

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 21-95

Resolution to Create Yellowstone County Rural Special Improvement District No. 869M To Maintain Public Roads in Lazy KU Subdivision

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 construct and maintain a public improvement. When all the owners of the land in the proposed district do not consent to the creation of the 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. When all the owners of the land in the proposed district consent to the creation of a district, the board does not have to hold a public hearing. The board can create the district with a resolution without a hearing.

WHEREAS, the Yellowstone County Board of County Commissioners received a petition from Cheryl Kramer to create a rural special improvement district to maintain the roads constructed and dedicated to the public in Lazy KU Subdivision. Attached is a copy of the petition. As a condition of subdivision approval, the Board required it to construct and dedicate the roads to the public and create a district to maintain the roads. All the landowners in the subdivision have signed the petition and consented to the creation of the district (see Exhibit F). Because all have consented to the creation of the district, the Board does not have to hold a hearing to create the district. The Board only has to pass a resolution to create the district.

District Summary

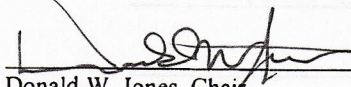
District Name:	Yellowstone County Rural Special Improvement District No. 869M
District Location:	Lazy KU Subdivision. See Exhibit A
District Parcels:	13 parcels – Lazy KU Subdivision All Lots See Exhibit B
District Activities:	Maintain Public Roads in Subdivision
District Costs:	\$5,700 Estimated Annual Cost for Entire District Subject to Change. See Exhibit C
District Assessment Method:	Per Parcel. See Exhibit D
District Assessment:	\$439 Annual Assessment Per Parcel Subject to Change
District Duration:	Indefinite
District Engineer:	Michael Black, PE – Yellowstone County Public Works Department

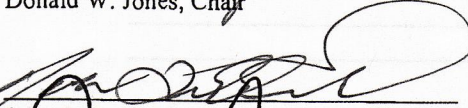
NOW THEREFORE, BE IT RESOLVED,

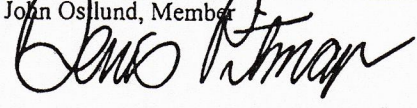
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 869M to maintain the public roads in Lazy KU Subdivision. The specifics of the District are contained in the petition. The Board's assessment for the District will begin to appear on the property owners' 2022 tax statement.

Passed and Adopted on the 16TH day of November 2021.

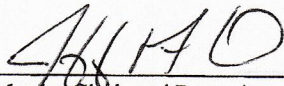
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


Donald W. Jones, Chair


John Oslund, Member


Denis Pitman, Member

ATTEST:


Jeff Martin, Clerk and Recorder

Resolution No. 21-95
Resolution to Create Yellowstone County Rural Special Improvement District No. 869M
To Maintain Public Roads in Lazy KU Subdivision

RSID PETITION ROUTING SHEET

RSID NAME OR AREA: Lazy KV. Sub. division

PUBLIC WORKS

DATE RECEIVED: _____ DATE SENT: 11-8-21
REVIEWED BY: M. Black
COMMENTS: Appears Sufficient

②

GIS DEPARTMENT

DATE RECEIVED: 11-8 DATE SENT: 11-9
REVIEWED BY: M. K. Powell
COMMENTS: The description and roads RSID seem fine. The Parks RSID, either the legal description needs to be fixed to match the map or vice versa (1041-12 not 1012-11)

①

COUNTY ATTORNEY

DATE RECEIVED: _____ DATE SENT: _____
REVIEWED BY: _____
COMMENTS: See attached notes

③

FINANCE

DATE RECEIVED: _____ DATE SENT: _____
REVIEWED BY: _____
COMMENTS: _____

④

CLERK & RECORDER

DATE RECEIVED: 11/9/21 DATE SENT: 11/9/21
REVIEWED BY: _____
COMMENTS: SIGNATURES APPEAR SUFFICIENT

BOARD CLERK

DATE RETURNED: _____

Lazy KU Subdivision

Park District

On November 8, 2021, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district to maintain a park the developer will dedicate to the public with Lazy KU Subdivision. The Subdivision is a major residential subdivision. The district will maintain the park in the Subdivision. The district will include all the lots in the Subdivision. The district will mow and weed the park in the Subdivision. The projected annual cost to maintain the park is \$1,500.00 per year. The cost will be divided equally among the parcels in the district. The Board of County Commissioners will not have to hold a hearing to create the district. All the landowners in the district have consented to the creation of the district. The Board just needs to pass a resolution.

Dry Hydrant District

On November 8, 2021, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district to maintain a dry hydrant the developer will install and dedicate to the public with Lazy KU Subdivision. The Subdivision is a major residential subdivision. The district will maintain the dry hydrant in the Subdivision. The district will include all the lots in the Subdivision and a tract of land outside of the Subdivision in a certificate of survey. The tract will be benefited by the dry hydrant. The district will inspect the dry hydrant, fill the standpipe with nitrogen, remove snow around the standpipe and control weeds around the standpipe. The projected annual cost to maintain the dry hydrant is \$25.00 per year. The cost will be divided equally among the parcels in the district. The Board of County Commissioners will not have to hold a hearing to create the district. All the landowners in the district have consented to the creation of the district. The Board just needs to pass a resolution.

Road District

On November 8, 2021, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district to maintain the roads the developer will install and dedicate to the public with Lazy KU Subdivision. The Subdivision is a major residential subdivision. The district will maintain the roads in the Subdivision. The district will include all the lots in the Subdivision and a tract of land outside of the Subdivision in a certificate of survey. The tract will be benefited by the roads. The district will snowplow the roads, maintain the drainage ditches next to the roads, control the weeds in the drainage ditches next to the roads and some unspecified task of "roads." What is meant by roads should be specified. The projected annual cost to maintain the roads is \$5,700.00 per year. The cost will be divided equally among the parcels in the district. The Board of County Commissioners will not have to hold a hearing to create the district. All the landowners in the district have consented to the creation of the district. The Board just needs to pass a resolution.

Road

COVER SHEET

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this 29th day of SEPTEMBER, 2021

Petitioner/Initiator (and/or) Contact Person:

NAME: Cherryl Kramer

ADDRESS: 3116 S 72nd Street W

Billings, MT 59106

PHONE NO: 406-690-4537

I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.

Cherryl Ann Kramer, Trustee
Petitioner's Signature

Sept. 17, 2021
Date

LIST ALL ADDITIONAL ATTACHMENTS:

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Snowplowing	\$ 1,000
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Weed Management (per year)	\$ 500
Stormwater Maintenance	\$ 200

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Roads	\$ 2,000 4,000
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:

~~\$3,700~~ 5,700

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

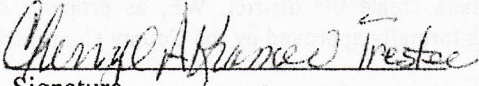
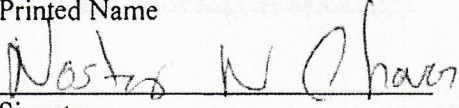
Equal Amount

Front Footage

Other (Describe)

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

	NAME	TELEPHONE NUMBER
1.	<u>Cherryl Kramer</u> (Chairman) Printed Name  Signature CHERRYL ANN KRAMER REVOCCABLE TRUST	<u>406-690-4537</u>
2.	<u>NESTOR CHAVEZ</u> Printed Name  Signature	<u>406-855-4356</u>
3.	_____ Printed Name _____ Signature	_____
4.	_____ Printed Name _____ Signature	_____
5.	_____ Printed Name _____ Signature	_____

