

**BIG SKY RESORT AREA DISTRICT
RESOLUTION NO. 2024-02R**

**RESOLUTION OF THE BIG SKY RESORT AREA DISTRICT BOARD OF
DIRECTORS RELATED TO THE ACQUISITION OF REAL PROPERTY LOCATED
AT THE INTERSECTION OF MONTANA STATE HIGHWAYS 191 AND 64**

PURSUANT TO THE AUTHORITY VESTED IN THE BIG SKY RESORT AREA DISTRICT BOARD OF DIRECTORS UNDER SECTION 7-6-1542, MCA, AND SECTION 7-6-1547(4), MCA, THE BOARD OF DIRECTORS HEREBY RESOLVES TO ADOPT RESOLUTION NO. 2024-02R AS FOLLOWS:

WHEREAS, the Big Sky Resort Area District (“District”) was created effective April 7, 1998 pursuant to sections 7-6-1531 through 1550, MCA; and

WHEREAS, members of the District Board of Directors (“Board”) have been duly elected by the electors residing within the District; and

WHEREAS, 7-6-1509(1)(b) MCA states: “the district board of directors shall appropriate and spend revenue derived from a resort area tax for the purpose stated in the resolution; and

WHEREAS, the Resolution forming the District authorized the District to impose a resort tax in part to “fund infrastructure facilities, public transportation, tourism development and other public services and facilities” within the District; and

WHEREAS, 7-6-1541(1)(c) MCA allows the District to “acquire by any legal means real and personal property necessary for the full exercise of its powers”; and

WHEREAS, a parcel of real property consisting of approximately 4.620 acres and located at the northwest corner of the intersection of Montana State Highway 191 and Montana State Highway 64 has been identified as a key component necessary to achieve goals set forth in each of the Our Big Sky Community Vision and Strategy, the Big Sky Capital Improvement Plan and the Infrastructure Investment, Funding, and Voter Representation Roadmap (the “Real Property”); and

WHEREAS, the Real Property, if acquired, would be used for one or more of the following uses: (1) for the location of critical water and sewer infrastructure/facilities/pipelines for the benefit of each the Big Sky County Water and Sewer District, the Gallatin County Canyon Water and Sewer Districts, the greater Gallatin River ecosystem, and the general public residing in the District; (2) improvements to the highway intersection infrastructure for better traffic flow, reduced congestion, and/or improved transportation facilities; (3) public restroom facilities; and/or (4) a visitor/information/tourism development center; and

WHEREAS, the Board desires to consider whether to use Resort Tax revenues to acquire the Real Property and if so, upon what terms; and

WHEREAS, pursuant to section 7-6-1547(4), MCA, the Board is authorized to act by Resolution; and

WHEREAS, at duly noticed public meeting held on February 14th, 2024, the Board discussed the opportunity to acquire the Real Property, the pros and cons of acquiring the Real Property, the potential benefits to the District and the Big Sky Community at large from the acquisition of the Real Property, and the potential downsides to the District and the Big Sky Community at large of not acquiring the Real Property. Specifically, the Board discussed: 1) the potential negative impacts of additional growth/development in this geographically restricted area; 2) potential loss of the opportunity to drastically enhance the sense of arrival through Big Sky's only entry corridor; 3) loss of potential to secure partnership funds and match land acquisition dollars with construction funding; and 4) leverage TIGER grant activity to align with increased enhancements in the area; and

WHEREAS, the District obtained an appraisal of the Real Property which found its fair market value is \$9,050,000 and the contents of the appraisal were discussed at the public meeting; and

WHEREAS, the Board has been informed by the Seller that the terms of the purchase shall be \$10,000,000 and the terms of the sale were discussed at the public meeting; and

WHEREAS, following these detailed discussions, the Board made the following findings, determinations, and resolutions:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. Following the detailed discussion referenced above, the Board determined the purchase price and terms represent a reasonable approximation of fair value of the property after considering the appraised value, best use of the property, the needs of the community, the benefits of the acquisition and dedication to public use of the property to the community, and the consequences of not acquiring the property.
2. The Board further voted to proceed with the acquisition of the Real Property for the purchase price and terms set forth herein, and designated Daniel Bierschwale, Sarah Blechta, and Kim Beatty, with authority to review, approve, and execute all documents necessary to consummate the acquisition of the Real Property consistent with the terms and directions set forth in this Resolution.

PASSED and APPROVED on this 14th day of February 2024, by a vote of 3 in favor and 0 opposed. *Steve Johnson & Kevin Germain were not present.*


Sarah Blechta (Feb 14, 2024 14:22 MST)

Sarah Blechta, Chair


Ciara Wolfe (Feb 14, 2024 12:32 MST)

Ciara Wolfe, Vice Chair


Grace Young (Feb 14, 2024 18:41 MST)

Grace Young, Director












Resolution 2024-02R - to sign

Final Audit Report

2024-02-15

Created:	2024-02-14
By:	Sara Huger (sara@resorttax.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHFuuxwWx4Z5Glemdd-LOwLYXcFmnptef

"Resolution 2024-02R - to sign" History

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2024-02-14 - 7:24:32 PM GMT- IP address: 76.75.11.75
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2024-02-14 - 7:24:36 PM GMT
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2024-02-14 - 7:24:36 PM GMT
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2024-02-14 - 7:24:36 PM GMT
-  Email viewed by Ciara Wolfe (ciara@resorttax.org)
2024-02-14 - 7:32:14 PM GMT- IP address: 104.28.85.240
-  Document e-signed by Ciara Wolfe (ciara@resorttax.org)
Signature Date: 2024-02-14 - 7:32:40 PM GMT - Time Source: server- IP address: 104.28.85.240
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2024-02-14 - 9:20:40 PM GMT- IP address: 76.75.8.132
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Signature Date: 2024-02-14 - 9:22:13 PM GMT - Time Source: server- IP address: 76.75.8.132
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2024-02-15 - 1:40:40 AM GMT- IP address: 104.28.116.192
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Signature Date: 2024-02-15 - 1:41:52 AM GMT - Time Source: server- IP address: 104.28.116.192
-  Agreement completed.
2024-02-15 - 1:41:52 AM GMT