



LINCOLN COUNTY MONTANA

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STATE OF MONTANA LINCOLN COUNTY
RECORDED: 01/31/2024 12:03 KOI: RESOLUTION
CORRINA BROWN CLERK AND RECORDER
FEE: \$0.00 BY: Felisha Storkson deputy
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,

RESOLUTION 2024-08

A Resolution of Intent to Create a County-wide Library District

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

Whereas, a request from the Lincoln County Library Board to become an independent library district was presented to the Lincoln County Commissioners on January 24, 2024.

Whereas, in accordance with MCA § 22-1-702, the county governing body may, by resolution of intent, call for the creation of a public library district; and

Whereas, MCA § 22-1-703 allows for a county to submit to qualified electors the question of creating a public library district; and

Whereas, pursuant to MCA § 7-1-4131 and § 7-1-2121, a notice of public hearing will be published in the Western News and Tobacco Valley News. Furthermore, it will be posted on two courthouse bulletin boards and the county website under public notices; and

Whereas, the Lincoln County Board of Commissioners will conduct a public hearing on March 6, 2024, at 11:00 A.M. in the Lincoln County Courthouse Commissioner Meeting Room, located at 512 California Ave., Libby, Montana; and

Whereas, MCA 22-1-702(6) states at a public hearing on the proposed public library district, the county governing body shall hear testimony:

- (a) of all interested persons on whether a district should be created;
- (b) regarding the proposed boundary, the property tax mill levy, and the number of members of the board of trustees; and
- (c) on any other matter relating to the petition.

Whereas, pursuant to MCA 22-1-702(7) After the hearing, if the county governing body determines that the proposed public library district should be created, it shall by resolution:

- (a) set the boundaries of the proposed district;
- (b) set the maximum mill levy for the proposed district;
- (c) set the number of members to be on the board of trustees; and
- (d) call for an election on the question of whether to create the district. The election may be:
 - (i) held in conjunction with a regular or primary election; or
 - (ii) conducted by mail ballot in accordance with the provisions of Title 13, chapter 19.



LINCOLN COUNTY MONTANA

NOW, THEREFORE, BE IT RESOLVED:

The Lincoln County Board of Commissioners, in accordance with MCA 22-1-7, adopts a resolution to submit to the residents of Lincoln County the proposal for a county-wide library district.

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, County Attorney

Date presented to the Board 1/31/24 Approved Disapproved [] Amended []

Adopted this 31st day of January, 2024.

LINCOLN COUNTY BOARD OF COMMISSIONERS



Josh Letcher, Chair

ATTEST:



Corrina Brown, Clerk of the Board