

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 24-109

Resolution to Create Yellowstone County Rural Special Improvement District No. 906M To Maintain Public Park 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. 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 parks. Matt Peila developed the subdivision. As a condition of subdivision approval, the Board required Matt Peila to create a district to maintain the parks in the 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. See Exhibits attached.

District Summary

District Name:	Yellowstone County Rural Special Improvement District No. 906M
District Location:	Peila Subdivision
District Parcels:	1 parcel – Peila Subdivision; parcel will be developed into 39 lots
District Activities:	Maintain Public Parks in Subdivision
District Costs:	\$39 Estimated Cost per lot per year for 39 lots, Subject to Change
District Assessment Method:	Per Parcel/Lot
District Assessment:	\$1,521 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. 906M to maintain the public parks in Peila Subdivision. The specifics of the District are contained in the petition.

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

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA



John Ostlund, Chair

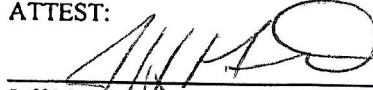


Mark Morse, Member



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.

YELLOWSTONE COUNTY

EXHIBIT A

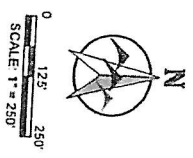
TRACT A-1-A
AMENDED TRACT A-1 OF
CERTIFICATE OF SURVEY NO. 1968

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

NO.	REVISION	DATE

PROJECT NO. 2022-243

PREPARED BY
WVC ENGINEERING
550 S. 24TH ST. W., SUITE 201
BILLINGS, MT 59101
(406) 694-2210
www.wvcengineering.com

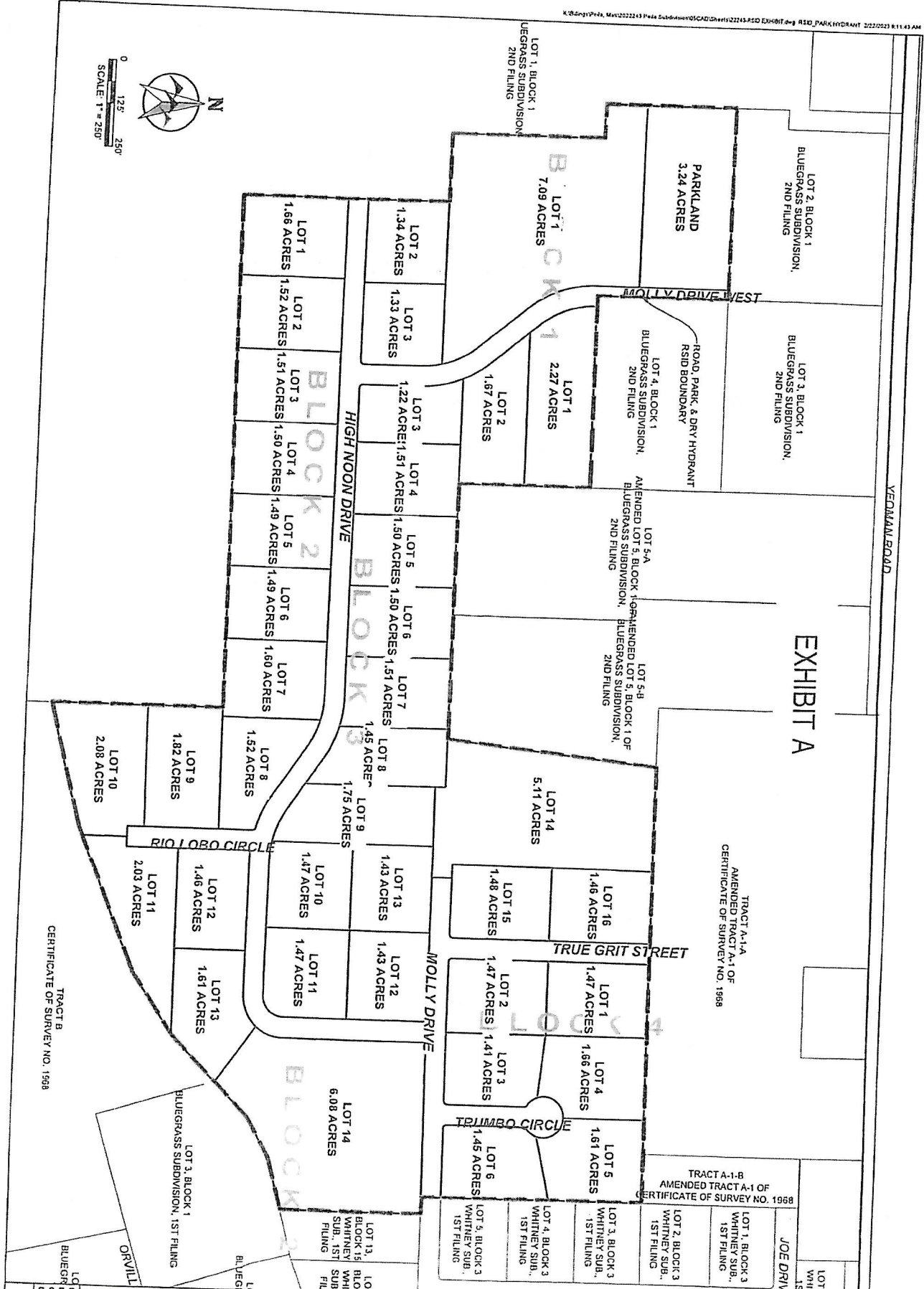


TRACT B
CERTIFICATE OF SURVEY NO. 1968

DESIGNED BY: AJR
DRAWN BY: AJR
CHECKED BY: AJR
DATE: 2/20/22
SHEET: 1 OF 1

ROAD, PARK, & DRY HYDRANT RSID BOUNDARY

YELLOWSTONE COUNTY, MONTANA



PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT B
LEGAL DESCRIPTIONS

PROPERTY LEGAL DESCRIPTIONS

____ Lots 1-3, Block 1 of Peila Subdivision _____

____ Lots 1-14, Block 2 of Peila Subdivision _____

____ Lots 1-16, Block 3 of Peila Subdivision _____

____ Lots 1-6, Block 4 of Peila Subdivision _____

____ Total Lots = 39 lots _____

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
Weed Management (per year)	\$ 500
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
Mowing (per year)	\$ 1,000
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST:

\$1,500 ~~\$1,521~~
 (\$1,500 / 39 lots = \$39/lot/year)

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT D

METHOD OF ASSESSMENT

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT E

PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT
RECOMMENDATIONS FOR AD HOC COMMITTEE

NAME

TELEPHONE NUMBER

1. Matt Peila (Chairman)

 406-698-8097

Printed Name

 Matt Peila

Signature

2.

Printed Name

Signature

3.

Printed Name

Signature

4.

Printed Name

Signature

5.

Printed Name

Signature

PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)

EXHIBIT F

**CONSENT OF PROPERTY OWNERS IN
PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT**

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RSID. It is our understanding that if support exists for the RSID, information will be provided to the County and a public hearing scheduled regarding the creation of this district. Following the public hearing, the County Commissioners shall take action on whether or not to create the district. Should the County Commissioners create the district, WE, as property owners, understand that we shall bear the costs of the district as formally approved by the County Commissioners.

PROPERTY LEGAL DESCRIPTION	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	OPPOSED
Lots 1-3, Block 1, Lots 1-14, Block 2, Lots 1-16, Block 3, Lots 1-6, Block 4, of Pelia Subdivision	Matt Peila	<i>Matt Peila</i>	X	