

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 24-107

**Resolution to Create Yellowstone County Rural Special Improvement District No. 904M
To Maintain the Roads in Peila 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 Matt Peila to create a rural special improvement district to maintain the roads constructed and dedicated to the public in Peila Subdivision. See Exhibits A-F attached. As a condition of subdivision approval, the Board required Matt Peila to construct and dedicate the roads to the public and create a district to maintain the portion in Peila Subdivision. Matt Peila owns all properties within the proposed district and has consented to the creation of the district. Because he has 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

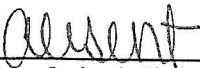
District Name:	Yellowstone County Rural Special Improvement District No. 904M
District Location:	Peila Subdivision
District Parcels:	1 parcel – Peila Subdivision; parcel will be developed into 39 lots
District Activities:	Maintain Public Roads in Subdivision
District Costs:	\$150 Estimated Cost per lot per year for 39 lots, Subject to Change
District Assessment Method:	Per Parcel/Lot
District Assessment:	\$5,850 Annual District Assessment, Subject to Change
District Duration:	Indefinite

NOW THEREFORE, BE IT RESOLVED,

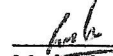
The Yellowstone County Board of County Commissioners creates Yellowstone County Rural Special Improvement District No. 904M to maintain the roads in Peila Subdivision. The specifics of the District are contained in the petition. The Board's assessment for the District will appear on the property owners 2024 tax statement.

Passed and Adopted on the 25th day of June 2024.

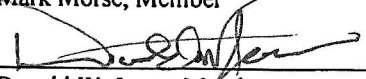
BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



John Ostlund, Chair



Mark Morse, Member



Donald W. Jones, Member

ATTEST:


Jeff Martin, Clerk and Recorder

Petition to Create Special Improvement District for the Peila Subdivision – Dry Hydrant

On May 31, 2024, 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 the Peila Subdivision. The petition appears legally sufficient.

The petition indicates what land will be included in the district (the Peila Subdivision), what public infrastructure will be maintained (dry hydrant), what will be done to maintain the infrastructure (inspection), the cost to maintain the infrastructure (\$25 per parcel), how the cost will be paid by the landowners in the district (per parcel) and whether all the landowners consent to the creation of the district (all consent, only developer). The parkland should not be included as land in the district. The parkland does not pay taxes.

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

Petition to Create Special Improvement District for the Peila Subdivision – Roads

On May 31, 2024, 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 to be installed with the construction of the Peila Subdivision. The petition appears legally sufficient.

The petition indicates what land will be included in the district (the Peila Subdivision), what public infrastructure will be maintained (roads), what will be done to maintain the infrastructure (maintenance, weed control, stormwater maintenance), the cost to maintain the infrastructure (\$5,850), how the cost will be paid by the landowners in the district (per parcel) and whether all the landowners consent to the creation of the district (all consent, only developer). The parkland should not be included as land in the district. The parkland does not pay taxes.

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

Petition to Create Special Improvement District for the Peila Subdivision – Park

On May 31, 2024, 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 park to be dedicated with the construction of the Peila Subdivision. The petition appears legally sufficient.

The petition indicates what land will be included in the district (the Peila Subdivision), what public infrastructure will be maintained (park), what will be done to maintain the infrastructure (mowing, weed control), the cost to maintain the infrastructure (\$1,500), how the cost will be paid by the landowners in the district (per parcel) and whether all the landowners consent to the creation of the district (all consent, only developer). The parkland should not be included as land in the district. The parkland does not pay taxes.

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

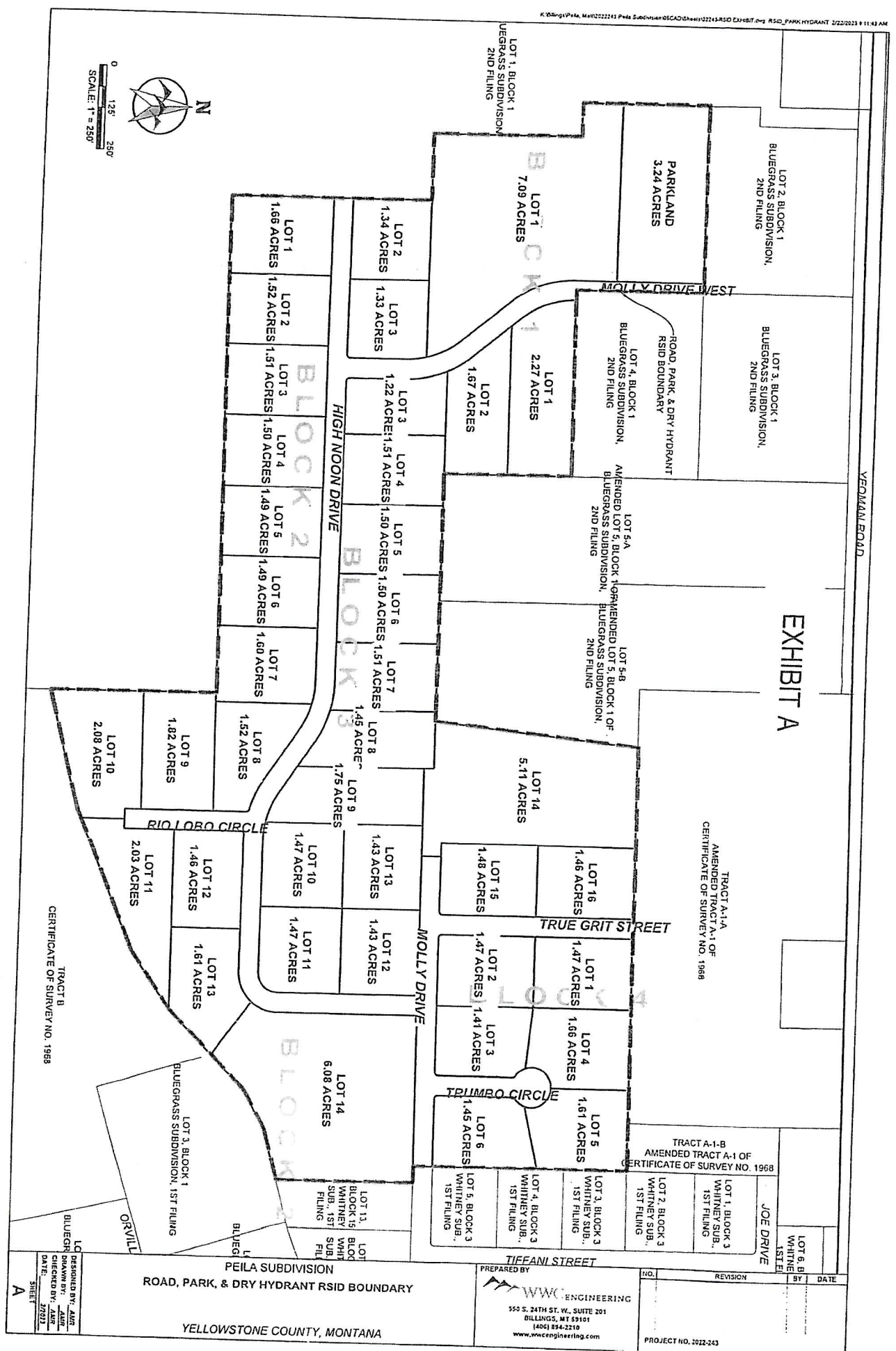
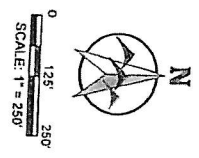


EXHIBIT A

TRACT A-1-A
AMENDED TRACT A-1 OF
CERTIFICATE OF SURVEY NO. 1968

TRACT A-1-B
AMENDED TRACT A-1 OF
CERTIFICATE OF SURVEY NO. 1968

LOT 1, BLOCK 3 WHITNEY SUB., 1ST FILING	LOT 2, BLOCK 3 WHITNEY SUB., 1ST FILING	LOT 3, BLOCK 3 WHITNEY SUB., 1ST FILING
LOT 4, BLOCK 3 WHITNEY SUB., 1ST FILING	LOT 5, BLOCK 3 WHITNEY SUB., 1ST FILING	LOT 6, BLOCK 3 WHITNEY SUB., 1ST FILING

LOT 6, B, B WHITNEY 1ST FILING	JOE DRIVE
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TRACT B
CERTIFICATE OF SURVEY NO. 1958

DESIGNED BY: AJR
DRAWN BY: AJR
CHECKED BY: AJR
DATE: 2/20/13

PEILA SUBDIVISION
ROAD, PARK, & DRY HYDRANT RSD BOUNDARY

YELLOWSTONE COUNTY, MONTANA

PREPARED BY
WCC ENGINEERING
350 S. 24TH ST. W., SUITE 201
BILLINGS, MT 59101
(406) 894-2210
www.wccengineering.com

NO.	REVISION	BY	DATE

PROJECT NO. 2012-243

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
Road Maintenance	\$ 1500
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Road Maintenance	\$ 1500
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Weed Management (per year)	\$ 675
Stormwater Maintenance	\$ 675

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Road Maintenance	\$ 1500
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$5850

(\$5850/39 lots = \$150/lot/year)

EXHIBIT D
METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)
