YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23 – 19

Resolution to Create Yellowstone County Rural Special Improvement District No. 884M

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

WHEREAS, Wineridge Inc. filed West Meadows Subdivision 2nd Filing with the Yellowstone County Clerk and Recorder. The Yellowstone County Board of County Commissioners approved the Subdivision on the condition Wineridge request the Board create a rural special improvement district to maintain the second access Wineridge improved with the construction of the Subdivision. Wineridge needed two accesses to the Subdivision. Wineridge requested the Board create a district to maintain portions of Central Avenue and Homewood Park Drive that provide a second access to the Subdivision. Attached as Exhibit 1 is a copy of the Request. Attached as Exhibit 2 is a copy of the details 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. 884M

District Location: West Meadows Subdivision 2nd Filing

District Parcels: 62 lots

District Activities: Maintenance of secondary access – portion of Central Avenue and Homewood

Park Drive

District Costs: \$2,790.00 Annual Estimated Cost Subject to Change

District Assessment Method: Per Parcel

District Assessment: \$45.00 Annual Estimated Assessment Per Parcel Subject to Change

District Duration: Indefinite

District Engineer: Michael Black, PE; Yellowstone County Public Works Department

WHEREAS, on 10 January 2023, the Yellowstone County Board of County Commissioners passed a resolution of intent to create Rural Special Improvement District No. 884M to maintain a portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing and set a public hearing on the creation of the District for 14 February 2023. On 13 January 2023, the Yellowstone County Clerk and Recorder mailed notice of the hearing to all property owners in the District. On 13 January 2023 and 20 January 2023, the Yellowstone County Clerk and Recorder published notice of the public hearing in the *Yellowstone County News*. On 14 February 2023), 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 creation of the District. One (1) out of the original 63 property owners protested the creation of the District. The Board believes the creation of the District is in the best interest of the public.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners creates Rural Special Improvement District No. 884M to maintain a portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing. The specifics of the District are contained in Exhibit 2 attached to this Resolution. The assessment for the District will appear on the property owners 2023 tax statement.

Passed and Adopted on the 14th day of February 2023. With the removal of the one (1) protested parcel.

BOARD OF COUNTY COMMISSIONERS YELLOWSTONE COUNTY, MONTANA

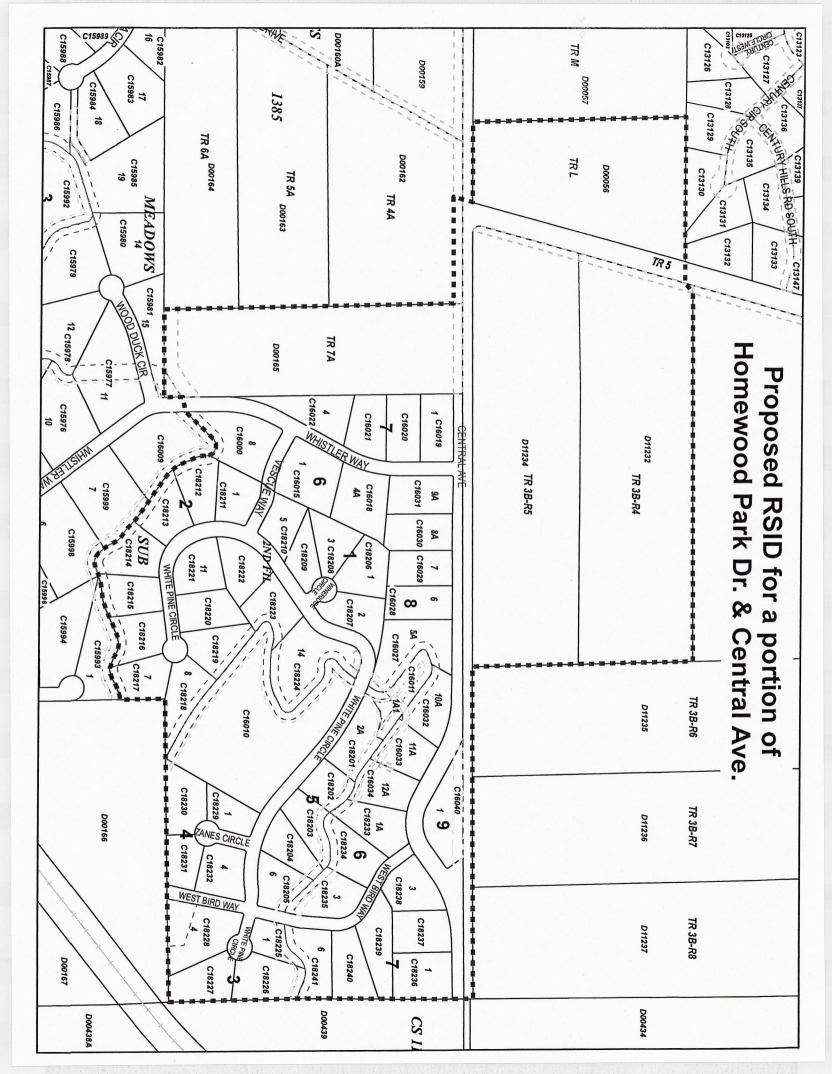
John Ostlund, Chairperson

Mark Morse, Member

Donald W. Jones, Member

ATTEST:

Jeff Martin/Clerk and Recorder



May 21st, 2021

Yellowstone County Board of County Commissioners

The purpose of this letter is to define the portion of gravel roads that will be maintained with the RSID being created as requested by the Yellowstone County Public Works Department which is part of the conditional of approval from Board of County Commissioners of Yellowstone County for West Meadows Subdivision, 2nd letter dated March 16, 2021.

ROADS

- Homewood Park that portion from the intersection of Homewood Park and Central Avenue to the southeast corner of Century Hills Ranchettes.
- Central Avenue that portion from the intersection Homewood Park and Central Avenue to the intersection of Whistler Way and Central Avenue.

We appreciated your consideration for this request. If additional information is required, please contact myself at 406-581-0658 or Greg Reid with WWC Engineering at 406-894-2210.

Jerry Krushensky Wineridge, Inc, President

Exhibit 2

Yellowstone County Rural Special Improvement District No. 884M

District Summary

District Name: Yellowstone County Rural Special Improvement District No. 884M

District Location: West Meadows Subdivision 2nd Filing

District Parcels: 63 lots

District Activities: Maintenance of secondary access – portion of Central Avenue and Homewood

Park Drive

District Costs: \$2,800.00 Annual Estimated Cost Subject to Change

District Assessment Method: Per Parcel

District Assessment: \$45.00 Annual Estimated Assessment Per Parcel Subject to Change

District Duration: Indefinite

District Engineer: Michael Black PE, Senior Yellowstone County Engineer, Yellowstone County

Public Works Department

District Name:

The name of the District shall be Yellowstone County Special Improvement 884M.

District Location:

Yellowstone County Rural Special Improvement District No. 884M shall include all the parcels in West Meadows Subdivision 2nd Filing. Attached is a map of Yellowstone County Rural Special Improvement District No. 884M

District Parcels:

Yellowstone County Rural Special Improvement District No. 884M shall include all parcels in West Meadows Subdivision 2nd Filing these are the parcels benefited by the second access from Central Avenue and Homewood Park Drive. Additionally, there are other lots in the area that are deemed benefited, for a total of 63 parcels. 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. 884M.

District Activities:

Yellowstone County Rural Special Improvement District No. 884M shall maintain a portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing. Attached is a map of the portion of Central Avenue and Homewood Park Drive Yellowstone County Rural Special Improvement District No. 884M will maintain.

District Costs:

The Public Works Department estimates the annual cost to maintain the portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing to be approximately \$2,800.00. Attached is an explanation of the cost to maintain portion of roads.

District Assessment Method:

Yellowstone County Rural Special Improvement District No. 884M shall use the per parcel method of assessment to maintain the portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing. 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, in conjunction with Yellowstone County Public Works Department, estimates that annual assessment per parcel for the maintenance of the portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing would be approximately \$2,800.00 and the annual assessment per parcel for maintenance would be \$45.00. The assessment would appear on the tax statements for the properties. Attached is an explanation of the calculation of the assessment for the maintenance cost of the portion of the roads.

District Duration:

Yellowstone County Rural Special Improvement District No. 884M shall exist as long as needed to maintain the portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing.

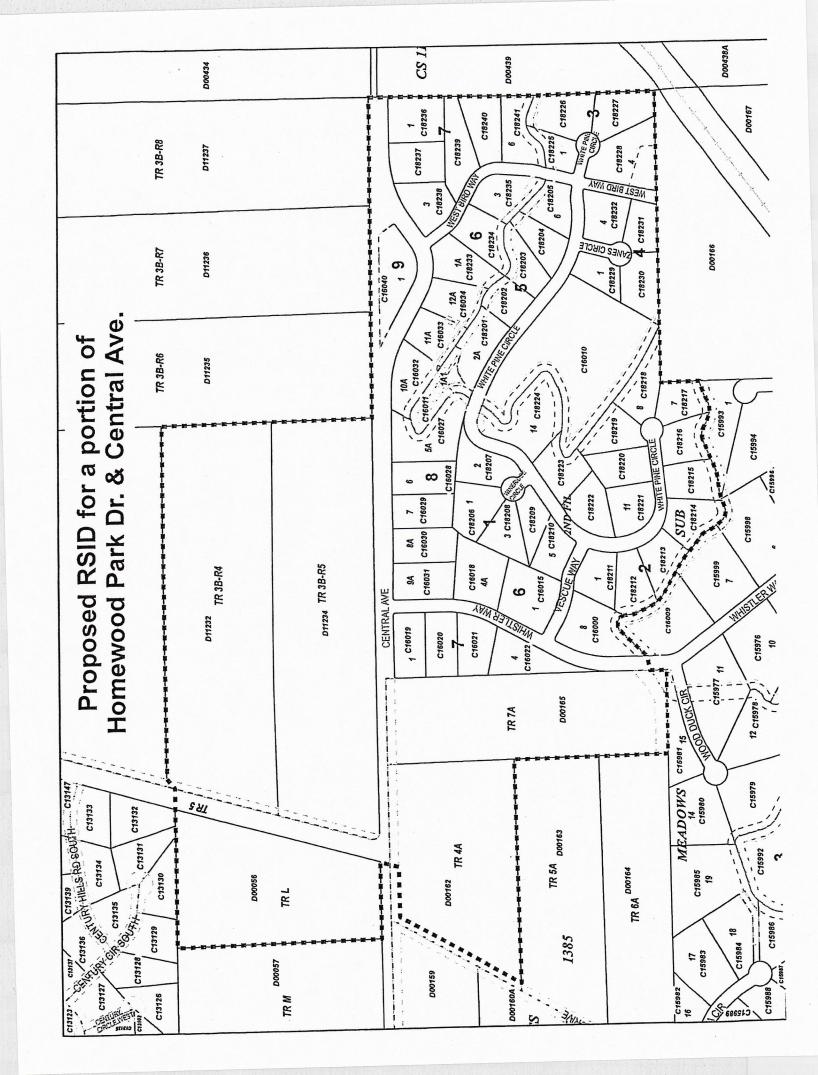
District Engineer:

Michael Black, PE, a Senior civil engineer with the Yellowstone County Public Works Department, shall be the District Engineer for Yellowstone County Rural Special Improvement District No. 884M. As needed, the Yellowstone County Board of County Commissioner shall appoint a District Engineer. The District Engineer shall manage the maintenance of the portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing. The District Engineer shall keep the Board advised of the maintenance of the roads.

Yellowstone County Public Works Department
Attn: Michael Black, PE – Senior Yellowstone County Civil Engineer
P.O. Box 35024
Billings Montana, 59107-5024
(406) 256-2735
mblack@yellowstonecountymt.gov

Attachments

Map, showing the portion of roads, and proposed RSID boundary Properties and Property Owner Lists Maintenance Cost Estimate Assessment Estimate



WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 6, Lot 2 WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 6, Lot 3 WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 7, Lot 1 WEST MEADOWS SUB 2ND FIL (22), S12, T01 S, R24 E, BLOCK 7, Lot 2 WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 7, Lot 3 WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 7, Lot 4 WEST MEADOWS SUB 2ND FIL (22), S12, T01, R24 E, BLOCK 7, Lot 6 S01, C.O.S. 835, PARCEL L, 2ND AMEND S12, C.O.S. 835, PARCEL L, AMD (16) S12, C.O.S. 1385, PARCEL 3B-R4, AMEND TR 3B TR REMAINDER & 3E OF 2ND CORRECTED AMEND TR 3-B IN S2 & NE4 S01, C.O.S. 835, PARCEL 3B-R5, AMEND TR 3-B REMAINDER 3E OF 2ND CORRECTED AMEND TR 3-B IN S2 & NE4
BILLINGS, MT 59108-1508 BILLINGS, MT 59102-7229 BILLINGS, MT 59102-0575 BILLINGS, MT 59102-0575 BILLINGS, MT 59102-1639 BILLINGS, MT 59101-9114 BILLINGS, MT 59101-9114 BILLINGS, MT 59108-1508 BOZEMAN, MT 59106-1929 WORDEN, MT 59101-9162 BILLINGS, MT 59101-9162
PO BOX 81508 3661 ROSEBUD DR 3250 GREGORY DR W 3250 GREGORY DR W 2720 SELVIG LN 3250 GREGORY DR W 3785 VISTA VIEW RD PO BOX 81508 2580 ARROWLEAF HILLS DR 9 S HOMEWOOD PARK DR 2315 N 10TH RD 3910 BLUE CREEK RD
51 C18234 WINERIDGE INC 52 C18235 FRANCIS, RANDY C & TEAL M 53 C18236 CCA INVESTMENTS LLC 54 C18237 CCA INVESTMENTS LLC 55 C18238 LARSEN, LARRY V & 56 C18239 CCA INVESTMENTS LLC 57 C18240 ADELMAN, BENJAMIN J 58 C18241 WINERIDGE INC 59 D00056 NALL, RANDALL GLENN & 60 D00162 FORTIER, JACEY WYNETTE 61 D00165 HAGE, DAVID & NETTIE 62 D11232 UMSTEAD, PATRICK 63 D11234 UMSTEAD, PATRICK

Estimate for Proposed Maintenance RSID 884M Portions of Homewood Park Drive, And Central Avenue Gravel Road Improvements

ITEM	Amount
Length of both roads (feet)	2,975
Width (feet)	28
Estimated Cost to Maintain - Yearly (\$ / Sq. Ft)	0.030
SUBTOTAL	\$2,499.00
Snow Removal	\$150.00
Miscellaneous (weed control, mowing, etc.)	\$150.00
TOTAL	\$2,799.00
Cost Per Parcel Per Year (using 63 benefited parcels)	\$44.43
TOTAL AMOUNT TO USE IN DOCUMENTS	\$2,800.00 Total Cost \$45.00 per parcel per year

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Notice of Public Hearing on the Creation of Rural Special Improvement District No. 884M

On 14 February 2023, at 9:30 a.m., in Room 3108 of the Stillwater Building located at 316 North 26th Street in Billings, Montana, the Yellowstone County Board of County Commissioners will hold a public hearing to receive public comments and consider protests on the creation of Rural Special Improvement District No. 884M. The District will maintain a portion of Central Avenue and Homewood Park Drive that provides a second access to West Meadows Subdivision 2nd Filing. Additionally, there are other lots in the area that are deemed benefited.

A property owner within the District may protest the creation of the District. To protest the creation of the District a property owner must submit a written protest. The protest must state the names of all the owners of the property, identify the property owned by the owners, indicate the owners opposed the creation of the District and be executed by all the property owners. The protest must be delivered to the Yellowstone County Clerk and Recorder by 13 February 2023.

After the hearing, if enough property owners have not protested the creation of the District and the Board believes the creation is in the best interest of the public, it will pass a resolution to create the District. Conversely, if either enough property owners have protested the creation of the District or the Board believes the creation is not in the best interest of the public, it will pass a resolution not to create the District.

If you would like to submit a written comment or protest on the creation of the District, please send it to the Yellowstone County Clerk and Recorder, Attn: Public Comment / Protest on Proposed Creation of RSID No. 884M, P.O. Box 35001, Billings, Montana 59107. Further information on the proposed creation of the District can be obtained from Mike Black, PE; Senior Civil Engineer with the Yellowstone County Public Works Department, P.O. Box 35024, Billings, Montana 59107, (406) 256-2735, mblack@yellowstonecountymt.gov.

Done by order of the Board of County Commissioners, Yellowstone County, Montana this 10th day of January 2023.

Board of County Commissioners Yellowstone County, Montana

John Ostlund, Chair

ATTEST:

Loff Martin Clark and Decorder