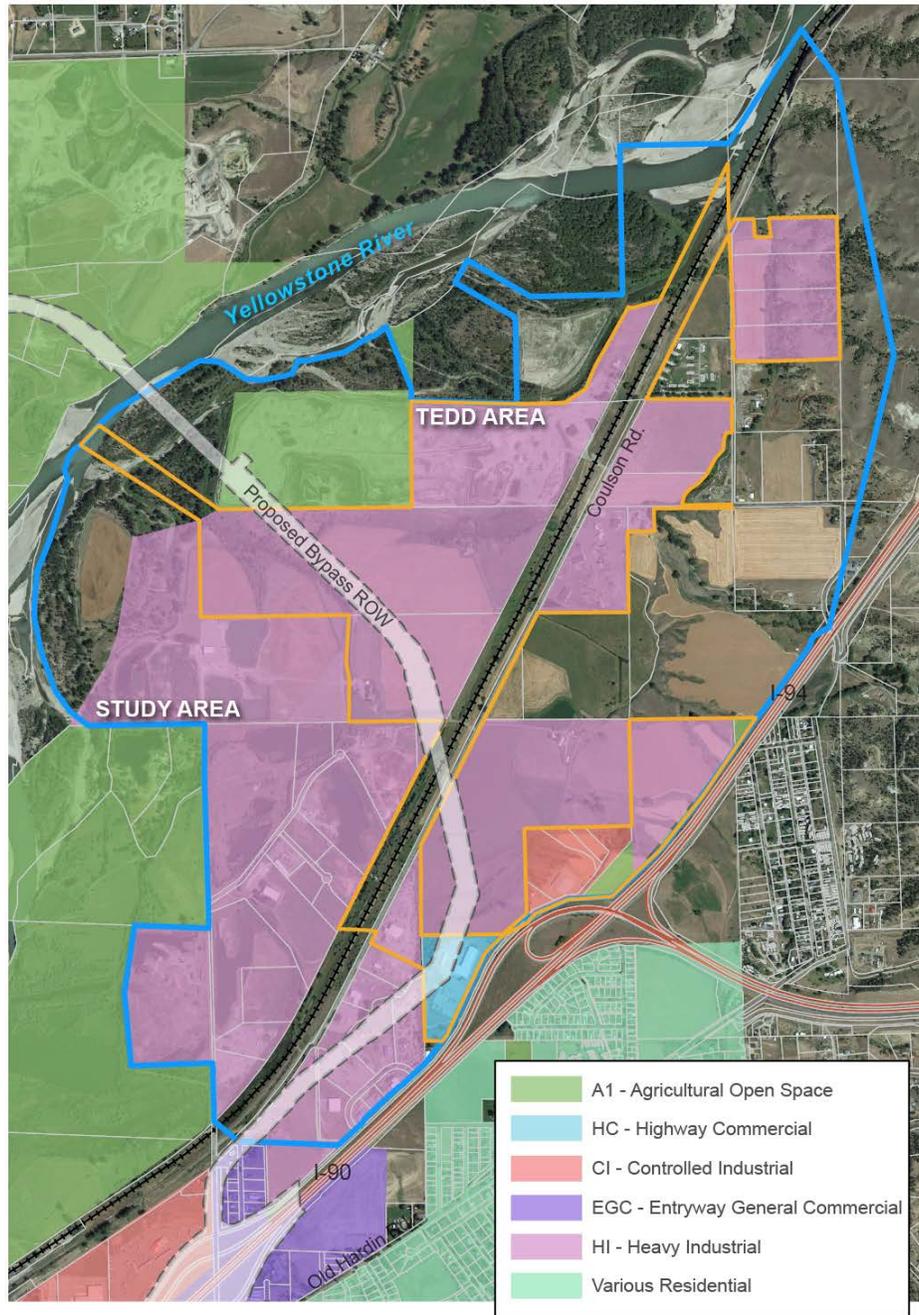
Economic Development: Coordinated economic development efforts that target business recruitment, retention, and expansion.
--Yellowstone County & City of Billings Growth Policy, 2008

Supporting a diversified economy that includes industrial development and manufacturing is important to the economy of Yellowstone County. Planning for industrial development can pave the way for business development and expansion and provide predictability for business and property owners.



Compliance with Zoning

The area of the Lockwood TEDD is zoned Heavy Industrial, Controlled Industrial and Agricultural. Based on the Guideline Statement in the Lockwood Growth Policy, this area is zoned in accordance with the growth policy.



Zoning

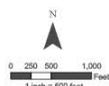


Figure 3: Area Zoning

3. GOALS OF THE LOCKWOOD TEDD

The goals of Yellowstone County in creating the Lockwood TEDD are as follows:

- Support the expansion of existing industry, and the recruitment of new industry, within Yellowstone County by facilitating the provision and development of planned, ready-to-go industrial space.
- Provide a locally-driven funding tool that can be used to partner with private industry and developers to fund the construction and maintenance of key infrastructure investments that are needed to foster the growth of value-added industry.
- Foster economic and employment opportunities within Yellowstone County and the Lockwood community through the development of secondary value-adding industries.
- Create a planned industrial area in Lockwood that attracts industry and leads to additional private investment in the Lockwood area.
- Implement a development plan centered around the growth of industrial businesses, while supporting non-motorized transportation facilities with the Billings Bypass.

4. INFRASTRUCTURE ANALYSIS

In order for a local government to create a TEDD, a Resolution of Necessity must be adopted. According to MCA 7-15-4280, this resolution must find that:

1. One or more infrastructure-deficient areas existing in the local government; and
2. The infrastructure improvements of the area are necessary for the welfare of the residents of the local government.

April 21, 2015, the Yellowstone County Board of County Commissioners adopted the Resolution of Necessity declaring an infrastructure deficient area known as the Lockwood Concept Targeted Economic Development District Study Area. The following infrastructure deficient conditions were identified:

- **Water System:** a public water system is not available in the area, and will require expansion of the Lockwood Water and Sewer District, main extensions, and increased filtering capacity.

The Lockwood Water and Sewer District serves the community of Lockwood. However, the service area does not include the Lockwood TEDD area. The closest water service line is located at the intersection of Johnson Lane and the North Frontage Road. New service lines, modifications to the treatment facility and potentially new water rights as demand increases will be necessary to service the Lockwood TEDD area. Preliminary estimates indicate that water service to the Lockwood TEDD, not including treatment facility upgrades or water rights acquisition, will likely be over \$4,000,000.

- **Sewer System:** a public sewer system is not available in the area. Main extensions, upgrades of an existing lift station and expansion of the Lockwood Water and Sewer District may be required. Renegotiation of the agreement with the City of Billings for additional treatment capacity would be required in conjunction with District expansion.

The Lockwood Water and Sewer District transmits wastewater from Lockwood to the City of Billings' treatment plant. This agreement between the District and the City limits the amount that can be transmitted to the plant. Expansion of the District to include the Lockwood TEDD area would require installation of new service lines, upgrades to an existing lift station at Johnson Lane and potentially an additional lift station within the TEDD area. Preliminary cost estimates for the sewer main extensions and lift station improvements will likely be over \$5,000,000.

- **Transportation:** both on- and off-site transportation upgrades, including rights-of-way, will be required for traffic circulation, safety and access. Rail trans-loading facilities and multi-modal opportunities are not available.

Roads to and within the TEDD area will require improvement to the minimum standards for a Commercial Collector road, as specified by Yellowstone County Subdivision Regulations. Specifically, Coulson Road will initially provide primary access to the TEDD area and will need to be improved to a County standard road. Road improvements to service the TEDD area will like be over \$4,000,000.

Montana Department of Transportation (MDT) is currently working on design plans for the Billings Bypass, a project that will connect Interstate 90 at Johnson Lane with Highway 312, north of Billings. The proposed bypass will cross the Yellowstone River adjacent to the Lockwood TEDD. The final design will have to consider access points to serve the area and the future industrial development. Such access points will need to be funded in conjunction with MDT.

Non-motorized transportation has been identified as a key issue in Lockwood. There are no sidewalks or multi-use trails within the Lockwood TEDD area. Providing multi-modal access in conjunction with the Billings Bypass – particularly with the bridge over the Yellowstone – has been identified as an important element in the development of a plan for the Lockwood TEDD.

- **Utilities:** electric and gas service for ordinary industrial users is available with right-of-way and line expansions. Heavy load industrial users would require supply, transmission line and substation expansions and redundancy.

Electric power is provided by Yellowstone Valley Electric Company. As noted in the Statement of Infrastructure Deficiency, service for future industrial users would require

substantial upgrades to the transmission lines within the Lockwood TEDD area. Industrial users typically have high electrical demands. Additional transmission lines to create redundancy and possibly a new substation would be required to adequately serve the area with new industrial users. Costs for additional transmission lines, not including a new substation are approximately \$400,000.

Natural gas is available in the vicinity. However, main lines would need to be extended to serve the Lockwood TEDD area.

- **Broadband Connectivity:** the area has limited access to broadband service and upgrades would be required. Critical information infrastructure would have to incorporate redundancy to assure reliable service. Broadband service would need to be extended from Johnson Lane to serve the Lockwood TEDD area.
- **General improvements:** additional infrastructure and public service deficiencies will be identified over time. As the TEDD area is developed, improvements and provisions for lighting, storm water drainage systems, and emergency services will need to be addressed.

5. TARGETED ECONOMIC DEVELOPMENT ACTIVITIES

Targeted Industries

A local government may create a TEDD in support of value-adding economic development, by development of infrastructure within the district that would encourage the location and retention of value-adding projects. The Lockwood TEDD will target businesses that produce products defined in MCA 7-15-4279 (a):

"secondary value-added products or commodities" means products or commodities that are manufactured, processed, produced, or created by changing the form of raw materials or intermediate products into more valuable products or commodities that are capable of being sold or traded in interstate commerce.

Additionally, the Lockwood TEDD will also support secondary value-adding industry, defined in MCA 7-15-4279 (b):

"secondary value-adding industry" means a business that produces secondary value-added products or commodities or a business or organization that is engaged in technology-based operations within Montana that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting in the creation of new wealth.

The Industry Cluster Analysis and Marketing Plan completed in 2013 for Big Sky Economic Development, identified the industries that should be prioritized for recruitment and retention in the Yellowstone County region. The following industry sectors identified in that study that produce

secondary value-added products or are a value-adding industry, and therefore appropriate for the Lockwood TEDD are as follows:

Upstream and Midstream Oil and Gas	oil and gas exploration and production field services pipeline companies refineries petroleum marketing companies
Health Care Services and Supply Chain	laboratories medical supply wholesaling and distribution medical equipment manufacturing
Manufacturing	value added food products machinery and equipment chemicals, guns
Warehousing and Distribution	distribution hubs to serve the region shipping and logistics companies distribution and warehousing

Examples of the types of businesses that may be targeted for the TEDD include:

- Pea Processing Facility
- Bulk Commodity Distribution Facility
- Malting Plant
- Feed Pellet Manufacturing
- Shingle Manufacturers
- Asphalt Manufacturing
- Fertilizer Manufacturers
- Ceramic Capacitors Manufacturing (found in laptops and cell phones)
- Catalytic Converter Manufacturing
- Galvanizing Plant
- Bolt/fastener manufactures
- Steel Painting/Powder-coating Facilities
- Prosthetic manufacturing
- New to market medical device manufacturing
- Transloading Operation
- Fly Ash Operations
- Co-Packer for Regional Manufacturers
- Shipping and Labeling Companies

Capital Improvements Plan

A capital improvements plan to identify the specific infrastructure needs for the development of the Lockwood TEDD will be required. This will include infrastructure improvements, costs associated with the improvements and timing of the improvements. Infrastructure design and development could include water and sewer service main extensions, treatment plant upgrades, road improvements, utilities, multi-modal transportation, and communication infrastructure such as cell towers and broadband fiber.

Recruitment

Once the Lockwood TEDD is established, efforts to recruit secondary, value-adding industries will be necessary. A recruitment work plan will be developed and implemented in partnership with the Lockwood TEDD Advisory Board, BSED, business and property owners, developers and industry representatives. These key partners will work to implement the goals of this plan by identifying opportunities to expand local businesses and to assist with new business formation. Meeting with industry representatives and commercial real estate brokers on a regular basis to understand current prospects and to represent the opportunities within the Lockwood TEDD should also be developed. BSED will use other local and state business incentive tools to recruit industry.

Financing

The infrastructure improvements needed to support the recruitment and expansion of value-adding industries in the Lockwood TEDD will require a variety of available financing mechanisms. Construction of public infrastructure may be financed using proceeds from tax increment financing, private developer payments, and/or grant and loan programs.

Tax Increment Financing

Yellowstone County could use tax increment financing to fund some or all of the public infrastructure needed to support the value-adding industry development within the Lockwood TEDD. The private industrial development that will generate the property taxes needed to finance the infrastructure, will also need that infrastructure to develop. Therefore, initial investment by private entities for public infrastructure will be necessary to start development within the TEDD. Once property taxes have increased enough to generate revenue for the TEDD, there are several mechanisms that Yellowstone County can use to pay for expansion of needed infrastructure.

- Tax Increment Bonds – Revenues from the tax increment would be pledged to pay bond principal and interest annually. The terms of the bond would be dependent on tax increment revenues available. The amount of tax increment realized each year must exceed the amount of the bond payment to be made each year, by as much as two times and the County must maintain an adequate reserve account.

Tax increment districts are authorized by Montana law for a period of 15 years. However, the time period may be extended up to 25 years to coincide with the term of a tax increment bond.

- Annual Tax Increment Appropriations – Smaller projects may be financed by annual tax increment receipts by appropriation. Funds would be determined each year based on the amount of the annual increment minus prior commitments, including debt service administrative costs.
- Revolving Loan Funds – The Montana statutes allow for loan programs that use TIF funds. Such funds may be loaned for the construction of private infrastructure or other activities in support of the goals of the TIF district. As principal and interest payments are made, the funds may be loaned again.
- Conventional Financing –Yellowstone County may borrow funds from commercial lending institutions in order to finance public infrastructure improvements. Annual tax increment revenues will pay principal and interest on the loan. A conventional loan agreement will not, however, extend the authorized 15-year time period for a TEDD.
- Developer Reimbursement Agreements – Because the initial investment for the improvements and extensions of public improvements will likely be funded by private entities, Yellowstone County could enter into reimbursement agreements with private entities for eligible expenses. Such expenses would include public utility and road improvements that serve the TEDD District to support value adding industries.

Federal and State Grants

Yellowstone County may pursue other funding sources in conjunction with the TIF program. Federal and state grants are available to assist local governments in financing capital improvements.

Potential sources include the following:

- Treasure State Endowment Program (TSEP) is a state funded program to assist local governments finance capital improvements to sewer and water facilities. Grants can be requested up to \$500,000 and a match from the local government is usually required. The match may be in the form of another grant.
- The Montana Intercap Program (INTERCAP) is a loan program to assist with costs associated with infrastructure, and the acquisition and installation of equipment or personal and real property.
- Community Development Block Grant (CDBG) is a federally funded program that provides assistance to communities for things such as public facilities, economic development and planning grants.
- Transportation Alternatives Program (TA Program) is a federal program to assist local government develop transportation alternatives, including on- and off-road pedestrian and

bicycle facilities, infrastructure projects that improves access to public transportation, recreational trail improvements, and safe routes to schools.

- The Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program is a federal program that funds the building and repairing of critical pieces of road, rail, transit and port facilities.

Unused Tax Increment

In accordance with MCA 7-15-4291, Yellowstone County “may enter into agreements with the other affected taxing bodies to remit to such taxing bodies any portion of the annual tax increment not currently required for the payment of the costs listed in 7-15-4288 MCA or pledged to the payment of the principal of premiums, if any, and interest on bonds to in 7-15-4289.”

6. PROGRAM ADMINISTRATION

The Lockwood TEDD program will be managed by an advisory board, which may include representatives from the community, property owners within the TEDD, and/or taxing entities. The board will report to the Yellowstone County Board of County Commission. Decisions concerning annual work plans and budgets, programs, recruiting and other actions will be made directly by the Yellowstone County Board of County Commissioners. The Lockwood TEDD Advisory Board will prepare an annual work plan and budget, including anticipated revenues, project priorities and financing strategies. Once the work plan and budget have been reviewed and set by the Board of County Commissioners, it will be the responsibility of the Advisory Board to implement the work plan and oversee/manage the budget.

Each annual work plan will include the following elements:

- Anticipated increment revenue
- Financing strategies anticipated, including:
 - Tax increment
 - Debt financing
 - Additional funding sources
- Project priorities and associated costs
- Administrative budget, including staff and consulting services
- The Yellowstone County Board of County Commissioners will review the work plan and determine whether any changes are necessary before setting the budget. Once the budget is set, the TEDD Advisory Board, in conjunction with the County, will be responsible for:
- Developing financing strategies
- Working with the County, property owners, and developers to identify public infrastructure projects for the future
- Reviewing proposed infrastructure development projects for the future

- Following all local government procurement rules with respect to:
 - Preparing bid and proposal requests
 - Reviewing proposals from engineers, contractors, and other vendors
 - Making recommendations to the BOCC regarding contractor selection
- Monitoring projects
- Conducting market analysis, engineering studies, and project feasibility analyses

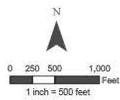
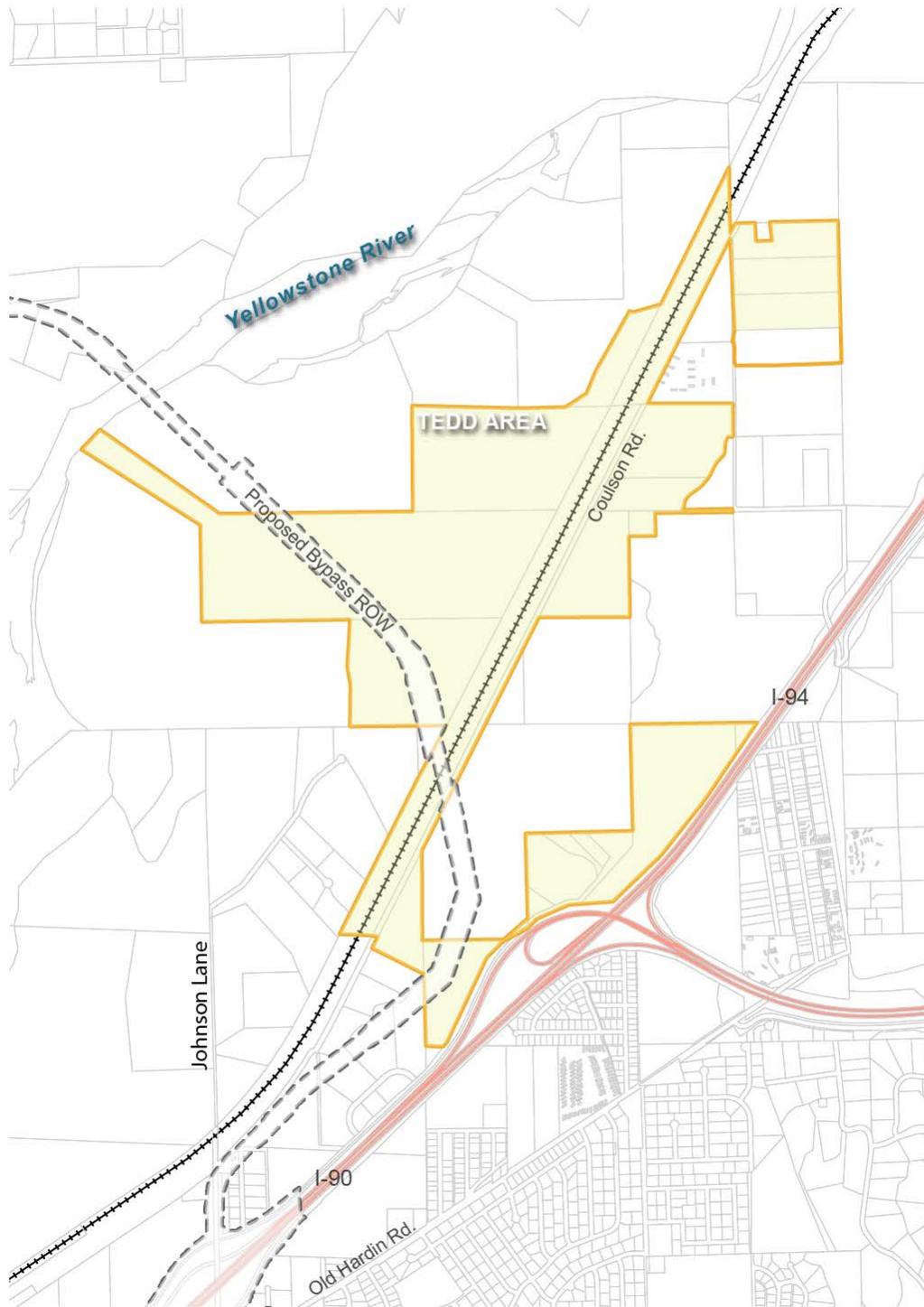
TEDD Program Criteria

Yellowstone County can use tax increment financing in conjunction with other funding mechanisms to support the development of secondary value-adding industry within the Lockwood TEDD. Infrastructure projects identified for funding will need to meet criteria that have been established based on the goals of this plan. The following criteria may be used to evaluate requests for improvement projects using tax increment financing. Future criteria may be added as District needs warrant.

- Project Location. The project must meet one of the following criteria:
 - Be located within the Lockwood TEDD area, or
 - May be outside of the TEDD area but provide vital and necessary connection from public infrastructure to the TEDD area
- Job Creation. Projects that demonstrate an increase in the number of jobs within the area.
- Taxable Valuation. Projects that demonstrate an increase in the valuation of the property, which will increase the tax base.
- Value-Adding. Projects must be engaged in value-adding industries as defined in MCA 7-15-4279 (a) and (b).

7. PLAN AMENDMENTS

While this plan provides flexibility to accommodate different approaches and variances in development, changes may be necessary. Amendments to this plan, including changes to the District boundary, may be made by resolution by the Yellowstone County Board of County Commissioners.





B.O.C.C. Regular

Agenda Item 1. a.

Meeting Date: 11/07/2016

Title: Metrapark Items

Submitted For: Bill Dutcher

Submitted By: Sue Watts

TOPIC:

Calendar

BACKGROUND:

N/A

RECOMMENDED ACTION:

N/A

B.O.C.C. Regular

Agenda Item 1. b.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Events

BACKGROUND:

N/A

RECOMMENDED ACTION:

N/A

B.O.C.C. Regular

Agenda Item 1. c.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Ticket Reports

BACKGROUND:

N/A

RECOMMENDED ACTION:

N/A

B.O.C.C. Regular

Agenda Item 1. d.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Conference

BACKGROUND:

N/A

RECOMMENDED ACTION:

N/A

B.O.C.C. Regular

Agenda Item 1.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

PUBLIC COMMENTS ON METRAPARK/FAIR BOARD BUSINESS

BACKGROUND:

RECOMMENDED ACTION:

B.O.C.C. Regular

Agenda Item 2.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Resolution 16-122 to Appoint Construction Management Contract Award Committee for the Expansion of the Yellowstone County Detention Facility

BACKGROUND:

N/A

RECOMMENDED ACTION:

Approve.

Attachments

Res. 16-122

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 16-122

**Resolution to Appoint Construction Management Contract Award Committee
for the Expansion of the Yellowstone County Detention Facility**

WHEREAS, Yellowstone County operates the Yellowstone County Detention Facility. The Detention Facility needs additional facilities to accommodate its female detainees. The Yellowstone County Board of County Commissioners decided it would be in the best interest of the public to expand the Detention Facility to accommodate additional female detainees. The public approved an increase in the County’s authority to borrow money to finance the expansion of the Detention Facility.

WHEREAS, pursuant to Sections 18-2-501 through 18-2-503 of the Montana Code Annotated, the Yellowstone County Board of County Commissioners decided to construct the expansion of the Yellowstone County Detention Facility under an alternative delivery project delivery contract, a construction management contract. Pursuant to Section 18-2-502 of the Montana Code Annotated, the Board made the required determinations that the expansion can be performed as a construction management contract.

WHEREAS, on November 11, 2016, November 18, 2016 and November 25, 2016, the Yellowstone County Board of County Commissioners shall publish requests for qualifications and proposals. On (DATE), both the qualifications and proposals shall be submitted to the Board. Upon submission of the qualifications and proposals, the Board shall decide who to award the contract to. To assist the Board with its decision, it intends to create a committee to review the qualifications and proposals and to make a recommendation to the Board as to who it should award the contract to. Pursuant to Section 18-2-503 of the Montana Code Annotated, when the committee makes its recommendation, it shall consider each qualified entities’ (1) history and experience with projects similar to the project under consideration; (2) financial health; (3) staff or workforce that is proposed to be committed to the project; (4) approach to the project; (5) project costs; and (6) any additional criteria or factors that reflect the project’s characteristics, complexities or goals.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners appoints: (1) Kevan Bryan, the Yellowstone County Finance Director; (2) Greg Epenbach, the Yellowstone County Facilities Superintendent; (3) Captain Sam Bofto, the Commander of the Yellowstone County Detention Facility; (4) Kevin Gillen, a Deputy Yellowstone County Attorney, and (5) Lew Anderson, Bond Project Manager for School District No. 2, as members of the Construction Management Contract Award Committee for the Expansion of the Yellowstone County Detention Facility and James Matteson, the Yellowstone County Purchasing Agent, as the Secretary of the Committee. The Secretary of the Committee shall not vote on the recommendation. The Secretary of the Committee shall facilitate the formation of a recommendation. The Committee shall evaluate the qualifications and proposals and make a recommendation to the Board as to which entity the Board should award the construction management contract. On December (NUMBER), 2016, the Committee shall provide its written recommendation to the Board. On December (NUMBER), 2016, the Committee shall appear before the Board to discuss its recommendation. The Board anticipates that it will award the contract on December (NUMBER), 2016.

Passed and Adopted on the 7th day of November 2016.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chairman

James E. Reno, Member

Robyn Driscoll, Member

Attest:

Jeff Martin

DRAFT

B.O.C.C. Regular

Agenda Item 1. a.

Meeting Date: 11/07/2016

Title: CONTRACT EXTENSION - JOES LAWN CARE-RIVERSIDE
CEMETERY

Submitted For: James Matteson, Purchasing Agent

Submitted By: James Matteson, Purchasing Agent

TOPIC:

Contract Extension with Joe's Lawn Care for Riverside Cemetery

BACKGROUND:

Requesting Commissioner Approval for a one year extension with Joe's Lawn Care. Joe has been the care-taker of Riverside Cemetery for the past two years, and through his efforts in coordination with Yellowstone County, the Cemetery has been transformed into grounds of dignity and respect.

RECOMMENDED ACTION:

Approve the Agreement and return a copy to the Purchasing Department

Attachments

JOES LAWN CARE-RIVERSIDE

**Standard Form of Agreement between Owner
and Contractor on the Basis of
A Stipulated Price**

This agreement is dated as of the 15 day of March, 2016 by and between Yellowstone County, MT (hereinafter called Owner), and Joe's Lawn Care, Billings, MT, hereinafter called Contractor).

Owner and Contractor, in consideration of the material covenants hereinafter set forth, agree as follows:

1. Scope of Work

Contractor shall provide the maintenance services, as specified in Exhibit A titled Summary: April 1st to November 30th, 2016 for Riverside Cemetery, 1316 Bitterroot Drive, Billings, Montana; Exhibit B includes revisions to Exhibit A and supersedes Exhibit A.

2. Contract Times

The contract is for the period April 1, 2016 through November 30, 2016.

3. Contract Price

Owner shall pay the Contractor \$2,350.00 per month for the maintenance services described in the Contractor's Scope of Work. Contractor will invoice Owner monthly; Invoices will be paid within 30 days of receipt by the Owner.

4. Contractor Representation

4.1 Contractor has examined and reviewed the Contract documents and other related paperwork.

4.2 Contractor has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the work.

4.3 Contractor is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, performance and furnishing of the work.

4.4 Contractor has given Owner written notice of all conflicts, errors, ambiguities or discrepancies that the Contractor has discovered in the Contract Documents and that the Contract Documents are generally sufficient to indicate and convey the understanding of all terms and conditions for performance and furnishings of the work.

5. Contract Documents

The Contract Documents, which comprise the entire agreement between Owner and Contractor, consist of the following:

- 5.1 This Agreement
- 5.2 Exhibit A
- 5.3 Exhibit B
- 5.4 Contractor's current Independent Contractor Exemption Certificate.
- 5.5 Contractor's current Certificate of Insurance and Workers Compensation coverage.

6. Miscellaneous

- 6.1 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without written consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will discharge the assignor from any duty or responsibility under the Contract Documents.
- 6.2 Contractor hereby agrees to defend, indemnify and hold harmless the Owner against claims for injuries to person or damages to property occurred from or in connection with the Contractor's performance under the Agreement. The indemnification and defense obligations under this paragraph of the Agreement shall not be limited by any assertion or finding that Yellowstone County is liable for any damages by reason of a non-delegable duty.
- 6.3 The Contractor agrees to perform the labor and terms of this contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this contract shall be in any way construed to constitute the Contractor, or any of his (or her, or its) agents or employees as the agent, employee or representative of the Owner for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.
- 6.4 The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American

with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

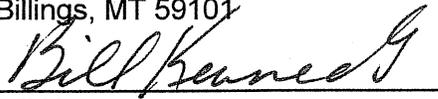
- 6.5 Owner and Contractor each binds itself, its partners, successors, assigns and legal representative to the other party hereto, its partners, successors, assigns and legal representative to respect to all covenants, agreements and obligations contained in the Contract Documents.
- 6.6 Either party can terminate this agreement at any time by providing written notice to the terminated party within 30 days of the termination date.
- 6.7 The parties agree that the laws of the State of Montana shall govern this contract, and that venue shall be in the Thirteenth Judicial District Court, Yellowstone County, Montana.
- 6.8 In the event of litigation, the prevailing party shall be entitled to reimbursement of Court costs and reasonable Attorney fees by the non-prevailing party.

IN WITNESS WHEREOF, OWNER and Contractor have signed this Agreement in duplicate. One counterpart each will be delivered to OWNER and Contractor. All portions of the Contract Documents have been signed, initialed or identified by OWNER and Contractor.

This Agreement will be effective March 15, 2016.

OWNER:

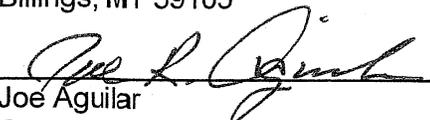
Yellowstone County
Billings, MT 59101



Bill Kennedy
BOCC Chair

CONTRACTOR:

Joe's Lawn Care
Billings, MT 59105



Joe Aguilar
Owner

Attest:



Jeff Martin
Clerk and Recorder

EXHIBIT A

MARCH 01-2016

Summary; APRIL 1ST to NOV. 30TH, 2016

1. mowing the grass
 2. Trimming and cleaning the ditch bank on county property monthly.
 3. Fill low spots and level the ground, County to provide material
 4. Trimming around trees, fences and headstones
 5. Inspect All sprinkler and waterlines; Excluding pump, well, and System Controller
 6. County to furnish all parts for repairs
 7. Spray for weeds, Fertilize flower garden
 8. Leaf clean up in the fall.
- Any extras will be welcome at the rate of \$25.- per hr.
0. Equip to be furnished by yellowstone county, and be responsible for repairs
 1. Contractor will provide gas, oil, and preventive maint.
 2. The above tasks will be provided for the amount of \$3,350 A year
 3. Contractor to lease said equip.
 4. AS Required by county, Auto ins. to be provided by the contractor

JOE R. AGUILAR

Joe R. Aguilar

MARCH 01. 2016

**FOR ALL SOLE PROPRIETORS, PARTNERSHIPS OR LLPS,
MEMBERS OF A MEMBER-MANAGED LIMITED LIABILITY COMPANY, AND
MANAGERS OF A MANAGER-MANAGED LIMITED LIABILITY COMPANY (CONSTRUCTION INDUSTRY)**

WAIVER of Workers' Compensation Benefits

Instructions: Sign this waiver only if you understand and agree to all of its provisions.

My name is: Joe R Aguilar ; My Social Security Number is: 553-86-1691
(First Name) (Middle initial) (Last Name)

I am executing this waiver as part of my application for an independent contractor exemption certificate with the Montana Department of Labor and Industry (Department).

I have initialed all the following statements, each of which I understand and agree to:

JRA
(Initial)

I agree to waive all the rights and benefits to which I am entitled under Montana's Workers' Compensation Act (Title 39, chapter 71, Mont. Code Ann.), for any work performed under an independent contractor exemption certificate. I understand and agree that if I am injured or develop an occupational disease while working for a hiring agent, I am precluded from obtaining any benefits under the Act for any and all damages arising out of any injury or occupational disease related to my work performance under an independent contractor exemption certificate. I understand and agree that if I die from an injury or occupational disease related to my work performance under an independent contractor exemption certificate, this waiver is effective against any of my beneficiaries as designated under the Act. I understand this waiver is not necessary for workers' compensation purposes if I elect to obtain workers' compensation insurance for myself as provided by the Act.

JRA
(Initial)

I understand and agree that if my independent contractor exemption certificate is granted, I will be conclusively presumed in court to have waived all benefits under the Act for work performed under the certificate.

JRA
(Initial)

I am engaged in an independently established trade(s), occupation(s), profession(s), or business(es) and I have provided accurate and truthful documentation to the Department to verify the existence of this occupation(s) in my application declaration.

JRA
(Initial)

When acting as an independent contractor, I agree to maintain my status as an independent contractor by being free from control or direction over the performance of my services and the details of my work, both under contract and in fact. I agree hiring agents will only be permitted to offer direction and exercise control in matters essential to specifying the end result. I understand that while performing work under my independent contractor exemption certificate that I am waiving benefits under the Act unless I have a written or oral agreement to work as an employee for that hiring agent.

JRA
(Initial)

I understand and agree that I am responsible for all taxes related to my work as an independent contractor.

JRA
(Initial)

I understand the Department has the authority to investigate my working relationships as an independent contractor and may suspend or revoke my independent contractor exemption certificate if appropriate.

JRA
(Initial)

I am of sound mind, I am 18 years of age or older, I have read and understand this waiver, and I am voluntarily and knowingly executing this waiver free from duress, coercion, or misrepresentation from any person.

By signing this waiver, I understand and agree that I **WAIVE ALL STATUTORY RIGHTS AND BENEFITS THAT I AM ENTITLED TO UNDER THE MONTANA WORKERS' COMPENSATION ACT.**

By: Joe R. Aguilar
(Applicant Signature)

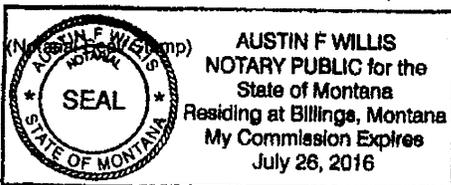
Dated: 02-05-15

State of Montana

County of Yellowstone

SUBSCRIBED before me this 05 day of Feb, 2015 by JOE R AGUILAR
(Print name of Applicant)

5th FEBRUARY, 2015 JOE R. AGUILAR
(Signature of Notary)



AUSTIN F. WILLIS
(Printed Name of Notary)

Notary Public for the State of MONTANA

Residing at BILLINGS

My commission expires July 26, 2016



Montana Department of
LABOR & INDUSTRY
Employment Relations Division

STATE OF MONTANA
INDEPENDENT CONTRACTOR EXEMPTION CERTIFICATE APPLICATION
FOR ALL SOLE PROPRIETORS, PARTNERSHIPS OR LLPS,
MEMBERS OF A MEMBER-MANAGED LIMITED LIABILITY COMPANY, AND
MANAGERS OF A MANAGER-MANAGED LIMITED LIABILITY COMPANY (CONSTRUCTION INDUSTRY)
APPLICATION FOR TWO (2) YEAR EXEMPTION
NONREFUNDABLE FEE \$125

Applicant Name: I, Joe R. Aguilar
(First Name) (MI) (Last Name)
declare under penalty of perjury and under the laws of the state of Montana that the following is true and correct:

1. I am making these statements and representations in order to apply for an independent contractor exemption certificate with the Montana Department of Labor and Industry (Department). I understand the Department is relying on the truth and accuracy of these statements when approving my independent contractor exemption certificate. I declare that I am 18 years old or older.

2. My business structure is (circle one; A, B, C, or D):
 A. Sole Proprietor B. Partnership or LLP C. Member Managed LLC D. Manager-Managed LLC (construction industry)
My mailing address is: 383 Windsor Cir S. Billings MT 59105
(Street or PO Box) (City) (State) (Zip)
My business name is: 383 Windsor Cir S Billings MT 59105
(Name of business)
My business' physical address is: 383 Windsor Cir S. Billings MT 59105
(Street or directions to physical location) (City) (State) (Zip)
My telephone number is: 406 876 4530 My social security number is: 553 86-1641
My email address is: ssgt Aguilar@yahoo.com
You are required to notify the Department if any of the above information changes after the certificate is granted.

3. I have an independently established trade, occupation, profession or business.
The occupation(s) for which I am applying is/are: Lawn Care

I am providing documentation to the Department that demonstrates I have an established business for each occupation listed above.
(See documentation list on back of waiver form)

4. When acting as an independent contractor I must be free from control or direction over the performance of my services and the details of my work, both under contract and in fact. The hiring agent only offers direction and exercises control in matters essential to specifying the end result.

5. I understand and agree that if my independent contractor exemption certificate is granted, I waive all rights and benefits under the Workers' Compensation Act of Montana (Act). I understand I am precluded from obtaining benefits under the Act from the hiring agent related to my work performance as an independent contractor. I understand and agree that I am responsible for all taxes related to my work as an independent contractor. I understand as an independent contractor I will not be afforded protections under the Wage Payment Act, the Human Rights Act, the provisions of Unemployment Insurance Laws, or the Workers' Compensation Act.

6. I also understand that if granted, the Independent Contractor Exemption Certificate will remain in effect for TWO years for the occupations listed on the certificate, unless I notify the Department in writing that I want to have the exemption cancelled, or the Department revokes or suspends the Independent Contractor Exemption Certificate. I understand that if I want to maintain my independent contractor exemption, I will have to re-qualify every two years.

By signing this declaration and the associated waiver form, I understand and agree that if my Independent Contractor Exemption Certificate is granted I WAIVE ALL STATUTORY RIGHTS AND BENEFITS THAT I AM ENTITLED TO UNDER THE MONTANA WORKERS' COMPENSATION ACT.

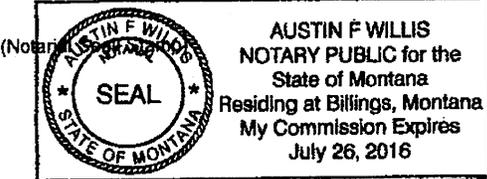
By: Joe R. Aguilar
(Applicant Signature)

State of Montana

County of Yellowstone

SUBSCRIBED before me this 05 day of Feb., 2015 by JOE R. AGUILAR
5th FEBRUARY, 2015 JOE R. AGUILAR (Print name of applicant)

[Signature]
(Signature of Notary)
Austin F. Willis
(Printed Name of Notary)



Notary Public for the State of MONTANA
Residing at Billings
My commission expires July 26, 2016

Notice to Applicants: See important information on the reverse side regarding penalties for improper application for, or use of, an independent contractor exemption certificate in violation of Montana law.

Notice to Employers: Montana law prohibits employers from avoiding their responsibility to provide workers' compensation insurance for employees. An employer may not require an employee through coercion, misrepresentation, or fraudulent means to adopt independent contractor status or exert control to a degree that destroys the independent contractor relationship. In addition to any other penalty or sanction, a person or employer who violates a provision of the law is subject to a fine to be assessed by the Department of up to \$1,000 for each violation.

Notice to Hiring Agents: You can be found to be an employer if you have the right to control or exercise control over the worker. A person who violates a provision of the law is subject to a fine to be assessed by the Department of up to \$1,000 for each violation.

B.O.C.C. Regular

Agenda Item 1. b.

Meeting Date: 11/07/2016

Title: REQUEST TO EXPEND - I.T. DEPT -KACE LICENSES WITH SUPPORT AND MAINTENACE

Submitted By: James Matteson, Purchasing Agent

TOPIC:

Request to Expend for 400 KACE Licenses with 3 Years of Support & Maintenance

BACKGROUND:

The Information Technology Department is requesting Commissioner Approval to purchase 400 KACE Licenses with three years of support and Maintenance. The purchase will provide the I.T. department the ability to update all County personal computers and servers with current updates remotely. The purchase price of \$14,688.00 was anticipated and is included in their FY 16/17 budget, however the quote is \$38.00 higher than the budgeted amount of \$14, 650.00

RECOMMENDED ACTION:

Approve the Request and return a copy to the Purchasing Department

Attachments

STERLING 400 KACE LICENSES

YELLOWSTONE COUNTY
REQUEST TO EXPEND

This form is to be completed for all capital outlay requests (a single item costing \$500.00 or more with a useful life of at least one year). Please attach all pertinent paperwork with price quotes, if available, and forward to the Purchasing Department with a completed purchase requisition. The account numbers and budget balance lines must be completed by the requesting department. Please use the most recent budget report to obtain this information. This data will be verified by the Purchasing Department. If the item(s) to be purchased are over the budgeted amount or were not budgeted, Commissioners approval is required prior to placing the order.

Item(s) requested: 400 KACE LICENSES AND 3 YEARS OF
SUPPORT AND MAINTENANCE

Cost: \$ 14,688.00

Other costs: _____

Less trade-in/discount: _____

Net cost of request: \$ 14,688.00

Explanation of purchase: PROVIDES THE ABILITY TO UPDATE ALL COUNTY PCs
AND SERVERS WITH CURRENT UPDATES REMOTELY.

I.T. _____ Jeff Leard _____ 11/1/16
Department Elected Official or Department Manager Date

BUDGET INFORMATION

Account Numbers: 1000.000.115.410580.940

Budget Balance: \$193,100.00

Is this a budgeted item? yes

Finance Note: _____

J. Matt _____ 11/1/2016
Purchasing Agent Date

COMMISSIONER ACTION

Approved: Yes ___ No ___

Tabled: _____

Date: _____

Votes: Yes No

Chairperson _____

Member _____

Member _____

B.O.C.C. Regular

Agenda Item 1. c.

Meeting Date: 11/07/2016

Title: REQUEST TO EXPEND- METRA - NEW PHONE FOR CATERING DEPARTMENT

Submitted For: James Matteson, Purchasing Agent

Submitted By: James Matteson, Purchasing Agent

TOPIC:

Request to Expend by MetraPark for a New Wireless Phone for the Catering Department

BACKGROUND:

MetraPark is requesting Commissioner Approval to add an additional smart phone line and data plan for the Catering Department which requires a large amount of communication, especially during large events and concerts. The smart phone can be purchased for 99 cents, while the new line will be approximately \$63.00 per month.

RECOMMENDED ACTION:

Approve the Request and return a copy to the Purchasing Department

Attachments

METRA RTE MILLER

**YELLOWSTONE COUNTY - METRAPARK
REQUEST TO EXPEND**

This form is to be completed for all capital outlay requests (a single item costing \$500.00 or more with a useful life of at least one year). Please attach all pertinent paperwork with price quotes, if available, and forward to the Purchasing Department with a completed purchase requisition. The account numbers and budget balance lines must be completed by the requesting department. Please use the most recent budget report to obtain this information. This data will be verified by the Purchasing Department. If the item(s) to be purchased are over the budgeted amount or were not budgeted, Commissioners approval is required prior to placing the order.

Item(s) requested: CELL PHONE - CONCESSIONS DEPARTMENT

.99 FOR I PHONE 6 = PLUS \$68 PER MONTH ACCESS AND DATA CHARGE

Other costs: _____

Less trade-in / discount: _____

Net cost of request: _____

Explanation of purchase:
REQUESTING NEW PHONE FOR BILLIE MILLER - FULL TIME EMPLOYEE IN CHARGE
OF OUR CATERING DEPARTMENT WHO NEEDS TO BE CONTACTED A LOT ESPECILLAY DURING
LARGE EVENTS AND CONCERTS -
NOT A BUDGTEG ITEM BUT WILL REQUEST A \$400 INCREASE AT MIDYEAR TO COVER ADDITIONAL
CHARGES

METRAPARK: Bill Dutcher 11/1/2016
 Department Date

<p>BUDGET INFORMATION: Budgeted <u>NO</u> Account Numbers: 5810.000.553.460442.345 Budget Balance: Is this a budgeted item? <u>No</u> Finance Note:</p>	<p>COMMISSIONER ACTION APPROVED: YES ___ NO ___ Tabled: _____ DATE: _____ VOTES: YES ___ NO ___ CHAIRPERSON _____ MEMBER _____ MEMBER _____</p>
<p>Purchasing Agent <u>JM</u> Date <u>11-2-2016</u></p>	

EXPENDITURE TO DATE:

DATE	INV #	VENDOR

DESCRIPTION	AMT

TOTAL PROJECT TOTAL _____
 PROJECT AMOUNT _____
 LEFT TO EXPEND ON PROJECT _____

B.O.C.C. Regular

Agenda Item 2. a.

Meeting Date: 11/07/2016

Title: Walsh Letter of Appreciation

Submitted For: Dan Schwarz

Submitted By: Julie Elwell

TOPIC:

Walsh Letter of Appreciation

BACKGROUND:

N/A

RECOMMENDED ACTION:

Sign letter

Attachments

Walsh Letter of Appreciation

Yellowstone County



COMMISSIONERS
(406) 256-2701
(406) 256-2777 (FAX)

P.O. Box 35000
Billings, MT 59107-5000
commission@co.yellowstone.mt.gov

November 7, 2016

Ken Walsh
Jett Development
2430 Road 24 S.
Ballantine, MT 59006

Re: Community Volunteer Work

Mr. Walsh:

The Yellowstone County Board of Commissioners wishes to commend you for your recent volunteer work in helping out a local resident with her legal problems. You volunteered to repair, at no cost, a sewer that was leaking into the resident's backyard. She was unable to pay for the work and was out of her house by a court order. Your generosity with your time and resources allowed her to return to her home and resulted in the lawsuit being dismissed.

The Commissioners are proud of the community spirit that you displayed with your selfless act. Job well done!

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chairman

James E. Reno, Member

Robyn Driscoll, Member

B.O.C.C. Regular

Agenda Item 2. b.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Auditor's Quarterly Report for the Period Ending September 30, 2016

BACKGROUND:

N/A

RECOMMENDED ACTION:

Approve

Attachments

Auditor's Quarterly Report

Yellowstone County



DEBBY HERNANDEZ
County Auditor
P.O. Box 35014
Billings, MT 59107-5014

Phone (406) 256-2720
Fax (406) 254-7929
E-mail: dhernandez@co.yellowstone.mt.gov

November 2, 2016

Board of County Commissioners
Yellowstone County Courthouse
Billings, Montana 59101

Dear Board Members:

Attached is a copy of the Auditors Quarterly Report for the period ending September 30, 2016. This information in this report includes all entities over which the County has budgetary control and is based on Financial Reports processed November 2, 2016.

Selected revenue line items have been reviewed and audited by the Auditor's Office for accuracy while all appropriations are audited continuously throughout the year.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Debby Hernandez".

Debby Hernandez
Auditor
Yellowstone County

Attachment

Quarterly Report FY 2017
Yellowstone County Auditor's Office

General Fund - 1000	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		155,538				155,538	11,810,942	1.3%
Licenses		13,454				13,454	40,300	33.4%
Local Fees		148,117				148,117	703,422	21.1%
Charges for Service		278,199				278,199	935,300	29.7%
Fines & Forfeitures		158,828				158,828	600,000	26.5%
Other Income		38,354				38,354	190,000	20.2%
Transfers		0				0	1,166,609	0.0%
Total		792,489	0	0	0	792,489	15,446,573	5.1%
Disbursements								
Commissioners	100	120,810				120,810	503,891	24.0%
Clerk & Recorder/Surveyor	102	150,962				150,962	574,303	26.3%
Elections	104	124,996				124,996	455,305	27.5%
Finance	111	190,576				190,576	588,889	32.4%
Treasurer	113	314,793				314,793	1,292,194	24.4%
Auditor	114	53,958				53,958	229,139	23.5%
Information Technology	115	292,745				292,745	1,295,123	22.6%
Justice of Peace	121	277,684				277,684	1,243,158	22.3%
Disaster & Emergency	124	70,823				70,823	323,299	21.9%
Fire Protection	125	107,788				107,788	209,958	51.3%
Human Resource	144	116,232				116,232	443,027	26.2%
Facilities	145	156,161				156,161	713,781	21.9%
Miscellaneous	199	225,519				225,519	6,897,730	3.3%
Clerk	221	300,858				300,858	1,194,699	25.2%
General Relief	302	0				0	137,500	0.0%
Health Department	351	0				0	0	0.0%
Cemetery	728	8,743				8,743	25,570	34.2%
Total		2,512,648	0	0	0	2,512,648	16,127,566	15.6%

Road - 2110	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		55,877				55,877	5,672,791	1.0%
Licenses		4,612				4,612	25,600	18.0%
Local Fees		622,741				622,741	2,495,948	25.0%
Charges for Service		0				0	184,500	0.0%
Other Income		0				0	2,500	0.0%
Transfers		0				0	207,576	0.0%
Total		683,230	0	0	0	683,230	8,588,915	8.0%
Disbursements								
Roads	401	1,372,741				1,372,741	10,004,762	13.7%
Total		1,372,741	0	0	0	1,372,741	10,004,762	13.7%

Bridge - 2130	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		17,125				17,125	1,538,313	1.1%
Local Fees		11,880				11,880	695,994	1.7%
Other Income		0				0	0	0.0%
Total		29,005	0	0	0	29,005	2,234,307	1.3%
Disbursements								
Bridge	402	21,811				21,811	3,114,952	0.7%
Total		21,811	0	0	0	21,811	3,114,952	0.7%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

Weed - 2140	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		3,518				3,518	316,610	1.1%
Local Fees		1,984				1,984	9,721	20.4%
Charges for Service		17,049				17,049	46,500	36.7%
Other Income		180				180	3,000	6.0%
Transfers		0				0	11,532	0.0%
Total		22,731	0	0	0	22,731	387,363	5.9%
Disbursements								
Weed Control	403	114,088				114,088	454,986	25.1%
Total		114,088	0	0	0	114,088	454,986	25.1%

Predatory Animal - 2150	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		112				112	480	23.2%
Other Income		0				0	750	0.0%
Total		112	0	0	0	112	1,230	9.1%
Disbursements								
Predatory Animal	404	0				0	980	0.0%
Total		0	0	0	0	0	980	0.0%

Liab & Prop Insurance - 2190	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		12,303				12,303	1,104,695	1.1%
Local Fees		8,614				8,614	34,456	25.0%
Charge for Service		0				0	469,140	0.0%
Other Income		4,646				4,646	14,000	33.2%
Transfers		0				0	31,136	0.0%
Total		25,564	0	0	0	25,564	1,653,427	1.5%
Disbursements								
Liab & Prop Insurance	429	609,549				609,549	3,373,845	18.1%
Total		609,549	0	0	0	609,549	3,373,845	18.1%

County Park - 2210	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	0	0.0%
Other Income		8,823				8,823	33,000	26.7%
Transfers		0				0	37,000	0.0%
Total		8,823	0	0	0	8,823	70,000	12.6%
Disbursements								
County Park	405	13,252				13,252	164,177	8.1%
Total		13,252	0	0	0	13,252	164,177	8.1%

Veteran's Cemetary Fund - 2216	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		1,173				1,173	151,422	0.8%
Local Fees		1,354				1,354	5,415	25.0%
Charge for Service		0				0	0	0.0%
Other Income		0				0	0	0.0%
Total		2,527	0	0	0	2,527	156,837	1.6%
Disbursements								
Verteran's Cemetary	728	0				0	175,223	0.0%
Total		0	0	0	0	0	175,223	0.0%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

Library - 2220	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		8,318				8,318	845,068	1.0%
Local Fees		33,754				33,754	135,016	25.0%
Other Income		0				0	0	0.0%
Total		42,072	0	0	0	42,072	980,084	4.3%
Disbursements								
Library	406	0				0	980,084	0.0%
Total		0	0	0	0	0	980,084	0.0%

County Planning - 2250	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		4,838				4,838	394,872	1.2%
Local Fees		19,122				19,122	76,489	25.0%
Total		23,961	0	0	0	23,961	471,361	5.1%
Disbursements								
County Planning	407	0				0	471,361	0.0%
Total		0	0	0	0	0	471,361	0.0%

Laurel Planning - 2255	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		399				399	68,768	0.6%
Local Fees		2,154				2,154	8,615	25.0%
Other Income		0				0	0	0.0%
Total		2,553	0	0	0	2,553	77,383	3.3%
Disbursements								
Laurel Planning	408	0				0	77,383	0.0%
Total		0	0	0	0	0	77,383	0.0%

Blight Abatement - 2256	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		0				0	0	0.0%
Charges for Service		0				0	0	0.0%
Other Income		0				0	0	0.0%
Transfers		0				0	42,883	0.0%
Total		0	0	0	0	0	42,883	0.0%
Disbursements								
Blight Abatement	407	10,184				10,184	61,901	16.5%
Total		10,184	0	0	0	10,184	61,901	16.5%

Emergency Levy - 2260	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		0				0	0	0.0%
Other Income		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
Emergency Levy		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

City/Co Health - 2270	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		27,272				27,272	2,450,289	1.1%
Local Fees		18,601				18,601	74,405	25.0%
Other Income		212				212	1,500	14.1%
Total		46,085	0	0	0	46,085	2,526,194	1.8%
Disbursements								
City/Co Health	351	0				0	2,526,194	0.0%
Total		0	0	0	0	0	2,526,194	0.0%

Mental Health - 2271	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		1,995				1,995	178,954	1.1%
Local Fees		1,663				1,663	6,653	25.0%
Total		3,658	0	0	0	3,658	185,607	2.0%
Disbursements								
Mental Health	199	0				0	323,862	0.0%
Total		0	0	0	0	0	323,862	0.0%

Public Safety/Mental Health - 2272	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		12,223				12,223	1,101,253	1.1%
Local Fees		8,486				8,486	33,943	25.0%
Other Income		0				0	0	0.0%
Total		20,709	0	0	0	20,709	1,135,196	1.8%
Disbursements								
Public Safety/Mental Health	199	42,012				42,012	1,135,196	3.7%
Total		42,012	0	0	0	42,012	1,135,196	3.7%

Lockwood Ped Safety Fund - 2275	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		7,139				7,139	241,612	3.0%
Other		0				0	0	0.0%
Total		7,139	0	0	0	7,139	241,612	3.0%
Disbursements								
Lockwood Pedestrian Safety	423	27,034				27,034	266,373	10.1%
Total		27,034	0	0	0	27,034	266,373	10.1%

Senior Citizens - 2280	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		9,835				9,835	1,472,926	0.7%
Local Fees		6,957				6,957	27,826	25.0%
Other Income		0				0	0	0.0%
Total		16,791	0	0	0	16,791	1,500,752	1.1%
Disbursements								
Senior Citizens	409	33,920				33,920	1,500,752	2.3%
Total		33,920	0	0	0	33,920	1,500,752	2.3%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

Extension Service - 2290	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		3,014				3,014	271,872	1.1%
Local Fees		2,095				2,095	8,379	25.0%
Other Income		0				0	0	0.0%
Transfers		0				0	12,829	0.0%
Total		5,109	0	0	0	5,109	293,080	1.7%
Disbursements								
Extension Service	410	44,171				44,171	321,401	13.7%
Total		44,171	0	0	0	44,171	321,401	13.7%
Public Safety - 2300								
Public Safety - 2300	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		107,609				107,609	9,666,939	1.1%
Licenses		1,252,467				1,252,467	4,240,800	29.5%
Local Fees		103,392				103,392	359,012	28.8%
Charges for Service		616,070				616,070	3,892,620	15.8%
Other Income		4,598				4,598	15,000	30.7%
Transfers		0				0	1,693,681	0.0%
Total		2,084,137	0	0	0	2,084,137	19,868,052	10.5%
Disbursements								
Coroner	126	89,882				89,882	488,126	18.4%
Administration	130	169,033				169,033	597,533	28.3%
Detective	131	277,076				277,076	1,176,716	23.5%
Patrol	132	875,063				875,063	4,093,893	21.4%
Civil	133	78,818				78,818	314,326	25.1%
Records	134	159,553				159,553	757,196	21.1%
Miscellaneous	135	38,916				38,916	2,900,112	1.3%
Detention	136	2,069,845				2,069,845	9,739,730	21.3%
Animal Control	137	15,543				15,543	78,518	19.8%
Facilities - Jail	146	70,514				70,514	610,068	11.6%
Total		3,844,243	0	0	0	3,844,243	20,756,218	18.5%
Public Safety Attorney - 2301								
Public Safety Attorney - 2301	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		15,793				15,793	1,417,864	1.1%
Local Fees		30,021				30,021	277,983	10.8%
Charge for Service		16,724				16,724	62,500	26.8%
Other Income		400				400	1,200	33.3%
Transfers		0				0	2,496,208	0.0%
Total		62,938	0	0	0	62,938	4,255,755	1.5%
Disbursements								
Public Safety Attorney	122	965,354				965,354	4,495,234	21.5%
Total		965,354	0	0	0	965,354	4,495,234	21.5%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

Museum - 2360	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		6,504				6,504	585,041	1.1%
Local Fees		2,648				2,648	10,593	25.0%
Transfers		0				0	20,000	0.0%
Total		9,152	0	0	0	9,152	615,634	1.5%
Disbursements								
Facilities	145	1,732				1,732	49,128	3.5%
Art Museum	261	0				0	163,990	0.0%
Western Heritage	262	5,802				5,802	206,782	2.8%
Yellowstone Co Museum	263	0				0	123,969	0.0%
Huntley Project	264	0				0	82,965	0.0%
Other Museum Activities	265	0				0	10,000	0.0%
Total		7,534	0	0	0	7,534	636,834	1.2%

Health Insurance Levy- 2371	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		41,371				41,371	3,647,902	1.1%
Local Fees		17,365				17,365	69,458	25.0%
Other Income		0				0	0	0.0%
Total		58,735	0	0	0	58,735	3,717,360	1.6%
Disbursements								
Health Insurance Levy	601	0				0	3,717,360	0.0%
Total		0	0	0	0	0	3,717,360	0.0%

Soil Conservation - 2384	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		1,077				1,077	105,785	1.0%
Local Fees		747				747	2,988	25.0%
Other Income		0				0	0	0.0%
Total		1,824	0	0	0	1,824	108,773	1.7%
Disbursements								
Soil Conservation	411	2,932				2,932	108,773	2.7%
Total		2,932	0	0	0	2,932	108,773	2.7%

Federal Drug Forfeiture - 2390	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Fines & Forfeiture		0				0	0	0.0%
Other Income		1				1	5	24.8%
Total		1	0	0	0	1	5	24.8%
Disbursements								
Federal Drug Forfeiture	428	0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%

Local Drug Forfeiture - 2391	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Fines & Forfeiture		9,124				9,124	100,000	9.1%
Total		9,124	0	0	0	9,124	100,000	9.1%
Disbursements								
Local Drug Forfeiture	428	9,085				9,085	161,532	5.6%
Total		9,085	0	0	0	9,085	161,532	5.6%

Quarterly Report FY 2017
Yellowstone County Auditor's Office

Records Preservation - 2393	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Charges for Service		53,515				53,515	190,000	28.2%
Other Income		0				0	0	0.0%
Transfers		0				0	0	0.0%
Total		53,515	0	0	0	53,515	190,000	28.2%
Disbursements								
Records Preservation	102	40,505				40,505	258,772	15.7%
Total		40,505	0	0	0	40,505	258,772	15.7%

Youth Services Center - 2399	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Licenses		0				0	169,344	0.0%
Local Fees		15,786				15,786	249,500	6.3%
Charges for Service		387,933				387,933	1,934,849	20.0%
Other Income		0				0	0	0.0%
Transfers		0				0	306,629	0.0%
Total		403,719	0	0	0	403,719	2,660,322	15.2%
Disbursements								
Youth Services Center	235	613,857				613,857	2,602,798	23.6%
Total		613,857	0	0	0	613,857	2,602,798	23.6%

RSID 2500-2699	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Other Income		22,752				22,752	770,000	3.0%
Total		22,752	0	0	0	22,752	770,000	3.0%
Disbursements								
RSID		694,288				694,288	800,000	86.8%
Total		694,288	0	0	0	694,288	800,000	86.8%

Alcohol Rehab - 2800	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	194,736	0.0%
Total		0	0	0	0	0	194,736	0.0%
Disbursements								
Alcohol Rehab	413	0				0	194,736	0.0%
Total		0	0	0	0	0	194,736	0.0%

Junk Vehicle - 2830	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	249,547	0.0%
Charge for Service		1,000				1,000	2,000	50.0%
Other Income		0				0	120	0.0%
Transfers		0				0	0	0.0%
Total		1,000	0	0	0	1,000	251,667	0.4%
Disbursements								
Junk Vehicle	414	28,584				28,584	251,667	11.4%
Total		28,584	0	0	0	28,584	251,667	11.4%

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Weed Grants - 2840	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	0	0.0%
Local Fees		5,860				5,860	55,763	10.5%
Other Income		0				0	0	0.0%
Total		5,860	0	0	0	5,860	55,763	10.5%
Disbursements								
Weed Grants	403	54,862				54,862	55,763	98.4%
Total		54,862	0	0	0	54,862	55,763	98.4%

Miscellaneous Grants - 2894	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	315,592	0.0%
Other Income		0				0	0	0.0%
Total		0	0	0	0	0	315,592	0.0%
Disbursements								
Grants		0				0	315,592	0.0%
Total		0	0	0	0	0	315,592	0.0%

PILT - 2900	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	199,000	0.0%
Total		0	0	0	0	0	199,000	0.0%
Disbursements								
PILT	280	3,515				3,515	135,000	2.6%
Total		3,515	0	0	0	3,515	135,000	2.6%

Crime Control - 2915	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	80,000	0.0%
Other Income		0				0	0	0.0%
Transfers		0				0	41,310	0.0%
Total		0	0	0	0	0	121,310	0.0%
Disbursements								
Attorney	122	0				0	0	0.0%
Court Services	233	0				0	0	0.0%
YSC	235	0				0	0	0.0%
Crime Control	279	31,407				31,407	121,310	25.9%
Total		31,407	0	0	0	31,407	121,310	25.9%

Public Safety Grants - 2916	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	3,273	0.0%
Local Fees		0				0	11,335	0.0%
Transfers		0				0	0	0.0%
Total		0	0	0	0	0	14,608	0.0%
Disbursements								
Sheriff Administration	130	0				0	0	0.0%
Sheriff Patrol	132	0				0	11,335	0.0%
Sheriff Detention	136	0				0	3,273	0.0%
Total		0	0	0	0	0	14,608	0.0%

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Homeland Security - 2927	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	99,000	0.0%
Other income		0				0	0	0.0%
Total		0	0	0	0	0	99,000	0.0%
Disbursements								
Homeland Security	125	0				0	99,000	0.0%
Total		0	0	0	0	0	99,000	0.0%

CDBG - 2940	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	0	0.0%
Other income		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
CDBG	246	0				0	0	0.0%
HUD	718	0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%

DUI Task Force - 2950	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		15,798				15,798	81,000	19.5%
Other Income		77				77	200	38.6%
Total		15,875	0	0	0	15,875	81,200	19.6%
Disbursements								
DUI Task Force	470	17,159				17,159	80,780	21.2%
Total		17,159	0	0	0	17,159	80,780	21.2%

CTEP Grants - 2956	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	0	0.0%
Other Income		0				0	0	0.0%
Transfers		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
Public Works	710	0				0	0	0.0%
Cultural Activities	717	0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%

DES Grants - 2957	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Grants		0				0	0	0.0%
Local Fees		2,850				2,850	31,892	8.9%
Other Income		0				0	861	0.0%
Total		2,850	0	0	0	2,850	32,753	8.7%
Disbursements								
DES Grants	124	0				0	0	0.0%
Fire Protection	125	2,850				2,850	32,753	8.7%
Canyon Creek Fire	719	0				0	0	0.0%
Total		2,850	0	0	0	2,850	32,753	8.7%

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Metra Exp Debt Service - 3020	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		0				0	0	0.0%
Local Fees		0				0	0	0.0%
Other Income		0				0	0	0.0%
Transfer		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
Metra Exp Debt Service	902	0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%

\$3 Mil GO Debt Fund - 3040	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Other Income		0				0	0	0.0%
Transfers		0				0	636,498	0.0%
Total		0	0	0	0	0	636,498	0.0%
Disbursements								
Debt Service	905	0				0	636,498	0.0%
Total		0	0	0	0	0	636,498	0.0%

RSID Revolving Fund - 3400	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		0				0	0	0.0%
Transfers		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
RSID Revolving Fund	203	0				0	25,000	0.0%
Total		0	0	0	0	0	25,000	0.0%

RSID Bond Fund 3500-3532	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Other Income		10,853				10,853	300,400	3.6%
Total		10,853	0	0	0	10,853	300,400	3.6%
Disbursements								
Bond Funds	900	22,105				22,105	311,050	7.1%
Total		22,105	0	0	0	22,105	311,050	7.1%

Geographic Info Sys - 4040	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		2,762				2,762	10,574	26.1%
Charge for Service		19,649				19,649	109,000	18.0%
Other Income		0				0	0	0.0%
Transfers		0				0	239,919	0.0%
Total		22,410	0	0	0	22,410	359,493	6.2%
Disbursements								
Geographic Info System	400	89,519				89,519	360,137	24.9%
Total		89,519	0	0	0	89,519	360,137	24.9%

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Metra Cap Improve - 5811	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		-718				-718	1,176,964	-0.1%
Local Fees		9,041				9,041	36,163	25.0%
Charges for Service		157,337				157,337	610,244	25.8%
Other Income		1,163				1,163	20,000	5.8%
Transfers		0				0	0	0.0%
Total		166,823	0	0	0	166,823	1,843,371	9.0%
Disbursements								
Administration	551	42				42	142,619	0.0%
Facilities	552	48,395				48,395	1,945,070	2.5%
Concessions	553	350				350	0	0.0%
MetraEntertainment	554	0				0	0	0.0%
Marketing	555	0				0	0	0.0%
Admissions	556	0				0	0	0.0%
Capital Outlay Equipment	557	0				0	0	0.0%
Accounting	558	1,180				1,180	0	0.0%
Total		49,967	0	0	0	49,967	2,087,689	2.4%

Motor Pool - 6010	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Charge for Service		0				0	6,000	0.0%
Total		0	0	0	0	0	6,000	0.0%
Disbursements								
Motor Pool	606	251				251	6,000	4.2%
Total		251	0	0	0	251	6,000	4.2%

Health insurance - 6050	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Property Taxes		0				0	0	0.0%
Charges for Service		1,433,998				1,433,998	6,410,000	22.4%
Other Income		9,296				9,296	54,000	17.2%
Transfers		0				0	1,320,800	0.0%
Total		1,443,294	0	0	0	1,443,294	7,784,800	18.5%
Disbursements								
Health Insurance	601	1,466,142				1,466,142	8,677,803	16.9%
Total		1,466,142	0	0	0	1,466,142	8,677,803	16.9%

Telephone System - 6060	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Other Income		183,550				183,550	183,551	100.0%
Transfers		0				0	0	0.0%
Total		183,550	0	0	0	183,550	183,551	100.0%
Disbursements								
Telephone System	608	34,359				34,359	178,971	19.2%
Total		34,359	0	0	0	34,359	178,971	19.2%

Sheriff Canteen - 7125	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Income		73,705				73,705	0	0.0%
Total		73,705	0	0	0	73,705	0	0.0%
Disbursements								
Canteen Fund	136	54,872				54,872	0	0.0%
Total		54,872	0	0	0	54,872	0	0.0%

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Rural Fire - 7203-7218	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	0	0.0%
Charges for Service		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
Broadview	7203	10,253				10,253	0	0.0%
Worden	7204	0				0	0	0.0%
Laurel	7205	0				0	0	0.0%
Laurel	7207	0				0	0	0.0%
Lockwood	7208	0				0	0	0.0%
BUFSA	7215	0				0	0	0.0%
LUFSA	7216	0				0	0	0.0%
Shepherd	7217	0				0	0	0.0%
Blue Creek	7218	0				0	0	0.0%
Blue Creek	7219	12,117				12,117	0	0.0%
Total		22,370	0	0	0	22,370	0	0.0%

Drainage Districts - 7253-7283	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Charges for Service		0				0	0	0.0%
Total		0	0	0	0	0	0	0.0%
Disbursements								
Baseline	7253	0				0	0	0.0%
Birely	7254	0				0	0	0.0%
Canyon	7255	10				10	0	0.0%
Carroll	7256	7,344				7,344	0	0.0%
Custer	7257	593				593	0	0.0%
Danford	7258	5,600				5,600	0	0.0%
Harlan	7259	5,026				5,026	0	0.0%
Holling	7260	4,565				4,565	0	0.0%
Midway	7262	2,800				2,800	0	0.0%
Nutting	7264	0				0	0	0.0%
Shepherd	7266	50				50	0	0.0%
Shiloh	7267	0				0	0	0.0%
Victory	7283	4,900				4,900	0	0.0%
Total		30,887	0	0	0	30,887	0	0.0%

Cemetery - 7300-7304	Dept	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue								
Local Fees		0				0	0	0.0%
Charges for Service		134				134	0	0.0%
Other Income		0				0	0	0.0%
Total		134	0	0	0	134	0	0.0%
Disbursements								
Broadview	724	617				617	0	0.0%
Custer	725	1,703				1,703	0	0.0%
Huntley	726	16,423				16,423	0	0.0%
Shepherd	727	5,934				5,934	0	0.0%
Total		24,677	0	0	0	24,677	0	0.0%

Total	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Total	Budget	YTD %
Revenue							
Receipts	9,056,979	0	0	0	9,064,118	89,466,909	10.1%
Expenditures							
Expenses	16,121,889	0	0	0	16,148,923	103,451,173	15.6%

11/2/2016

B.O.C.C. Regular

Agenda Item 3.

Meeting Date: 11/07/2016

Title: Journal Technologies, Inc. Sales Order

Submitted For: Scott Twito

Submitted By: Amy Tolzien

TOPIC:

Journal Technologies, Inc. Sales Order

BACKGROUND:

YCAO is bringing two technicians from Journal Technologies to Billings for training and assistance with implementing improved victim notification procedures through our JustWare software.

RECOMMENDED ACTION:

Approve. Amy Tolzien spoke with Kevan Bryan regarding the impact to our budget.

Attachments

Contract 16-2286

Journal Technologies, Inc.

Sales Order

Journal Technologies
843 South 100 West
Logan, Utah 84321
1.877.587.8927

Yellowstone County Attorney's Office PO Box 35025 Billings, MT 59107-5025	Sales Order Number: 16-2286 Sales Order Date: November 1, 2016 Terms: Due on Invoice Receipt Account Executive: Ben Stocks
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Item	Total Price
1 Configuration Training 2 reps for 3 days (24 hours)	\$11,000
Sales Order Amount:	\$11,000

Payment Milestones			
Milestone	Description	Cost Inclusions	Amount
1	Contract Signing	<ul style="list-style-type: none">Configuration Training	\$11,000
		Total	\$11,000

Travel & Per Diem

Travel and Per Diem is included in the pricing for all onsite services. Any Customer-initiated changes to a scheduled onsite service may result in additional fees. Customer acknowledges that they will pay these fees.

Journal
TECHNOLOGIES

Sales Order Signing

 YELLOWSTONE CO. ATTY. 11/2/16

Yellowstone County Attorney's Office Authorized Signature, Title and Date



cn=Jon Peek, o=Chief Operating
Officer, ou=Journal Technologies
Inc.,
email=jpeek@journaltech.com,
c=US
2016.11.01 18:09:33 -06'00'

Jon Peek, COO

Journal Technologies, Inc. Authorized Signature, Title and Date

Journal
TECHNOLOGIES

B.O.C.C. Regular

Agenda Item 4.

Meeting Date: 11/07/2016

Title: Design 3 Engineering Contract for Bridges 36-13,36-25, 54-03 and 54-04

Submitted For: Tim Miller, Public Works Director

Submitted By: Tim Miller, Public Works Director

TOPIC:

Agreement with Design 3 for Engineering Services for Bridges 36-03, 36-25, 54-03 and 54-04

BACKGROUND:

provide engineering services for replacement of these bridges.

RECOMMENDED ACTION:

approve contract

Attachments

Engineering for 36-13,36-25, 54-03, 54-04

Design 3



DESIGN 3 ENGINEERING

October 3, 2016

Tim Miller
Yellowstone County Director of Public Works
Yellowstone County Courthouse
P.O. Box 35005
Billings, Mt 59107

Re: Bridge Replacement 36-13 and 36-25 Over a BBWA Canal Lateral and schematic design of Bridges 54-03 and 54-04 on 21 Mile Road

Dear Tim:

This letter is a proposal for engineering services necessary to replace the bridges above. We have visited the sites and feel that we have a good grasp of the work involved. Our work would include site surveys, hydraulic analysis for the bridges on 21 Mile Road, preliminaries and cost estimates, plans and specifications for bidding 36-13 and 36-25, services during the bidding period and construction administration. We would be coordinating our work with County Road and Bridge Department at all times. Our fee for the above services would be \$14,200.

Thank you for the opportunity of making this proposal. If you have any questions, please let us know.

Cordially,

William Oakey P.E.

**Contract for Engineering Services for
Bridge Replacement 36-13 , 36-25 and
Bridge Schematic design for
54-03 and 54-04**

This agreement is dated as of the 11th day of November, 2016 by and between Yellowstone County, Montana (hereinafter called Owner), and Design 3 Engineering, 1211 24th Street West, Suite 7, Billings, MT 59102 (hereinafter called Engineer).

Owner and Engineer, in consideration of the material covenants hereinafter set forth, agree as follows:

1. Scope of Work

Engineer shall complete the engineering services necessary to replace Bridges 36-13 & 36-25 over the BBWA Canal, and Bridges 54-03 & 54-04 on 21 Mile Road. Services include site survey's, and hydraulic analysis as specified in their proposal dated October 3rd, 2016.

2. Contract Times

The project will be completed and accepted by the County Road and Bridge Department by November 30th, 2016.

3. Contract Price

Owner shall pay the Engineer and their sub-contractors a total of \$14,200.00 payable in increments as portions of the project are completed, submitted and accepted by the Owner. Any additional work must be authorized in writing by the Owner.

4. Engineers Representation

4.1 Engineer has examined and reviewed the Contract documents and other related paperwork.

4.2 Engineer has visited the sites and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the work.

4.3 Engineer is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, performance and furnishing of the work.

4.4 Engineer has given Owner written notice of all conflicts, errors, ambiguities or discrepancies that the Engineer has discovered in the Contract Documents and that the Contract Documents are generally sufficient to indicate and convey the understanding of all terms and conditions for performance and furnishings of the work.

5. Contract Documents

The Contract Documents, which comprise the entire agreement between Owner and Engineer, consist of the following:

- 5.1 This Agreement.
- 5.2 Engineer's proposal dated October 3rd, 2016.
- 5.3 Engineer's current certificate of Professional Liability Insurance.

6. Miscellaneous

- 6.1 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without written consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will discharge the assignor from any duty or responsibility under the Contract Documents.
- 6.2 Engineer hereby agrees to defend, indemnify and hold harmless the Owner against claims for injuries to person or damages to property occurred from or in connection with the Contractor's performance under the Agreement. The indemnification and defense obligations under this paragraph of the Agreement shall not be limited by any assertion or finding that Yellowstone County is liable for any damages by reason of a non-delegable duty.
- 6.3 The Engineer agrees to perform the labor and terms of this contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this contract shall be in any way construed to constitute the Engineer, or any of his (or her, or its) agents or employees as the agent, employee or representative of Yellowstone County for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.
- 6.4 The Engineer must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Engineer subjects subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Engineer agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

- 6.5 Engineer agrees to perform their services in a professional manner and keep the following minimum amounts of Professional Liability Insurance in effect for the duration of this contract: \$2,000,000 Per Claim and \$2,000,000 Aggregate.
- 6.6 Owner and Engineer each binds itself, its partners, successors, assigns and legal representative to the other party hereto, its partners, successors, assigns and legal representative to respect to all covenants, agreements and obligations contained in the Contract Documents.
- 6.7 The parties agree that the laws of the State of Montana shall govern this contract, and that venue shall be in the Thirteenth Judicial District Court, Yellowstone County, Montana.
- 6.8 In the event of litigation, the prevailing party shall be entitled to reimbursement of Court costs and reasonable Attorney fees by the non-prevailing party.

IN WITNESS WHEREOF, OWNER and ENGINEER have signed this Agreement in duplicate. One counterpart each will be delivered to OWNER and ENGINEER. All portions of the Contract Documents have been signed, initialed or identified by OWNER and ENGINEER.

This Agreement will be effective November 7th, 2016.

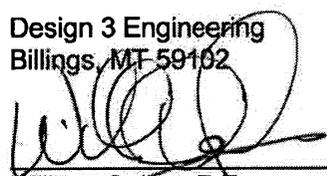
OWNER:

Yellowstone County
Billings, MT 59101

John Ostlund
Chair BOCC

ENGINEER:

Design 3 Engineering
Billings, MT 59102



William Oakey, P.E.
Design 3 Engineering

Attest:

Jeff Martin, Clerk and Recorder



DESIGN 3 ENGINEERING

October 3, 2016

Tim Miller
Yellowstone County Director of Public Works
Yellowstone County Courthouse
P.O. Box 35005
Billings, Mt 59107

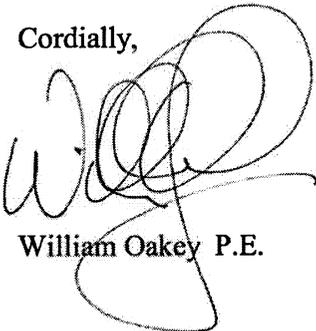
Re: Bridge Replacement 36-13 and 36-25 Over a BBWA Canal Lateral and schematic design of Bridges 54-03 and 54-04 on 21 Mile Road

Dear Tim:

This letter is a proposal for engineering services necessary to replace the bridges above. We have visited the sites and feel that we have a good grasp of the work involved. Our work would include site surveys, hydraulic analysis for the bridges on 21 Mile Road, preliminaries and cost estimates, plans and specifications for bidding 36-13 and 36-25, services during the bidding period and construction administration. We would be coordinating our work with County Road and Bridge Department at all times. Our fee for the above services would be \$14,200.

Thank you for the opportunity of making this proposal. If you have any questions, please let us know.

Cordially,



William Oakey P.E.

B.O.C.C. Regular

Agenda Item 5.

Meeting Date: 11/07/2016

Title: US MARSHAL MODIFICATION TO INTERLOCAL AGREEMENT

Submitted For: Mike Linder, Sheriff

Submitted By: Mary Matteson

TOPIC:

Modification to U.S. Marshal Intergovernmental Agreement Increasing Daily Prisoner Per Diem from \$70 to \$85 Per Day

BACKGROUND:

The US Marshal Service currently pays \$70 per inmate per day to house prisoner at the Yellowstone County Detention Facility. The modification to the agreement would increase that rate to \$85 per inmate per day.

RECOMMENDED ACTION:

Approve and execute

Attachments

USMS Rate Modification

1. Agreement No. 46-01-0036	2. Effective Date	3. Facility Code(s) 8DT	4. Modification No. 1	5. DUNS No. 071404941																	
6. Issuing Federal Agency United States Marshals Service Prisoner Operations Division Intergovernmental Agreements Branch CG-3 Suite 3000 Washington, D.C. 20530-0001		7. Local Government Yellowstone County Detention Facility 3165 King Avenue East Yellowstone, MT 59101 TAX ID 81-6001449																			
8. Appropriation Data 15X1020	9. <i>Per-Diem</i> Rate \$85.00	10. Guard/Transportation Hourly Rate N/A																			
<p>11. EXCEPT AS PROVIDED SPECIFICALLY HEREIN, ALL TERMS AND CONDITIONS OF THE IGA DOCUMENT REFERRED TO IN BLOCK 1, REMAIN UNCHANGED. TERMS OF THIS MODIFICATION:</p> <p>The purpose of this modification is to increase Yellowstone County Detention Facility per-diem rate as shown in block 9 from \$70.00 to \$85.00 for a minimum term of 60 months. After sixty (60) months , if a per-diem rate adjustment is desired, the Local Government shall submit a request through the electronic Intergovernmental Agreements (eIGA) area of the Detention Services Network (DSNetwork). All information pertaining to the Facility on the DSNetwork will be required before a new per-diem rate will be considered.</p> <p>The firm-fixed per-diem rate for services is stipulated in block #9 of this modification, shall not be subject to adjustment on the basis of Yellowstone County Detention Facility actual cost experience in providing the service. The per-diem rate shall be fixed for a period from the effective date of this modification forward for sixty (60) months. The per-diem rate covers the support of one Federal detainee per "Federal detainee day", which shall include the day of arrival, but not the day of departure.</p> <p>Also to incorporate the Affordable Care Act and Prisor Rape Elimination Act language into the current Intergovernmental Agreement. (Please see pages 2-4)</p> <p>Billing and Financial Provisions</p> <p>The Local Government shall prepare and submit for certification and payment, original and separate invoices each month to each Federal Government component responsible for Federal detainees housed at the Facility. Addresses for the components are:</p> <table border="0"> <tr> <td>UNITED STATES MARSHAL SERVICE</td> <td>IMMIGRATION CUSTOMS AND ENFORCEMENT</td> </tr> <tr> <td>DISTRICT OF MONTANA</td> <td>SALT LAKE CITY FIELD OFFICE</td> </tr> <tr> <td>2601 2ND AVE NORTH</td> <td>2975 DECKER LANE DRIVE SUITE 100</td> </tr> <tr> <td>SUITE 2300</td> <td>W. VALLEY CITY, UT 84119-6096</td> </tr> <tr> <td>BILLINGS, MONTANA 59101</td> <td>801-886-7400</td> </tr> <tr> <td>406-247-7030</td> <td></td> </tr> </table> <table border="0"> <tr> <td>FEDERAL BUREAU OF PRISONS</td> </tr> <tr> <td>RESIDENTIAL REENTRY MANAGEMENT (RRM)</td> </tr> <tr> <td>324 SOUTH STATE ST. STE 228</td> </tr> <tr> <td>SALT LAKE CITY, UT 84111</td> </tr> <tr> <td>801-524-4212</td> </tr> </table>					UNITED STATES MARSHAL SERVICE	IMMIGRATION CUSTOMS AND ENFORCEMENT	DISTRICT OF MONTANA	SALT LAKE CITY FIELD OFFICE	2601 2ND AVE NORTH	2975 DECKER LANE DRIVE SUITE 100	SUITE 2300	W. VALLEY CITY, UT 84119-6096	BILLINGS, MONTANA 59101	801-886-7400	406-247-7030		FEDERAL BUREAU OF PRISONS	RESIDENTIAL REENTRY MANAGEMENT (RRM)	324 SOUTH STATE ST. STE 228	SALT LAKE CITY, UT 84111	801-524-4212
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RESIDENTIAL REENTRY MANAGEMENT (RRM)																					
324 SOUTH STATE ST. STE 228																					
SALT LAKE CITY, UT 84111																					
801-524-4212																					

While you are detained, no one has the right to pressure you to engage in sexual acts or engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Regardless of your sexual orientation, you have the right to be safe from unwanted sexual advances and acts.

Confidentiality

Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have the need to know in order to make decisions concerning the detainee-victim's welfare and for law enforcement investigative purposes.

Report All Assaults!

If you become a victim of a sexual assault, you should report it immediately to any staff person you trust, to include housing officers, chaplains, medical staff, supervisors or Deputy U.S. Marshals. Staff members keep the reported information confidential and only discuss it with the appropriate officials on a need to know basis. If you are not comfortable reporting the assault to staff, you have other options:

- Write a letter reporting the sexual misconduct to the person in charge or the United States Marshal. To ensure confidentiality, use special (Legal) mail procedures.
- File an Emergency Detainee Grievance - If you decide your complaint is too sensitive to file with the Officer in Charge, you can file your Grievance directly with the Field Office Director. You can get the forms from your housing unit officer, or a Facility supervisor.
- Write to the Office of Inspector General (OIG), which investigates allegations of staff misconduct. The address is: Office of Inspector General, U.S. Department of Justice, 950 Pennsylvania Ave. Room 4706, Washington, DC. 20530
- Call, at no expense to you, the Office of Inspector General (OIG). The phone number is 1-800-869-4499.

Individuals who sexually abuse or assault detainees can only be disciplined or prosecuted if the abuse is reported.

A publication of the Office of the
Federal Detention Trustee
Washington, DC

Published February 2008

NO OTHER TERMS OR CONDITIONS TO INCLUDE PRICE ARE AFFECTED BY THIS CHANGE

12. INSTRUCTIONS TO LOCAL GOVERNMENT FOR EXECUTION OF THIS MODIFICATION:

A. LOCAL GOVERNMENT IS NOT REQUIRED TO SIGN THIS DOCUMENT

B. LOCAL GOVERNMENT IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN ALL COPIES TO UNITED STATES MARSHALS SERVICE

13. APPROVALS

A. LOCAL GOVERNMENT

Signature

TITLE

DATE

B. FEDERAL GOVERNMENT

Signature

Grants Specialist

TITLE

DATE

B.O.C.C. Regular

Agenda Item 6.

Meeting Date: 11/07/2016

Title: Open Bank Account for County Health Plan with EBMS

Submitted For: Sherry Long, Treasurer

Submitted By: Emily Larson

TOPIC:

Authorization Approval for Wells Fargo to Open an Account for Yellowstone County Health Plan with EBMS

BACKGROUND:

N/A

RECOMMENDED ACTION:

Approve

Attachments

Cpunty Health Plan EBMS Approval

Authorization for Information

In connection with an Offsite Business Account Application

Banker Name Dennis Nolan	Officer/Portfolio Number G0233	Date
Banker Phone (406) 657-3449	Store Number 05377	Banker AU 0071782
		Banker MAC B6903-021

Business Account Applicant

Business Name Line 1 Yellowstone County	Enterprise Customer Number (ECN) (bank use only)
Business Name Line 2	

Owners/Key Individuals with Authority and Control

By signing this form, I authorize Wells Fargo Bank, N.A. ("the Bank") to obtain verifications and reports from time to time, such as credit bureau reports and account status reports on me as an individual, in connection with the business account application for the above-named business and any other account applications by this business. I understand the Bank requests this information for legitimate business reasons including reducing fraudulent accounts and preventing access to financial information and accounts by unauthorized persons. Should the information obtained from any such report cause the Bank to deny the account application for the business, I also authorize the Bank to communicate, either explicitly or implicitly, to any co-applicant and to any co-owner, director, officer, or employee of the business that the denial was based in whole or in part on such information. I also authorize the Bank to use such information and to share it with its affiliates in order to determine whether the business is qualified for other products and services offered by the Bank and its affiliates.

Owner/Key Individual 1 Name Sharon M Long	Position/Title Treasurer
--	-----------------------------

Enterprise Customer Number (ECN) 276931931718617	
---	--

Signature <i>Sharon M Long</i>	Date 11/2/2016
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Owner/Key Individual 2 Name	Position/Title
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Enterprise Customer Number (ECN)	
----------------------------------	--

Signature	Date
-----------	------

Owner/Key Individual 3 Name	Position/Title
-----------------------------	----------------

Enterprise Customer Number (ECN)	
----------------------------------	--

Signature	Date
-----------	------

Owner/Key Individual 4 Name	Position/Title
-----------------------------	----------------

Enterprise Customer Number (ECN)	
----------------------------------	--

Signature	Date
-----------	------

Bank Use Only

Account Number(s) 4258700400	Date opened
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FO01-000BBG18141A-01

Offsite Business Account Application

Banker Name Dennis Nolan		Officer/Portfolio Number G0233	Date
Banker Phone (406) 657-3449	Store Number 05377	Banker AU 0071782	Banker MAC B6903-021

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who opens an account. What this means for you When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

New Account Information

Account 1 Product Name WellsOne Account			Account 2 Product Name		
Purpose of Account 1 Business Checking - EBMS Benefit Acct			Purpose of Account 2		
COID 182	Account Number 4258700400	Sub product DDA	COID 182	Account Number	Sub product
Opening Deposit (Acct 1)		New Account Kit (applies to both accounts)		Opening Deposit (Acct 2)	

Business Information

Customer Name Yellowstone County			Street Address 217 N 27th St		
Enterprise Customer Number (ECN)			Address Line 2		
Account Relationship			City Billings	State MT	
Taxpayer Identification Number (TIN) 816001449	TIN Type EIN		ZIP/Postal Code 59101	Country US	
Business Type Government Unit or Agency			Business Phone (406) 256-2801	Fax	
Business Sub-Type/Tax Classification Local			Cellular Phone		
Date Established 11/06/1979	Current Ownership Since	Number of Employees 50	e-Mail Address		
Annual Gross Sales \$34,468,238	Year Sales Reported	Fiscal Year End 12/31	Website		
Primary Financial Institution		Number of Locations 1	Publicly Traded NO	Country	Stock Market
Sales Market Local	Primary State 1 MT	Primary State 2	Primary State 3	Primary Country 1	Primary Country 2 Primary Country 3
Industry Public Administration			Is your business or organization involved in the Internet gambling business? (If yes, the account cannot be opened.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Sub-Industry Executive, Legislative, and Other General Government Support			Major Suppliers/Customers		
Description of Business Yellowstone County Offices					



FO01-0000BBG2307A-01

Certificate of Authority

Each person who signs the "Certified/Agreed to" section of this Application certifies that:

- A. The Customer's use of any Wells Fargo Bank, N.A. ("Bank") deposit account, product or service will confirm the Customer's receipt of, and agreement to be bound by, the Bank's applicable fee and information schedule and account agreement that includes the Arbitration Agreement under which any dispute between the Customer and the Bank relating to the Customer's use of any Bank deposit account, product or service will be decided in an arbitration proceeding before a neutral arbitrator as described in the Arbitration Agreement and not by a jury or court trial.
- B. Each person who signs the "Certified/Agreed To" section of this Application, or whose name, any applicable title and specimen signature appear in the "Authorized Signers" section of this Application, below, is authorized on such terms as the Bank may require to:
 - (1) Enter into, modify, terminate and otherwise in any manner act with respect to accounts at the Bank and agreements with the Bank or its affiliates for accounts and/or services offered by the Bank or its affiliates (other than letters of credit or loan agreements);
 - (2) Authorize (by signing or otherwise) the payment of Items from the Customer's account(s) listed on this Business Account Application (including without limitation any Item payable to (a) the individual order of the person who authorized the Item or (b) the Bank or any other person for the benefit of the person who authorized the Item) and the endorsement of Deposited Items for deposit, cashing or collection (see the Bank's applicable account agreement for the definitions of "Item" and "Deposited Item");
 - (3) Give instructions to the Bank in writing (whether the instructions include the manual signature or a signature that purports to be the facsimile or other mechanical signature including a stamp of an Authorized Signer as the Customer's authorized signature without regard to when or by whom or by what means or in what ink color the signature may have been made or affixed), orally, by telephone or by any electronic means in regard to any Item and the transaction of any business relating to the Customer's account(s), agreements or services, and the Customer shall indemnify and hold the Bank harmless for acting in accordance with such instructions; and
 - (4) Delegate the person's authority to another person(s) or revoke such delegation, in a separate signed writing delivered to the Bank.
- C. If a code must be communicated to the Bank in order to authorize an Item, and the code is communicated, the Item will be binding on the Customer regardless of who communicated the code.
- D. Each transaction described in this Certificate of Authority conducted by or on behalf of the Customer prior to delivery of this Certificate is in all respects ratified.
- E. If the Customer is a tribal government or tribal government agency, the Customer waives sovereign immunity from suit with respect to the Customer's use of any Bank account, product or service referred to in this Certificate.
- F. The information provided in this application is correct and complete, each person who signs the "Certified/Agreed To" section of this Application and each person whose name appears in the "Authorized Signers" section of this application holds any position indicated, and the signature appearing opposite the person's name is authentic.
- G. The Customer has approved this Certificate of Authority or granted each person who the "Certified/Agreed To" section of this Application the authority to do so on the Customer's behalf by:
 - (1) resolution, agreement or other legally sufficient action of the governing body of the Customer, if the Customer is not a trust or a sole proprietor;
 - (2) the signature of each of the Customer's trustee(s), if the Customer is a trust; or
 - (3) the signature of the Customer, if the Customer is a sole proprietor.

At least one individual owner, partner, or key executive with authority and control over the business must sign. For jointly owned sole proprietorships, both owners must sign.

Certified/Agreed to Signature	Print Full Legal Name	Title/Position	Date
	Sharon M Long	Treasurer	11/2/2016
Certified/Agreed to Signature	Print Full Legal Name	Title/Position	Date

Request for Taxpayer Identification Number and Certification

(Substitute Form W-9) (Do not complete for IOLTA/RETA accounts)

Under penalties of perjury, I certify that:

- 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- 2. UNLESS I HAVE CHECKED ONE OF THE BOXES BELOW, I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an Individual Retirement Arrangement (IRA), and payments other than interest and dividends). I am subject to backup withholding I am exempt from backup withholding
- 3. I am a U.S. citizen or other U.S. person.
- 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. (Does not apply to accounts within the U.S.)

Note: The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

Tax Responsible Customer Name	Taxpayer Identification Number (TIN)
Yellowstone County	81-6001449
TIN Certification Signature	Date
	11/2/2016



FO01-0000BBG2307A-04

Authorized Signers - Certificate of Authority Cross Reference

Existing Customers - New Accounts

For use when persons identified as authorized signers on the customer's existing Business Account Application/Certificate of Authority are identical to the persons designated as authorized signers for the accounts listed on this Business Account Application. Please refer to the Business Account Application/Certificate of Authority currently on file for the following account.

Existing Account Number to be Cross Referenced

Authorized Signers - Owner/Key Individual

Authorized Signer 1 Name | Enterprise Customer Number (ECN) | Position/Title
Sharon M Long | 276931931718614 | Treasurer

Signature | Date
Sharon M Long | 11/2/2014

Authorized Signer 2 Name | Enterprise Customer Number (ECN) | Position/Title

Signature | Date

Authorized Signer 3 Name | Enterprise Customer Number (ECN) | Position/Title

Signature | Date

Authorized Signer 4 Name | Enterprise Customer Number (ECN) | Position/Title

Signature | Date

Authorized Signer Only - Limited Profile

Authorized Signer 5 Name | Enterprise Customer Number (ECN) | Position/Title
Kevin J Larson | 80078453 | President

Address (business address may be used) | City | State | Zip
5247 Green Teal Dr | Billings | MT | 59106

Signature | Date | Phone Number
(406) 245-3575

Authorized Signer 6 Name | Enterprise Customer Number (ECN) | Position/Title

Address (business address may be used) | City | State | Zip

Signature | Date | Phone Number



Enhanced Due Diligence Customer Activity Screening



Bank Name: Wells Fargo Bank		Store Name: Billings BBG	
Banker Name: Dennis Nolan		Officer/Portfolio Number: G0233	Date:
Banker Phone: (406) 657-3449	Store Number: 05377	Banker AU: 0071782	Banker MAC: B6903-021

Customer Information

Customer Name: Yellowstone County		Customer Number (ECN):
Business Phone Number: (406) 256-2801	Approval Code (obtained from Enhanced Due Diligence Center):	Due Diligence Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Account Information

COID: 182	Account Number:
--------------	-----------------

Third-Party Payment Processor Question

1. Does your company offer payment processing services to other merchants/ businesses? Example: Provides ability for other businesses to process credit card payments (Third-Party Payment Processor)
- Yes – Due diligence is required. Complete the Money Services Business questions before referring the customer to the Enhanced Due Diligence Center.
 No – Complete the Money Services Business Questions

Money Services Business (MSB) Questions

- Does your company sell or buy foreign currency or foreign currency denominated instruments (e.g., drafts, bank checks) to/from customers? (Foreign Currency Dealer)

Yes – Due diligence is required, proceed to question 2
 No – Proceed to question 2
- Does your company issue or sell money orders and/ or traveler's checks to customers?

Yes – Due diligence is required, proceed to question 3
 No – Proceed to question 3
- Does your company cash, or provide money back from checks, money orders or traveler's checks for customers? (Check Casher)

Yes – Due diligence is required, proceed to question 4
 No – Proceed to question 4
- Does your company sell, load, or reload prepaid debit cards (e.g., prepaid cards that function on a payment card network such as Visa, MasterCard) or any other type of open loop prepaid access?

Yes – Due diligence is required, proceed to question 5
 No – Proceed to question 5
- Does your company sell, load, or reload any closed loop prepaid cards (e.g., restaurant cards, store cards, gas cards, telephone cards) or any other type of closed loop prepaid access?

Yes – Proceed to question 6
 No – Proceed to question 7
- Can more than \$10,000 in prepaid cards or other devices, or loads or reloads, be sold to one person in one day?

Yes – Due diligence is required, proceed to question 7
 No – Proceed to question 7
- Does your company set up prepaid debit card programs for other companies, or set up any other type of prepaid access?

Yes – Due diligence is required, proceed to question 8
 No – Proceed to question 8
- Does your company accept funds, currency, or Virtual/ Internet currency (e.g., Bitcoin, Ven) from customers and send/ transmit the funds, currency, or Virtual/Internet currency to another person or location? (Money Transmission)

Yes – Due diligence is required
 No – If response was No for questions 1 - 4 and No for question 6 - 8 then proceed with account opening

Follow-up

Due diligence not required? Encapture/scan completed form, along with other required documentation to Operations.

Due diligence required? The customer must be referred to the Enhanced Due Diligence Center at 1-877-686-7409 for completion of required due diligence prior to account opening.



FO01-00000BBG4711-01

Certification Regarding Beneficial Owners of Legal Entity Customers

Bank Name: Wells Fargo Bank		Store Name: Billings BBG	
Banker Name: Dennis Nolan		Office/Portfolio Number: G0233	Date:
Banker Phone: (406) 657-3449	Store Number: 05377	Banker AU: 0071782	Banker MAC: B6903-021

I. General Instructions

What is this form?

To help the government fight financial crime, federal regulation requires certain financial institutions to obtain, verify, and record information about the beneficial owners of legal entity customers. Legal entities can be abused to disguise involvement in terrorist financing, money laundering, tax evasion, corruption, fraud, and other financial crimes. Requiring the disclosure of key individuals who ultimately own or control a legal entity (i.e., the beneficial owners) helps law enforcement investigate and prosecute these crimes.

Who has to complete this form?

This form must be completed by the person opening a new account on behalf of a legal entity with any of the following U.S. financial institutions: (i) a bank or credit union; (ii) a broker or dealer in securities; (iii) a mutual fund; (iv) a futures commission merchant; or (v) an introducing broker in commodities.

For the purposes of this form, a legal entity includes a corporation, limited liability company, partnership, and any other similar business entity formed in the United States or a foreign country.

What information do I have to provide?

This form requires you to provide the name, address, date of birth and social security number (or passport number or other similar information, in the case of foreign persons) for the following individuals (i.e., the **beneficial owners**):

- (i) Each individual, if any, who owns, directly or indirectly, 25 percent or more of the equity interests of the legal entity customer (e.g., each natural person that owns 25 percent or more of the shares of a corporation); **and**
- (ii) An individual with significant responsibility for managing the legal entity customer (e.g., a Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, Managing Member, General Partner, President, Vice President or Treasurer).

The financial institution may also ask to see a copy of a driver's license or other identifying document for each beneficial owner listed on this form.

II. Certification Of Beneficial Owner(s)

Persons opening an account or maintaining a business relationship on behalf of a legal entity must provide the following information:

Account open/maintenance Information

A. Name of Person opening account or maintaining the Business Relationship

Sharon M Long

B. Name of Legal Entity for which the account is being opened/maintained

Yellowstone County



C. The following information for each individual, if any, who, directly or indirectly, through any contract, arrangement, understanding, relationship or otherwise, owns 25 percent or more of the equity interests of the legal entity listed above. If no individual meets this definition, please check "Beneficial Owner Not Applicable" below and skip this section.

Beneficial Owner Not Applicable

-For a person with a Taxpayer Identification Number (TIN), provide the TIN and leave Primary ID Type, Description and ST/Ctry/Prov blank.
 -For a foreign person without a TIN, provide a Passport Number and Country of Issuance. In lieu of a passport, foreign persons may also provide a U.S. government-issued Alien ID or other foreign government-issued documents evidencing nationality or residence and bearing a photograph or similar safeguard.

Beneficial Owner 1 Information: _____% of ownership

Individual Name		Street Address		
Date of Birth		Address Line 2		
Taxpayer Identification Number (TIN)	TIN Type	Address Line 3		
Primary ID Type	Primary ID Description	City	State	Country
Primary ID St/Ctry/Prov		ZIP/Postal Code		

Beneficial Owner 2 Information: _____% of ownership

Individual Name		Street Address		
Date of Birth		Address Line 2		
Taxpayer Identification Number (TIN)	TIN Type	Address Line 3		
Primary ID Type	Primary ID Description	City	State	Country
Primary ID St/Ctry/Prov		ZIP/Postal Code		

Beneficial Owner 3 Information: _____% of ownership

Individual Name		Street Address		
Date of Birth		Address Line 2		
Taxpayer Identification Number (TIN)	TIN Type	Address Line 3		
Primary ID Type	Primary ID Description	City	State	Country
Primary ID St/Ctry/Prov		ZIP/Postal Code		

Manual Submission Instructions:
 Route signed and completed form to
 Deposit Product Support Services.
 Scanner Enabled Stores should scan.
 BBG1994 (Rev04 - 7/16)
 BBG6784-A (Rev00 - 3/16)



F001-0000BBG6784A-02

B.O.C.C. Regular

Agenda Item 7. a.

Meeting Date: 11/07/2016

Title: Continuing with URx until June 30, 2017

Submitted For: Dwight Vigness, Human Resource Director

Submitted By: Dwight Vigness, Human Resource Director

TOPIC:

URx Pharmacy Until June 30, 2017

BACKGROUND:

Discussion

RECOMMENDED ACTION:

Approve

Attachments

URx



October 26, 2016

Dwight Vigness, H.R. Director
Yellowstone County
P.O. Box 35041
Billings, MT 59107

Subject: Pharmacy Change Recommendation

Dear Dwight:

This letter is in regard to changing your pharmacy program from URx – which as you know will discontinue effective July 1, 2017.

When we initially discussed moving away from URx, the thought was January 1, 2017 would be a good date because that is the beginning of the benefit plan year. Due to this upcoming change with your Third Party Administrator, and the change of your flex/HSA administrator, I am recommending continuing with URx until July 1, 2017. Changes in pharmacy programs can be very disruptive to employees – in some ways even more so than a TPA change due to the fact that most people utilize the pharmacy benefits, whereas that is not necessarily the case on the medical side.

I have sent an inquiry to the Montana Association of Healthcare Purchasers asking if it's possible Yellowstone County remain on URx until the middle of next year. I'm assuming this will be approved if you decide to go that route because the University System and Montana Unified School Trust are both able to remain on URx until that time. I should know the answer within the next few days. Let me know if you have any questions until then.

Sincerely,

A handwritten signature in blue ink that reads "Mary Kay Puckett".

Mary Kay Puckett, CHC

B.O.C.C. Regular

Agenda Item 7. b.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

PERSONNEL ACTION REPORTS - Detention Facility - 13 Appointments, Termination; **Sheriff's Office** - 1 Appointment, 1 Termination; **MetraPark** - 1 Appointment; **Justice Court** - 1 Salary & Other

BACKGROUND:

N/A

RECOMMENDED ACTION:

Approve

Attachments

PARS

PARS

OCT 26 2016

46

**YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT**

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: JAMES, KRISTIE

Effective Date: 10-31-2016

Current Title: Detention Officer

Gr. Salary \$ 18,621 HR 1881

Title Change:

Gr. Salary \$

Check as Applicable:

Regular Full Time: XX
Regular Part Time:

New Hire:

Rehire:

Temp Full Time:
Temp Part Time:

Termination: XX
(Voluntary-Military)

Seasonal Hire:

Promotion:

Replaces position
Name

Transfer:

New Budgeted Position

Demotion:

Other: XX

Reclassification:

Funding: 2300 - 136 - 420200 - 111

Percent 100 New Account
Percent Split Account

W. Steve Metzger
Elected Official/Department Head

10 | 26 | 2016
Date

Section 2

Human Resources:

Finance:

Note:

Note:

Stegners 10-26-16
Director Date

Ken Buys 10/26/16
Director Date

H.R. Comments:

Commissioner's Action
Approve Disapprove

Chair *JD*

Member

Member

Date entered in payroll

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

Department - goldenrod

OCT 26 2016

**YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT
Section 1**

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Lynn Miller

Effective Date: 11-5-16

Current Title: Catering Asst.

Gr. Salary \$ 12.63/hr

Title Change:

Gr. Salary \$

increase to
13.26 after
probation
period.
6 months

Check as Applicable:

Regular Full Time:
Regular Part Time: X .5 FTE

New Hire:

Temp Full Time:
Temp Part Time:

Rehire:

Seasonal Hire:

Termination:

Replaces position
Name

Promotion:

New Budgeted Position X

Transfer:

Other:

Demotion:

Reclassification:

Funding: 5810 - 553 - 460442 - 111

Percent 100 New Account

Percent Split Account

Elected Official/Department Head

10/25/16
Date

Section 2

Human Resources:
Note: R+S followed CT

Finance:
Note:

Wigners 10-26-16
Director Date

Kuo Byn 10/26/16
Director Date

H.R. Comments:

Commissioner's Action
Approve Disapprove

Chair

Date entered in payroll

Member

Clerk & Recorder - original

Member

Human Resources - canary

Member

Auditor - pink

Department - goldenrod

OCT 26 2016

**YELLOWSTONE COUNTY
PERSONNEL ACTION REPORT**

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Christina Bennett Effective Date: 10-16-2016
Current Title: Clerk Gr. C Salary \$ 13.89
Title Change: Interim Senior Clerk Gr. D Salary \$ 14.58

Check as Applicable:

Regular Full Time: New Hire:
Regular Part Time: Rehire:
Temp Full Time: Termination:
Temp Part Time: Promotion:
Seasonal Hire:

Temp - Replaces position
Name Bette Welch, Sr Clerk
New Budgeted Position

Other: Temp. Replace Senior Clerk Reclassification:

Funding: 1000 - 000 - 121. 410340 - 111 Percent New Account
Percent Split Account

Elected Official/Department Head

Date 10/25/16

Section 2

Human Resources:

Finance:

Note: _____

Note: _____

Director J. Higgins Date 10-26-16

Director Rena Bups Date 10/26/16

H.R. Comments:

Commissioner's Action

Approve Disapprove

Chair A _____

Member _____

Member RD _____

Date entered in payroll _____

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

Department - goldenrod

B.O.C.C. Regular

Agenda Item 1.

Meeting Date: 11/07/2016

Title: Letter requesting Subdivision Review

Submitted For: Jeff Martin, Clerk And Recorder

Submitted By: Jeff Martin, Clerk And Recorder

TOPIC:

Letter and Petition Requesting Subdivision Review for the Amended C/S 2085 Creating a Tract Using the Family Member Gift Exemption

BACKGROUND:

City/County Planning, County Attorney, and the Clerk and Recorder received a letter and petition requesting full subdivision review for the Amended C/S 2085 that is currently in the exempt survey review process. The letter claims that the submitter is evading the subdivision and platting act and is in violation of existing covenants and restrictions.

RECOMMENDED ACTION:

File

Attachments

Letter from Carl Anderson

March 25, 2016

Mark English
Yellowstone County Attorney
217 N. 27th Street, Room 701
Billings, MT 59101

RE: Morgan Property at 1800 43rd Street West (Tax ID: D04723G)
Exemption as a Gift or Sale to a Member of the Immediate Family

Dear Mark,

Jon and Cheryl Morgan are attempting to subdivide the above referenced parcel (Tract 7B) using the "gift exclusion" instead of going through the normal subdivision process.

As land owners in this development, we feel this subdivision should have to go through the normal process so that there is an opportunity for public notice and public comments.

Additionally, this type of exemption is not allowed per Yellowstone County Subdivision Regulation, Appendix B, Paragraph 6. (Copy Attached)

Also attached are copies of Certificate of Survey 2085 and the "Declaration of Restrictions and Conditions". These documents show that this 60 Acre area has had an "overall development plan" since 1983. This Plan includes such things as "common roads, utility easements and restrictive covenants".

We request that this attempt to bypass the normal subdivision process not be allowed.

Respectfully,

Tract # ^{7A}
Carl Anderson Carl Anderson, 1708 43rd St. West

Tract # ⁴
Dave Sugin Sugin 1777 Leaboard Ln.

Tract # ^{5A}
Paul Vukob 1713 Leaboard

Tract # ^{3A}
John Leaboard 1810 Leaboard Ln.

Tract # ^{3B}
John Leaboard-Turke 1810 Leaboard Ln.

Tract # _____

CC: Jeff Martin, County Clerk and Recorder
Darren Swenson, County Public Works
Assigned Planner, County Planning Dept

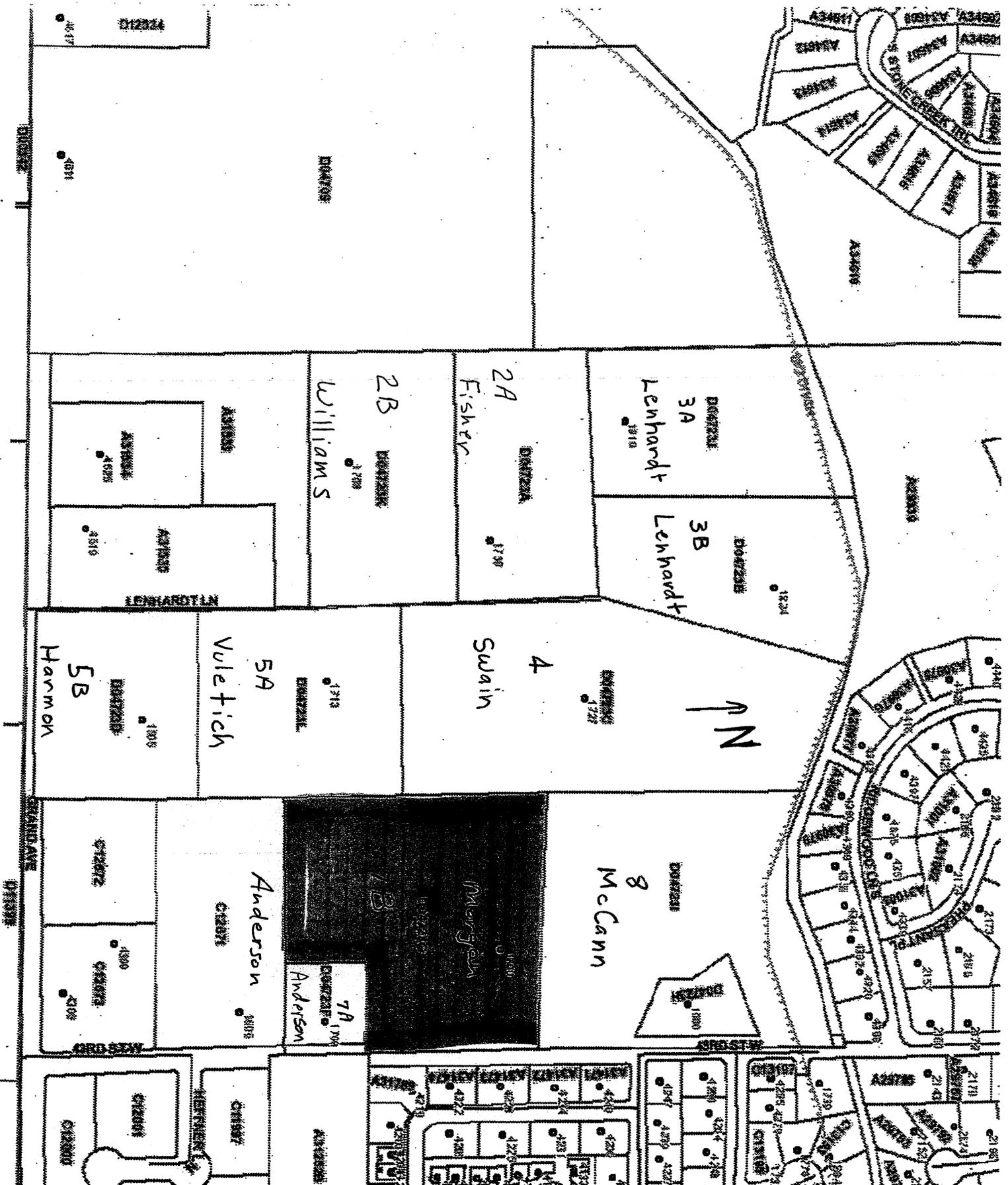
APPENDIX B
Evasion Criteria

2. "Immediate family" is defined as the spouse, children by blood or adoption, or parents of the grantor (76-3-103(8), MCA).
3. Any certificate of survey filed that would use this exemption to create a parcel for conveyance to a family member must clearly identify the name of the grantee, the grantee's relationship to the landowner, and the parcel to be conveyed under this exemption, and be accompanied by, or contain, the landowner's written certification of compliance. The certificate of survey or other instrument must also cite the exemption claimed and include the language provided in Section H Certification, of this Appendix. Also, the certificate of survey or instrument of conveyance shall be accompanied by a deed or other conveying document.
4. One conveyance of a parcel to each member of the landowner's immediate family is eligible for exemption from subdivision review. However, the use of the exemption may not result in more than one remaining parcel of less than 160 acres.
5. Any proposed use of the family conveyance exemption to divide a tract that was previously created through use of an exemption shall be presumed to be an evasion of the Act if it creates a pattern of development consistent with an overall plan with characteristics such as common roads, utility easements, restrictive covenants, open space or common marketing. This presumption will not be rebutted by previous ownership of the tracts, and pertains to remaining tracts of less than 160 acres as well as to those tracts that were previously created through the use of one or more of the exemptions.

- 
6. The use of the family conveyance exemption to divide tracts that were created as part of an overall development plan with characteristics such as common roads, utility easements, restrictive covenants, open space or a common marketing or promotional plan shall be presumed that the use of the exemption is an evasion the Act.

D. Exemption to Provide Security for a Mortgage, Lien or Trust Indenture for the purpose of construction, improvements or refinancing (76-3-201(1)(b) MCA).

1. Statement of Intent: Under policies of many lending institutions and federal home loan guaranty programs, a landowner who is buying a tract with financing or through a contract for deed is required to hold title to the specific site on which the residence will be built, improved, or refinanced. The intended purpose of this exemption is to allow a landowner who is buying a tract using financing or a contract for deed to segregate a smaller parcel from the tract for security for financing construction of a home on the property.
2. When claiming this exemption, the landowner shall submit the following documents to the City-County Planning Department:



12824

46 FT

4011

DIAPYSE

2B

Williams

2A

Fisher

3A
Lenhardt

DIAPYSE

1818

3B

Lenhardt

DIAPYSE

1824

DIAPYSE

1798

ASPHALT

ASPHALT

4526

ASPHALT

4518

LENHARDT LN

Swain

4

DIAPYSE

1722

↑ N

Voleitch

5A

DIAPYSE

1713

Harmon

5B

DIAPYSE

1805

Anderson

CRACK

3005

7A
Anderson

DIAPYSE

3006

McCann

DIAPYSE

1880

Morgan

7B

DIAPYSE

1822

BROCK

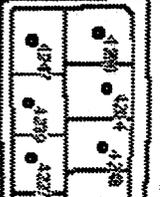
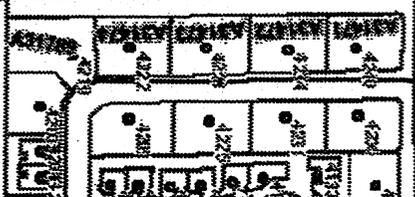
CRACK

CRACK

CRACK

CRACK

ASPHALT



CERTIFICATE OF SURVEY No. 2085

SITUATED IN THE SW 1/4 OF SECTION 33, T.1N., R.25E., P.M.M.

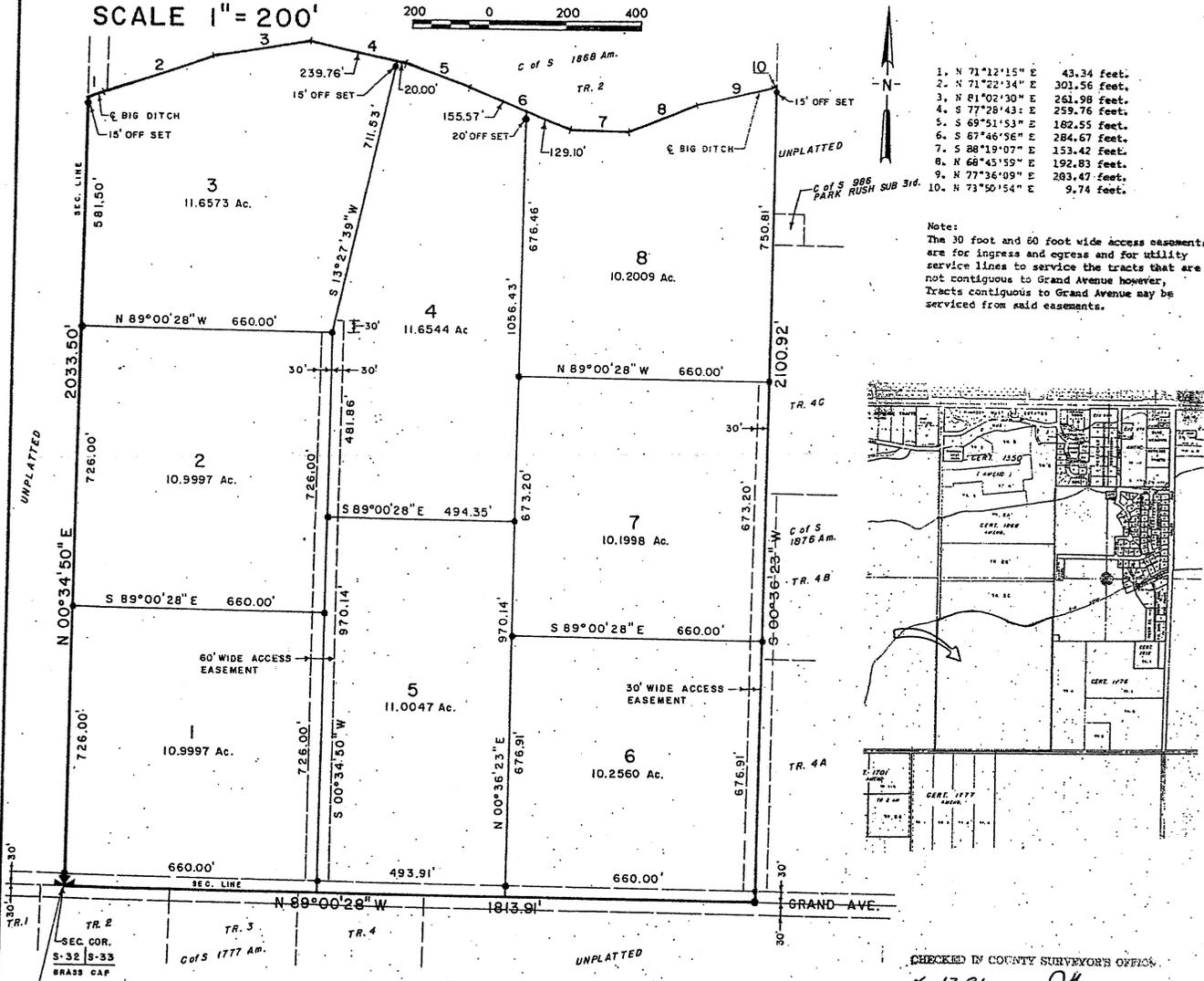
YELLOWSTONE COUNTY, MONTANA

FOR: FIRST TRUST COMPANY OF MONTANA

BY: THOMAS ASTLE JR., R.L.S. BILLINGS, MONTANA

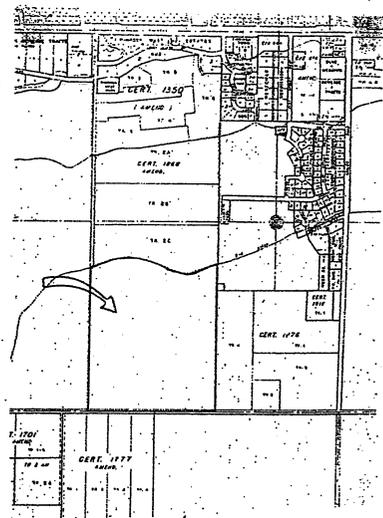
MAY 1981

SCALE 1" = 200'



1. N 71°12'15" E 43.34 feet.
2. N 71°22'34" E 301.56 feet.
3. N 81°02'30" E 251.98 feet.
4. S 77°28'43" E 259.76 feet.
5. S 69°51'53" E 182.55 feet.
6. S 67°46'56" E 284.67 feet.
7. S 88°19'07" E 153.42 feet.
8. N 68°45'59" E 192.83 feet.
9. N 77°36'09" E 283.47 feet.
10. N 73°50'54" E 9.74 feet.

Note:
The 30 foot and 60 foot wide access easements are for ingress and egress and for utility service lines to service the tracts that are not contiguous to Grand Avenue however, Tracts contiguous to Grand Avenue may be serviced from said easements.



CHECKED IN COUNTY SURVEYOR'S OFFICE
6-17-81

STATE OF MONTANA)
County of Yellowstone) ss
On this 17 day of June 19 81, before me as a Notary Public in and for the State of Montana personally appeared Thomas Astle Jr. and Barry M. Edward of the First Trust Company of Montana known to me to be the persons who signed the foregoing instrument and who acknowledged to me that they executed the same. Witness my hand and seal the day and year herein above written.
Notary Public in and for the State of Montana
Residing at Billings, MT
My commission expires 5/15/84

CERTIFICATE OF SURVEY
STATE OF MONTANA)
County of Yellowstone) ss
Thomas Astle Jr., R.L.S., Registered Land Surveyor No. 2918-S being first duly sworn, deposes and says that during the month of May 1981 a survey was made under his supervision of a tract of land situated in the SW 1/4 of Section 33, T.1N., R.25E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:
Beginning at the section corner common to sections 32 and 33, T.1N., R.25E., Thence N 00°34'50" E 2033.50 feet along the line common to said sections to the southwest corner of Certificate of Survey No. 1868 amended corrected, Thence along the line common to said certificate which is also the centerline of the Big Ditch N 71°12'15" E 43.34 feet, N 71°22'34" E 301.56 feet, N 81°02'30" E 251.98 feet, S 77°28'43" E 259.76 feet, S 69°51'53" E 182.55 feet, S 67°46'56" E 284.67 feet, S 88°19'07" E 153.42 feet, N 68°45'59" E 192.83 feet, N 77°36'09" E 203.47 feet, and N 73°50'54" E 9.74 feet, Thence S 00°36'23" W 2100.92 feet along the east line of said tract which is contiguous with the west line of Certificate of Survey No. 986 and 1876 amended to the south line of section 33, Thence N 89°00'28" W 1813.91 feet to the point of beginning, said tract containing 86.925 acres.
That monuments of suitable size were set at all points marked thus; that said survey and plat hereon show true and correct dimensions, and that the plat conforms with the work on the ground.
Dated this 17 day of June 19 81.

Subscribed and sworn to before me a Notary Public in and for the State of Montana, this 17 day of June 19 81.

Thomas Astle Jr., R.L.S., Montana Registration No. 2918-S
Notary Public in and for the State of Montana
Residing at Billings, Montana
My commission expires 5/15/84

STATE OF MONTANA)
County of Yellowstone) ss
This instrument was filed in my office
this 17 day of June 19 81
at Billings of which I am
MERRILL E. REINOLD
County Clerk & Recorder
By [Signature] Deputy

This Certificate of Survey is being platted by Court Order No. DP 80-06 in the District Court of the Thirteenth District of the State of Montana in and for the County of Yellowstone exempting such division and the estate from provisions of Chapter 500 Laws of Montana, 1977, 76-3-201 (1) M.C.A., 18-16-605-(1)(a) A.R.M. This plat is therefore exempt from review.
Barry M. Edward Seal Estate Officer
Attest:
[Signature]
First Trust Company of Montana
Ed [Signature] R.S. J.C.C.H.D.
Yellowstone City County Health Department

DECLARATION OF RESTRICTIONS AND CONDITIONS

Certificate of Survey No. 2085
TRACTS NO. 2, 3, 4, 5, 7 and 8
Situated in the SW $\frac{1}{4}$ of Section 33
TOWNSHIP 1 NORTH, RANGE 25 EAST, P.M.M.
Yellowstone County, Montana

The undersigned, FIRST TRUST COMPANY OF MONTANA,
of Billings, Montana
in behalf of the Estate of
J. LESLIE STEWART, Probate No. DP-80-06
In the District Court of the State of Montana
in and for the County of Yellowstone

TO THE PUBLIC:

WHEREAS, on the 17th day of June, 1981, there was filed for record a plat of Certificate of Survey No. 2085 in Yellowstone County, Montana, which said plat as Document No. 1201391, is on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana, and is by this reference made a part hereof.

NOW THEREFORE, the undersigned, BARRY M. EDWARD, of FIRST TRUST COMPANY OF MONTANA, of Billings, Montana, being the owners of all the property described above, desiring to place restrictions and conditions for the use and occupancy of the described tracts situated in said Certificate of Survey No. 2085 for the use and benefit of the present owners and for future grantees, and in order to insure the present and future owners of said property that it will develop into a desirable residential area, the undersigned hereby impress all of the described property in said Certificate of Survey No. 2085 with the following restrictive covenants, which shall run with the land for a period of twenty-five (25) years from the date this instrument is filed for record in the office of the County Clerk and Recorder of Yellowstone County, Montana, and shall automatically be extended for successive periods of twenty-five (25) years unless by agreement of the majority of

the persons who are then the owners of the tracts in said property it is agreed to change these restrictions and conditions in whole or in part, DO HEREBY DECLARE AS FOLLOWS:

I.

USE OF LAND

No structure shall be erected or maintained on any tract except one private dwelling house designed for occupancy by a single family only, and such outbuildings and accessory structures as are customarily appurtenant to such dwelling houses. No garage or outbuilding on any tract shall be used as a dwelling or living quarters.

No noxious or offensive activity shall be carried on in any structure or upon any tract, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No tract or building shall be used for any business purposes; however, an allowance shall be made for the selling of garden vegetables and plants and studios or workshops for such arts and crafts as photography, ceramics, sculpture, painting, music, weaving, fiberglass, leather crafts, woodworking, metal crafts, fly tying, pottery, drawing and other similar and related crafts shall be permitted.

No owner or occupant shall be allowed to keep animals or livestock on the premises except household pets; however a maximum of four (4) mares, geldings, or colts shall be allowed; or three (3) calves, less than yearlings, shall be allowed; or a small flock of sheep numbering no more than twelve (12) animal units shall be allowed provided that proper sanitary conditions are maintained and provided that said animals are properly and securely fenced within the property line of the premises, and provided that the respective premises have occupants residing thereat. This restriction specifically excludes hogs.

There will be no industrial, livestock feed lot or commercial development, except offices within property owners' homes are permissable.

Irrigation water must be controlled by the user so that it is not wasted nor allowed to flood adjoining tracts.

No junk, including junk motor vehicles or parts thereof, trash, debris, organic or inorganic waste shall be permitted to accumulate, but shall be disposed of by generally approved procedure.

The construction, erection, or maintenance of billboards, poster-boards or advertising structures of any kind on any part of any tract is prohibited, except signs not larger than six square feet pertaining to the sale, rental or lease of the property shall be permitted, and except that signs of larger size advertising the property may be erected by the undersigned or their agents.

All activities to conform to existing Federal, State and Local regulations.

II.

TYPE OF STRUCTURE

No residence shall be constructed upon any tract in which the total square footage of the dwelling area, exclusive of garages, porches and patios, is less than fifteen hundred (1500) square feet, unless the dwelling is to incorporate a basement as part of the building, in which case the square footage shall be not less than twelve hundred fifty (1250) square feet exclusive of the basement.

Every dwelling shall be of new materials and no old or used buildings or structures of any kind or portions thereof shall be allowed on any of the tracts, except that used brick or stone may be used in a decorative fashion. Trailers and mobile homes shall not be permitted as a residence on any of

the tracts. The contemporary Module type home may be allowed if it meets the square footage requirement above. Any structure in addition to the dwelling, such as a detached garage, a barn, or a storage unit shall conform to and be substantially of the same type of construction and style employed in the dwelling. No metal building shall be permitted except the small type used to store lawn and garden tools. No fence, wall, hedge or other obstruction shall be erected, placed or permitted on any tract nearer than thirty (30) feet to the street right-of-way. It is strongly urged that the garages be placed in such a manner that the doors do not face toward the street on which said tract fronts.

No person owning, occupying or using any tract shall himself, or through others, permit the habitual parking of commercial type vehicles or trailers, overnight or for any substantial portion of the day in the street in front of the tract such person, owns, uses or occupies.

Outside lights or lighting shall be of a kind and intensity not to be annoying to other property owners.

No outside type toilets shall be permitted and all dwellings shall have running water, modern indoor plumbing and water supply and sewage and waste disposal shall meet the minimum standards established by Governmental agencies having jurisdiction.

The owners of each tract must comply with the sanitary codes of the Montana State Board of Health.

III.

RIGHT TO ENFORCE RESTRICTIONS

In the event that any owner or occupant of a tract shall violate or attempt to violate any of the restrictions or

BOOK 1256 PAGE 449

covenants herein contained, it shall be lawful for the person or persons owning any of the tracts in the property described, to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such restriction or covenant. Invalidation of any one or more of the restrictions or covenants herein contained shall in no way affect the others, which shall remain in full force and effect.

IV.

EASEMENTS

A perpetual easement is hereby created in and under a portion of each of the tracts for the purpose of the installation, operation, maintenance, repair, removal and replacement of electrical lines, gas lines, water lines, sewer lines and drainage lines, and no building shall be erected over any of the foregoing utility lines; however, all utilities are required to make a reasonable effort to accommodate the needs of and service to the public, owners and occupants of all tracts of said Certificate of Survey to the end that they are not reasonably inconvenienced in any way.

V.

EXCEPTIONS

Notwithstanding anything herein contained to the contrary, any division of real estate hereinafter made of any or all of the tracts herein contained shall be deemed in conformity with the tenor of these restrictions, provided that such division is made and reviewed pursuant to the statutes and ordinances therefor provided; however, such future division shall be for residential purposes and may incorporate areas of planned community development.

AMENDMENT TO
DECLARATION OF RESTRICTIONS AND CONDITIONS

Certificate Of Survey No. 2085
TRACTS NO. 2, 3, 4, 5, 7 and 8
Situating in the SW $\frac{1}{4}$ of Section 33
TOWNSHIP 1 NORTH, RANGE 25 EAST, P.M.M.
Yellowstone County, Montana

THE UNDERSIGNED, all owners of real property within the above-described Certificate of Survey No. 2085, do hereby agree to this Declaration of Amendment to the original Declaration Of Restrictions And Conditions dated the 17 day of June, 1931.

I.

USE OF LAND

Presently reads as follows:

No structure shall be erected or maintained on any tract except one private dwelling house designed for occupancy by a single family only, and such outbuildings and accessory structures as are customarily appurtenant to such dwelling houses. No garage or outbuilding on any tract shall be used as a dwelling or living quarters.

THE UNDERSIGNED AGREE to change the above to read as follows:

No structure shall be erected or maintained on any tract, except one (1) tract may be divided one time into two (2) 5-acre tracts and one (1) private dwelling house designed for occupancy by one (1) family only may be built on each 5-acre tract, and such outbuildings and accessory structures as are cutomarily appurtenant thereto. No garage or storage building on any tract as divided pursuant hereto, shall be used as a dwelling or living quarters.

In all other respects, the Declaration Of Restrictions And Conditions as originally set forth are hereby ratified and confirmed.

DATED this 16 day of December, 1987.

Lot # 3

John R. Fairbank

Barbara R. Fairbank

Lot # 5

George C. Carlson

Lot # 7A-7B

Tom Willis

Patty Willis

Lot # 8.

Paul Miller

David Mc

Lot # 4

Alan Swain

Cynthia Swain

Lot # 2

x Mark Z Eggbrecht

x Carla J Eggbrecht

11-5

Lehrhardt Ln

Lehrhardt Ln

43rd St W



43rd St W



B.O.C.C. Regular

Agenda Item 2.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

HRDC General Relief Assistance Program Report for the Quarter Ending September 30, 2016

BACKGROUND:

N/A

RECOMMENDED ACTION:

Place to file.

Attachments

HRDC Report



Yellowstone County Commissioners
RECEIVED

OCT 26 2016

PROZET
cc

7 North 31st Street
P.O. Box 2016
Billings, MT 59103
Office: (406) 247-4732
Toll Free: 1-800-433-1411
Fax: (406) 248-2943
www.hrdc7.org

HUMAN RESOURCES DEVELOPMENT COUNCIL

October 12, 2016

Yellowstone County Commissioners
PO Box 35000
Billings, MT 59107

RE: General Relief Assistance Program

Enclosed please find the program report for the quarter ending September 30th, 2016.

Sincerely,

A handwritten signature in cursive script that reads "Brittany Feiler".

Brittany Feiler
Case Manager
HRDC DISTRICT 7

cc: Kevan Bryan, Finance Director
Yellowstone County
PO Box 35003
Billings, MT 59107



7 North 31st Street
P.O. Box 2016
Billings, MT 59103
Office: (406) 247-4732
Toll Free: 1-800-433-1411
Fax: (406) 248-2943
www.hrdc7.org

HUMAN RESOURCES DEVELOPMENT COUNCIL

Yellowstone County General Relief Program As of September 30, 2016

Rent Assistance

Currently enrolled participants	6
Applications currently pending	3
Applications on the Waiting List	8
Participants closed this quarter/no longer eligible	2
Total Participants Served	19

During this quarter, there were 62 support services/case management contacts.

Out of the 2 clients closed this quarter, 1 was approved for SSI/SSDI benefits.

All of the participants have been diagnosed with chronic physical or mental health disabilities that prevent them from obtaining gainful employments and are unable to provide for their basic needs. They are all in the process of applying for Social Security Disability benefits. The qualification process for disability benefits often is very lengthy, and can exceed a year. This program provides for their basic shelter needs during this interim period during which time they have no source of income.

This program is their only resource available to provide for shelter costs. They do not have minor children and do not qualify for TANF. The public housing waiting lists are lengthy with an average waiting time of 1 year, and local non-profits are limited to the rent assistance they can provide – often only to those households with steady employment.

County Burial Assistance

During the quarter ending September 30, 2016, HRDC approved 12 requests for county burial assistance; 4 were burials and 8 were cremations. All burials were at Riverside Cemetery.

**Yellowstone County General Relief Program
Grant Financial Report
Quarter and Year-to-Date for the Period Ending September 30, 2016**

	<u>Direct Services</u>	<u>Admin Fee</u>	<u>Total</u>
County Program Funds	\$ 27,500.00	\$ 6,875.00	\$ 34,375.00
Plus CSBG Support			-
Plus Social Security Reimbursements	709.67		709.67
Plus Interest Income	7.19		7.19
Carryover Year 1	73,379.46		73,379.46
Carryover Year 2	-		-
Current Year Carryover	-		709.67
	<u>101,596.32</u>	<u>6,875.00</u>	<u>109,180.99</u>
Program Funds Available			
Housing-rent	5,870.67		5,870.67
Hygiene	-		-
Utilities	84.68		84.68
Burial (net of refunds)	17,015.00		17,015.00
Social Security Supportive Services	-		-
Headstones	-		-
	<u>22,970.35</u>		<u>22,970.35</u>
Total Provided Client Services			
Operating Fee		<u>6,875.00</u>	<u>6,875.00</u>
Net Available for Services	<u><u>78,625.97</u></u>	<u><u>-</u></u>	<u><u>79,335.64</u></u>

B.O.C.C. Regular

Agenda Item 3.

Meeting Date: 11/07/2016

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Agreement with Andy Dean to Replace a Culvert at Hill Estates

BACKGROUND:

N/A

RECOMMENDED ACTION:

Place to file.

Attachments

Andy Dean Agreement

Standard Form of Agreement between Owner and Contractor on the Basis of A Stipulated Price

This agreement is dated as of the 1st day of November 2016, by and between Yellowstone County, Montana (hereinafter called Owner), and Andy Dean- Billings, Montana (hereinafter called Contractor).

Owner and Contractor, in consideration of the material covenants hereinafter set forth, agree as follows:

1. **Scope of Work**

Contractor shall provide all labor, materials and equipment necessary as necessary for the proposal dated October 17th, 2016 for culvert replacement at Hill Estates. Should any additional work need to be performed, both parties must sign a written change order prior to the work being started.

2. **Contract Times**

The project must be completed prior to November 18th, 2016. If the Contractor requests additional time to complete the project, the Owner must agree to any extension prior to the original completion date.

3. **Contract Price**

Owner shall pay the Contractor a total of \$3,750.00 in one lump sum payment. This project is below the \$5,000.00 Public Contractors 1% State withholding, so no gross receipt tax will be withheld.

4. **Contractors Representation**

4.1 Contractor has examined and reviewed the Contract documents and other related paperwork.

4.2 Contractor is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, performance and furnishing of the work.

4.3 Contractor has given Owner written notice of all conflicts, errors, ambiguities or discrepancies that Contractor has discovered in the

Contract Documents and that the Contract Documents are generally sufficient to indicate and convey the understanding of all terms and conditions for performance and furnishings of the work.

5. Contract Documents

The Contract Documents, which comprise the entire agreement between Owner and Contractor, consist of the following:

- 5.1 This Agreement.
- 5.2 Contractor's proposal.
- 5.3 Contractor's current Certificate of Insurance and Workers Compensation Coverage.

6. Miscellaneous

- 6.1 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without written consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will discharge the assignor from any duty or responsibility under the Contract Documents.
- 6.2 Contractor hereby agrees to defend, indemnify and hold harmless the Owner against claims for injuries to person or damages to property occurred from or in connection with the Contractor's performance under the Agreement. The indemnification and defense obligations under this paragraph of the Agreement shall not be limited by any assertion or finding that the Owner is liable for any damages by reason of a non-delegable duty.
- 6.3 The Contractor agrees to perform the labor and terms of this contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this contract shall be in any way construed to constitute the contractor, or any of his (or her, or its) agents or employees as the agent, employee or representative of Yellowstone County for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.

- 6.4 Owner and Contractor each binds itself, its partners, successors, assigns and legal representative to the other party hereto, its partners, successors, assigns and legal representative to respect to all covenants, agreements and obligations contained in the Contract Documents.
- 6.5 The parties agree that the laws of the State of Montana shall govern this contract, and that venue shall be in the Thirteenth Judicial District Court, Billings, Yellowstone County, Montana.
- 6.6 In the event of litigation, the prevailing party shall be entitled to reimbursement of Court costs and reasonable Attorney fees by the non-prevailing party.
- 6.7 The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each will be delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective November 1st, 2016.

OWNER:

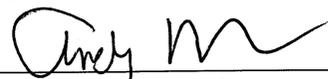
Yellowstone County
Billings, MT 59101



Tim Miller, Public Works Director

CONTRACTOR:

Andy Dean
Billings, MT 59105



Andy Dean