

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 23-36

**Resolution to Create Yellowstone County Rural Special Improvement District No. 891M
To Maintain Dry Hydrant in Victory Hills 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 or pass a resolution of intent. The board can create the district with a resolution without a hearing.

WHEREAS, the Yellowstone County Board of County Commissioners received a petition from John Nissley (trustee of Nissley-Link Trust), to create a rural special improvement district to maintain the dry hydrant installed in Victory Hills Subdivision. See Exhibits A-F attached. As a condition of subdivision approval, the Board required them to install a dry hydrant and create a district to maintain the dry hydrant. Nissley-Link Trust owns all properties within the proposed district (See Exhibit F) and has consented to the creation of the district. Because they 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

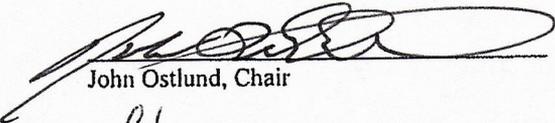
District Name:	Yellowstone County Rural Special Improvement District No. 891M
District Location:	Victory Hills Subdivision. See Exhibit A
District Parcels:	5 lots – Victory Hills Subdivision, Lots 1-5 inclusive, Tract 1 C.O.S. #3793, in Section 19, T. 4 N., R. 34 E. See Exhibit B.
District Activities:	Maintain Dry Hydrant in Subdivision
District Costs:	\$125 Estimated Cost per year, Subject to Change. See Exhibit C
District Assessment Method:	Per Parcel. See Exhibit D
District Assessment:	\$25 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,

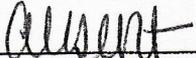
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 891M to maintain the dry hydrant in Victory Hills Subdivision. The specifics of the District are contained in the attached exhibits.

Passed and Adopted on the 14th day of March 2023.

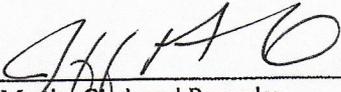
BOARD OF COUNTY COMMISSIONERS, YELLOWSTONE COUNTY, MONTANA


John Ostlund, Chair


Mark Morse, Member


Donald W. Jones, Member

ATTEST:


Jeff Martin, Clerk and Recorder

Petition to Create Special Improvement District for Victory Hill Subdivision – Dry Hydrant

On March 2, 2023, 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 to be installed with the construction of Victory Hill Subdivision. The petition appears legally sufficient.

The petition indicates what land will be included in the district (Victory Hill Subdivision), what public infrastructure will be maintained (dry hydrant), what will be done to maintain the infrastructure (inspection), the cost to maintain the infrastructure (\$125), how the cost will be paid by the landowners in the district (per parcel 5 parcels \$25) and whether all the landowners consent to the creation of the district (all consent, only developer).

Because all the landowners consented to the creation, the County does not have to hold a hearing to create the district.

EXHIBIT B

LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

Being tract 1 of COS 3793, located in a portion
of Section 19, T4N, R34E, Yellowstone
County, Montana -

All inclusive of Lots 1-5, Victory Hill
Subdivision located in said tract.

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Dry Hydrant	\$
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:

5 lots @ \$2500 \$12500

\$12500

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

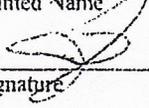
Equal Amount *Per Lot - 5 lots*

Front Footage

Other (Describe)

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME	TELEPHONE NUMBER
1. <u>John Nissley</u> (Chairman) Printed Name <u></u> Signature	<u>406-679-2027</u>
2. _____ Printed Name _____ Signature	_____
3. _____ Printed Name _____ Signature	_____
4. _____ Printed Name _____ Signature	_____
5. _____ Printed Name _____ Signature	_____

