

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23-66

CORRECTED

Resolution to Create Yellowstone County Rural Special Improvement District No. 890 and 890M

WHEREAS, pursuant to Sections 7-12-2101 through 7-12-2113 of the Montana Code Annotated, a board of county commissioners has the authority to create a rural special improvement district to pave roads. To create a district, a board should pass a resolution of intent, set a public hearing, provide notice of the public hearing, receive protests, hold a public hearing, consider protests and pass a resolution that either creates or does not create the district.

WHEREAS, the Yellowstone County Board of County Commissioners received a request from Jerry Young, a property owner who owns the land located at 2251 South 54th Street West, in Yellowstone County to create a rural special improvement district to pave a portion of 54th Street West from Neibauer Road north approximately 1300 feet (near 2222 54th Street West) and to create a rural special improvement district to maintain the road after it has been paved. The maintenance RSID is conditional and will only be created if the construction RSID is successful in its creation. Currently, the road is gravel. Below is a summary of the specifics of the District.

District Summary

District Name:	Yellowstone County Rural Special Improvement District No. 890 Yellowstone County Rural Special Improvement District No. 890M
District Location:	Parcels in Belmont Acreage Tracts, Windmill Estates, Barta Subdivision, Certificate of Survey No. 1828, Certificate of Survey No. 1050 and Certificate of Survey No. 2607. See Exhibit A.
District Parcels:	22 parcels. See Exhibit B.
District Activities:	Construction District – Pave Portion of 54 th Street West from Neibauer Road north approximately 1300 feet (near 2222 54 th Street West) Maintenance District – Maintain Portion of 54 th Street West from Neibauer Road north approximately 1300 feet (near 2222 54 th Street West)
District Costs:	Construction District - \$104,000.00 estimated total Maintenance District - \$2,200.00 estimated annual. See Exhibit C.
District Assessment Method:	Per Parcel. See Exhibit D.
District Assessment:	Annual Assessment Per Parcel – Construction District - \$850.00 Annual Assessment Per Parcel – Maintenance District - \$100.00
District Duration:	Construction District – 7 years Maintenance District - Indefinite
District Engineer:	Michael Black PE, Yellowstone County Public Works Department

WHEREAS, on April 4, 2023, the Yellowstone County Board of County Commissioners passed a resolution of intent to create Rural Special Improvement District No. 890 and 890M to pave a portion of 54th Street West from Neibauer Road north approximately 1300 feet (near 2222 54th Street West) and to maintain the road after it is paved and set a public hearing on the creation of the Districts for May 16, 2023. On April 7, 2023, the Yellowstone County Clerk and Recorder mailed notice of the hearing to all property owners in the proposed Districts. On April 7, 2023 and April 14, 2023, the Yellowstone County Clerk and Recorder published notice of the public hearing in the *Yellowstone County News*. On May 16, 2023, the Board held a public hearing on the creation of the Districts. The Board heard comments on the Districts and considered protests as to the creation of the Districts. The Board did not receive enough protests to prevent the creation of the Districts. 7 out of 22 property owners protested the creation of the Districts. The Board believes that it is in the best interest of the public to create the Districts.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners create Rural Special Improvement District No. 890 and 890M to pave a portion of 54th Street West from Neibauer north approximately 1300 feet (near 2222 54th Street West) and to maintain the road after it is paved. The specifics of the Districts are contained in the exhibit attached to this Resolution. The Board assessment for the Districts will appear on the property owners 2023 tax statement.

Passed and Adopted on the 16th day of May 2023.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chair

Mark Morse, Member

Donald W. Jones, Member

ATTEST:

Jeff Martin, Clerk and Recorder

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