

Resolution 2018-8

RESOLUTION TO ADOPT THE RECOMMENDATION OF THE CITIZENS ADVISORY COMMITTEE FOR THE LEWIS AND CLARK COUNTY OPEN LANDS PROGRAM GUIDE

WHEREAS, MCA 7-7-2201 gives the Lewis and Clark County Commission (Commission) authority to issue general obligation bonds; and

WHEREAS, Resolution 2008-97 called for a bond election under MCA 7-7-2223, submitting to the qualified electors of Lewis and Clark County (County) the question of whether the Commission shall be authorized to issue and sell general obligation bonds of the County in an amount not to exceed \$10,000,000 (ten million dollars) for the purpose of preserving open-space lands in the County, including working lands and land for protecting water and wildlife, by providing funds to acquire conservation easement or other property interests from willing sellers and to pay costs associated with the sale and issuance of bonds, for any one or more of the following reasons: protecting drinking water sources and ground water quality; protecting water quality in and along rivers and streams; conserving working farm, ranch, and forest lands; protecting wildlife areas; preserving open lands and natural areas; providing for recreation; and managing growth and development; and

WHEREAS, on November 4, 2008, a majority of the qualified electors of the County approved the bond election, authorizing the Commission to issue and sell general obligation bonds according to the bond language; and

WHEREAS, the 2008 bond language provided for "the creation of a citizens advisory committee charged with making recommendations on the expenditure of bond funds to the Board" if the funds are authorized at the election; and

WHEREAS, the Commission appointed a Citizens Advisory Committee (CAC) composed of 13 volunteer members that has compiled recommendations for the process and structure for receiving project applications and recommending projects for bond funding, including documents such as an Open Lands Program Guide, an Application for Project Funding, and a Project Criteria Checklist; and

WHEREAS, on May 4, 2010, after a 30-day public comment period, the Commission approved Resolution 2010-160, adopting the recommendations of the CAC and declared that the Lewis and Clark County Open lands Program would begin accepting applications according to the directions provided in the Application for Project Funding; and

WHEREAS, on October 14, 2014, after a 30-day public comment period, the Commission approved Resolution 2014-109, adopting the recommendation of the CAC to amend the Open Lands Program Guide for the purpose of improving the funding application process; and

WHEREAS, the CAC has determined that the Open Lands Program Guide needs to be further amended in order to improve the efficiency of the Lewis and Clark County Open Lands Program, and has drafted these amendments for the Commission's consideration; and

WHEREAS, on December 5, 2017, the CAC voted affirmatively to approve the amendments to the Open Lands Program Guide and to recommend adoption of the amendments by the Board of County Commissioners; and



WHEREAS, the Commission opened a 30-day public comment period regarding the amendments on December 21, 2017; and

WHEREAS, the Commission held a public hearing on January 23, 2018, at which time oral or written comments were considered and the Commission decided to provide additional time for the CAC to draft further amendments; and

WHEREAS, on April 3, 2018, the CAC voted affirmatively to approve the additional amendments to the Open Lands Program Guide and to recommend adoption of the amendments by the Board of County Commissioners; and

WHEREAS, the Commission has considered these recommendations with or without amendment; and

WHEREAS, the Commission held a public hearing on May 3, 2018, at which time oral or written comments were considered; and

NOW, THEREFORE BE IT RESOLVED:

1. The commission hereby adopts the recommendation of the CAC adopted during the regularly scheduled and publicly noticed meeting of the CAC on April 3, 2018; and
2. The Commission hereby declares that the Lewis and Clark County Open Lands Program will begin accepting and processing applications according to the procedures outlined in the amended Open Lands Program Guide, effective May 3, 2018.

DATED this 3 day of May, 2018

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair





Paulette J. DeHart, Clerk of the Board

APPROVED AS TO FORM:

County Attorney's Office