



RESOLUTION 2018-10

A RESOLUTION CALLING FOR AN ELECTION AND ESTABLISHING THE ELECTION DATE ON THE QUESTION OF INCORPORATION OF A COUNTY WATER AND/OR SEWER DISTRICT FOR THE NORTHSTAR PLANNED UNIT DEVELOPMENT AND TO ELECT THE BOARD OF DIRECTORS OF SUCH DISTRICT

WHEREAS, the Board of County Commissioners of Lewis and Clark County (Commission) has received a petition containing the signatures of at least 10% of the qualified electors of the territory to be included within the proposed district per § 7-13-2204, MCA; and

WHEREAS, the certified petition is attached to and recorded with this resolution as "Petition Exhibit"; and

WHEREAS, the Commission has published notice of a public hearing as required by § 7-13-2205, MCA; and

WHEREAS, the Commission has held a public hearing on the petition per § 7-13-2206, MCA, to consider the petition and those appearing thereon, together with such written protests as have been filed with the County Clerk and Recorder prior to the hearing by or on behalf of owners of taxable property situated within the boundaries of the proposed district, for a period not exceeding 4 weeks in all; and

WHEREAS, the Commission has, upon the final hearing, made any changes in the proposed boundaries that are considered advisable and defined and established the boundaries as provided in § 7-13-2208, MCA; and

WHEREAS, the Commission has requested the election to be conducted through a mail ballot election; and

WHEREAS, the Commission in its discretion has called to combine the election on the formation of the district and the election of directors so that the electors of the district may vote on these matters at the same time;

NOW, THEREFORE, BE IT RESOLVED pursuant to Title 7, Chapter 13, Part 22 and Part 23, MCA. As follows:

1. The Commission has determined that the petition complies with the requirements of the provisions of § 7-13-2204, MCA.
2. The boundaries of the proposed district shall include the properties as identified through the "Petition Exhibit" and located in the Northstar Planned Unit Development, Phases 1, 2 & 3, IV, V, VI-A, and VI-B.
3. The Commission now calls for an election to be held in the proposed district for the purpose of determining whether the district is to be incorporated through §7-13-22 & §7-13-23, MCA.
4. The Commission has requested the election to be conducted through a mail ballot election as provided for in §7-13-2208(2), MCA.


5. The Commission, in its discretion, calls to combine in one election the election on the formation of the district and the election of directors so that the electors of the district may vote on these matters simultaneously per § 7-13-2225, MCA.

BE IT FURTHER RESOLVED pursuant to 7-13-2208, MCA, the Commission establishes May 8, 2018, for an election to be held for the purpose of determining whether the district is to be incorporated, combined with the election of the directors; through mail ballot election.


BE IT FURTHER RESOLVED that persons possessing the qualifications of directors, per MCA 7-13-2233, may file declarations for nomination and oaths of candidacy with the Lewis and Clark County Elections Administrator by February 12, 2018, to appear on the ballot or by March 5, 2018, as a write-in candidate.

Dated this 6 day of February, 2018.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chairman

ATTEST:


Paulette J. DeHart, Clerk of the Board

