

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 19- 38

Resolution to Dissolve Yellowstone County Rural Special Improvement District No. 551M

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 22, 1972, with an unnumbered resolution, the Yellowstone County Board of County Commissioners created Yellowstone County Rural Special Improvement District No. 551 to construct the roads in the vicinity of Westgate Drive in a portion of Woodward Way Subdivision. The Board also created Yellowstone County Rural Special Improvement District No. 551M to maintain the roads, in particular Westgate Drive. As the area developed, Westgate Drive became a main thoroughfare. The County began to maintain the road from the general road fund. The District is no longer needed to maintain the road. The County maintains the road from the general road fund. Attached is a copy of the resolution that created the District, a map of the District, a list of the properties and property owners in the District.

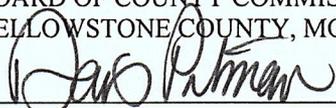
WHEREAS, on June 11, 2019, the Yellowstone County Board of County Commissioners passed a resolution of intent to dissolve Rural Special Improvement District No. 551M and set a public hearing on the dissolution of the District for July 16, 2019. On June 14, 2019, the Yellowstone County Clerk and Recorder 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 17 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.

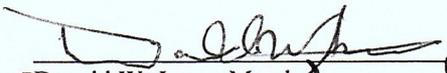
NOW THEREFORE, BE IT RESOLVED,

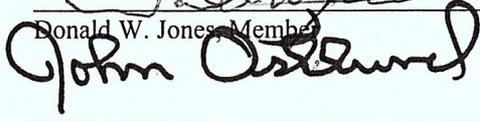
The Yellowstone County Board of County Commissioners dissolves Rural Special Improvement District No. 551M that maintains Westgate Drive. The District is no longer needed. The County has assumed maintenance of the road because it is a main thoroughfare.

Passed and Adopted on the 16th 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