

RESOLUTION

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BROADWATER COUNTY, MONTANA DECLARING AN INFRASTRUCTURE DEFICIENT AREA EXISTS WITHIN BROADWATER COUNTY, MONTANA IN THE INDUSTRIAL AND COMMERCIAL AREA KNOWN AS WHEATLAND AND THAT INVESTMENT IN INFRASTRUCTURE IN THAT AREA IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, OR WELFARE OF THE RESIDENTS OF BROADWATER COUNTY

WHEREAS, the State of Montana has recognized that portions of its cities, towns and counties are deficient in infrastructure improvements for targeted economic development and therefore constitute an impediment to the growth of infrastructure intensive value-adding economic development; and

WHEREAS, the creation of infrastructure in support of value-adding economic development is a matter of state policy and state concern because the state and its local governments have continued to suffer economic dislocation due to the lack of value-adding industries; and

WHEREAS, local governments lack sufficient capital to rectify the infrastructure shortage in infrastructure-deficient areas, thus impeding their ability to achieve economic growth through the development of value-adding industries; and

WHEREAS, the procedure provided in Title 7, Chapter 15, Part 42 and 43 of the Montana Codes Annotated authorizes local governments to exercise statutory development powers through comprehensive targeted economic development plans and projects, after the local government has made a finding that an infrastructure deficient area exists that substantially impairs or arrests the sound growth of the local government or its environs; retards the development of new and expanded value adding industry; constitutes an economic or social liability and/or is detrimental to the financial wellbeing of the community and its citizens; and

WHEREAS, the Board of Commissioners of Broadwater County (the “Commission”) and the Montana Business Assistance Connection (the “MBAC”) have become concerned that the inability to address infrastructure deficiencies in this area has stymied the attraction, growth, and retention of secondary value- adding industries; and

WHEREAS, the Commission is considering a targeted economic development district with a tax increment financing provision for the purposes of addressing infrastructure deficiencies in this area to encourage the attraction, growth, and retention of secondary value-adding industries and that improvement of the infrastructure in this area would enable Broadwater County to better meet the goals and objectives of the Broadwater County Growth Policy; and

WHEREAS, in October of 2018, on behalf of the Commission, MBAC secured professional services to assist the Commission in taking the steps to develop a Targeted Economic Development District (a “TEDD”) for the Wheatland area, and directed that an analysis of the infrastructure deficiencies in the industrial and commercial area known as Wheatland be conducted; and

WHEREAS, on behalf of the Commission, a Statement of Infrastructure Deficiency (copy attached) has been prepared to document infrastructure deficiencies in the industrial and commercial area known as Wheatland. For the purposes of this review, the Wheatland area is generally described as slightly more than 1,000 acres located along US Highway 287, just north of the Interstate 90 – Highway 287 intersection. Most of the acreage is located on the east side of US Highway 287 and extends from I-90 north to Old Town Road. A strip comprised of less than 100 acres is located along the west side of US Highway 287 and extends from I-90 north to Wheatland Road. This review includes portions of Sections 10, 15 and 16, Township 2 North, Range 1 East, P.M.M., Broadwater County, Montana and found:

TRANSPORTATION INFRASTRUCTURE – Interior roads are inadequately constructed and maintained to support heavy truck traffic. Highway design upgrades are needed to address future increased traffic levels and changes in traffic patterns. The area lacks container or goods transloading provisions. The area has inadequate pedestrian elements and limited multimodal recreational facilities.

WATER AND WASTEWATER INFRASTRUCTURE – Relying on individual on-site septic and water is problematic. Centralized systems to address sewer, potable water and fire suppression water are currently unavailable.

LIFE SAFETY – The area lacks fire service facilities and an adequate water supply for firefighting purposes. Law enforcement resources in proximity to the area are lacking.

UTILITIES – The area is deficient in broadband infrastructure. It has limited electrical service and no natural gas services. There are limited solid waste options.

SUPPORT SERVICES – Future growth in work force numbers would require some amount of satellite government services, itinerant healthcare, child care, and/or education and training.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BROADWATER COUNTY, MONTANA AS FOLLOWS:

SECTION ONE: That the Commission finds that infrastructure deficiencies exist within the industrial and commercial area known as Wheatland and that infrastructure investment in this area (pursuant to the Montana Urban Renewal Law) is necessary and desirable in the interest of the public health, safety, and welfare of the residents of Broadwater County and that this investment in infrastructure be made with a commitment to quality improvement and a commitment to property owner and community involvement in decision making. Attached is the Statement of Infrastructure Deficiency.

SECTION TWO: That the Commission directs MBAC to have prepared a zoning regulation for all or a portion of the area generally described in this Resolution in accordance with §76-2-201 MCA.

SECTION THREE: On behalf of the Commission, the MBAC shall submit for public hearing and consideration a resolution to create a zoning district pursuant to §76-2-201 MCA for the industrial and commercial area known as Wheatland.

SECTION FOUR: That the Commission directs MBAC to have prepared a comprehensive development plan for all or a portion of the area generally described in this Resolution and in the attached Statement of Infrastructure Deficiency in accordance with §7-15-4279 MCA to address infrastructure deficiencies within the industrial and commercial area known as Wheatland, a potential Targeted Economic Development District.

SECTION FIVE: On behalf of the Commission, the MBAC shall submit for public hearing and consideration an ordinance for creation of a Targeted Economic Development District for the industrial and commercial area known as Wheatland.

SECTION SIX: That this Resolution of Necessity shall become effective immediately upon its passage and approval by the Commission.

DONE IN SESSION this 4th day of February, 2019.

Broadwater County Board of Commissioners

Mike Delger, Chair

Laura Obert, Member

Darrel Folkvord, Member

Attest: _____
Doug Ellis, Broadwater County Clerk &
Recorder/ Treasurer