RESOLUTION NO. 2438

RESOLUTION DECLARING IT TO BE THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO CREATE THE BIGFORK SOLID WASTE SPECIAL FEE AREA FOR THE PURPOSE OF UNDERTAKING CERTAIN IMPROVEMENTS AND FINANCING THE COSTS THEREOF

WHEREAS, the Flathead County Solid Waste District has determined through input from the public that there is both adequate desire and demand to maintain a solid waste collection ("container") site in the Bigfork area;

WHEREAS, the Flathead County Solid Waste District has determined that maintaining an appropriate container site in the Bigfork area is not economically viable without a source of additional funding; and

WHEREAS, the Flathead County Solid Waste District has proposed a special fee area to help finance the infrastructure and operational expenses of a container site in the Bigfork area.

BE IT RESOLVED by the Board of County Commissioners of the County of Flathead (the "County"), Montana, as follows:

1. The County has purchased and improved real property in the Bigfork area and intends to operate it as an attended container site.

2. The infrastructure and operational expenses of the site are to be at least partially funded with assessments made through a special fee area.

3. The Special Fee Area, if the same shall be created and established, shall be known and designated as the Bigfork Special Fee Area of the County of Flathead, Montana.

4. The limits and boundaries of the Bigfork Special Fee Area are as inclusively designated by map and legal description on Exhibits A and B hereto, respectively (which are hereby incorporated herein and made a part hereof).

5. The fee to be assessed for the first year is $47.84 per residential unit. The number of residential units to be assessed on each lot, parcel, or tract shall be determined in the same manner as the Flathead County Solid Waste District fee assessment. The first fee assessment is proposed to appear on the 2016 tax bill, with possible subsequent annual adjustments as adopted by the Board of Commissioners of Flathead County.

6. The Board of County Commissioners of Flathead County will hold a public hearing concerning the creation of the Bigfork Special Fee area on August 24, 2016, at 10:45 a.m. at the Commissioners' Chambers, 800 South Main, Kalispell, MT 59901. The public is invited to submit written comment to the Clerk to the Board of County Commissioners, 800 South Main, Room 302, Kalispell, MT 59901, by 5:00 p.m. on August 22, 2016.

7. The County Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Daily Interlake, a newspaper of general circulation in the County on August 12 and August 19, 2016, in the form and manner prescribed by law.

PASSED AND ADOPTED by the Board of County Commissioners of the County of Flathead, Montana, this 9th day of August, 2016.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

SEAL OF FLATHEAD COUNTY - STATE OF MT - COMMISSIONERS OFFICE

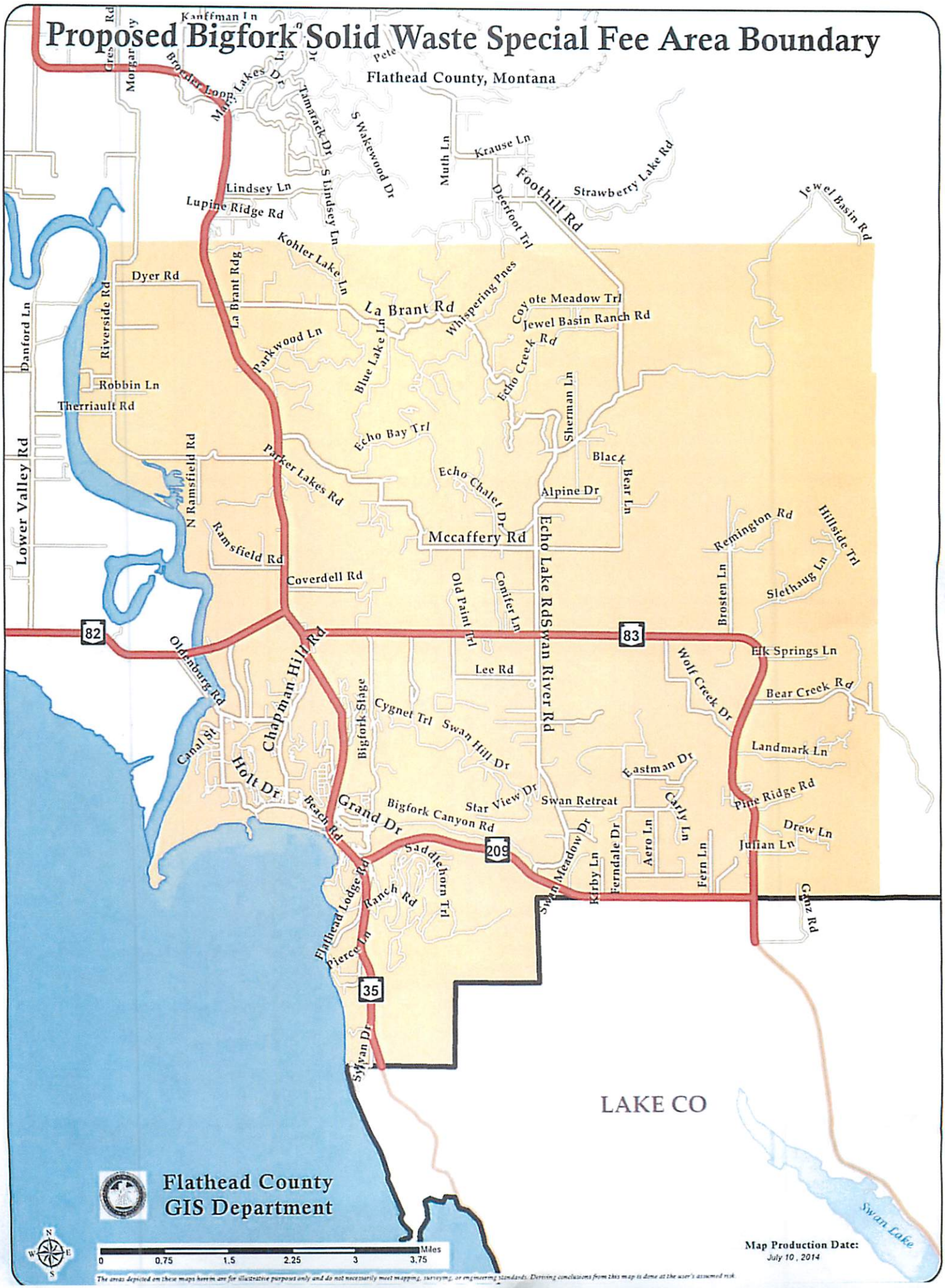
By _____
Pamela Holmquist, Chairman

By _____
Gary Krueger, Member

By _____
Philip Mitchell, Member

Proposed Bigfork Solid Waste Special Fee Area Boundary

Flathead County, Montana



Proposed Bigfork Solid Waste Special Fee Area Boundary – Legal Description:
Beginning at the southeast corner of the Southeast Quarter of Section 36, Township 27 North, Range 19 West, P.M.,M., said point being on the southern boundary of Flathead County, Montana;

Thence westerly, along said southern boundary of Flathead County and along the southern section lines of Sections 33, 34, 35 and 36, Township 27 North, Range 19 West, P.M.,M. to the southeast corner of the Southeast Quarter of Section 32, Township 27 North, Range 19 West, P.M.,M.;

Thence southerly, continuing along said southern boundary of Flathead County and along the eastern section line of Section 5, Township 26 North, Range 19 West, P.M.,M. to the southeast corner of the Southeast Quarter of said Section 5;

Thence westerly, continuing along said southern boundary of Flathead County and along the southern section line of said Section 5 to the northeast corner of the Northeast Quarter of Section 7, Township 26 North, Range 19 West, P.M.,M.;

Thence southerly, continuing along said southern boundary of Flathead County and along the eastern section line of said Section 7 to the southeast corner of the Southeast Quarter of said Section 7;

Thence westerly, continuing along said southern boundary of Flathead County and along the southern section line of said Sections 7 and Section 12, Township 26 North, Range 20 West, P.M.,M. to the low water of Flathead Lake;

Thence northerly and westerly, along said low water of Flathead Lake, through Sections 1 and 12, Township 26 North, Range 20 West and Sections 34, 35 and 36, Township 27 North, Range 20 West, P.M.,M. to the low water of the easterly bank of the Flathead River;

Thence northerly, along said low water of the easterly bank of the Flathead River, through Sections 4, 9, 10, 14, 15, 22, 23, 27, and 34, Township 27 North, Range 20 West and Sections 28 and 33, Township 28 North, Range 20 West, P.M.,M. to the east-west midsection line of Section 28, Township 28 North, Range 20 West, P.M.,M.;

Thence easterly, along the east-west midsection lines of Sections 25, 26, 27, and 28, Township 28 North, Range 20 West and along the east-west midsection lines of Sections 25, 26, 27, 28, 29, and 30, Township 28 North, Range 19 West, P.M.,M. to the northeast corner of the Southeast Quarter of Section 25, Township 28 North, Range 19 West, P.M.,M.;

Thence southerly, along the eastern section lines of Sections 25 and 36, Township 28 North, Range 19 West, P.M.,M. to the southeast corner of the Southeast Quarter of Section 36, Township 28 North, Range 19 West, P.M.,M.;

Thence easterly, along the northern section line of Section 1, Township 27 North, Range 19 West, P.M.,M. to the northeast corner of the Northeast Quarter of Section 1, Township 27 North, Range 19 West, P.M.,M.;

Thence southerly, along the eastern section lines of Sections 1, 12, 13, 24, 25, and 36, Township 27 North, Range 19 West, P.M.,M. to the Point of Beginning, as shown on the attached exhibit labeled, "Proposed Bigfork Solid Waste Special Fee Area Boundary".