

RESOLUTION NO. 2019-27

A RESOLUTION OF DAWSON COUNTY, MONTANA, DECLARING IT TO BE THE INTENTION OF THE COUNTY TO LEVY SPECIAL ASSESSMENTS TO REPAY A SPECIAL ASSESSMENT BOND TO BE ISSUED FOR THE PURPOSE OF FINANCING A LOAN WHICH PROVIDED FOR THE PAYMENT OF DESIGN AND CONSTRUCTION COSTS FOR WASTEWATER THE RIVER ROAD IRRIGATION PIPELINE, AND PROVIDING FOR MAINTENANCE OF SUCH IMPROVEMENTS, FINANCING THE COSTS THEREOF AND INCIDENTAL COSTS AND CALLING FOR PUBLICATION OF NOTICE OF PASSAGE OF THIS RESOLUTION AND ESTABLISHING A PROTEST PERIOD AND SETTING A PUBLIC HEARING.

WHEREAS, Dawson County intends to levy a special assessment for annual maintenance and paying the bond pursuant to Section 7-12-2161, M.C.A. (the "Maintenance Special Assessment") which will typically be used for inspection and maintenance necessary to extend the useful life of the pipeline;

WHEREAS, The District will make semi-annual maintenance assessment payments are due November 30th and May 31st, with the first payment due November 30, 2019, and if not paid on such dates will then be delinquent; and

WHEREAS, Dawson County intends to create an Improvement District Maintenance Fund for purposes of paying the Series 2019 Bond to be levied annually against each lot or parcel per riser pursuant to Section 7-12-2162, M.C.A. ("Improvement District Maintenance Fund") If an increase occurs in the number of benefitted lots, the Board will recalculate the amount assessable to each lot as provided in Section 7-12-2151(4), MCA; and

WHEREAS, The total estimated principal assessment for maintenance is \$ \$7,000.00, and the estimated annual maintenance assessment per riser is \$100; and

WHEREAS, The Rural Improvement District will make semi-annual payments on Bond #47, with the first such payment being due January 1, 2019; and

WHEREAS, In order to make timely payments on the Series 2019 Bond, the semi-annual assessment payments are due November 30th and May 31<sup>st</sup>, with the first payment due November 30, 2019; and

WHEREAS, the Board has determined that all of the property in the District has been benefitted by the maintenance of the pipeline in the District boundaries, and that it is fair and reasonable that each parcel or lot in the District be assessed special assessments to pay for maintaining the pipeline; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Dawson County, Montana, as follows:

Section 1. Intention to Levy Rural Special Improvement and Maintenance District No. 47 Special Assessments. The County intends to establish and levy the Improvement Special Assessment against each riser with the purpose of paying the \$815,000 of the costs of Bond #46, payable over 30 years with interest at a rate of three and three-quarters percent (3.75%) per annum plus one-half of one percent as required by Section 7-12-2176(a), MCA. The Improvement Special Assessment, when collected, will be used to pay the principal of and interest on, the Series 2019 Bond. The County also intends to establish and levy the Maintenance Special Assessment pursuant to Section 7-12-2161, MCA, for the purpose of financing future maintenance of the Improvements and related collection lines.

Section 4: Assessment Methods. All properties in the District benefit from the Improvements being refinanced by the Series 2019 Bond and will be assessed an equal amount per riser. The Commission determines that the assessments are equitable and do not exceed the special benefits received from the Improvements. The total estimated principal assessment for payment of Bond for RSID #47 per riser per year is \$650.62. If an increase occurs in the number of benefitted lots, the Board will recalculate the amount assessable to each lot as provided in Section 7-12-2151(4), MCA.

Section 6. Payment of Assessments/Date of Delinquency. The Maintenance Special Assessment shall pay for the principal and interest due on the Bond #47 which shall be payable over a term not exceeding thirty (30) years at three and three-quarters percent interest (3.75%), each in equal semiannual payments of principal and interest, as the County Commission shall prescribe in the resolution authorizing the issuance of the Bond RSID #47. Property owners have the right to prepay assessments as provided by law. The semi-annual assessment payments are due November 30th and May 31<sup>st</sup>, with the first payment due November 30, 2019, and if not paid on such dates will then be delinquent. The estimated annual improvement assessment per riser is \$100.

Section 7. Method of Financing. The County intends to issue the Series 2019 Bond. To finance the Principal of and interest on the Bonds and is intended to be paid from the Improvement Special Assessment levied against the properties in the District. The County intends to sell the Series 2019 Bond to Stockman Bank and utilize the Bond proceeds to pay in full the outstanding principal and interest.


Section 8. Public Hearing; Protests. Any owner of real property within the District may make and file with the Dawson County Clerk & Recorder at 207 West Bell Street, Glendive, MT 59330 until 5:00 p.m., M.T., on September 11, 2019, a written protest against the proposed levy of the District's proposed Improvement and/or Maintenance Special Assessments, and this Commission will, at a meeting at the Dawson County Courthouse Community Room, Glendive, Montana on September 11, 2019 at 5:30 PM, proceed to hear all such written protests so made and filed as well as any protest made verbally at the meeting in accordance with the rules of procedure governing the hearing. The written protest should identify the property in the District owned by the protestor and be signed by an owner of the property.


Section 10. Notice of Passage of Resolution of Intention. The County Clerk and Recorder is hereby authorized and directed to sign and publish or cause to be published a copy of a notice of the passage of this resolution in the Glendive Ranger-Review, a newspaper of general circulation in the County on August 29, 2019 and September 5, 2019, in the form and manner

prescribed by law, and to mail or cause to be mailed a copy of said notice to the owner of each lot, tract, or parcel of land to be assessed as listed in Exhibit B (the mailing address to be determined from the last-completed assessment roll for state, county, and school district taxes) and to such other persons known to the clerk to have an ownership interest in the property, at least 10 days before the hearing. The County Clerk and Recorder is directed to keep a copy of this Resolution for inspection by property owners in the District at 207 West Bell Street, Glendive, MT 59330.


PASSED by the Board of County Commissioners of Dawson County, Montana, this 26th day of August, 2019 and adopted this 27<sup>th</sup> day of August, 2019

  
Chairman, Gary Kartevold

  
Member, Dennis Zander

  
Member, Joe Sharbono

Attest:

  
County Clerk and Recorder