

RESOLUTION NO. 18-2014

A RESOLUTION ABANDONING PORTIONS OF FOUR ROADS
DUE TO ROAD RECONSTRUCTION IN THE AREA

WHEREAS, the Board of Commissioners of Fergus County are interested in maintenance of roads within the County, and where appropriate and necessary, are interested in the abandonment of roads that no longer serve the public interest; and

WHEREAS, the Board has been advised that reconstruction has taken place on roads in the general area of sections 21, 28, and 29 of Township 15 North, Range 17 East; and as a result of the new construction there are portions of roads which are appropriate to abandon; and

WHEREAS the Board has not received a Petition for Abandonment as anticipated in Title 7, Chapter 14, Part 26, Montana Code Annotated; however the only affected landowner does not oppose the action taken herein; and the undersigned Board, by passage of this resolution, exercises its charter powers;

NOW THEREFORE BE IT RESOLVED, that the following portions of roads, located in the sections stated within the descriptions, are hereby abandoned:

Jenni Road: On highway 87 at mile marker 215 travel northeast for approximately 1653 feet to the intersection of King Colony Road in Section 29 T15N R17E. Exit Northwest on King Colony Road and travel approximately 903 feet to an intersection on King Colony Road. Turn and travel Northeast on King Colony Road for approximately 609 feet. Continue on Jenni Road for approximately 472 feet. Now begins the defunct portion of road to be abandoned. Travel South for approximately 679 feet to a point being the end of the portion of road to be abandoned in Section 29 T15N R17E.

King Colony Road: On highway 87 at mile marker 215 travel northeast for approximately 1653 feet to the intersection of King Colony Road in Section 29 T15N R17E. Exit Northwest on King Colony Road and travel approximately 903 feet to an intersection on King Colony Road. Turn and travel Northeast on King Colony Road for approximately 609 feet. Now begins the defunct portion of road to be abandoned. Travel Southeast for approximately 562 feet this being the end of the portion of road to be abandoned in Section 29 T15N R17E.

Powerline McMillan Road: On highway 87 at mile marker 218 go northeast for approximately 623 feet to the intersection of the new Powerline Road approach in Section 21 T15N R17E. Go southeast for approximately 543 feet to a point where a portion of the proposed abandonment begins for Powerline Road. This portion forks south for approximately 503 feet entering Section 28 T15N R17E.

On Highway 87 at mile marker 218 go northeast for approximately 623 feet to the intersection of the new Powerline Road approach in Section 21 T15N R17E. Go southeast for approximately 1535 feet to a point where the proposed abandoned portion begins for Powerline Road. The road forks southwest approximately 1925 feet entering Section 28 T15N R17E. The road turns west for approximately 385 feet, thus ending this portion to be abandoned.

McMillan Road: On Highway 87 at mile marker 215 travel northeast for approximately 2475 feet to the intersection of the now non-existent portion of McMillan Road in Section 29 T15N R17E. This road would have gone southeast for approximately 663 feet then south for 743 feet at which point it intersects with the new McMillan Road. Thus ending the portion to be abandoned for an approximate total of 1406 feet; located in Section 29 T15N R17E.

BE IT FURTHER RESOLVED that the action taken herein to abandon the roads shall not affect any existing utilities located within the abandoned area.

PASSED AND APPROVED this 10th day of June,
2014.

BOARD OF COMMISSIONERS:



KEN RONISH



SANDY YOUNGBAUER



CARL SEILSTAD

ATTEST:



RANA WICHMAN, Clerk & Recorder

as described in petition No., state, that on the day of, 19, we assembled on the course of the proposed road, and we beg to submit the following finding:
Description: see 4 attachments


Public Hearing
Notices
5/28
6/4
List road then road
all on add.
add.

Remarks and recommendations: I recommend closing Powerline Rd by McMullan, the old part of McMullan Rd, and the old part of King Colony Rd. These roads were all changed in 2009 with the new highway. The land owner is in favor of closing these 3 portions of road.

Signature of Viewers

{ Sandra Kypunglan, County Commissioner
John C. Anderson, County Surveyor

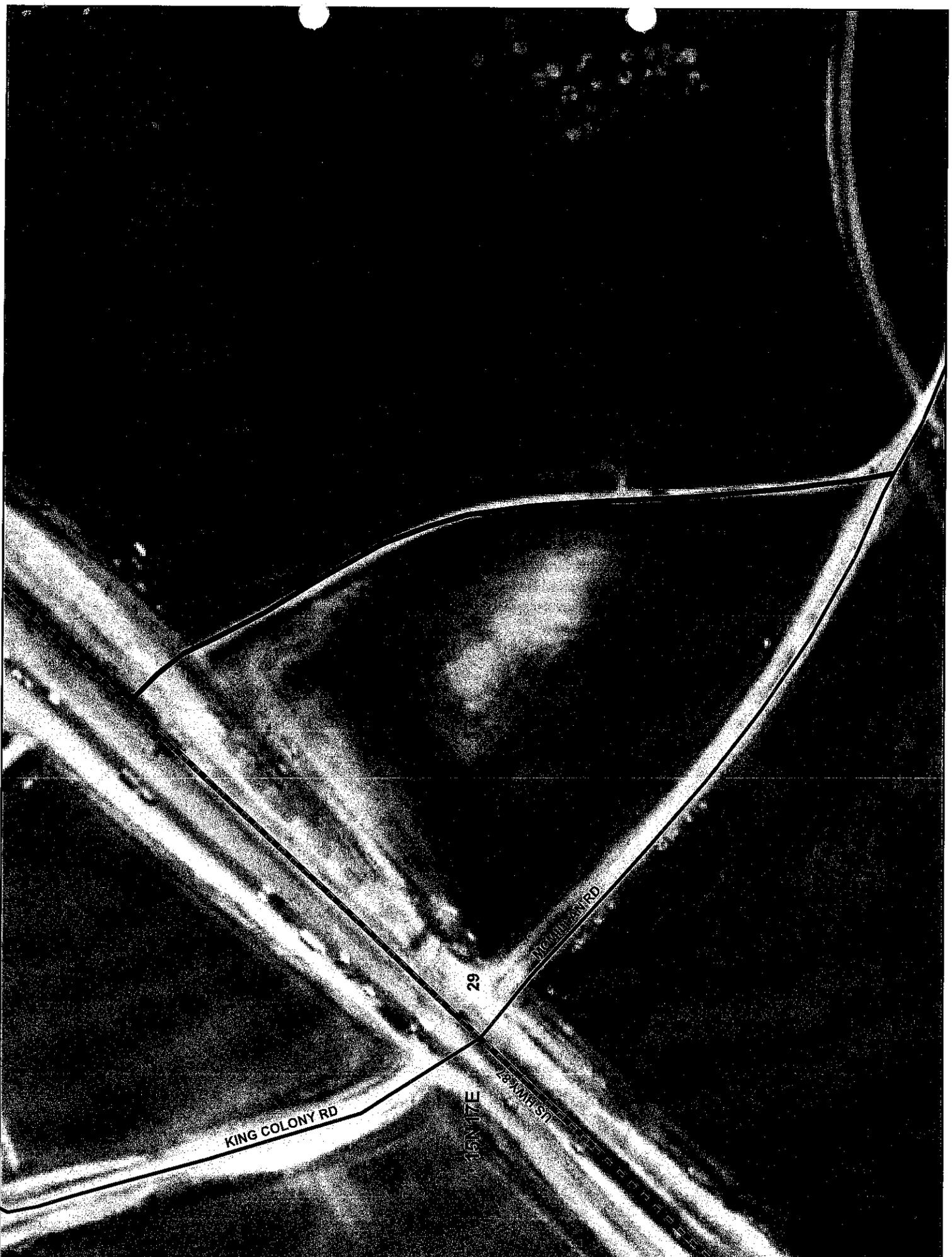
Draft

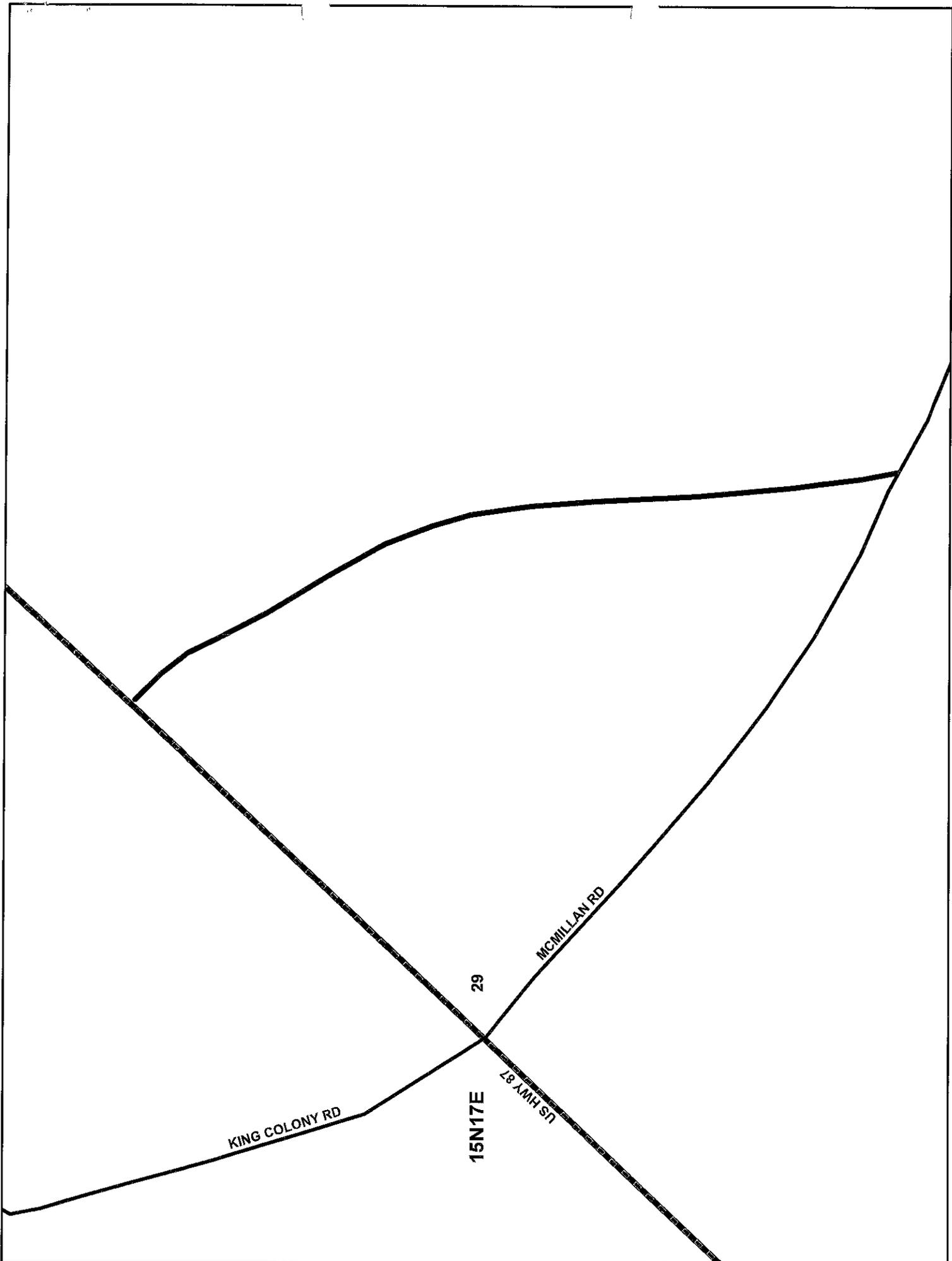
file - McMillan Abandonment '5' 2014

Legal description of portion of McMillan Road to be abandoned:

On Highway 87 at milemarker 215 travel northeast for approximately 2475 feet to the intersection of the now nonexistent portion of Mc Millan Road in T15N R17E Section 29. This road would have gone southeast for approximately 663 feet then south for 743 feet at which point it intersects with the new Mc Millan Road. Thus ending the portion to be abandoned for an approximate total of 1406 feet; located in T15N R17E Section 29.

5-14-2014 Abandonment defunct portion Mc Millan Road





KING COLONY RD

MCMILLAN RD

15N17E

US HWY 87

29

29

Draft

Site

Jenni RD Abandonment '5'2014

Legal description of portion of Jenni Road to be abandoned:

On Highway 87 at milemarker 215 travel northeast for approximately 1653 feet to the intersection of King Colony Road in T15N R17E Section 29. Exit Northwest on King Colony Road and travel approximately 903 feet to an intersection on King Colony Road. Turn and travel Northeast on King Colony Road for approximately 609 feet. Continue on Jenni Road for approximately 472 feet.

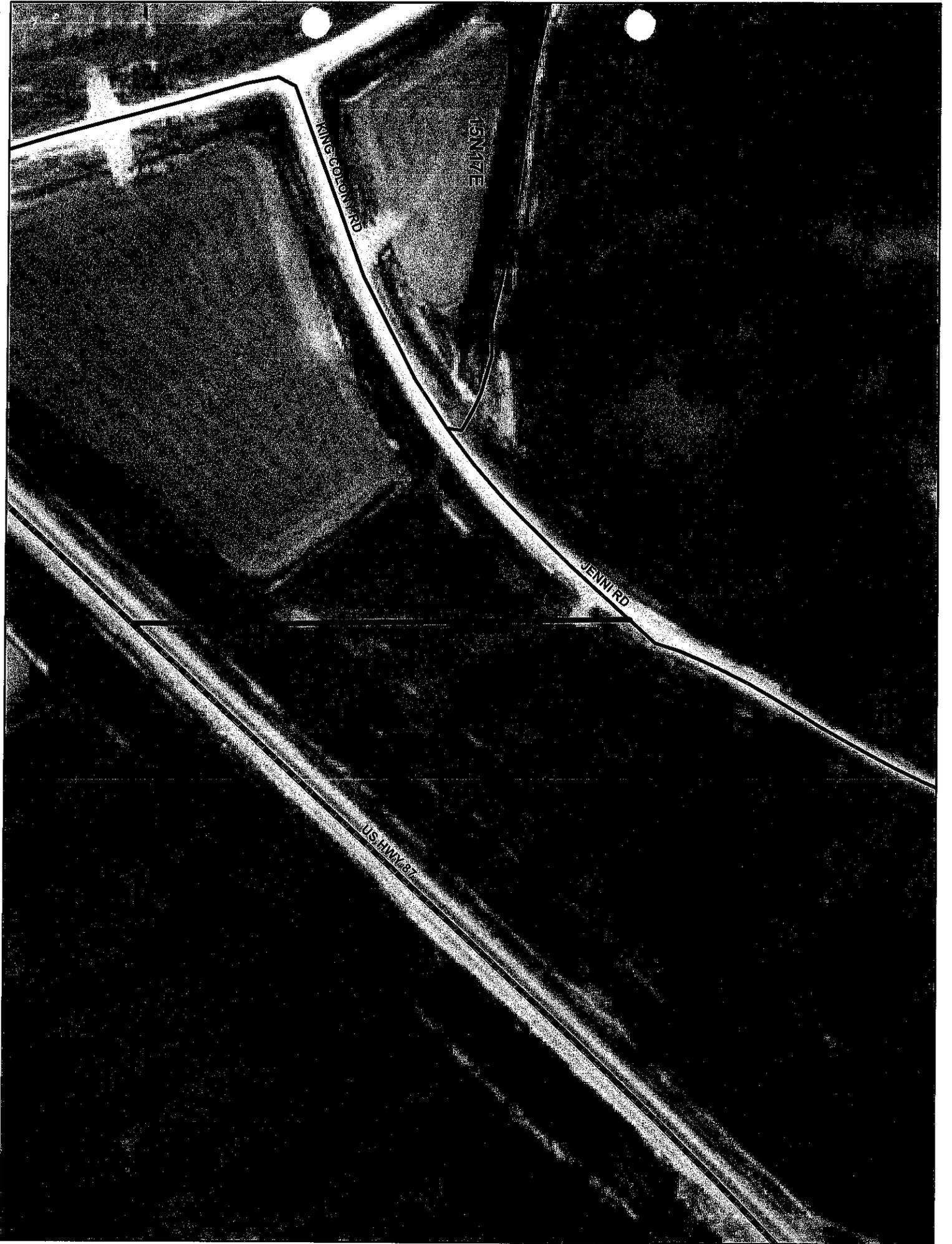
Now begins the defunct portion of road to be abandoned. Travel South for approximately 679 feet to a point being the end of the portion of road to be abandoned in T15N R17E Section 29.

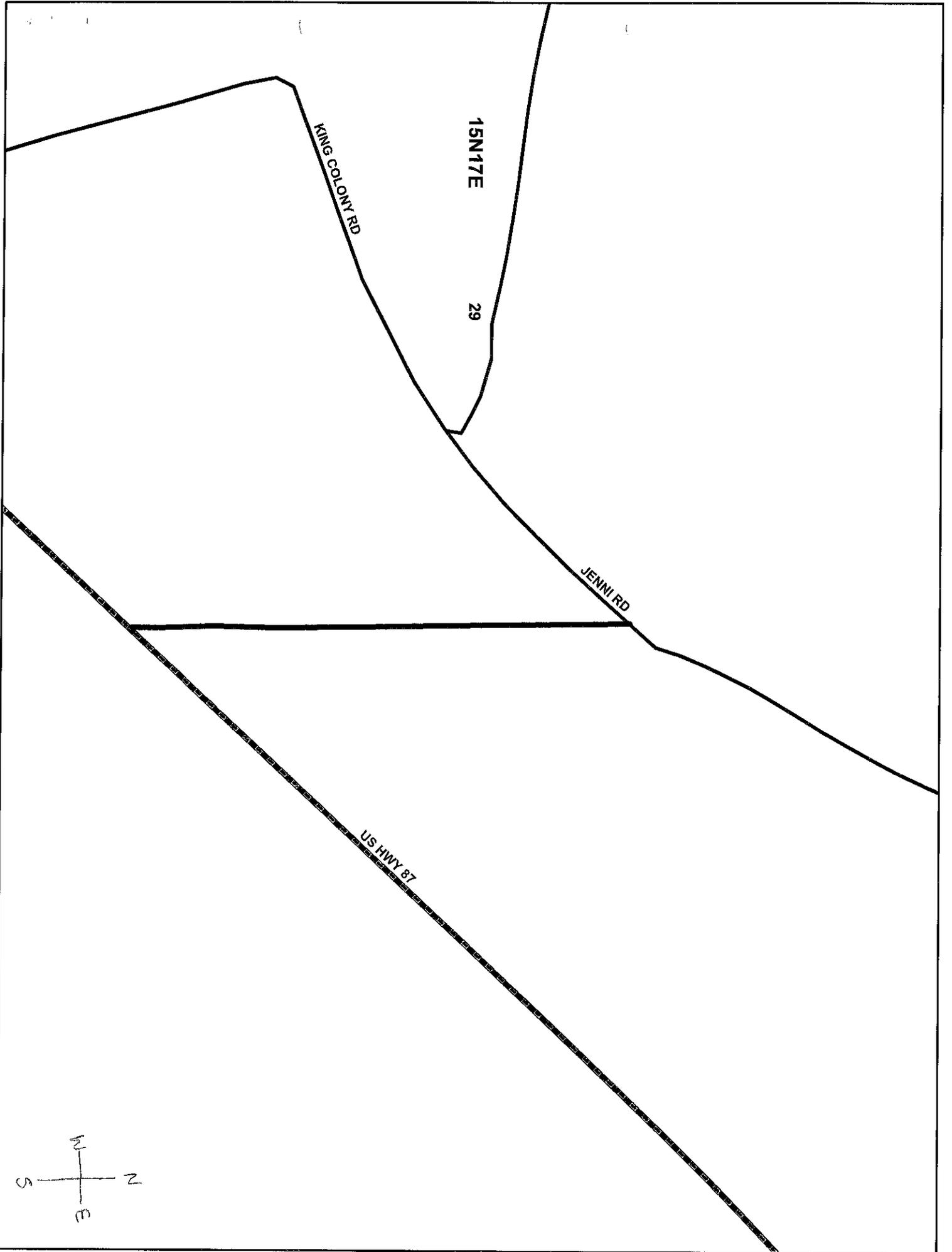
KING COLLEGE RD

15N17E

JENNIFER

U.S. HIGHWAY 67





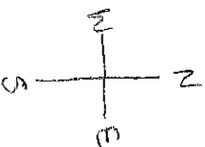
KING COLONY RD

15N17E

29

JENNI RD

US HWY 87



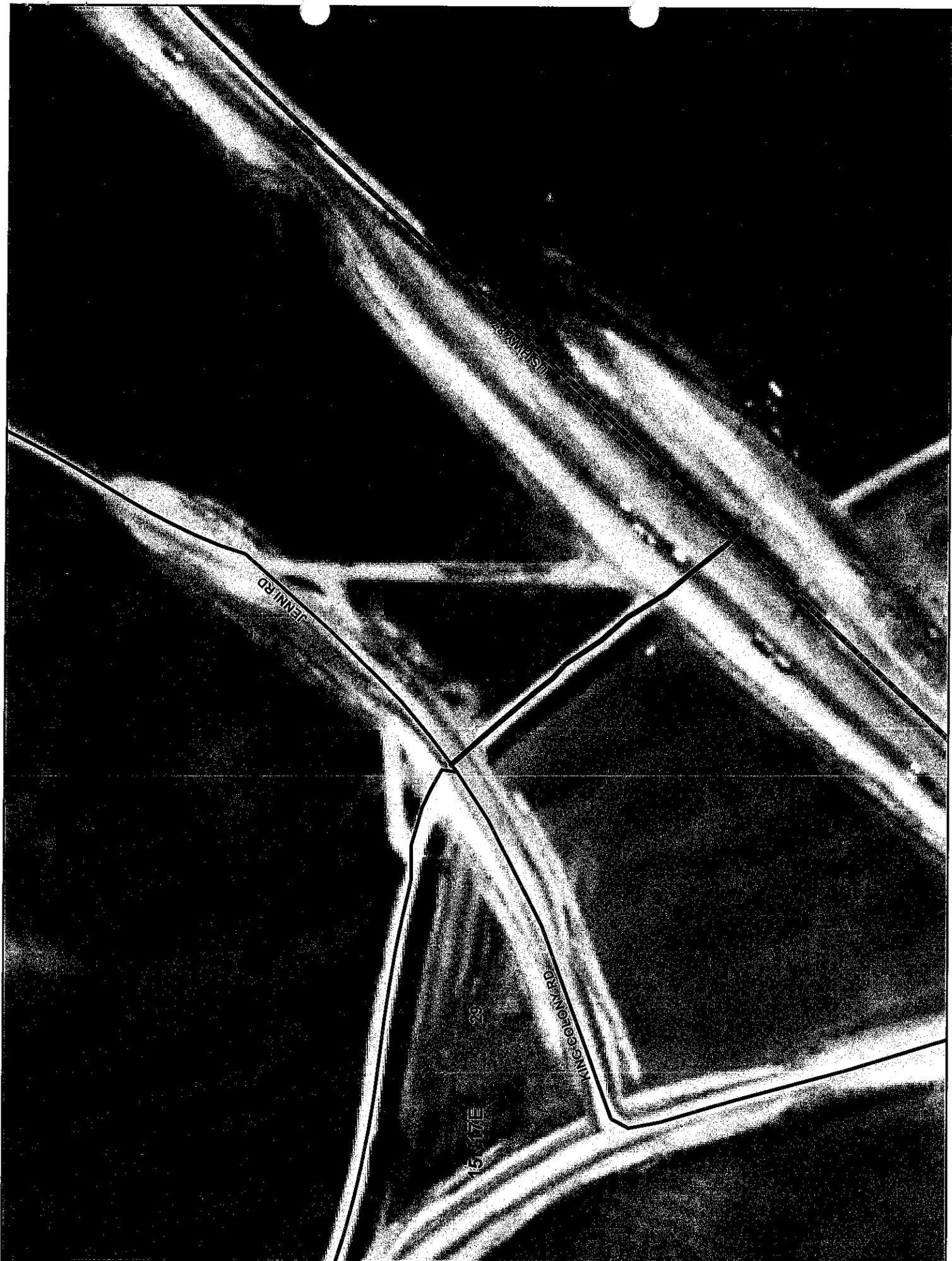
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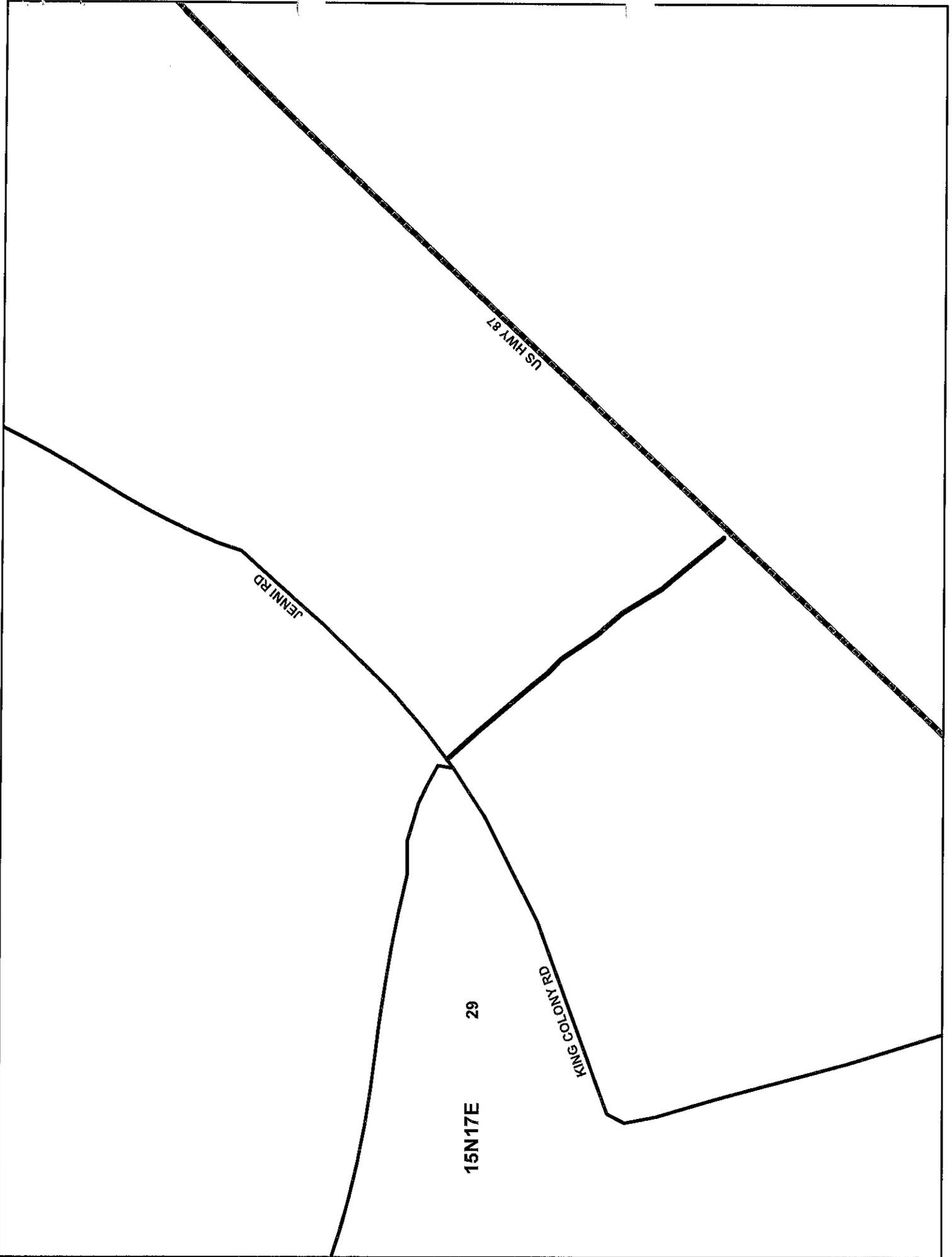
file. King Colony RD Abandonment '5' 2014

Legal description of portion of King Colony Road to be abandoned:

On Highway 87 at milemarker 215 travel northeast for approximately 1653 feet to the intersection of King Colony Road in T15N R17E Section 29. Exit Northwest on King Colony Road and travel approximately 903 feet to an intersection on King Colony Road. Turn and travel Northeast on King Colony Road for approximately 609 feet.

Now begins the defunct portion of road to be abandoned. Travel Southeast for approximately 562 feet this being the end of the portion of road to be abandoned in T15N R17E Section 29.





US HWY 87

JENNI RD

KING COLONY RD

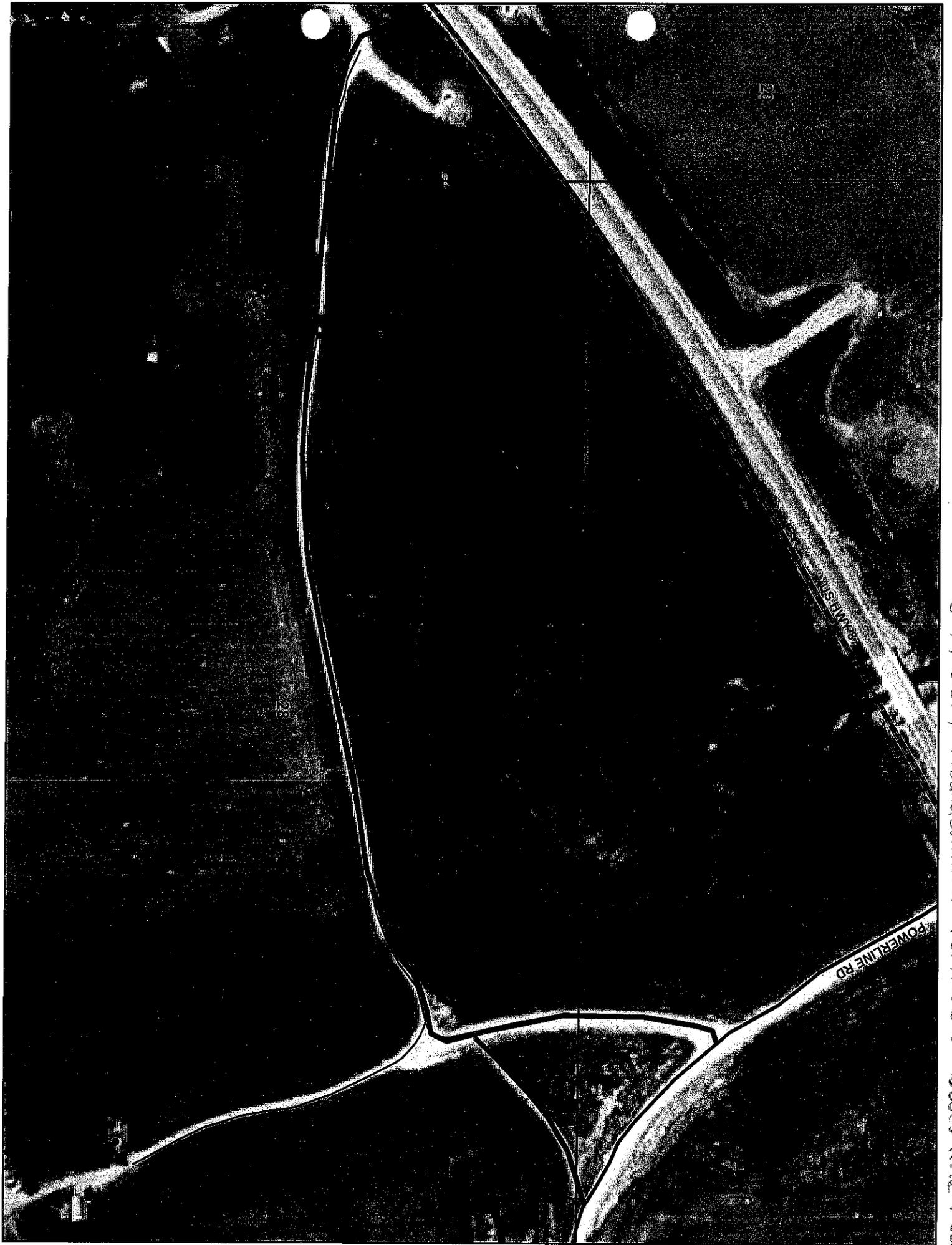
15N17E 29

Draft file Powerline McMillan RD 5/14/2014

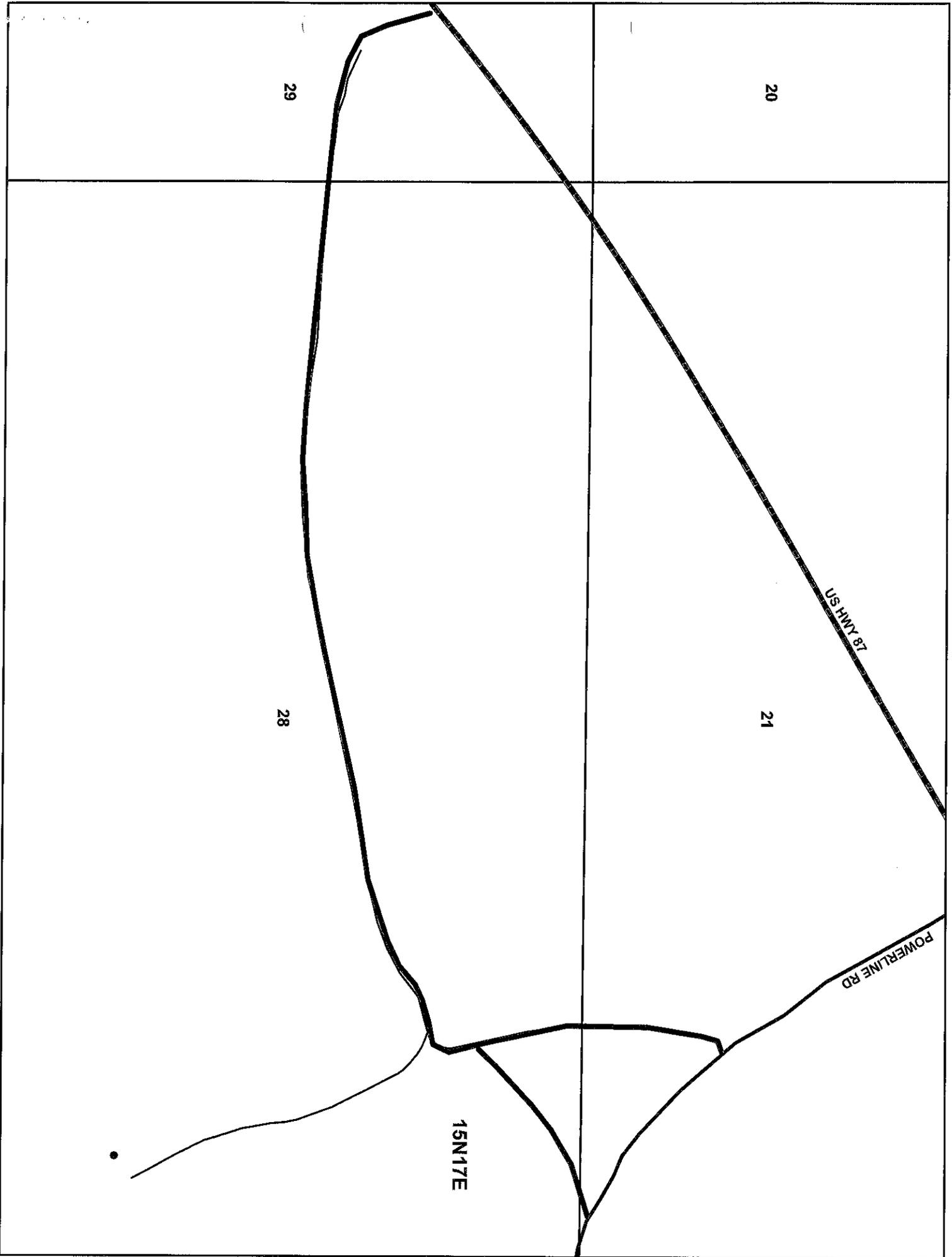
Legal description of portions of Powerline Road to be abandoned:

On Highway 87 at milemarker 218 go northeast for approximately 623 feet to the intersection of the new Powerline Road approach in T15N R17E Section 21. Go southeast for approximately 543 feet to a point where a portion of the proposed abandonment begins for Powerline Road. This portion forks south for approximately 503 feet entering Section 28, T15N R17E.

On Highway 87 at milemarker 218 go northeast for approximately 623 feet to the intersection of the new Powerline Road approach in T15N R17E Section 21. Go southeast for approximately 1535 feet to a point where the proposed abandoned portion begins for Powerline Road. The road forks southwest approximately 1925 feet entering Section 28, T15N R17E. Then road turns west for approximately 385 feet, thus ending this portion to be abandoned.



5-14-2014 Abandonment Portions of Powerline Road.



20

29

US HWY 87

21

28

POWERLINE RD

15N17E



Minutes of Open Meeting
December 18, 2013 – 5:15 p.m.
Fergus County Commissioners Office
712 W Main St., Suite 210, Lewistown MT 59457

Present: Presiding Officer Ken Ronish, Commissioner Sandra Youngbauer, Commissioner Seilstad and Commissioner Assistant Vivian Shammel. Public present: Tom McMillan, Tom Wojtowick, and Steve Fanning.

CALL TO ORDER:

Presiding Officer Ronish called the meeting to order at 5:15 p.m.

APPROVAL OF MINUTES:

Commissioner Ronish announced that the minutes of the November 20, 2013 open meeting have been distributed and if there are no changes will be on file at the Clerk and Records office and on the Fergus County website.

PUBLIC HEARING: None

PUBLIC COMMENT ON AGENDA ITEMS: None

ANNOUNCEMENTS & REPORTS: Still have 2 openings on Council on Aging Board and on the Fergus County Planning Board.

BID OPENINGS: None

COMMUNITY COUNCIL REPORT: Tom Wojtowick indicated that the Park District was mentioned at the last Commissioners meeting.

DISCUSSION/ACTION ITEMS:

1. Powerline Road section to be abandoned. Commissioner Seilstad indicated that they need to appoint a Road Viewers Committee to GPS this road and make sure everything is all correct. Tom McMillan mentioned that he would like to see the rest of the roads that were abandoned by the state declared abandoned by the Fergus County Commissioners. Commissioner Seilstad made a motion for Commissioner Youngbauer, John Anderson and Pam Vosen to go out as the Road Viewers Committee and finish up the Powerline Road and the rest of the other roads abandoned by the State and to include these into the Road Viewers Report. Commissioner Youngbauer seconded the motion. Motion passed.

APPOINTMENTS:

1. Central Montana Foundation 1 opening; Commissioner Seilstad made the motion for Sonny Comes to serve another 5 year term. Commissioner Youngbauer seconded the motion. Motion passed.
2. City, County, Planning Board 3 openings; Commissioner Ronish indicated that they do not appoint to this board that the City does.
3. Fergus County Planning Board; Commissioner Youngbauer made a motion to approve Gary Barta for another term. Commissioner Seilstad seconded the motion. Motion passed.
4. Weed Board 1 opening; Commissioner Seilstad made a motion to accept Lyle Shammel for another term. Commissioner Youngbauer seconded the motion. Motion passed.
5. Revolving Loan Fund 2 openings; Commissioner Youngbauer made a motion to accept Joe Eckhardt and Mike Phillips for another term. Commissioner Seilstad seconded the motion. Motion passed.
6. Port Authority 2 openings; Commissioner Youngbauer made a motion to approve Dan Bartel and Bob Steinmann to the Port Authority Board. Commissioner Seilstad seconded the motion. Motion passed.
7. Roy Water and Sewer District 2 openings; Commissioner Seilstad made a motion to accept Tom Byrne and Jason Hambright to the Roy Water and Sewer District. Commissioner Youngbauer seconded the motion. Motion passed.
8. Fergus County Zoning Board 2 openings; Commissioner Youngbauer made a motion to accept Gary Ceclre and Mary Beth Roy to the Zoning Board. Commissioner Seilstad seconded the motion. Motion passed.

9. Winifred Fire District; Commissioner Seilstad made a motion to add Spencer Bold to the Winifred Fire District. Commissioner Youngbauer seconded the motion. Motion passed.

PUBLIC INPUT: Tom Wojtowick asked if the Commissioners actually gave specific directions about things at the fairgrounds. Tom Wojtowick continued to say that the fairgrounds was looking for specific directions on the "Save the Barn". Tom asked if the Commissioners were going to be talking about the Park Recreation District at their Monday, December 23, 2013 Business Meeting? The Commissioners indicated that they would. Commissioner Ronish indicated that they currently had 4 applications for this committee. They would like this to be a 7 person board and therefore would like more applications submitted. Tom Wojtowick indicated that he would like to see only people in favor of the Park District on the Committee. Commissioner Seilstad indicated that we need more than those in favor of the Park District on the Committee; we need a well-rounded group to make some good decisions. Who would govern the committee? How would they go about this and what does that look like? These are questions that the Commissioners would like the Committee to come up with.

OTHER BUSINESS: None

NEXT MEETING DATES:

December 23, 2013 Monday – 2:00 p.m.	Business Meeting	Fergus Co Commissioners 712 W Main St., Suite 210 Lewistown MT 59457
January 2, 2014 Monday—2:00PM	Business Meeting	Fergus County Commissioners 712 W. Main St. Lewistown, MT 59457
January 10, 2014 Friday – 5:15PM	Open Meeting	Fergus County Commissioners 712 W. Main St. Lewistown, MT 59457

FERGUS COUNTY COMMISSIONERS

Ken Ronish, Presiding Officer

Carl Seilstad, Commissioner

Sandra Youngbauer, Commissioner

Attest:

Vivian Shammel, Commissioner Assistant