

September 25, 2009

Billings City Council  
c/o Tina Volek, Billings City Administrator  
210 North 27th Street  
Billings, MT 59101

Dear City Council and Administrator Volek:

I am writing today on behalf of the Board of Health, the governing body for Yellowstone City – County Health Department (dba RiverStone Health). As you will recall, RiverStone Health is a multi-jurisdictional service district, a governmental entity created in 1998 under the terms of an interlocal agreement by and between the City of Billings, Yellowstone County, and the City of Laurel. The twelve-member Board of Health includes two members appointed by Billings City Council (currently Michael Young and Rod Ostermiller). In addition to its role as the local public health agency, RiverStone Health serves a vital public interest for Yellowstone County as a safety net provider of health services for indigent, uninsured, and otherwise underserved and vulnerable populations through nearly 30 programs and services delivered by a staff over 300 dedicated public servants.

RiverStone Health is consolidating its operations at its main campus located on Billings' South Side at the intersection of South 27<sup>th</sup> Street and 1<sup>st</sup> Avenue South through the construction of four-story, 43,000 square foot office building. This \$8.4 million project is a significant economic benefit to the community as well as offering a vast improvement in the efficiency and effectiveness of services offered.

As part of this project, City officials have required RiverStone Health to "request" that the City vacate the alley located between 1<sup>st</sup> Avenue South to the north and the already vacated 2<sup>nd</sup> Avenue South to the south. This vacation will also require RiverStone Health to take ownership and ongoing responsibility for the existing sanitary sewer that occupies the space under this alley.

Although it is our preference that the City retains responsibility for ownership, maintenance, and upkeep for the alley and underlying sewer subject to a mutually acceptable access agreement, we understand the City's position on this matter and recognize that requiring the owner of space that entirely encompasses the unused alley to take ownership thereof is standard practice. Accordingly, we are herewith making a "request" that City Council consider vacating the alley and transferring ownership and responsibility for the property and the underlying sewer to Yellowstone City – County Health Department, dba RiverStone Health. In addition, we have taken it upon ourselves, at our organization's considerable expense, to make arrangements to replace the existing clay tile sewer with a new PVC sewer line during our current project. Should the alley be vacated, RiverStone Health will undertake the responsibility for upkeep and maintenance of this new sewer line.

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***Given that this "request" to vacate the alley is made at the behest of City officials, that we are making a substantial investment in improving otherwise public infrastructure, and that RiverStone Health is a public entity that serves the public good and is sponsored in part by the City itself by virtue of its participation in the interlocal agreement, we are requesting that the alley vacation be granted and further that this be accomplished by gifting the property to RiverStone Health at no cost to the health district.***

Please note this same type of request was made and graciously granted when the City vacated South 26<sup>th</sup> Street between 1<sup>st</sup> Avenue South and 2<sup>nd</sup> Avenue South several years ago. Upon vacation, as promised, please recall that RiverStone Health incurred the cost of improving and maintaining that section of South 26<sup>th</sup> Street.

I believe RiverStone Health has proven itself to be a good public citizen and a fine example of the significant benefits to a community's health and well-being that public agencies can provide through partnerships with both public and private stakeholders. We enjoy a positive and productive working relationship with the City. I believe that Council's decision to vacate this alley at no cost to RiverStone Health will demonstrate our mutual commitment to effective, efficient, and collaborative public service.

Respectfully,



F. Douglas Carr, MD  
Chairman, Board of Health