

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23- 66

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 to Rustic Avenue 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 54th Street West from Neibauer Road to Rustic Avenue
Maintenance District – Maintain Portion of 54th Street West from Neibauer Road to Rustic Avenue
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 to Rustic Avenue 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. _____ 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.

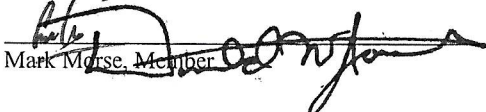
NOW THEREFORE, BE IT RESOLVED,

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 to Rustic Avenue 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

EXHIBIT A

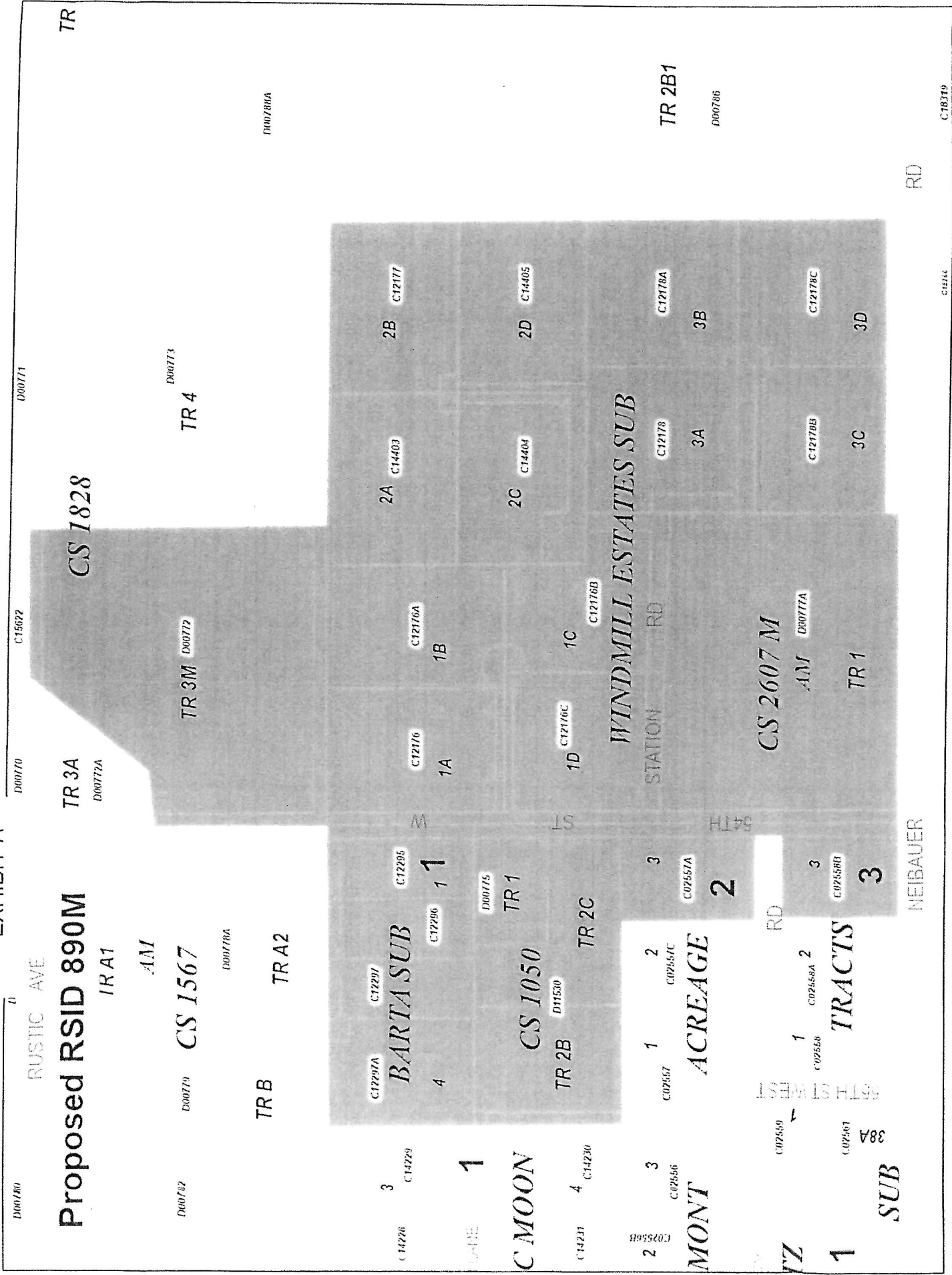


EXHIBIT B

Tax ID	Owner_Name	MailAddr1	City_ST_ZIP	Legal Description
1	BONINI, JOE A	8470 LONGMEADOW DR	BILLINGS MT 59106-1813	BELMONT ACREAGE TRACTS, BLOCK 2, Lot 3
2	INGRAHAM, CHAD H	5407 NEIBAUER RD	BILLINGS MT 59106-4003	BELMONT ACREAGE TRACTS, BLOCK 3, Lot 3
3	LORENZ, TAMARA M	2223 S 54TH ST W	BILLINGS MT 59106-3753	WINDMILL ESTATES, BLOCK 1, Lot 1A
4	LORENZ, TAMARA M	2223 S 54TH ST W	BILLINGS MT 59106-3753	WINDMILL ESTATES, BLOCK 1, Lot 1B
5	YOUNG, JERRY	2231 S 54TH ST W	BILLINGS MT 59106-3753	WINDMILL ESTATES, BLOCK 1, Lot 1C
6	SPARKS, SAMUEL DEAN & MICHELLE COSTELLO	2225 S 54TH ST W	BILLINGS MT 59106-3753	WINDMILL ESTATES, BLOCK 1, Lot 1D
7	NELSON, CHRISTOPHER & KAYLENE R	2315 S 54TH ST W	BILLINGS MT 59106-4800	WINDMILL ESTATES, BLOCK 1, Lot 2B
8	KALLIN, NICKOLAS JAMES & REBECCA ANN	5245 STATION DR	BILLINGS MT 59106-4802	WINDMILL ESTATES, BLOCK 1, Lot 3A
9	CREMER FAMILY TRUST	5215 STATION DR	BILLINGS MT 59106-4802	WINDMILL ESTATES, BLOCK 1, Lot 3B
10	REAY, DEANE	5240 STATION DR	BILLINGS MT 59106-3799	WINDMILL ESTATES, BLOCK 1, Lot 3C
11	HATCH, MARK	115 SHILOH RD UNIT 2412	BILLINGS MT 59106-2760	WINDMILL ESTATES, BLOCK 1, Lot 3D
12	H 4000 TRUST	PO BOX 1555	BILLINGS MT 59103-1555	BARTA SUBD, BLOCK 1, Lot 1
13	MITCHELL, WILLIAM A	2218 S 54TH ST W	BILLINGS MT 59106-3754	BARTA SUBD, BLOCK 1, Lot 2
14	GUNDERSON, MICHAEL W & REGINA I	2214 S 54TH ST W	BILLINGS MT 59106-3754	BARTA SUBD, BLOCK 1, Lot 3
15	TOEWS FAMILY REVOCABLE TRUST	2210 S 54TH ST W	BILLINGS MT 59106-3754	BARTA SUBD, BLOCK 1, Lot 4
16	BRYAN, ZACHARY & JESSICA	5310 STATION DR	BILLINGS MT 59106-3713	WINDMILL ESTATES, BLOCK 1, Lot 2A
17	BRADLEY Z HOFFMAN REVOCABLE LIVING TRUST	5320 STATION DR	BILLINGS MT 59106-3713	WINDMILL ESTATES, BLOCK 1, Lot 2C
18	GAHAGAN, MATTHEW & REBECCA G	5325 STATION DR	BILLINGS MT 59106-3713	WINDMILL ESTATES, BLOCK 1, Lot 2D
19	JACQUES, THOMAS P & JEAN E	2141 S 54TH ST W	BILLINGS MT 59106-3755	C.O.S. 1828, PARCEL 3M
20	MALKUCH, JEAN MORIN	2233 S 54TH ST W	BILLINGS MT 59106-3753	C.O.S. 1050, PARCEL 1
21	STATON, LEONARD E	5343 NEIBAUER RD	BILLINGS MT 59106-4005	C.O.S. 2607 M
22	MALKUCH, JEAN MORIN	2233 S 54TH ST W	BILLINGS MT 59106-3753	C.O.S. 1050, PARCEL 2B & 2C

EXHIBIT C
Engineer's Estimate of Probable Cost

Estimate for Proposed Construction RSID 890
 54th Street West - Paving & Related Road Construction Improvements
 Includes Yellowstone County Cost Share Program Participation

CONSTRUCTION

ITEM	Unit	Quantity	Price	Amount
Mobilization	LS	1	\$8,000.00	\$8,000.00
Traffic Control	LS	1	\$2,000.00	\$2,000.00
Shape / Grade / Smooth Existing Gravel to crown w/ 2% slope	SF	42,631	\$0.12	\$5,115.72
Road Base 3 Inch Section of 1.5" minus Material (incl. 2' shldr)	CY	450	\$41.30	\$18,585.00
Hot Mix - Asphalt (3 Inch Section)	SY	4,084	\$16.80	\$68,611.20
				\$0.00
SUBTOTAL				\$102,311.92
Engineering Design & Construction Management				\$12,900.00
Contingency		10%		\$10,231.19
TOTAL CONSTRUCTION COST				\$125,443.11
County Cost Share Program participation (25%)				\$31,360.78
NET TOTAL CONSTRUCTION, CONTINGENCY & ENGINEERING				\$94,082.33

Admin Costs

Estimated Administrative Costs By Rural Special Improvement District	
Ownership Reports, Advertising, Printing, Offering Circular & Postage	\$1,000.00
County Administration - Attorney - Finance - Commissioners	\$1,000.00
SUBTOTAL	\$2,000.00
SUBTOTAL CONSTRUCTION AND ADMINISTRATIVE	\$96,082.33

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FINANCE COSTS

REVOLVING FUND BACKING OF DEBT - 5% of Loan Financing (Mandatory)	\$5,165.72
RESERVE FUND BACKING OF DEBT - 5% of Loan Financing (Required)* 95% developed - reserve at 5%	\$0.00
COUNTY ADMINISTRATION - Attorney - Finance - Commissioners (Flat Fee per Loan Issuance - above) 2% of Loan Financing	\$2,066.29
LOAN ISSUANCE COSTS, LOAN ORIGINATION FEE - 1% of Loan Financing	
SUBTOTAL FINANCE COSTS	\$7,232.00

TOTAL RSID COST **\$103,314.34**

COST BREAKDOWN PER UNIT / PARCEL

Number of Assessment Units	22
* Number of Parcels Developed	21
Percentage Developed	95%
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)	\$4,696.11
Estimated Interest Rate	6.0%
Estimated Annual Assessment for 7 Years (per property)	\$841.24
Total Amount Paid Back (Financed) Over 7 Years With Interest	\$5,888.66
<u>Alternate 2 - Non-Financed Option (PAY UP FRONT)</u>	
Total Estimated Cost Per Parcel	
This option is the "Pay Up Front" or Pay In Advance Alternative - (saves Loan Financing Costs of 7%)	\$4,367.38

Maintenance Assessment Per Parcel Per Year **\$100.00**

