

RESOLUTION 2016-04

A Resolution of the Four Corner County Water and Sewer District entering into an Inter local agreement with Gallatin Gateway County Water and Sewer District to provide sewage treatment and disposal

RECITALS

WHEREAS, Four Corners is a county water and sewer district, validly organized pursuant to Title 7, Chapter 13, parts 22 and 23, MCA. Four Corners was incorporated on May 2, 2003 and in the Four Corners area of Gallatin County, Montana being approximately 7 miles west of Bozeman, Montana; and

WHEREAS, Gateway is a county water and sewer district validly organized pursuant to Title 7, Chapter 13, parts 22 and 23, Montana Code Annotated ("MCA"). Gateway was incorporated on February 17, 2009 and is located at Gallatin Gateway, Montana; and

WHEREAS, Four Corners owns a public wastewater system consisting of collection and treatment plant located at Elk Grove Subdivision in Gallatin County Montana which has an approved and constructed design flow of 300,000 gallons per day (average daily flow), which services all current users of Four Corners' wastewater system and the Elk Grove Subdivision and has additional capacity remaining; and

WHEREAS, Gateway has been advised by its engineer that the costs of connecting Gateway's wastewater system within the boundaries of Gateway and the force main line connecting Gateway's sewage collection to Four Corners treatment plant and disposal areas, being the design, engineering and construction of a wastewater force main connecting Gateway's System to the Elk Grove Plant; related improvements; a reserve capacity fee to be paid to Four Corners for the use and reservation of availability of capacity within the Elk Grove Plant; and an appropriate share of the monthly operation and maintenance costs of the Elk Grove Plant; are comparable to the costs of Gateway building its own treatment and disposal system; and

WHEREAS, Four Corners has determined that the Elk Grove Plant has capacity available and Four Corners' customers would benefit by adding new wastewater users to help pay for the costs of operation and maintenance of the Elk Grove Plant; and

WHEREAS, Four Corners has been advised by its engineers that, in addition to its regular and anticipated use, the Elk Grove Plant can accept as additional flow up to 27,000 gallons per day (average daily flow) from Gateway, which will provide for reasonable future growth for Gateway; and

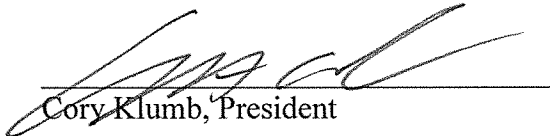
WHEREAS, pursuant to Title 7, Chapter 13, Part 22, MCA, Four Corners has authority to furnish wastewater treatment services to properties outside Four Corners boundary, as well as the authority to enter into contracts for wastewater treatment services outside its boundary; and

WHEREAS, pursuant to Title 7, Chapter 11, Part 1, MCA, Four Corners and Gateway have the authority to enter into interlocal agreements for the extension of wastewater treatment services; and

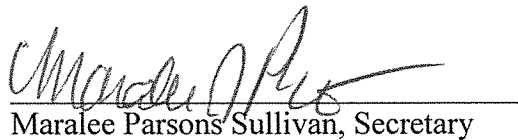
WHEREAS, as a condition to the acceptance of funding from the Funding Agencies for the Project, Gateway must provide this negotiated and executed Interlocal Agreement to the Funding Agencies;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Four Corners and the Board of Directors of Gateway that, for the reasons stated above and pursuant to MCA § 7-11-104, agrees it is to each District's mutual advantage to enter into the Interlocal Agreement to provide sewage treatment and disposal pursuant to the terms of the Interlocal Agreement attached and incorporated.

Dated this 14 day of February 2016.


Cory Klumb, President

ATTESTED:


Maralee Parsons Sullivan, Secretary