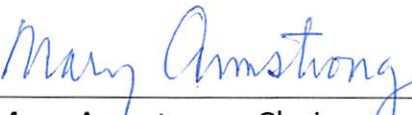


Valley County Rural Improvement District Policy and Procedure

*On January 4, 2021, a motion was made by
Commissioner Tweten, seconded by Commissioner
Fahlgren, and passed unanimously to authorize the
Chairman to sign the Valley County Rural
Improvement District Policy and Procedure.*



Mary Armstrong, Chairman

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VALLEY COUNTY

Petition Procedure to Create a Rural Improvement District (RID) Under Section 7-12-2101 M.C.A.

GENERAL:

The Board of County Commissioners is authorized and empowered to order and create improvement districts whenever the public interest or convenience may require (7-12-2102 M.C.A.). The purpose of a Rural Improvement District is to provide funding for improvements and maintenance of pre-existing improvements including but not limited to streets (avenues, highways, lanes alleys, crossings or intersections, courts, and places which have been dedicated and accepted according to the law or in common and undisputed use by the public for a period of not less than 5 years next preceding), ditches, bridges, culverts, curbs, gutters, sewers, and waterworks. Valley County prefers that a Petition to Create a Rural Improvement District have the consent of at least **60%** of the landowner located in the proposed District.

PROCEDURES FOR CREATING A RID:

1. Obtain a petition packet from the Valley County Planning Department. Each packet contains all the necessary documents to be filled out. Read the petition procedure carefully. If you have any questions about the petition procedure, please contact the planning department. Incomplete or inaccurate petitions will cause delays in the petition process.
2. Complete the cover sheet of the Petition to establish a Rural Improvement district, including the date submitted and the name, address, phone number, email, and signature of the petitioner.

3. Provide 2 maps detailing the Rural Improvement District. Darken and/or highlight the map to clearly identify the District Boundary (Section A).
The proposed District boundary could be shown on the following:
 - a. Subdivision Plat
 - b. Certificate of Survey
 - c. Assessor Map

4. Provide legal descriptions of the property within the proposed District (Section B).

5. Indicate the annual maintenance activities desired (Section C), including the estimated costs. The Planning Department will assist with cost estimates based on activities requested. Maintenance activities could include but are not limited to:
 - a. Snow plowing/ice control
 - b. Road blading
 - c. Water system maintenance
 - d. Weed control
 - e. Sewer system maintenance

If specific improvements are desired, please list them as well as the estimated cost.

6. Choose a method of assessment of the properties in the proposed Improvement District (Section D).
 - a. Square Footage: Each lot, tract, or parcel of land in the district is assessed based on its area as a percentage of the total property within the district.
 - b. Equal Amount: Each lot, tract, or parcel of land in the district is assessed the same amount.

- c. Front footage: Each lot, tract, or parcel of land in the district abutting upon the improvement is assessed based on its lineal feet abutting the improvement as a percentage of the total lineal feet of property abutting the improvement.
7. Provide recommendation for property owners to serve on an Ad Hoc Committee for the proposed Rural Improvement district (Section E). *An Ad Hoc Committee is made up of the property owners within the district that make recommendation on matters related to the Rural Improvement District expenditures to all the property owners within the district and to the Board of County Commissioners.*
8. Obtain signatures of at least **60%** of the property owners who consent to the creation of the proposed Rural Improvement District (Section F). Owners must sign their name as it appears in the title report. Failure to gather sufficient consent may result in an adverse decision.

***Note: Percentage** is based on method of assessment chosen in Step 6 above. For example, if method of assessment is by square footage, then the petition must contain the signatures of the owners of 60% of the total square footage within the proposed district.
9. Obtain and attach an Ownership Report from the Title Company for all legal descriptions listed in step 4 (Section G). This report must include owner names, mailing addresses, and tax codes. ***Note:** The cost of the ownership report can only be recovered by the applicant(s) if the district is formed. It is therefore recommended that this report be obtained only after receipt of the consent of at least 60% of the property owners. See step 8.
10. Submit the petition and all necessary attachments to the Valley County Planning Department.

11. The Board of County Commissioners will review the petition for the creation of a Rural Improvement District. If the Board finds that the proposed District benefits the properties listed in the petition, the Board will pass a Resolution of Intent to Create a Rural Improvement District. The County Clerk and Recorder will publish notice of the passage of the Resolution of Intent to Create the Rural Improvement District and mail a copy of the notice to each property owner within the proposed District.

At any time within 15 days after the date of the first publication of the notice of passage of the Resolution of Intent to Create a Rural Improvement District, any owner of property liable to be assessed for improvements or maintenance activities may make written protest against the proposed District. Written protests must be delivered to the County Clerk and Recorder.

If protests are filed within the expiration date, a public hearing will be held at the next regular meeting of the Board of County Commissioners.

12. If no protests are delivered to the County Clerk and Recorder within 15 days after the date of the first publication or when a protest filed is found by the Board to be insufficient or overruled, the Board of County Commissioners will appoint members to the Ad Hoc Committee and pass a Resolution Creating the Improvement District.

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

COVER SHEET TO: VALLEY COUNTY BOARD OF COMMISSIONERS

This petition is respectfully submitted this _____ day of _____, 20__.

Petitioner/Initiator (and/or) Contact Person:

NAME: _____

ADDRESS: _____

PHONE NO: _____

EMAIL: _____

I swear that all the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.

Petitioner's Signature _____

Date _____

State of Montana County of Valley

This instrument was signed or acknowledged before me on _____ by _____ (signer)

(Notary affix seal/stamp to the left)

LIST ALL ADDITIONAL ATTACHMENTS:

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION A

MAPS OF RURAL IMPROVEMENT DISTRICT BOUNDARY (ATTACHED)

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION C

ESTIMATED ANNUAL MAINTENANCE COST

FALL MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

WINTER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SPRING MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

SUMMER MAINTENANCE:

ACTIVITY	ESTIMATED COST
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \$ _____

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION D

ESTIMATED ANNUAL MAINTENANCE COST

CHOOSE A METHOD OF ASSESSMENT:

Square Footage

Equal Amount

Front Footage

Other (Describe)

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION E

PROPOSED RURAL IMPROVEMENT DISTRICT

RECOMMENDATIONS FOR AD HOC COMMITTEE ESTIMATED ANNUAL MAINTENANCE COST

	PRINTED NAME	SIGNATURE	PHONE #	EMAIL
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				

ATTACH ADDITIONAL SIGNATURE PAGES AS NEEDED

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION F

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL IMPROVEMENT DISTRICT

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RID. It is our understanding that if support exists for the RID, information will be provided to the County and a public hearing scheduled regarding the creation of the 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	Against

SECTION F (Continued)

CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL IMPROVEMENT DISTRICT

WE, THE UNDERSIGNED property owners, hereby provide the following information for consideration in the possible creation of an RID. It is our understanding that if support exists for the RID, information will be provided to the County and a public hearing scheduled regarding the creation of the 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.

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SECTION F (Continued)

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Property Legal Description	OWNER (PRINTED NAME)	OWNER SIGNATURE	IN FAVOR	Against

PETITION TO ESTABLISH A RURAL IMPROVEMENT DISTRICT (RID)

SECTION G

OWNERSHIP REPORT ATTACHED