

RESOLUTION 2016 - 45

**RESOLUTION APPROVING FUNDING OF THE OPEN LANDS PROGRAM
SPECIMEN CREEK ACQUISITION PROJECT**

WHEREAS, pursuant to Resolution 2008-97, in November 2008, voters in Lewis and Clark County, Montana, approved the Land, Water and Wildlife bond measure, a \$10 million general obligation bond measure for protecting drinking water sources and ground water quality; protecting water quality in and along rivers and streams; conserving working farm, ranch and forest lands; protecting wildlife areas; preserving open lands and natural areas; providing for recreation; and managing growth and development; and

WHEREAS, the primary purpose of the Open Lands Program is to conserve resources on private lands in Lewis and Clark County that fulfill the objectives of the bond measure; and

WHEREAS, funds generated by sales of these bonds are distributed through the County's Open Lands Program; and

WHEREAS, the County's Open Lands Program has received and processed an application for Open Lands funding from the Rocky Mountain Elk Foundation, on behalf of the landowner/applicant, Stimson Lumber Company; and

WHEREAS, in this project, referred to as the Specimen Creek Acquisition, Rocky Mountain Elk Foundation proposes to apply \$260,000.00 of County Open Lands bond funds toward the acquisition price of 729 acres located in portions of Sections 22, 27, and 28, T14N, R06W, P.M.M., Lewis and Clark County, Montana; and

WHEREAS, the Citizen's Advisory Committee on Open Lands (CAC) held a public meeting on this proposal on May 3, 2016, and unanimously voted 11-0 to recommend to the Board of County Commissioners that the Specimen Creek Acquisition Project receive funding of \$260,000.00, conditioned upon County legal staff's review of the Level 2 application's compliance with the due diligence requirements of the Open Lands Program. The motion also included that the recommendation is based on a determination that the Level 2 application meets project evaluation criteria for: (1) Protecting habitat for fish and wildlife, (2) providing opportunities for outdoor recreation; (3) protecting water resources and water quality, (4) preserving open lands and natural areas, and (5) managing growth and development; and

WHEREAS, the Commission held a public meeting on the proposal on May 10, 2016, at which a 30-day public comment period was opened;

WHEREAS, the Commission considered the recommendation of the CAC at a regularly scheduled public hearing on June 14, 2016, along with County Legal staff's due diligence report; and

WHEREAS, the Commission determined that this project meets multiple purposes of the bond, substantially complies with the legal requirements, and may not be achieved without the involvement of the County; and

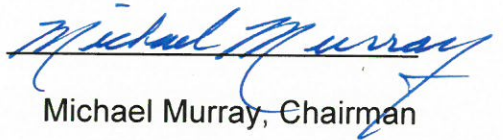




NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners

- Accept the recommendation of the Citizens Advisory Committee on Open Lands; and
- Approve funding the Specimen Creek Acquisition Project in the amount of \$260,000.00.

DATED this 14 day of June, 2016.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman

ATTEST


Paulette DeHart, Clerk of the Board