YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 17-88

Resolution to Create Yellowstone County Rural Special Improvement District No. 835 to Pave a Portion of Homewood Park Drive

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 reconstruct 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 T. Ray, who owns property that is accessed from Homewood Park Drive to create a rural special improvement district to pave Homewood Park Drive from Grand Avenue to Clark Avenue. Currently, the portion of the road is gravel. If the Board creates the District and paves the portion of the road, Rural Special Improvement District No. 678M will be expanded to maintain the portion of the road. Exhibit 1 contains the specifics of the District such as name, location, map, parcels, property owners, activities, costs, assessment method, assessment and engineer. Below is a summary of the specifics of the District.

District Summary

District Name: Yellowstone County Rural Special Improvement District No. 835

District Location: Homewood Park Subdivision (Doc. No. 604103, July 11, 1958) a portion,

Century Hills Ranchettes Subdivision (Doc. No. 3123862, April 5, 2001) all, Amended Certificate of Survey No. 835 (Doc. No. 1188100, January 22, 1981), Amended Certificate of Survey No. 835 (Doc. No. 1351550, May 22, 1985), Amended Certificate of Survey No. 835 (Doc. No. 1384364, March 6, 1986), Amended Certificate of Survey No. 835 (Doc. No. 1450809, July 29, 1987), Amended Certificate of Survey No. 835 (Doc. No. 1917572, April 1, 1998) and

Certificate of Survey No. 3382 (Doc. No. 3487921, December 1, 2008) all.

District Parcels: 155 parcels
District Activities: Road Paving

District Costs: \$184,339.08 Estimated

District Assessment Method: Per Parcel

District Assessment: Annual Assessment \$150.30 Per Parcel Estimated

District Duration: 10 years

District Engineer: Michael Black, Yellowstone County Public Works Department

WHEREAS, on July 25, 2017, the Yellowstone County Board of County Commissioners passed a resolution of intent to create Rural Special Improvement District No. 835 to pave Homewood Park Drive from Grand Avenue to Clark Avenue and set a public hearing on the creation of the District for August 29, 2017. On July 28, 2017, the Yellowstone County Clerk and Recorder mailed notice of the hearing to all property owners in the District. On July 28, 2017 and August 4, 2017, the Yellowstone County Clerk and Recorder published notice of the public hearings in the Billings Gazette. On August 29, 2017, the Board held a public hearing on the creation of the District. The Board heard comments on the district and considered protests as to the creation of the District. The Board did not receive enough protests to prevent the formation of the District.

13 out of 155 property owners protested the creation of the District. The Board believes that it is in the best interest of the public to create the District.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners creates Rural Special Improvement District No. 835 to pave Homewood Park Drive from Grand Avenue to Clark Avenue. The specifics of the District are contained in the exhibits attached to this Resolution. The Board will request bids to pave the portion of the road, award the contract

to pave the portion of the road contingent on approval of the assessment, pass a resolution of intent to set the assessment, hold a public hearing on the assessment and pass a resolution to set the assessment.

Passed and Adopted on the 29th day of August 2017.

BOARD OF COUNTY COMMISSIONERS YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chairman

Robyn Driscoll, Member

Denis Pitman, Member

Attest:

Jeff Martin

Yellowstone County Clerk and Recorder

Attachment

Exhibit 1

Coversheet

Map

Properties and Property Owners Lists

Construction Cost Estimate

Assessment Estimate

EXMIBIT 1

Yellowstone County

PUBLIC WORKS DEPARTMENT

P.O. Box 35024 Billings, MT 59107-5024 Phone (406) 256-2735 Fax (406) 254-7946



July 25, 2017

Yellowstone County Commission (John Ostlund, Denis Pitman, Robyn Driscoll), Public Works

RE: Resolution of Intent to Create Rural Special Improvement District 835C
For the Paving & Related Road Construction Improvements Homewood Park Drive
From Grand Avenue south to the end of the existing pavement

Per the subsequent requests of property owners, Public Works has re-evaluated the funding of the above subject RSID to include the analysis of funding participation, subject to the discretion of the Yellowstone County Commission.

A Public Hearing is scheduled for Tuesday, August 29, 2017, at 9:30 am before your Commission. At this meeting your Commission will hear testimony in favor of creating a construction district and testimony in opposition to said creation of a construction district. If you would like to send written comments, they must be received by August 28, 2017. An informational letter was sent (from your Commission previously, on two (2) separate occasions) along with the requisite other RSID documents to each affected property owner, and this included an Engineer's Estimate of Probable Cost (EEOPC).

Public Works has reviewed the funding participation policy and believes that this area qualifies for up to 25% funding participation consideration, subject to your Commission's discretion. Subsequently we have revised the EEOPC to include that funding participation. Both scenarios are presented below.

	Without County Participation	With County Participation
Total RSID Bond Cost	\$ 243,103.45	184,339.08
Pay Up Front Cost	\$1,364.52	\$1,034.68
10 Year Annual Payback	\$ 198.21	\$ 150.30
Yearly Maintenance	\$ 39	\$ 39
Total Cost To Each Parcel (Years 1-10)	\$ 237.21	\$ 189.30
* Total Cost To Each Parcel (Years 11-∞)	\$ 39	\$ 39
*	Yearly RSID review meetings are held to determine and recommendations for incommendations.	

Please note that an existing Maintenance RSID will be expanded to provide for future maintenance of the entire paved roadway. The potential expansion would mean that the additional 78 parcels would pay the same as the existing 77 parcels. Any yearly increases would apply to all 155 parcels.

Thank you for your time and attention to this matter. Should you have any questions, please contact Mike Black, of our Public Works Department.

Sincerely,

Mike Black, PE - Senior Yellowstone County Civil Engineer

Yellowstone County Public Works (Tim Miller)

Exhibit 1

Yellowstone County Rural Special Improvement District No. 835

District Summary

Yellowstone County Rural Special Improvement District No. 835 District Name:

Homewood Park Subdivision (Doc. No. 604103, July 11, 1958) a portion, District Location:

Century Hills Ranchettes Subdivision (Doc. No. 3123862, April 5, 2001) all, Amended Certificate of Survey No. 835 (Doc. No. 1188100, January 22, 1981), Amended Certificate of Survey No. 835 (Doc. No. 1351550, May 22, 1985), Amended Certificate of Survey No. 835 (Doc. No. 1384364, March 6, 1986), Amended Certificate of Survey No. 835 (Doc. No. 1450809, July 29, 1987), Amended Certificate of Survey No. 835 (Doc. No. 1917572, April 1, 1998) and

Certificate of Survey No. 3382 (Doc. No. 3487921, December 1, 2008) all.

District Parcels: 155 parcels Road Paving District Activities:

District Costs: \$184,339.08 Estimated

District Assessment Method: Per Parcel

Annual Assessment \$150.30 Per Parcel Estimated District Assessment:

District Duration:

Michael Black, Yellowstone County Public Works Department District Engineer:

District Name:

The name of the District shall be Yellowstone County Rural Special Improvement District No. 835.

District Location:

Yellowstone County Rural Special Improvement District No. 835 shall include parcels in Homewood Park Subdivision, Century Hills Ranchettes Subdivision, Amended Certificate of Surveys No. 835 and Certificate of Survey No. 3382. Attached is a map of Yellowstone County Rural Special Improvement District No. 835.

District Parcels:

Yellowstone County Rural Special Improvement District No. 835 shall include 155 parcels in Homewood Park Subdivision, Century Hills Ranchettes Subdivision, Amended Certificate of Surveys No. 835 and Certificate of Survey No. 3382 that use the portion of the road for access. The parcels benefited by the paving of the portion of the road shall be included in the District. Attached is a list of the legal description of each parcel and the current owner of each parcel in Yellowstone County Rural Special Improvement District No. 835.

District Activities:

Yellowstone County Rural Special Improvement District No. 835 shall pave Homewood Park Drive from Grand Avenue to Clark Avenue. Rural Special Improvement District No. 678M shall be expanded to maintain the portion of the road paved. Typically, a maintenance district would be created with a construction district, but because there is already a maintenance district that maintains an adjacent portion of the road that maintenance district shall be expanded.

District Costs:

The Yellowstone County Public Works Department estimates to pave Homewood Park Drive from Grand Avenue to Clark Avenue it would cost approximately \$184,339.08. This is only the cost to pave the portion of the road. It does not include the cost to maintain the road. The actual cost may be more or less. The exact cost shall be determined when the County awards the contract to pave the portion of the road. Attached is an explanation of the costs to pave the portion of the Road.

District Assessment Method:

Yellowstone County Rural Special Improvement District No. 835 shall use the per parcel method of assessment to finance the paving of Homewood Park Drive from Grand Avenue to Clark Avenue. If the number of parcels increases during the term of the District, the assessment shall be modified to account for the increased number of parcels.

District Assessment:

The Yellowstone County Finance Department estimates that annual assessment per parcel to pave Homewood Park Drive from Grand Avenue to Clark Avenue would be approximately \$150.30. The assessment would appear on the tax statements for the properties. A property owner would have the option prepay the assessment or pay the assessment over 10 years. Attached is an explanation of the calculation of the assessment to pave the portion of the Road.

District Duration:

Yellowstone County Rural Special Improvement District No. 835 shall exist for ten years.

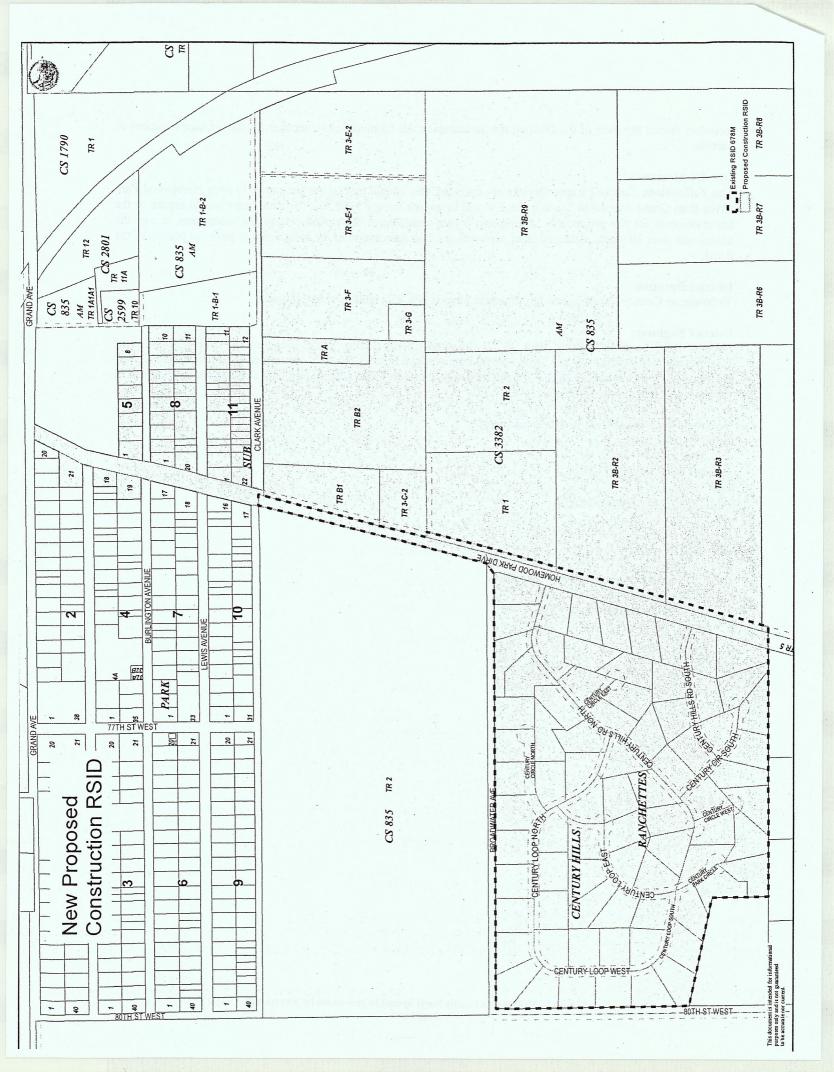
District Engineer:

Michael Black, a civil engineer with the Yellowstone County Public Works Department, shall be the District Engineer for Yellowstone County Rural Special Improvement District No. 835. As needed, the Yellowstone County Board of County Commissioner will appoint a District Engineer. The District Engineer shall advise the Board as to the paving of the portion of the road.

Yellowstone County Public Works Department Attn: Michael Black P.O. Box 35024 Billings Montana, 59107-5024 (406) 256-2735 mblack@co.yellowstone.mt.gov

Attachments

Map Properties and Property Owner Lists Construction Cost Estimate Assessment Estimate



C02854	C02853	C02852	C02851	C02848	C02847	C02846	C02845	C02844	C02843	C02842	C02841	C02840	C02839	C02838A	C02838	C02837	C02836	C02835	C02834	C02833	C02832	C02753A	C02753	C02752	C02751	C02750	C02749	C02748	C02747	C02725	C02724	C02638	Tax ID
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1105 HOMEWOOD PARK DR	7453 LEWIS AVE	LEWIS AVE	7447 LEWIS AVE	7435 LEWIS AVE	7427 LEWIS AVE	LEWIS AVE	7421 LEWIS AVE	LEWIS AVE	7415 LEWIS AVE	7409 LEWIS AVE	7403 LEWIS AVE	7404 BURLINGTON AVE	7410 BURLINGTON AVE	7416 BURLINGTON AVE	7422 BURLINGTON AVE	7428 BURLINGTON AVE	7434 BURLINGTON AVE	7440 BURLINGTON AVE	7446 BURLINGTON AVE	7452 BURLINGTON AVE	7458 BURLINGTON AVE	7409 BURLINGTON AVE	7415 BURLINGTON AVE	7421 BURLINGTON AVE	7427 BURLINGTON AVE	7435 BURLINGTON AVE	7441 BURLINGTON AVE	7447 BURLINGTON AVE	7453 BURLINGTON AVE	7507 BURLINGTON AVE	7504 ALDERSON AVE		FullAddr
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1105 HOMEWOOD PARK DR	8711 BOREAS	PO BOX 80945	7441 LEWIS AVE	PO BOX 20367	4185 MITCHELL AVE	3208 RUGBY DR	611 3RD ST W	1302 24TH ST W STE 216	1302 24TH ST W STE 216	611 3RD ST W	611 3RD ST W	611 3RD ST W	PO BOX 22011	7416 BURLINGTON AVE	112 WYOMING AVE	328 DANI ST	328 DANI ST	7440 BURLINGTON AVE	7446 BURLINGTON AVE	4146 VAUGHN LN	PO BOX 640	611 3RD ST W	611 3RD ST W	611 3RD ST W	7427 BURLINGTON AVE	31 ANGUS DR	235 CIRQUE DR	7447 BURLINGTON AVE	7453 BURLINGTON AVE	3109 LEEANN BLVD	BOWLAN, KENNETH J	447 KILLARNEY ST	MailAddr1
BILLINGS	UNIVERSAL CITY	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	ROUNDUP	BILLINGS	BILLINGS	ROUNDUP	ROUNDUP	ROUNDUP	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	ENNIS	ROUNDUP	ROUNDUP	ROUNDUP	BILLINGS	GLASGOW	BOZEMAN	BILLINGS	BILLINGS	BILLINGS	BILLINGS	BILLINGS	City
MT 59106-1984	TX 78148-2816	MT 59108-0945	MT 59106-1914	MT 59104-0367	MT 59101-5422	MT 59102-0752	MT 59072-2409	MT 59102-3861	MT 59102-3861	MT 59072-2409	MT 59072-2409	MT 59072-2409	MT 59104-2011	MT 59106-1952	MT 59101-1834	MT 59101-9210	MT 59101-9210	MT 59106-1952	MT 59106-1952	MT 59101-5329	MT 59729-0640	MT 59072-2409	MT 59072-2409	MT 59072-2409	MT 59106-1951	MT 59230-2106	MT 59718-9315	MT 59106-1951	MT 59106-1951	MT 59102-0420	MT 59106-1961	MT 59105-3055	ST Zip

C13075 C13076	C02969	C02968	C02967	C02966	C02965	C02964 ·	C02963	C02962	C02961	C02960	C02959	C02958	C02957	C02955	C02954	C02953	C02952	C02951	C02950	C02949	C02948	C02947	C02946	C02945	C02944	C02943	C02942	C02941	C02940	C02939	C02938	C02937
7635 CENTURY HILLS RD N	7465 CLARK AVE	7459 CLARK AVE	CLARK AVE	7463 CLARK AVE	CLARK AVE	7447 CLARK AVE	CLARK AVE	7441 CLARK AVE	CLARK AVE	7435 CLARK AVE	7427 CLARK AVE	7427 CLARK AVE	7521 CLARK AVE	7417 CLARK AVE	CLARK AVE	7415 CLARK AVE	7415 CLARK AVE	CLARK AVE	LEWIS AVE	7404 LEWIS AVE	7410 LEWIS AVE	7416 LEWIS AVE	7422 LEWIS AVE	LEWIS AVE	7434 LEWIS AVE	7434 LEWIS AVE	7440 LEWIS AVE	7446 LEWIS AVE	LEWIS AVE	7452 LEWIS AVE	7458 LEWIS AVE	7424 LEWIS AVE
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7635 CENTURY HILLS RD N	7465 CLARK AVE	PO BOX 31832	PO BOX 80945	PO BOX 80945	PO BOX 80945	PO BOX 80945	1302 24TH ST W # 322	PO BOX 80502	PO BOX 80502	PO BOX 80502	3418 FLAGSTONE DR	3418 FLAGSTONE DR	PO BOX 81092	320 W MAIN ST APT 15	7415 CLARK AVE	7415 CLARK AVE	7415 CLARK AVE	7415 CLARK AVE	611 3RD ST W	801 LEWIS AVE	611 3RD ST W	7646 LEWIS AVE	PO BOX 81092	2913 N 17TH RD	7434 LEWIS AVE	7434 LEWIS AVE	1302 24TH ST W # 322	611 3RD ST W	611 3RD ST W	7640 GRAND AVE	PO BOX 80945	PO BOX 80945
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	CENTURY LOOP E	CENTURY LOOP E	CENTURY LOOP E	CENTURY LOOP E			CENTURY LOOP E	CENTURY PARK CIR	CENTURY CIR N	CENTURY PARK CIR	CENTURY PARK CIR	CENTURY CIR	CENTURY LOOP S	CENTURY LOOP S	CENTURY LOOP W	CENTURY LOOP W	CENTURY LOOP W	CENTURY LOOP W	CENTURY LOOP N	CENTURY CIR N	CENTURY CIR N	CENTURY CIR N	CENTURY CIR N	CENTURY CIR N		CENTURY LOOP N	7725 CENTURY HILLS RD N	7715 CENTURY HILLS RD N	7705 CENTURY HILLS RD N	7645 CENTURY HILLS RD N				
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928 HOMEWOOD PARK DR	05	HOMEWOOD PARK DR	HOMEWOOD PARK DR	HOMEWOOD PARK DR	HOMEWOOD PARK DR	7260 CLARK AVE	7304 CLARK AVE	7350 CLARK AVE	7324 CLARK AVE	7440 CLARK AVE	809 HOMEWOOD PARK DR	7402 CLARK AVE	7630 N CENTURY HILLS RD	520 HOMEWOOD PARK DR	510 HOMEWOOD PARK DR	HOMEWOOD PARK DR	410 HOMEWOOD PARK DR	500 CENTURY CIR E	7710 CENTURY HILLS RD N
GRAYSON, LARRY D &	LAFOUNTAIN, GERALD P & KATHLEEN &	UMSTEAD, PATRICK & MARILYN	LAFOUNTAIN, GERALD P & KATHLEEN &	MAURITZSON, RANDALL R & MARK W	MAURITZSON, RANDALL R & MARK W	CAEKAERT, TAYLOR	NEISS, PATRICK	WELCH, LORN C	MAURITZSON, JOEL D &	GREENOUGH, WILLOW	THOMPSON, BRUCE & BONNIE J	ZEPEDA, KAY L	LEMIEUX, HENRY J & JESSIE E	JAMES, KRISTIE L	LEGARD, ERICJ	JTR PROPERTIES LLC	JTR PROPERTIES LLC	MCFARLAND, JANICE K	PAULSEN, KRISTEN J
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7710 CENTURY HILLS RD N	BILLINGS	MT 5910	59106-1916
500 CENTURY CIRCLE E	BILLINGS	MT	59106
2646 GRAND AVE STE 1	BILLINGS	MT 5910	59102-7113
2646 GRAND AVE STE 1	BILLINGS	MT 5910	59102-7113
PO BOX 80682	BILLINGS	MT 5910	59108-0682
520 HOMEWOOD PARK DR	BILLINGS	MT 5910	59106-1988
7630 CENTURY HILLS RD N	BILLINGS	MT 5910	59106-1913
7402 CLARK AVE	BILLINGS	MT 5910	59106-1978
809 HOMEWOOD PARK DR	BILLINGS	MT 5910	59106-1982
2912 GRAND AVE PMB 125	BILLINGS	MT 5910	59102-6527
7324 CLARK AVE	BILLINGS	MT 5910	59106-1980
21 1/2 S 26TH ST	BILLINGS	MT 5910	59101-4237
PO BOX 457	BILLINGS	MT 5910	59103-0457
403 SW HIGGINS AVE APT A	MISSOULA	MT 5980	59803-1450
8149 GRAND AVE	BILLINGS	MT 5910	59106-1901
8149 GRAND AVE	BILLINGS	MT 5910	59106-1901
4615 SIMPSON ST	BILLINGS	MT 5910	59101-4744
3910 BLUE CREEK RD	BILLINGS	MT 5910	59101-9162
4615 SIMPSON ST	BILLINGS	MT 5910	59101-4744
838 MULLOWNEY LN	BILLINGS	MT 5910	59101-4653

Engineer's Estimate of Probable Cost

Estimate for Proposed Construction RSID Homewood Park Drive - Paving & Related Road Construction Improvements Includes Yellowstone County Cost Share Program Participation

ITEM	Unit	Quantity	Price	Amount
Mobilization	LS	1.	\$20,000.00	\$20,000.00
Earthwork (Site Preparation)	LS	1	\$10,000.00	\$10,000.00
Road Base 12 Inch Section of 3" minus Material	LS	1	\$50,000.00	\$50,000.00
Road Base 3 Inch Section of 1 1/2" minus Material	LS	1	\$25,000.00	\$25,000.00
Hot Mix - Asphalt (3 Inch Section)	LS	1	\$55,000.00	\$55,000.00
15 Inch Storm Drainage Culvert	LS	1	\$15,000.00	\$15,000.00
SUBTOTAL				\$175,000.00
Engineering Design & Construction Management				\$12,000.00
Contingency		10%		\$17,500.00
TOTAL CONSTRUCTION COST				\$204,500.00
County Cost Share Program participation (25%)			3.40	\$51,125.00
NET TOTAL CONSTRUCTION, CONTINGENCY & ENGINEERING				\$153,375.00

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CONSTRUCTION

Estimated Administrative Costs By Rural Special Improvement District	
Ownership Reports, Advertising, Printing, Offering Circular & Postage	\$2,000.00
County Administration - Attorney - Finance - Commissioners	\$5,000.00
SUBTOTAL	\$7,000.00
SUBTOTAL CONSTRUCTION AND ADMINISTRATIVE	\$160,375.00

FINANCE COSTS

COST BREAKDOWN PER UNIT / PARCEL

Engineer's Estimate of Probable Cost

Estimate for Proposed Construction RSID Homewood Park Drive - Paving & Related Road Construction Improvements Includes Yellowstone County Cost Share Program Participation

REVOLVING FUND BACKING OF DEBT - 5% of Loan Financing (Mandatory)	\$9,216.95
RESERVE FUND BACKING OF DEBT - 5% of Loan Financing (Required)* 41% developed - reserve at 5%	\$9,216.95
COUNTY ADMINISTRATION - Attorney - Finance - Commissioners (Flat Fee per Loan Issuance - above) 2% of Loan Financing	\$3,686.78
LOAN ISSUANCE COSTS, LOAN ORIGINATION FEE - 1% of Loan Financing	\$1,843.39
SUBTOTAL FINANCE COSTS	\$23,964.08

TOTAL RSID COST	\$184,339.08

Number of Assessment Units	155
* Number of Parcels Developed	64
Percentage Developed	41%
Reserve Percentage (%) Required per Development Completed	5%
<u>Alternate 1 - Financed Option (PAY OVER TIME WITH PROPERTY TAXES)</u> Total Assessment per Property (Based on an Equal Basis)	\$1,189.28
Estimated Interest Rate	4.5%
Estimated Annual Assessment for 10 Years (per property)	\$150.30
Total Amount Paid Back (Financed) Over 10 Years With Interest	\$1,503.00
Alternate 2 - Non-Financed Option (PAY UP FRONT) Total Estimated Cost Per Parcel	
	£4.024.09
This option is the "Pay Up Front" or Pay In Advance Alternative - (saves Loan Financing Costs of 13%)	\$1,034.68
Savings of Non-Financed Option vs. Financed Option (tot. asmnt. alt. 2 - tot. asmnt. alt. 1)	\$468.33