



LINCOLN COUNTY MONTANA

Resolution 2018-15

RESOLUTION TO ANNEX A PROPERTY INTO THE LINCOLN COUNTY RURAL FIRE DISTRICT

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY,
MONTANA FINDS:

1. A petition conforming to the ownership requirements of 7-33-2125(1)(a) MCA was presented to the trustees of the Lincoln County Rural Fire District (LCRFD) for annexation of the following described property into the fire district: See attached Exhibit A; and
2. On August 1, 2018 the LCRFD submitted the petition for inclusion into its fire district to the county commission; and
3. The property listed in the application has been verified by the Lincoln County Elections Department as being within the proposed area for annexation; and
4. Pursuant to 7-33-2125 MCA, the Lincoln County Board of Commissioner did approve and pass RESOLUTION 2018-11 INTENT FOR ANNEXATION ON August 8, 2018; and
5. Pursuant to 7-1-2121 MCA, a NOTICE OF PUBLIC HEARING was published in The Western News on August 14 and 21, 2018, and was posted on two courthouse bulletin boards and county website; and
6. Pursuant to 7-33-2125(1)(b), the Lincoln County Board of Commissioners held a hearing on August 29, 2018.
7. Section 7-33-2125(2) MCA states, "On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexations. The board shall approve the annexation unless a protest petition signed by at least 40% of the owners of real property in the area proposed for annexation and owners of property representing 40% or more of the taxable value of the property in the area proposed for annexation is presented at the hearing, in which case the annexation must be disapproved; and
8. The County Commission did hear protests and public comments relating to the proposed annexation on August 29, 2018 and no protest petition was submitted; and

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STATE OF MONTANA LINCOLN COUNTY

RECORDED: 08/29/2018 3:07 KOI: RESOLUTION

ROBIN A. BENSON CLERK AND RECORDER

BY: *[Signature]*

FOR: LINCOLN COUNTY



LINCOLN COUNTY MONTANA

THE BOARD RESOLVES:

That the following described property (see attached Exhibit A) are annexed to the Lincoln County Rural Fire District in accordance with 7-33-2125 MCA.

THE BOARD FURTHER RESOLVES:

- 1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:

Marcia Boris (handwritten signature)

Marcia Boris, County Attorney

Date presented to the Board 8-29-2018 Approved [X] Disapproved () Amended ()

Adopted this 29th day of August 2018.

LINCOLN COUNTY BOARD OF COMMISSIONERS

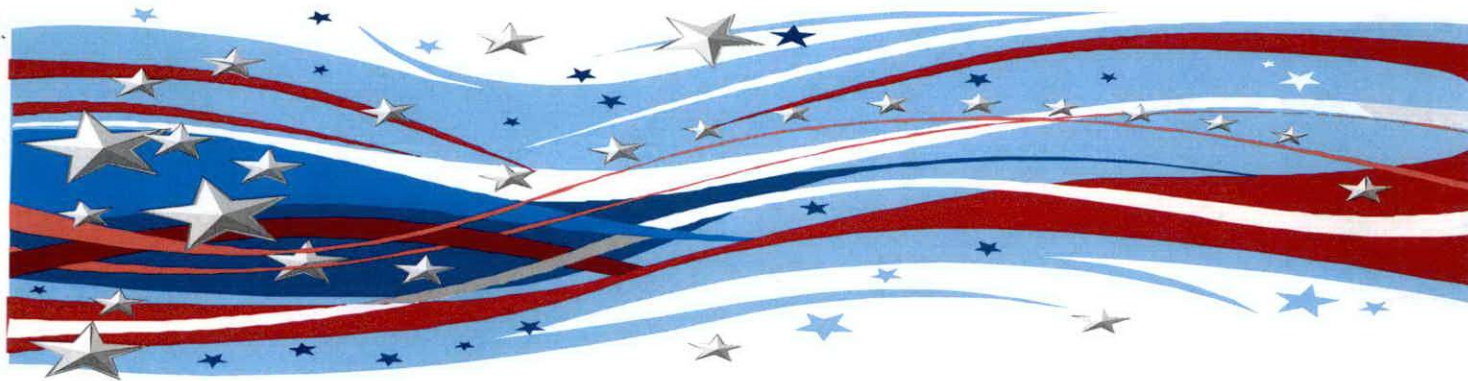
Mike Cole (handwritten signature)
Mike Cole, Chair

ATTEST:

Robin A. Benson (handwritten signature)

Robin A. Benson, Clerk of the Board





LINCOLN COUNTY ELECTIONS

512 CALIFORNIA AVENUE, LIBBY, MT 59923

406-283-2302

leigh@libby.org

LINCOLN COUNTY RURAL DISTRICT SUMMARY

July 17, 2018

7-33-2125 MCA – states that the requirements for fire district annexations are:

- 1) A petition in writing by the owners of 40% or more of the real property within the proposed district AND
- 2) Owners of property representing 40% or more of the taxable value of property within the proposed area to be annexed

During the Big Horn Annexation public hearing, Mary Hickey asked Steven Lauer some questions about her ability to be annexed into the Lincoln County Rural Fire District. Steve followed up and brought me the signed request from Ms. Hickey. I requested a copy of the Power of Attorney form that allows her to sign for the property owner, Barbara Grant, and have accessed the Assessor program to confirm tax assessment.

The property is a total of 6.503 acres and a total taxable value of \$2499. As there is only 1 property for this annexation, it meets the 40%/40% rule of 7-33-2125 MCA.

Regards,


Leigh Riggelman
Lincoln County Election Administrator



Telephone
(406)293-9217

Lincoln County Rural Fire District # 1



PO Box 369
Libby, Mt. 59923



Fax
(406)293-3219

Exhibit A

June 12, 2018

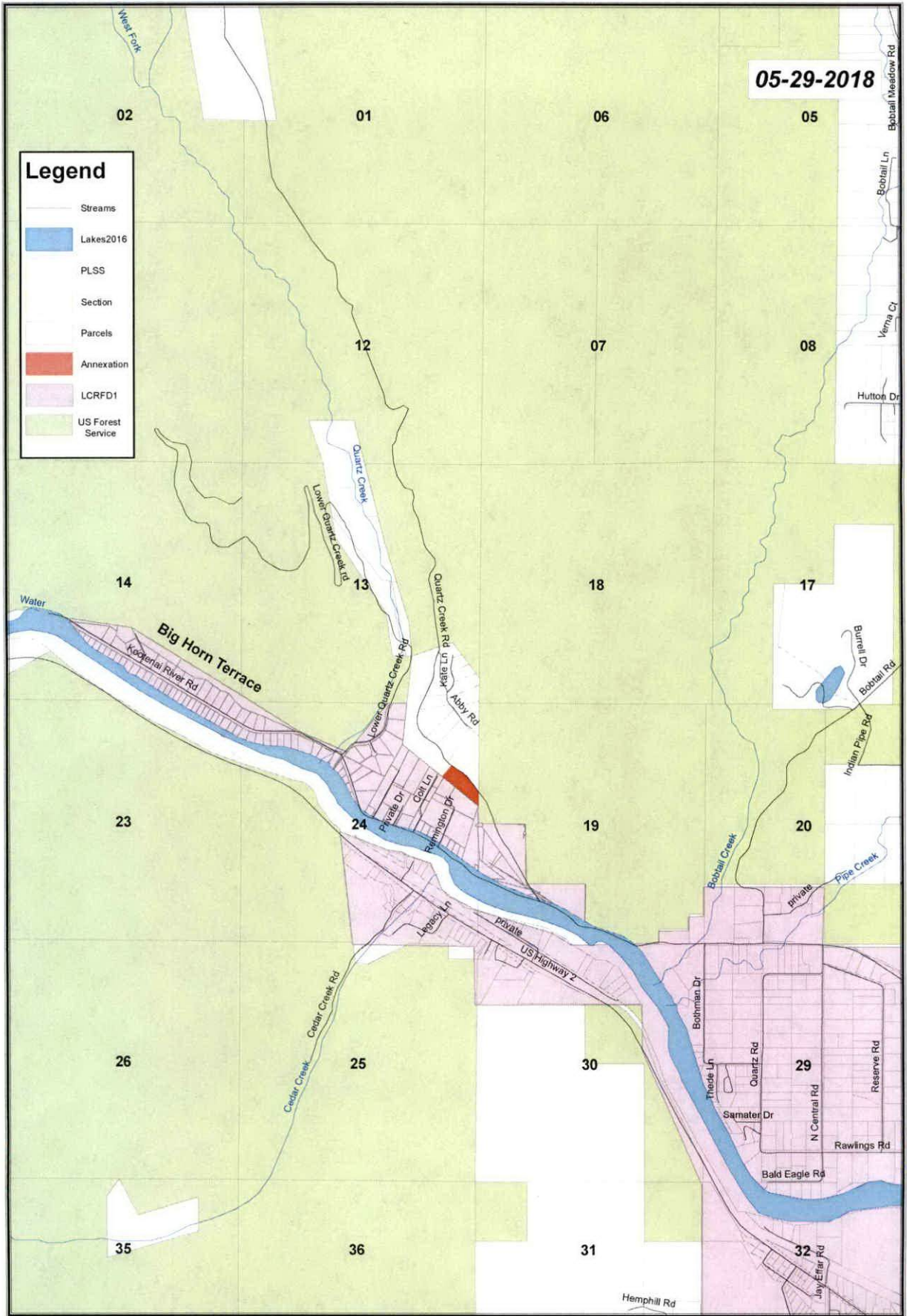
The Lincoln County Rural Fire District#1 is requesting annexation of property adjacent to the existing RFD boundaries pursuant to MCA 7-33-2125. We are requesting consideration of annexation of the following specified property along the Quartz Creek Road.

Name Code	Parcel #	Acres	Assessment
Mary Hickey	Lot 18	6.5	0000056239

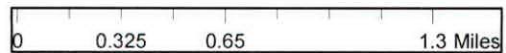
LCRFD Chairman Richard S. Wood: Richard S. Wood Date: 6-11-18

LCRFD Big Horn Annex Proposal 2018

05-29-2018



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Telephone
(406) 293-9217

Lincoln County Rural Fire District # 1



PO Box 369
Libby, Mt. 59923



Fax
(406) 293-3219

May 23, 2018

To : Lincoln County Commissioners

Mark Peck, Mike Cole, Jerry Bennett

Re: Annexation Request

June 12th, 2018

Dear Sirs:

The Lincoln County Rural Fire District #1 Board of Trustees is requesting approval of the annexation of 1 private property that is located adjacent to our existing District. A property specific listing with property owner(s) name(s), physical and mailing address, geocode, acreage, provided on the Montana Cadastral website is attached along with a map created and provided by Lincoln County planning department showing the annexation request.

As per Montana Code Annotated section 7-33-2125, we are providing documentation of written petition from 40% (have 100%) of the real property, and 40% (have 100%) of the taxable value. A meeting of the LCRFD board of trustees was held on Monday, June 11th 2018 to approve the annexation request of the citizens.

Richard S Wood Richard S Wood Date: 6-11-18
LCRFD Board Chairman

LCRFD Board Member: [Signature] Date: 6/11/18