

**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

Revised Resolution No. 19- 36

**Resolution to Dissolve Yellowstone County Rural Special Improvement District No. 539L**

WHEREAS, pursuant to Sections 7-12-2101 through 7-12-2113 of the Montana Code Annotated, a board of county commissioners has the authority to create a rural special improvement district to fund the construction and maintenance of public improvements. To create a district, a board should pass a resolution of intent, set a public hearing, provide notice of the public hearing, receive protests, hold a public hearing, consider protests and pass a resolution that either creates or does not create the district. There is no explicit authority as to how a board is supposed to dissolve a district. Because there is no explicit authority as to how a board is supposed to dissolve a district, it is logical a board should use the same procedure to create a district to dissolve a district.

WHEREAS, on August 12, 1969, with an unnumbered resolution, the Yellowstone County Board of County Commissioners created Yellowstone County Rural Special Improvement District No. 523 to construct streetlights in the vicinity of Eagle Rock Road in the Eagle Rock Subdivision. The Board also created Yellowstone County Rural Special Improvement District No. 523L to maintain the lights. On November 30, 1971, with an unnumbered resolution, the Yellowstone County Board of County Commissioners created Yellowstone County Rural Special Improvement District No. 539 to construct streetlights in the vicinity of Eagle Rock Road in the Eagle Rock Subdivision. The Board also created Yellowstone County Rural Special Improvement District No. 539L to maintain the lights. Yellowstone County Special Improvement District No. 539L duplicates Yellowstone County Special Improvement District No. 523L. The Board has used Yellowstone County Special Improvement District No. 523L to maintain the lights. Yellowstone County Special Improvement District No. 539L does not serve any purpose. Attached is a copy of the resolution that created the District, a map of the District, a list of the properties in the District and the property owners in the District. The Board will transfer the funds held in 539L to 523L when 539L is dissolved.

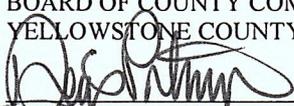
WHEREAS, on June 11, 2019, the Yellowstone County Board of County Commissioners passed a resolution of intent to dissolve Rural Special Improvement District No. 539L and set a public hearing on the dissolution of the District for July 16, 2019. On June 14, 2019, the Yellowstone County Clerk and Recorder mailed notice of the hearing to all property owners in the District. On June 14, 2019 and June 21, 2019, the Yellowstone County Clerk and Recorder published notice of the public hearings in the *Billings Gazette*. On July 16, 2019, the Board held a public hearing on the dissolution of the District. The Board heard comments on the District and considered protests as to the dissolution of the District. The Board did not receive enough protests to prevent the dissolution of the District. 0 out of 18 property owners protested the dissolution of the District. The Board believes that it is in the best interest of the public to dissolve the District.

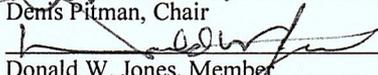
NOW THEREFORE, BE IT RESOLVED,

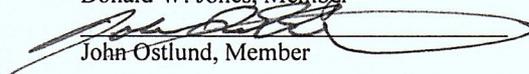
The Yellowstone County Board of County Commissioners dissolves Rural Special Improvement District No. 539L that maintains the streetlights in the Eagle Rock Subdivision. The District is not needed. Another District maintains the streetlights. The Board will return the funds held by it to the property owners who paid the funds.

Passed and Adopted on the 23<sup>rd</sup> day of July, 2019.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

  
Denis Pitman, Chair

  
Donald W. Jones, Member

  
John Ostlund, Member

Attest:

  
Jeff Martin  
Yellowstone County Clerk and Recorder