

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 21- 107

Resolution to Create Yellowstone County Rural Special Improvement District No. 872M To Maintain Public Roads in Ingraham 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 Darrell Dyer to create a rural special improvement district to maintain the roads constructed and dedicated to the public in Ingraham 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

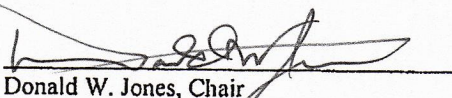
District Name:	Yellowstone County Rural Special Improvement District No. 872M
District Location:	Ingraham Subdivision. See Exhibit A
District Parcels:	3 parcels – Ingraham Subdivision. See Exhibit B
District Activities:	Maintain Public Roads in Subdivision
District Costs:	\$1,300 Estimated Annual Cost for Entire District Subject to Change. See Exhibit C
District Assessment Method:	Per Parcel. See Exhibit D
District Assessment:	\$433.33 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,

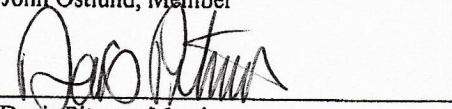
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 872M to maintain the public roads in Ingraham Subdivision. The specifics of the District are contained in the petition. The Board's assessment for the District will begin to appear on the property owners' 2022 tax statement.

Passed and Adopted on the 21st day of December 2021.

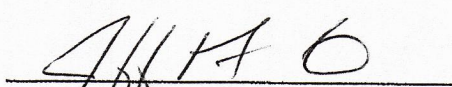
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


Donald W. Jones, Chair


John Ostlund, Member


Denis Pitman, Member

ATTEST:


Jeff Martin, Clerk and Recorder

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

TO: YELLOWSTONE COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this 7 day of Dec, 2021.

Petitioner/Initiator (and/or) Contact Person:

NAME: Darrell Dyer
ADDRESS: 113 3rd Ave, Laurel, MT 59044
PHONE NO: (701) 651-5572

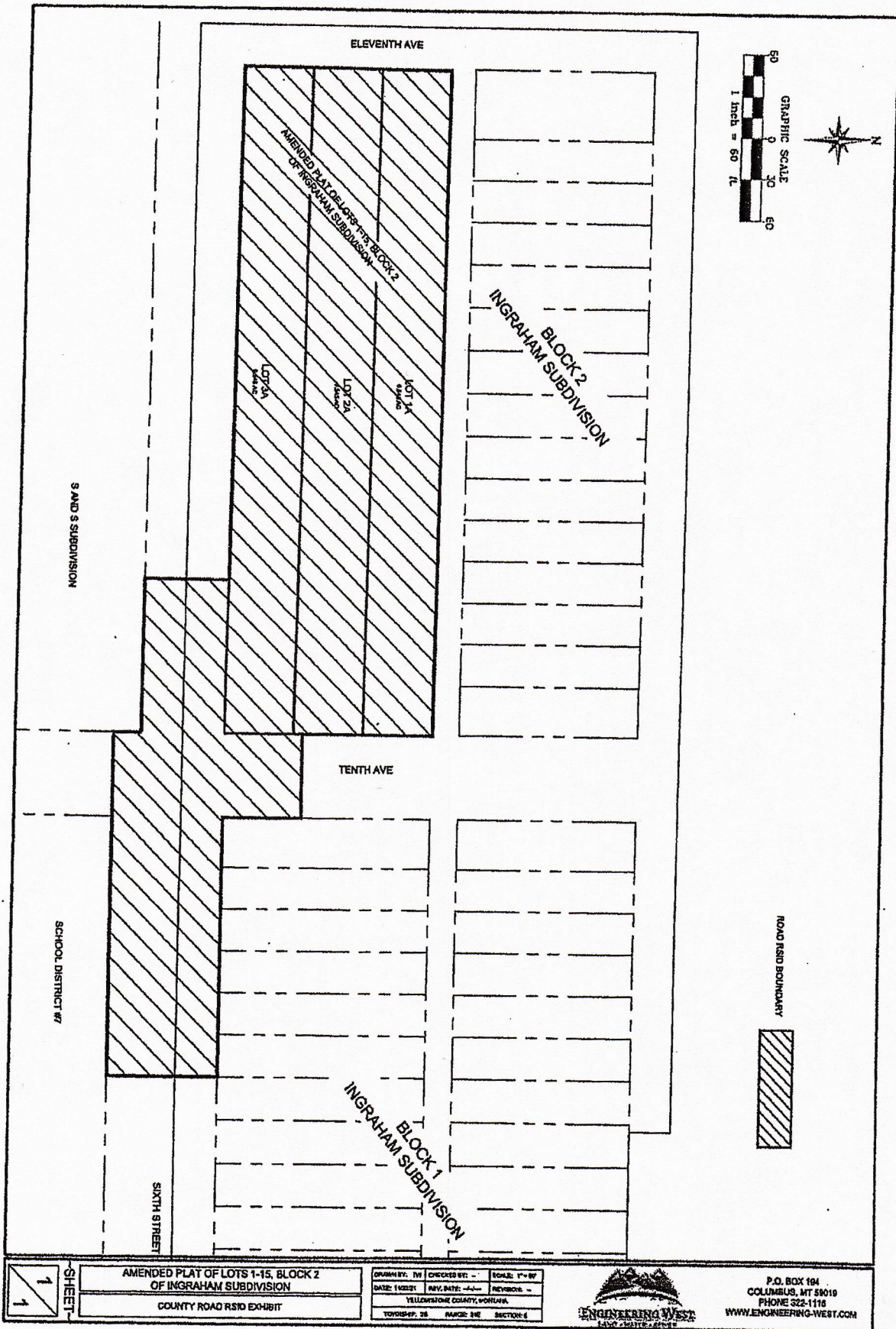
I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.


Darrell Dyer
Petitioner's Signature

11/29/2021
Date

LIST ALL ADDITIONAL ATTACHMENTS:

EXHIBIT A



 SHEET 1
 AMENDED PLAT OF LOTS 1-15, BLOCK 2 OF INGRAHAM SUBDIVISION
 COUNTY ROAD RSD EXHIBIT

DRAWN BY: IVI CHECKED BY: - SCALE: 1"=60'
 DATE: 1/20/21 REV. DATE: - REVISIONS: -
 YELLOWSTONE COUNTY, MONTANA
 TOWNSHIP: 26 RANGE: 34E SECTION: 6



P.O. BOX 104
 COLUMBUS, MT 59019
 PHONE 322-1116
 WWW.ENGINEERING-WEST.COM

EXHIBIT C

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Snowplowing	\$ 650 (\$215/Lot)
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Road Maintenance	\$ 650 (\$215/Lot)
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$1,300 (\$433.33/Lot)

EXHIBIT D

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

- Square Footage
- Equal Amount
\$433.33 per lot
- Front Footage
- Other (Describe)

EXHIBIT E

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME	TELEPHONE NUMBER
1. <u>Darrell Dyer</u> (Chairman) Printed Name <u>Darrell R Dyer</u> Signature	<u>(701) 651-5572</u>
2. _____ Printed Name _____ Signature	_____
3. _____ Printed Name _____ Signature	_____
4. _____ Printed Name _____ Signature	_____
5. _____ Printed Name _____ Signature	_____

On December 8, 2021, Mark English, a Deputy Yellowstone County Attorney assigned to the Civil Division, reviewed a petition to create a rural special improvement district submitted by Darrell Dyer to maintain a portion of Sixth Street and Tenth Avenue in Laurel, Montana. Dyer aggregated several lots in Ingraham Subdivision. He needed access to the lots. He constructed portions of Sixth Street and Tenth Avenue for access to the lots. He would like the Board of County Commissioners to create a district to maintain those portions of the roads. The petition indicates what parcels will be included in the district, what roads the district will maintain, what maintenance will be provided to the roads, how much the maintenance provided to the roads will cost, how the cost to maintain the roads will be assessed and all the owners of the parcels to be included in the district consent to the creation of the district. The petition appears legally sufficient. Because all the owners of the parcels in the district have consented to the creation of the district, the Board does not have to hold a hearing to create the district.