

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of Stillwater County, Montana (the "County"), hereby certify that the attached resolution is a true copy of Resolution No. 2020-45, entitled: "RESOLUTION RELATING TO STILLWATER COUNTY FAIRGROUNDS DISTRICT; DECLARING IT TO BE THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO CREATE A SPECIAL DISTRICT FOR THE PURPOSE OF UNDERTAKING IMPROVEMENTS TO THE NEW STILLWATER COUNTY FAIRGROUNDS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL DISTRICT BONDS" (the "Resolution"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a meeting on December 29, 2020, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: Commissioner Crago & Commissioner Hamilton; voted against the same: None; abstained from voting thereon: None; or were absent: Commissioner Shupak.

WITNESS my hand officially this 29th day of December, 2020.



  
Heidi L. Stadel  
County Clerk and Recorder

RESOLUTION NO. 2020-45

RESOLUTION RELATING TO STILLWATER COUNTY FAIRGROUNDS DISTRICT; DECLARING IT TO BE THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO CREATE A SPECIAL DISTRICT FOR THE PURPOSE OF UNDERTAKING IMPROVEMENTS TO THE NEW STILLWATER COUNTY FAIRGROUNDS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL DISTRICT BONDS

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

Section 1. Authorization. Pursuant to Montana Code Annotated, Title 7, Chapter 11, Part 10, as amended (the "Act"), local governments are authorized to create special districts whenever the public convenience and necessity may require. Under the Act, a "special district" may be authorized by law to perform a single function or a limited number of functions, including but not limited to fair districts. The Act further authorizes the entity administering a special district to, among other things, implement a program and order improvements designed to fulfill the purposes of the special district, and to borrow money by the issuance of general obligation bonds or revenue bonds for the lease, purchase, and maintenance of land, facilities and buildings and the funding of projects. The governing body of a local government creating a special district is required by the Act to make assessments or impose fees for the costs of the special district based on an annual budget to be proposed by the governing body, and to levy such assessments against the benefited lots or parcels of land within the special district.

Section 2. Necessity of Proposed Special District. The County has acquired approximately 20 acres of highly visible undeveloped property north of the City of Columbus, Montana and adjacent to Interstate 90 (the "New Fairgrounds"). The County has also undertaken a planning process resulting in an Events Center Complex Master Plan dated September 15, 2020 (the "Master Plan") with respect to the New Fairgrounds, which proposes a multi-use facility planned and sized to fully replace the existing County fairgrounds with new and expanded facilities. The Master Plan proposes various fairgrounds and recreational improvements, generally consisting of design, engineering and construction of a multipurpose civic events center and livestock building, which may be expanded in the future to include additional exhibit space; an outdoor arena and a warm-up arena; a building housing the County weed and facilities departments; parking and recreational vehicle hook-ups; water, sewer and other utility improvements, as necessary; site improvements; courtyards and landscaping; and related improvements (collectively, the "Improvements").

The Improvements and the Master Plan are intended to address both immediate and future County needs by providing facilities for hosting local and regional events, ranging from the County Fair and other livestock exhibitions and competitions to trade shows, concerts, sporting events and other large gatherings. The New Fairgrounds, as improved by the Improvements, are intended to be an important County amenity, offering a variety of indoor and outdoor facilities, promoting agricultural, cultural and recreational opportunities.

The County now finds it necessary and desirable to create a special district, as further described herein, to provide a flexible and transparent method of financing the Improvements to the New Fairgrounds.

Section 3. Intention To Create Special District. Pursuant to Section 7-11-1007 of the Act, and following an initial public hearing held on December 29, 2020 to consider the creation of the District, this Board hereby states its intention to create and establish in the County a special district (the "District") under the Act for the purpose of financing all or a portion of the costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and security of special district bonds to benefit the District in one or more series and issued at one time or from time to time (the "Bonds") and the creation and administration of the District. In the future, the Improvements may require major maintenance, renovation, rehabilitation or replacement, or the County may determine to acquire additional property adjacent to the District in furtherance of its activities within the District, and the County may

determine to use the District to pay or finance the costs of such major maintenance, renovation, rehabilitation, replacement or acquisition.

Section 4. Name of District; Governance; Duration. The District, if the same shall be created and established, shall be known and designated as "Stillwater County Fairgrounds District" of Stillwater County, Montana. The District shall be administered by the Board. The duration of the District shall be perpetual, provided that, if no Bonds are outstanding and the Board determines that it is in the best interest of the County's inhabitants or that the purpose of the District has been fulfilled, the Board may dissolve the District in accordance with the Act.

Section 5. Boundaries of District. The legal description of the boundaries of the District, which are coterminous with the New Fairgrounds, are set forth on Exhibit A hereto. The County, as owner of the New Fairgrounds, is the owner of all real property included within the proposed District. The property included within the District as described on Exhibit A is hereby declared to be the property that will be benefited by the Improvements to be undertaken with respect to the District.

Section 6. General Character and Estimated Cost of the Improvements. The County expects to construct the Improvements in various phases. The first phase would generally consist of designing, engineering and constructing the multipurpose civic events center and livestock building; an outdoor arena; a building housing the County weed and facilities departments; parking and recreational vehicle hook-ups; water, sewer and other utility improvements, as necessary; site improvements; courtyards and landscaping; and related improvements (collectively, "Phase I of the Improvements"). Subsequent phases are expected to consist of expanding the civic events center facility to provide additional exhibit space; construction of the warm-up arena; expanding and covering or enclosing the outdoor arena and construction of additional support spaces; construction of covered or enclosed passages connecting the outdoor arena with the civic events center facility; and related improvements.

The aggregate cost of Phase I of the Improvements, based on estimates prepared by the County's architects and engineers, is expected to be approximately \$24,000,000. Such estimates are merely that and are subject to revision or to amendment from time to time.

Section 7. Method of Financing. The County proposes to issue the Bonds as revenue bonds under the Act and in accordance with the provisions of Title 7, Chapter 7, Part 25, and Title 7, Chapter 7, Part 44, M.C.A., to fund all or a portion of the costs of the Improvements. The Bonds shall be payable from revenue derived from assessments levied against the lots and parcels in the District. The revenues to be produced by the payment of the assessments levied against the lots and parcels in the District are revenues of the Improvements for which the Bonds would be issued. The County is the only owner of property in the District, and the County will pay the assessments to be levied with respect to the District from revenues derived from levying property taxes across all taxable property in the County within and subject to the limitations of Section 15-10-420, M.C.A., and/or such other sources of revenues as the County may identify and pledge in the bond resolution relating to a series of Bonds.

Section 8. Assessment Methodology. Each year, the Board shall make assessments against all lots and parcels in the District for the costs and expenses of the District based on a budget to be proposed by the Board. The Board hereby determines that all of the lots and parcels in the District would be benefited by the Improvements and that the benefits derived from the Improvements by each lot or parcel within the District are substantially equivalent, and therefore the costs of the District shall be assessed equally to each lot or parcel within the District.

Section 9. Notice of Passage of Resolution of Intention. The County Clerk and Recorder 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 Stillwater County News*, a newspaper of general circulation in the County, on December 31, 2020 and January 7, 2021, substantially in the form attached hereto as Exhibit B. In addition, the County will mail or cause to be mailed a copy of such notice together with a protest form, substantially in the form attached hereto as Exhibit C, to each owner or purchaser under contract for deed of the properties subject to potential assessment, fees, or taxation within the proposed District, on the same day such notice is first published.

Section 10. Public Hearing; Protests. At any time within sixty (60) days from either the date of the first publication of the notice of passage of the Resolution of Intention or the date the

protest form was sent to property owners, whichever is later, any owner or purchaser under contract for deed of the properties subject to potential assessment, fees, or taxation within the proposed District may make and file with the County Clerk and Recorder until 5:00 p.m., M.T., on the expiration date of said 60-day period (March 1, 2021), written protest against the proposed creation or the District.

This Board will, at a duly called public hearing, proceed to hear all such protests so made and filed. Such public hearing will be held on March 9, 2021 at 10:00 a.m. in the Stillwater County Pavilion, 328 E. 5<sup>th</sup> Ave. N., Columbus, Montana. Anyone interested is also welcome to participate remotely by joining the meeting online. The County will post a Zoom meeting link on the County's website under "Public Notices" at <https://www.stillwatercountymt.gov/government/public-notices> at least 48 hours prior to the meeting. Following the public hearing, the Board will pass upon the protests, and, if the protests are insufficient, create the District.

PASSED AND ADOPTED by the Board of County Commissioners of Stillwater County, Montana, this 29th day of December, 2020.

  
Chair, Board of County Commissioners

  
Commissioner

AbSent (Dennis Shupak)  
Commissioner

Attest:

  
County Clerk and Recorder



EXHIBIT A

Stillwater County, Montana

Twp 2 South, Rge 20 East, MPM  
Sec 22: Tract located in E1/2NW1/4 described as the  
Southerly 566 feet of Tract D on Certificate of Survey No. 238441

Twp 2 South, Rge 20 East, MPM  
Sec 22: NW1/4NW1/4, less Tracts B and C  
as shown on Certificate of Survey No. 238141

Twp 2 South, Rge 20 East, MPM  
Sec 22: That part of N1/2SW1/4NW1/4  
lying Northerly of the Right of Way line of Sheep Dip County Road

EXHIBIT B

[Form of Notice to be Published]

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION TO CREATE A  
SPECIAL DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN  
IMPROVEMENTS TO THE NEW STILLWATER COUNTY FAIRGROUNDS AND  
FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH  
THE ISSUANCE OF SPECIAL DISTRICT BONDS

**STILLWATER COUNTY, MONTANA**

NOTICE IS HEREBY GIVEN that on December 29, 2020, the Board of County Commissioners (the "Board") of Stillwater County, Montana (the "County"), adopted a Resolution of Intention to create a special district to be called the Stillwater County Fairgrounds District (the "District") for the purpose of undertaking various recreational and fairgrounds improvements on approximately 20 acres of highly visible undeveloped property north of the City of Columbus, Montana and adjacent to Interstate 90, generally consisting of design, engineering and construction of a multipurpose civic events center and livestock building, which may be expanded in the future to include additional exhibit space; an outdoor arena and a warm-up arena; a building housing the County weed and facilities departments; parking and recreational vehicle hook-ups; water, sewer and other utility improvements, as necessary; site improvements; courtyards and landscaping; and related improvements (collectively, the "Improvements").

A complete copy of the Resolution of Intention is on file with the County Clerk and Recorder and more specifically describes the nature and estimated costs of the Improvements, the boundaries and the area included in the District, the method of financing costs of the Improvements and other matters pertaining thereto and further particulars.

On March 9, 2021 at 10:00 a.m. in the Stillwater County Pavilion, 328 E. 5th Ave. N., Columbus, Montana, the Board of County Commissioners will conduct a public hearing and pass upon all written protests against the creation of the District that may be filed in the period hereinafter described. Anyone interested is also welcome to participate remotely by joining the meeting online. The County will post a Zoom meeting link on the County's website under "Public Notices" at <https://www.stillwatercountymt.gov/government/public-notices> at least 48 hours prior to the meeting.

A written protest against the creation of the District may be made only by an owner of the property to be included in the District and must be made in accordance with Section 7-11-1008, Montana Code Annotated. Such protest must be delivered to the County Clerk and Recorder, Stillwater County, 400 East 3<sup>rd</sup> Avenue North, Columbus, Montana not later than 5:00 p.m., M.T., on March 1, 2021.

Further information regarding the proposed District or other matters in respect thereof may be obtained from the Stillwater County Commissioners 400 E 3<sup>rd</sup> Ave North Columbus, Montana 59019, or by telephone (406)-322-9935.

Dated: December 29, 2020.

BY ORDER OF THE BOARD OF COUNTY  
COMMISSIONERS OF THE STILLWATER  
COUNTY, MONTANA

Publish: December 31, 2020 and January 7, 2021.

EXHIBIT C

[Form of Notice and Protest Form to be Mailed]

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION TO CREATE A  
SPECIAL DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN  
IMPROVEMENTS TO THE NEW STILLWATER COUNTY FAIRGROUNDS AND  
FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH  
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A complete copy of the Resolution of Intention is on file with the County Clerk and Recorder and more specifically describes the nature and estimated costs of the Improvements, the boundaries and the area included in the District, the method of financing costs of the Improvements and other matters pertaining thereto and further particulars.

On March 9, 2021 at 10:00 a.m. [in the Stillwater County Pavilion, 328 E. 5th Ave. N., Columbus, Montana, the Board of County Commissioners will conduct a public hearing and pass upon all written protests against the creation of the District that may be filed in the period hereinafter described. Anyone interested is also welcome to participate remotely by joining the meeting online. The County will post a Zoom meeting link on the County's website under "Public Notices" at <https://www.stillwatercountymt.gov/government/public-notices> at least 48 hours prior to the meeting.]

**A written protest against the creation of the District must be made in accordance with Section 7-11-1008, Montana Code Annotated, and may be in the form set forth below:**

I, \_\_\_\_\_, am the owner of the property:  
(i) located at \_\_\_\_\_

[address of property]

Or

(ii) the legal description of which is \_\_\_\_\_

[legal description of property].

I  support /  oppose the creation of the District described above.

Signed: \_\_\_\_\_

[Any protest must be signed by a majority of the owners of the property the protest relates to.]

**Such protest must be delivered to the County Clerk and Recorder, Stillwater County, 400 East 3rd Avenue North, Columbus, Montana not later than 5:00 p.m., M.T., on March 1, 2021.**

Further information regarding the proposed District or other matters in respect thereof may be obtained from the Stillwater County Commissioners 400 E 3<sup>rd</sup> Ave North Columbus, Montana 59019, or by telephone (406)-322-9935.

Dated: December 29, 2020.

BY ORDER OF THE BOARD OF COUNTY  
COMMISSIONERS OF THE STILLWATER  
COUNTY, MONTANA

Mail: December 31, 2020.