

## YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 20-60

### Resolution to Transfer Yellowstone County Rural Special Improvement Districts to the City of Billings

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. Pursuant to Section 7-12-2126 of the Montana Code Annotated, a board of county commissioners has the authority to transfer the operation of a district to a city when the district has been incorporated into the city and the city and county have agreed to the terms of the transfer. To authorize a transfer of a district to a city, a board has to pass a resolution.

WHEREAS, the Yellowstone County Board of County Commissioners created seven rural special improvement districts that have been completely incorporated into the City of Billings. The County and the City have reached an agreement to transfer operation of the districts to the City. Attached is a copy of the agreement. The County is no longer responsible for the operation of the districts. The City is responsible for the operation of the districts. The seven districts are:

Yellowstone County Rural Special Improvement District No. 122M.

On January 10<sup>th</sup>, 1950, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City prior to 2003.

Yellowstone County Rural Special Improvement District No. 161M.

On July 29<sup>th</sup>, 1952, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City prior to 2003.

Yellowstone County Rural Special Improvement District No. 276M.

On May 16<sup>th</sup>, 1955, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City prior to 2003.

Yellowstone County Rural Special Improvement District No. 301M.

On September 12<sup>th</sup>, 1955, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City in 2015.

Yellowstone County Rural Special Improvement District No. 335M.

On July 6<sup>th</sup>, 1956, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City prior to 2003.

Yellowstone County Rural Special Improvement District No. 554L.

On October 31<sup>st</sup>, 1972, the County adopted a Resolution to Create the District.  
The City incorporated the District into the City prior to 2003.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners transfers the operation of Yellowstone County Rural Special Improvement Districts No. 122M, 161M, 276M, 301M, 335M and 554L to the City of Billings. The Districts have been incorporated into the City and the County and City have reached an agreement to transfer the Districts.

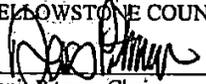
Resolution No. 20-60

Resolution to Transfer Yellowstone County Rural Special Improvement Districts to the City of Billings

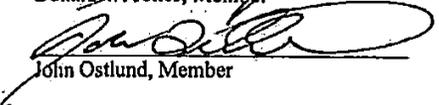
1 of 2

Passed and Adopted on the 25<sup>th</sup> day of August 2020.

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

**AGREEMENT  
BETWEEN YELLOWSTONE COUNTY AND THE CITY OF BILLINGS  
TO TRANSFER THE OPERATION OF  
RURAL SPECIAL IMPROVEMENT DISTRICTS  
FROM THE COUNTY TO THE CITY**

Yellowstone County created seven rural improvement districts. The City of Billings incorporated the districts into the City. The County would like to transfer operation of the districts to the City. The City would like to assume operation of the districts from the County. Pursuant to Section 7-12-2126 of the Montana Code Annotated, the County can transfer operation of the districts to the County and the City can assume operation of the districts.

The seven districts the County would like to transfer operation of to the City and the City would like to assume operation of are:

Yellowstone County Rural Special Improvement District No. 122M.

On January 10<sup>th</sup>, 1950, the County created the District with a Resolution.

The City incorporated the District into the City prior to 2003.

Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit A).

Yellowstone County Rural Special Improvement District No. 161M.

On July 29<sup>th</sup>, 1952, the County created the District with a Resolution.

The City incorporated the District into the City prior to 2003.

Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit B).

Yellowstone County Rural Special Improvement District No. 276M.

On May 16<sup>th</sup>, 1955, the County created the District with a Resolution.

The City incorporated the District into the City in 2015.

Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit C).

Yellowstone County Rural Special Improvement District No. 301M.

On September 12<sup>th</sup>, 1955, the County created the District with a Resolution.

The City incorporated the District into the City prior to 2003.

Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit D).

Yellowstone County Rural Special Improvement District No. 335M.

On July 6<sup>th</sup>, 1956, the County created the District with a Resolution.

The City incorporated the District into the City prior to 2003.

Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit E).

Yellowstone County Rural Special Improvement District No. 554L.

On October 31<sup>st</sup>, 1972, the County created the District with a Resolution.

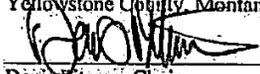
The City incorporated the District into the City prior to 2003.

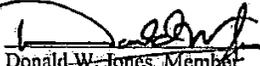
Attached is a copy of the resolution that created the District, a map of the District, a list of properties in the District and a list of the property owners in the District (Exhibit G).

As of the date both the Yellowstone County Board of County Commissioners on behalf of the County and the Mayor of the City of Billings on behalf of the City have executed the agreement, the County will transfer the funds it holds on behalf of the Districts to the City, the County will cease operation of the Districts and the City will assume operation of the Districts.

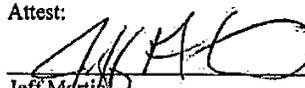
**YELLOWSTONE COUNTY**

On August 25, 2020, the Yellowstone County Board of County Commissioners executed this agreement on behalf of Yellowstone County, Montana.

  
\_\_\_\_\_  
Denis Pitman, Chair

  
\_\_\_\_\_  
Donald W. Jones, Member

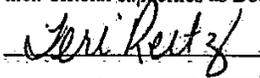
  
\_\_\_\_\_  
John Ostlund, Member

Attest:  
  
\_\_\_\_\_  
Jeff Martin  
Yellowstone County Clerk and Recorder

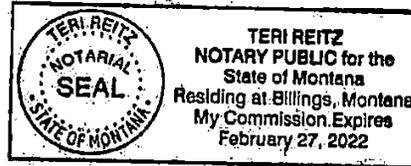
State of Montana        }

County of Yellowstone }

On August 25, 2020, before me, personally appeared Denis Pitman, Donald W. Jones and John Ostlund members of the Board of County Commissioner of Yellowstone County, and Jeff Martin, the Yellowstone County Clerk and Recorder, and acknowledged to me that they executed the attached agreement on behalf of Yellowstone County in their official capacities as Board Members and the Clerk and Recorder.

  
\_\_\_\_\_  
Notary Public for the State of Montana  
Residing at Billings, Montana.  
My commission expires \_\_\_\_\_

(Notarial Seal)



**CITY OF BILLINGS**

On August 24, 2020, the Mayor of the City of Billings, Montana executed this agreement on behalf of the City of Billings, Montana.

William A. Cole  
William Cole, Mayor, City of Billings

ATTEST:

By: Denise R. Bohlman  
Denise R. Bohlman, City Clerk

State of Montana }

County of Yellowstone }

On this 24th day of August 2020, before me, a Notary Public in and for the State of Montana, personally appeared William Cole and Denise R. Bohlman known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, and acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Wynnette J. Maddox  
Wynnette J. Maddox  
Notary Public For the State of Montana,  
Residing at Billings, Montana. Shepherd  
My commission expires 9-16-2022

(Notarial Seal)

