

RESOLUTION NO. 09-2019

RESOLUTION ADOPTING JEFFERSON COUNTY RURAL SPECIAL IMPROVEMENT DISTRICTS (RSIDs), RURAL IMPROVEMENT DISTRICTS (RIDs), & RURAL IMPROVEMENT DISTRICTS FOR MAINTENANCE (RMDs), HANDBOOK.

WHEREAS, in 2001, Jefferson County adopted a Policy and Procedures Manual to assist the public in creating RID and RMD petitions and to serve as a guiding document for Jefferson County Officials and staff for the review and approval of such petitions, and for the creation of RMD's and RID's; and,

WHEREAS, since 2001 the Policy and Procedures Manual has remained static and no revisions have been made despite changes in state law; and;

WHEREAS, due to the outdated nature of the Policy and Procedures Manual, and with the consent of the Jefferson County Commission (Commission), the Jefferson County Clerk and Recorder, Planner, and County Attorney worked to revise and update the manual; and,

WHEREAS, upon completion of the revision process, a final draft of the revised RSID, RID, and RMD document was provided to the Commission for review, comment, and approval; and,

WHEREAS, after review, the Commission deems it appropriate to adopt the updated document which will be know as the Jefferson County Rural Special Improvement Districts (RSIDs), Rural Improvement Districts (RIDs), & Rural Improvement Districts for Maintenance (RMDs) Handbook.

ACCORDINGLY, IT IS RESOLVED by the Jefferson County Commission, the Jefferson County Rural Special Improvement Districts (RSIDs), Rural Improvement Districts (RIDs), & Rural Improvement Districts for Maintenance (RMDs), Handbook (Handbook) is

hereby adopted;

IT IS FURTHER RESOLVED, the Handbook is not a regulatory document and shall operate to serve only as a guide to the public and Jefferson County Officials and staff for the RSID, RID, and RMD petition and approval process;

IT FURTHER RESOLVED, to accommodate changes in Montana law, the Handbook shall be periodically amended to accommodate any changes in applicable Montana law. Such amendments shall become effective following review and approval by the Commission, and shall be appended to the Handbook as amendments; and,

IT FURTHER RESOLVED, because the Handbook is non-regulatory in nature and is to serve only as a guide, it shall not operate to supplant, modify, or alter Montana law. In the event of a conflict between the Handbook and state law, Montana law shall control.

Dated this 9th day of April, 2019.

Jefferson County, Montana

Attest:

Absent
Leonard Wortman, Chair

Bonnie Ramey
Bonnie Ramey
Jefferson County Clerk and Recorder

Cory Kirsch
Cory Kirsch, Commissioner

Bob Mullen
Bob Mullen, Commissioner

JEFFERSON COUNTY

**RURAL SPECIAL IMPROVEMENT DISTRICTS (RSIDs),
RURAL IMPROVEMENT DISTRICTS (RIDs),
RURAL IMPROVEMENT DISTRICTS FOR MAINTENANCE PURPOSES
(RMDs)**

HANDBOOK

MARCH 2019

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I. POLICIES

SECTION I.1: POLICY STATEMENT

A Rural Special Improvement District (RSID) or Rural Improvement District (RID) may be undertaken by Jefferson County pursuant to the provisions of Title 7, Chapter 12, Montana Code Annotated (MCA). The purpose of a RSID or RID is to allow residents of the County, in areas outside incorporated cities and town, to finance, and construct, needed public improvements. Such improvements may be of the type and nature outlined in §7-12-4102(2), MCA, which includes improvements such as roads, sidewalks, stormwater infrastructure, water and sewer infrastructure, utilities, etc. Concurrent with the creation of a RSID or RID, a Rural Improvement District for maintenance purposes will be established to ensure the ongoing upkeep and repair of public improvements. As defined locally, such improvement districts created strictly for maintenance purposes will be known as a RMD. By statute, the Board of County Commissioners of Jefferson County (the Board) is vested with the authority to order and create RSIDs, RIDs, or RMDs. A RSID, RID, or RMD may include a part of or the entire County or may include areas in more than one county.

The Board wishes to make available to the residents of Jefferson County, through RSIDs or RIDs, the financing needed to allow the building, purchasing, and maintenance of public improvements, while safeguarding the County's general fund and County Revolving Fund and avoiding a burden to County taxpayers. Residents owning property within the RSIDs or RIDs and the residents of the County are financially obligated to debt service resulting from improvements; RSIDs, RIDs, and RMDs will only be created after there has been full consideration of the factors set forth in this Handbook and Montana Law. In the event of a conflict or discrepancy between this Handbook and Montana Law, Montana Law shall control.

The Board wants all parties involved with the creation of a proposed RSID, RID, or RMD to receive adequate information on which to make an informed decision. To this end, the Board hereby adopts this Handbook to help guide these processes and procedures. Applicable County Staff will provide the public with guidance on the creation of RSIDs, RIDs, and RMDs.

This Handbook does not address the process where residents petition the Board to create a RSID, RID, or RMD with the consent of all the owners within the district as set forth in §7-12-2102(2), MCA. This Handbook also does not address RSIDs, RIDs, or RMDs that will include lands resulting in a multi-jurisdictional district.

SECTION I.2: COUNTY RESPONSIBILITY FOR ROADS, STREETS, OR OTHER IMPROVEMENTS ASSOCIATED WITH RSIDs, RIDs, or RMDs

- A. Any road, street, or other such improvements shall not upon approval of the RSID, RID, or RMD become part of the county maintained road system. The procedure for acceptance of a road, street, or other such improvement into the county road system is clearly outlined in the Montana Code Annotated and shall not be included in the application for a RSID or RID.

SECTION I.3: COUNTY RURAL REVOLVING FUND

- A. Pursuant to the authority in §§7-12-2181 through 2186, MCA, the Board may establish and maintain a Rural Improvement District Revolving Fund. The fund will be maintained and administered according to the above-mentioned statutes and the provisions of this Handbook.

SECTION I.4: PUBLIC INTEREST OR CONVENIENCE

- A. Pursuant to §7-12-2102, MCA, the Board may utilize a RSID, RID, or RMD whenever the public interest or convenience may require such a district. The following considerations will be applied by the County in evaluating whether the project is in the public interest or convenience:

1. The proposed project's impact on the general welfare, safety, and health of residents within the proposed district and on residents of the county at large;
2. The number of individual parcels directly benefitted and the manner in which they are benefitted;
3. The estimated financial burden on each individual parcel within the proposed district;
4. The number of parcels within the proposed district that do not contain residential or commercial buildings that are completed or will be completed by the time the proposed assessments are imposed;
5. The developed density within the proposed District;
 - a. The Board will not create a RSID or RID that is less than 50% developed density unless the RSID or RID is created to improve a county road or the Board finds that special circumstances exist to warrant the creation of the RSID or RID. Special circumstances may include the following, or as determined by the Board:
 - i. Creation of the RSID or RID does not constitute a financial risk to Jefferson County;
 - ii. Jefferson County will substantially benefit from the improvements proposed for the RSID or RID; and
 - iii. Implementation of Jefferson County's Growth Policy.
6. The impact on the revolving fund of Jefferson County; and

7. The support within the proposed district for its creation by the residents of the proposed district. **Nothing in this Handbook shall be construed as limiting the Board from initiating a RSID, RID, or RMD**, even if the property owners have not previously signed a waiver of protest to the creation of a district.

SECTION I.5: SEVERABILITY

- A. If any provision of this Handbook is found by a court of law to be unenforceable, or if the Board itself, amends any portions of this Handbook, the remaining portions shall remain in effect.

SECTION I.6: COMPLIANCE

- A. The provisions of state statute and the requirements of this document shall be followed. Failure to do so is grounds to deny further action for the creation of an RSID, RID, or RMD.
- B. Exceptions to the procedures set forth in this document will only be made in instances where the provisions of the document are unable to be met because of circumstances beyond the control of the petitioner and the County. An exception in any event is limited to the situation at hand and shall not alter the procedures required in this document.
- C. The Board may, at its discretion, modify portions of this document from time to time when the Board deems the changes are in the best interest of the County and its citizens or to address changes in state law. The Board shall provide the opportunity for the public to comment on any proposed changes. No changes shall be considered official until an amended document is adopted by the Board.

SECTION I.7: EFFECT ON EXISTING RSIDs, RIDs, OR RMDs

- A. All RSIDs, RIDs, and RMDs created under Title 7, Chapter 12 shall be administered in accordance with state law.

II. PROCEDURES

SECTION II.1: PROJECTS CONTEMPLATED UNDER RSIDs, RiDs, OR RMDs

- A. This Handbook may be used for projects for the purposes of building, constructing, or acquiring by purchase one or more of the improvements of the kind described in §7-12-4102, MCA, in or for the benefit of the District. The applicable sections of State law governing the creation of specific types of public works shall be followed.

- B. The Board will consider projects, on a case-by-case basis. The Board encourages county residents to utilize the RSID or RID method of creating public work projects. Petitioners must demonstrate that RSID, RID or RMD projects are in the public's interest and are associated with public improvements. The Board reserves the right to approve or disapprove the use of a RSID, RID, or RMD based on the criteria addressed in Section I.4 of this Handbook.

- C. Construction Standards:
 - 1. Special Improvement District projects created for subdivisions which receive final plat approval after the effective date of this Handbook shall be constructed in accordance with federal, state, and local laws, regulations, and standards.

 - 2. Special Improvement District projects created for subdivisions which were created prior to the effective date of this Handbook shall be constructed in accordance with federal, state, and local laws, and regulations and standards. Provided however, consideration for deviation(s) will be given to subdivisions which were granted variances from laws, regulations, and standards, during the subdivision review process and infrastructure construction. In no event however will Jefferson County permit deviation(s) where such deviation is prohibited by law or regulation.

SECTION II.2: PROCEDURE FOR PROPOSING A RSID, RID, OR RMD

- A. Property owners who are interested in creating a RSID, RID or RMD within the jurisdictional boundaries of Jefferson County should contact the Jefferson County Planning Department for assistance.
 - 1. A copy of the requirements and guidance regarding how to begin the process to create a RSID, RID, or RMD will be provided to interested parties by the Planning Staff.

 - 2. After reviewing the RSID, RID, or RMD information provided by the Planning Department, interested parties may schedule a meeting with the Planning Staff and/or other County Staff to discuss any questions or concerns they may have regarding establishing a RSID, RID, or RMD.

 - 3. The Planning Staff will work with the petitioners to provide guidance on creating the draft petition and to verify petitioners have included all the information the

County and public will need when the RSID, RID, or RMD request is submitted for consideration.

4. Parcel owners wishing to proceed with a RSID, RID, or RMD will be required to draft the petition, propose district boundaries and create maps, obtain a preliminary cost estimate and any other associated materials that will be circulated to parcel owners within the proposed district and be submitted to the County for consideration. In addition, they will need to demonstrate the efforts they have undertaken to determine support for the project and demonstrate why the project is in the public interest or convenience.
5. Lot owners within the proposed district may seek professional assistance to prepare the petition, maps, and any other items that will be included with their formal petition. Lot owners within the district are responsible for covering any and all such expenses unless they are allowed as incidental expenses as addressed in Section II.4 of this Handbook.

SECTION II.3: CREATE A PETITION FOR RSID, RID, OR RMD

A. Items that must be included in the petition or addressed within associated documents:

1. A description of the project;
2. A statement as to why the project is in the public interest or convenience;
3. A map of the proposed district that clearly includes and identifies the following information:
 - a. The exterior boundaries of the proposed RSID, RID, or RMD;
 - b. All existing parcels within the boundaries of the proposed district identified by appropriate boundary lines;
 - c. All existing parcels within the boundaries of the proposed district labeled with their most recent lot, parcel, or tract number and associated survey number;
 - d. All existing road(s) and associated rights-of-way shall be delineated and clearly labelled;
 - e. The location, scope, and extent of the proposed improvements shall be delineated; and
 - f. A map will be deemed sufficient by the County if it meets the following criteria:

- i. All land owners within the proposed district can distinguish their particular parcel(s) within the proposed district's boundaries; and
 - ii. All land owners can identify where the proposed improvements will be occurring and how those activities will impact their properties.
- 4. Legal description of all the parcels proposed to be included in the RSID, RID, or RMD;
- 5. Preliminary estimates and other engineering and associated work;
- 6. A detailed engineering estimate of the cost of the Special Improvement District project, or an engineering estimate for the cost of maintenance in a Special Improvement District created for maintenance, or both if applicable. Petitioners' for a Special Improvement District may choose their own engineer for the cost estimate work, or choose the county engineer. In the event Petitioners' choose to retain their own engineer, any cost estimates are subject to review by the county engineer. The costs associated with all engineering estimates shall be borne by the Special Improvement District. In no event will Jefferson County be responsible for any such costs.
- 7. Cost estimate of all county administration costs, including financing costs for maintenance administration and revolving fund;
- 8. Method of assessment
 - a. The cost for principal, interest, and yearly maintenance shall be assessed pursuant to §7-12-2151 and §7-12-2161, MCA. The Board shall assess the entire cost of the improvements against the benefitted parcels in the district based upon the benefits received and shall adopt one or any combination of the methods of assessment provided under §7-12-2151, MCA. The Board will give consideration to the petitioners' preferred method of assessment as specified in the petition. The method(s) of assessment shall be included in the resolutions.
 - b. All parcels (developed or undeveloped) included in a RSID or RID shall be assessed the same rate for debt services (improvements requiring loans or bonds).
 - c. All parcels (developed or undeveloped) included in a RMD shall be assessed an amount equal to the whole cost of maintaining, preserving, or preserving improvements within the district per §7-12-2161(2), MCA. In lieu of an assessment, the Board shall otherwise provide for the whole cost of maintaining, preserving, or repairing the improvements in the district.
 - d. Pursuant to §7-12-2108, MCA, the Board may assess and include parcels and lands not fronting on the proposed improvements which are within the

boundaries of the district if the Board declares, in its resolution of intention to create the RSID, RID, or RMD, that such parcels are benefitted by the proposed improvements. In addition, the Board must find that the work is more than local or ordinary public benefit or the total estimated cost and expenses of the project exceed one-half of the total assessed value of the parcels and lands assessed fronting the project.

9. Petitioners preferred method of financing;
10. Pay-back schedule for the preferred method of financing as specified in Section II.3.A.8 of this Handbook:
 - a. For the assessment method chosen, an estimate of the dollar amount for each individual property owner to pay his portion of expenses if paid in one payment; and
 - b. For the assessment method chosen, an estimate of the dollar amount for each individual owner to pay his portion over the term of the financing.
11. Number of individual parcels within the district as shown on last completed assessment roll for state, county, and districts as of the date the petition is first circulated for signatures;
12. Number of individual parcels within the district with occupied dwellings upon them, no more than 30 days before the date the petition is first circulated for signatures, certified by the County;
13. The signatures of the owners of 60 percent (60%) of the parcels in the proposed RSID or RID or 85 percent (85%) of the area of the property proposed in the petition to be included in the district if only an RMD is being proposed;
14. Each property owner's signature shall be followed by the property owner's address, date of signing the petition, and a legal description of the owner's property by reference either to the recorded plat, subdivision, deed and the geocode number assigned to the property;
15. A clear statement that an additional yearly assessment shall be levied upon a RSID or RID for the maintenance of the proposed improvements as required by State statute and this Handbook;
16. A clear statement acknowledging that Jefferson County, by action of the Board in creating the RSID, RID, or RMD, does not assume financial responsibility for the improvements financed by the District. The District is responsible for the continued support and maintenance of the improvements, except as otherwise provided in this Handbook. Jefferson County will only approve cost estimates which are certified by the county engineer and collect the assessments for the District. Jefferson

County will not assume any responsibility for continued maintenance of improvements at the end of financing.

17. A short statement that the petition is being circulated according to this Handbook and in accordance with state law; and
18. A clear statement acknowledging that because of aggregation and subdivision of lots, the actual number of lots stated in the petition may change between the time the petition is circulated and the time the Board considers the resolution of intention to create the RSID, RID, or RMD, and therefore, the actual assessment per lot may be greater than or less than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RSID, RID, or RMD.

SECTION II.4: INCIDENTAL EXPENSES

- A. All demands for incidental expenses, except for administrative fee and interest payable on warrants or bonds, shall be presented to the County Clerk by itemized bill, duly verified by oath of the demandant per §7-12-2119, MCA.
- B. Incidental expenses are defined within §7-12-2101(7). They may include:
 1. The compensation of the County Engineer for work done;
 2. The cost of printing and advertising, as provided in this part;
 3. Interest on warrants of the county issued to pay costs of improvements, as provided in this part;
 4. Costs of issuance of the bonds or warrants of the special improvement district, including costs of printing the bonds, bond registration fees, attorney fees and financial consultants' fees, a premium for bond insurance, any price paid by the original purchaser of the bonds that is less than the face amount of the bonds, and interest to accrue on bonds or warrants of the special improvement district before assessments levied by the district are collected in amounts and at times sufficient to pay the interest; and
 5. A reasonable administrative fee payable to the County for the creation and administration of the district by the county, its officers, and its employees.
- C. Incidental expenses connected with the formation of a RSID or RID, including the cost of preparation of plans, specifications, maps, or plats; engineering, superintendence, and inspection; preparation of assessment rolls; and the other incidental expenses described in §7-12-2101(7), MCA, are considered a part of the cost of making the improvements within the RSID or RID.

SECTION II.5: ASSESSMENT & FINANCING METHODS

- A. Pursuant to §7-12-2151(1), MCA, to defray the cost of making or acquiring any improvement under this Handbook, including Incidental Expenses, the Board shall assess the entire cost of the improvement against benefitted parcels in the district.

- B. The Board may use one or any combination of methods of assessment in a single special improvement district, and if more than one improvement is undertaken, need not assess each lot, tract, or parcel in the district for the cost of all the improvements as allowed under §7-12-2151(2), MCA:
1. Each parcel of land assessed in the district may be assessed with that part of the whole cost which its assessable area bears to the assessable area of all the benefitted parcels in the district, exclusive of streets, avenues, alleys, and public places. For the purposes of this section, "assessable area" means an area of a parcel of land representing the benefit conferred upon the parcel by the improvement. Assessable area may be less than but may not exceed the actual area of the lot, tract, or parcel (§7-12-2151(1)(a), MCA);
 2. Each parcel of land assessed in the district may be assessed with that part of the whole cost of the improvement based upon the assessed value of the benefitted parcels or pieces of land within the district, if the board determines the assessment to be equitable in proportion to and not exceeding the benefits received from the improvement by the parcel (§7-12-2151(1)(b), MCA);
 3. Each parcel of land in the district abutting upon the street where the improvement has been made may be assessed in proportion to its lineal feet abutting the street (§7-12-2151(1)(c), MCA);
 4. Each parcel of land in the district may be assessed an equal amount based upon the total cost of the improvement (§7-12-2151(1)(d), MCA); or
 5. Each parcel of land in the district served by a utility connection may be assessed an equitable lump sum for the connection based on the bid price in the applicable contract (§7-12-2151(1)(e), MCA).
 6. If the method of assessment is that addressed under Section II.5.B.4 of this Handbook, the resolution of intention under §7-12-2103, MCA and notice under §7-12-2105, MCA must provide that if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the district during the term of the bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated as provided in §7-12-2151(4), MCA.
 7. Pursuant to §7-12-2157, MCA, whenever any lot, piece, or parcel belonging to the United States or mandatory of the government shall front upon the proposed work or improvement or is to be included within the RSID, RID, or RMD, the Board shall declare that said lots, pieces, or parcels of land shall be omitted from the assessment. The Board's declaration associated with such lands shall be included in the resolution of intention. The cost of said work or improvement in front of said lots, pieces, or parcels of land shall be paid by the County from its general fund.

C. Financing must be secured before construction begins. The Board may finance a RSID or RID through the sale of bonds, an INTERCAP loan from the Montana Board of Investments, or a loan from Jefferson County if the Board determines funds are available. These financing methods are described below:

1. BONDS

- a. It will be the responsibility of the Board to obtain bond counsel, at the expense of the RSID or RID, for the preparation of all necessary papers in connection with the sale, including, but not limited to, the notice of sale, advertisement for sale, resolutions, and the bonds themselves.
- b. Other than the requirements in this document, the timing and scheduling of the sale of bonds and the letting of the construction contract is determined by Jefferson County. The County Engineer, at his/her discretion, may complete whatever engineering work he/she deems advisable prior to the bond sale. However, the County Engineer will only be compensated from the proceeds of the bond sale.
- c. The term of the bonds shall not exceed 30 years. The Board is authorized to set the interest on the bonds and reserve the right to approve or disapprove the interest at the time of the bid opening.
- d. The Board will issue bonds pursuant to §7-12-2172, MCA. Bonds will be sold following the requirements of §7-7-2251 and §7-7-2252, MCA. The bonds shall conform with the provisions of §7-12-2171, MCA, and the County shall redeem the bonds pursuant to the provisions of §7-12-2174, MCA.

2. INTERCAP LOAN

- a. INTERCAP financing may be utilized for the RSID or RID upon approval by the Board.
- b. The County's Clerk & Recorder will be responsible for preparation of the INTERCAP loan application.
- c. As with the sale of bonds, the costs of financing will be included in the loan. These costs include the origination fee and a 5% reserve to be deposited in the RSID or RID Revolving fund in accordance with §7-12-2153, MCA.
- d. The INTERCAP interest rate is variable and can change from year to year. In order to assess sufficient proceeds, the prime lending rate will be used to establish the assessment. In the event that the assessment is insufficient, it may be necessary to increase the assessment through the normal hearing process. Excess proceeds will be used to retire debt early in accordance with Section II.14.A of this Handbook.

3. COUNTY LOAN

- a. If the Board determines the County has sufficient reserves, a lending fund may be utilized to finance a RSID or RID. The County's Clerk & Recorder will be responsible for the necessary documentation of the interfund loan.
- b. No origination fee will be charged. However, a 5% reserve is required to be deposited in the RSID or RID revolving fund.
- c. The interest rate will be based upon the prime lending rate.

SECTION II.6: REVIEW AND CIRCULATION OF RSID, RID, OR RMD PETITION

- A. The Planning Department and County Clerk shall review the draft petition to ensure that the petition contains all the information needed to meet the requirements set forth in this Handbook.
- B. Before the petition may be circulated for signatures, the Board will be informed by the County Clerk or Planning Department that the petitioners will be circulating their petition.
- C. Parcel owners within the proposed RSID, RID, or RMD will be responsible for circulating the petition, map, and any other associated materials and gathering signatures for the petition per the following requirements:
 1. If a person, or two or more persons, owns more than one parcel in the District, all persons with a recorded interest shall sign the petition for each of their parcels.
 2. If a parcel is owned by a bona fide partnership, corporation, LLC, or trust, one authorized representative may sign on behalf of the partnership, corporation, or trust to qualify the parcel. The representative must include his or her title or relationship to the partnership, corporation, or trust.
 3. A contract buyer or buyers shall be qualified to sign a petition as an owner of property within the District if a Notice of Purchaser's Interest is properly recorded in the Clerk and Records Office. A contract buyer or buyers shall comply with Section II.6.C.1 or II.6.C.2 of this Handbook, whichever applies.
- D. After the petition has been circulated and signatures collected, the petitioners will be responsible for submitting the petition, signatures, map, and any other associated documents to the County Clerk. The County Clerk will verify ownership status of each signee and the number of lots built on and occupied.
- E. The County Clerk will certify the percentage of number of parcel owners signing the petition and the number of lots built on and occupied. The County Clerk's certification letter and the petition will be forwarded to the Board, County Attorney, and Planning Department to begin the review and creation process.

SECTION II.7: BOARD CONSIDERATION OF RSID, RID, OR RMD PETITIONS

- A. The Board will consider and act upon all decisions required to create a RSID, RID, or RMD at a regularly scheduled Board meeting. The passing of any resolutions, hearing of any protests, letting of any bids for bonds and construction shall be done at the regularly scheduled Board meeting.
- B. The Board reserves the right to alter its meeting date and time. It is the responsibility of those applying for the RSID, RID, or RMD to adjust accordingly. In addition, it is the responsibility of those applying to be aware of any time restrictions specified by statute such as those associated with creating a RSID, RID, or RMD, selling the bonds, or letting of construction contracts. Those applying will be responsible for seeking proper approval prior to the expiration of any such time limits as may be outlined in this Handbook and state law.

SECTION II.8: REQUIREMENTS FOR RESOLUTIONS FOR RSIDs, RIDs, OR RMDs

- A. Resolutions associated with RSIDs, RIDs, or RMDs will be prepared by the County Attorney unless he/she delegates the duty.
- B. A resolution of intention to create a RSID, RID, or RMD shall conform to the requirements of §7-12-2103, MCA. The resolution of intention must contain the following items: (1) designate the number of the district; (2) describe the boundaries of the district; (3) state the general character of the improvements that are to be made; (4) designate the name of the engineer in charge of the work and an approximate estimate of the cost of the work; (5) specify the method or methods by which costs of the improvements will be assessed against property in the district; and (6) if method of assessment is equally shared by each parcel in the district, specify that if an increase occurs in the number of benefitted parcels within the district during the term of the bonded indebtedness, the assessment per parcel will be recalculated as provided by §7-12-2151(4), MCA. A clear disclaimer shall be included in the resolution of intention stating the County will assume no maintenance funding responsibility for any improvement created by the RSID or RID procedure except as otherwise provided in this Handbook.
- C. Maintenance Charge Sheets: The Board shall prepare and present at the time of the passage of the resolution of intention an estimated maintenance cost, which will include cost estimates for routine and major maintenance. The charge sheet shall show estimated annual cost and shall be evaluated as deemed necessary by the Board, County Staff, or landowners within the district.
- D. After the passage of the resolution of intention the Board shall publish notice of its passage as set forth in §7-1-2121, MCA and post notice as required under §7-1-2123, MCA. The notice must also be mailed to each owner of a parcel within the proposed district as set forth in §7-1-2122, MCA.

- E. The notice of the resolution of intention must address the criteria set forth in §7-12-2105, MCA which includes: (1) a description of the general character of the proposed improvements, (2) the estimated cost of the improvements, (3) a general description of the method or methods by which improvement costs will be assessed, and (4) the time and place when the Board will hear the resolution and make a decision regarding any protests. The notice must reference the resolution of intention on file with the County Clerk for the description of the district boundaries. Depending upon the method used for the assessment additional information must be included in the notice as set forth in §7-12-2105(3), MCA.
- F. The resolution creating the District shall conform to the requirements of §7-12-2113, MCA and be in accordance with the resolution of intention.
- G. Per §7-12-2113(2), MCA, the Board may order improvements immediately if the following conditions are met: (1) when sufficient protests have not been delivered to the County Clerk within 30 days after the date of the first publication of the notice of the passage of the resolution of intention; (2) when a protest has been found by the Board to be insufficient or has been overruled; (3) when a protest against extending the proposed district has been heard and denied; or (4) when a resolution creating the district is passed upon receipt of a petition as provided in §7-12-2102(2)(a), MCA.

SECTION II.9: PROTEST PROCEDURES TO THE CREATION OF A RSID, RID, OR RMD

- A. Within 30 days after the date of the first publication of the notice of passage of the resolution of intention, any owner of a parcel liable to be assessed for the project may make written protest against the proposed improvement and/or against the creation or extension of the district.
- B. A protest must be in writing, identify the parcel in the district owned by the protestor, and be signed by all owners of the parcel, except if the parcel is a condominium, then Section II.10 of this Handbook applies. The written protest must be delivered to the County Clerk, who shall date stamp the protest. For purposes of this part "owner" does not include a tenant or other holder of a leasehold interest in the property.
- C. At the next regular meeting of the Board after the expiration of the time within which protest may be made, the Board shall proceed to hear and pass upon all protests so made per §7-12-2111, MCA. The Board's decision shall be final and conclusive.
- D. In determining whether sufficient protests have been filed in the proposed district to prevent further proceedings, property owned by the County shall be considered the same as other property in the district per §7-12-2111, MCA.
- E. Per §7-12-2112(1), MCA, further proceedings may not be taken for a period of 6 months from the date when the protest was received by the County Clerk if the Board determines the protest was submitted by the owners of property in the proposed district to be assessed for more than 50% of the cost of the proposed program or improvement as determined by the method of assessment described in the resolution of intention.

- F. The protest set forth in Section II.9.B of this Handbook may be overruled by a unanimous vote of the Board if the project is for the construction of sanitary sewers, the improvements are ordered by the Department of Environmental Quality or Federal Environmental Protection Agency, or the Board makes written findings after a public hearing and comment, based on evidence in the record, that the proposed improvements protect the public health or environment, mitigate harm to the public health or environment, and are achievable under current technology as addressed in §7-12-2112(2), MCA.

SECTION II.10: PROTEST PROCEDURES TO RID OR RMD FOR PROPERTY HELD UNDER CONDOMINIUM OWNERSHIP

- A. If proposed district includes condominiums and the proposed work relates to or affects property created as a condominium, and not solely a unit in the condominium, the owner for purposes of protest is the collective of the owners of all units having an undivided ownership interest in the common element of the condominium per §7-12-2141(1), MCA.
- B. Pursuant to §7-12-2141(2), MCA, an owner of property created as a condominium may protest against the proposed work or against the extent or creation of the district to be assessed, or both, only through a president, vice president, secretary, or treasurer of the condominium owners' association. The protest must comply with the requirements of §7-12-2109, MCA as addressed in Sections II.9.A and II.9.B of this Handbook.
- C. Per §7-12-2141(2), MCA, the protest must be timely submitted to the County Clerk and:
 - (1) identify the condominium property;
 - (2) include condominium declaration or other condominium document that shows how votes of unit owners in the condominium are calculated;
 - (3) original signatures of owners of units having an undivided ownership interest in the common elements of the condominium sufficient to constitute an affirmative vote for an undertaking relating to the common elements under the condominium declaration; and
 - (4) a certificate signed by the president, vice president, secretary, or treasurer of the owners' association certifying that the votes of the unit owners as evidenced by the signatures of the owners are sufficient to constitute an affirmative vote of the owner' association to protest.
- D. Each holder of title to a unit in a condominium within the proposed district is entitled to notice of the passage of the resolution of intention as provided in Section II.8.D of this Handbook, and if the district is created and assessments levied, assessments must be levied against the units in the condominium per §7-12-2141(3), MCA.

SECTION II.11: LEVY AND ASSESSMENT PROCEDURE

- A. The Board shall by resolution levy and assess a tax upon all benefitted parcels in the district created and use the method for assessment as set forth in the resolution of intention per §7-12-2158(1), MCA.

- B. Per §7-12-2158(2), MCA, the resolution for levy and assessment shall include the following: (l) description of each parcel, with the name of the owner, if known; and, the amount of each partial payment, when made, and the day when the payment becomes delinquent.
- C. The resolution levying and assessing the tax shall be signed by the Board and must be kept on file with the County Clerk per §7-12-2158(3), MCA.
- D. Per §7-12-2159, MCA, the County Clerk shall sign a notice stating that the resolution levying the special assessment to defray the costs of making improvements is on file in the County Clerk's office and is subject to inspection. The notice shall be:
 - 1. Published as provided in §7-1-2121, MCA;
 - 2. Mailed to the owner of each lot, tract, or parcel of land to be assessed (such land must be identified and the mailing address determined from the last-completed assessment roll for state, county, and school district taxes); and
 - 3. Mailed to such other persons known to the County Clerk to have an ownership interest in the property.
 - 4. The notice shall state the time and place in which objections to final adoption of the resolution will be heard by the Board. The time of the hearing may not be less than 5 days after the second publication or less-than 10 days after the mailing of the notice.
- E. The Board shall hold a hearing on protest for the final adoption of the resolution to levy assessments per §7-12-2160(1), MCA. This hearing may be adjourned from day to day.
- F. The Board may modify the assessment in whole or in part. The Board must deliver to the County Treasurer a certified copy of the resolution levying assessments within 2 days after its passage per §7-12-2160(2), MCA.

SECTION II.12: PAYMENT UNDER PROTEST

- A. A person may pay the assessment or any part of the assessment considered unlawful under protest to the County Treasurer per the procedure addressed in § 7-12-2164, MCA.
- B. The party paying under protest or the party's legal representative may bring an action in any court of competent jurisdiction against the County Treasurer or Jefferson County to recover the assessment or any portion of the assessment paid. This action must be commenced within 60 days after the date of payment per §7-12-2164(2), MCA.
- C. The assessment being paid under protest must be held by the County Treasurer until the determination is made by the court as addressed in §7-12-2164(3), MCA.

SECTION II.13: COLLECTION OF DELINQUENT ASSESSMENTS

- A. The County Treasurer shall collect all assessments in the same manner and at the same time as taxes for general and county purposes are collected per §7-12-2163(1), MCA. When the payment of an installment of a special assessment becomes delinquent, all payments of subsequent installments of the special assessment may, at the option of the Board and upon adoption of the appropriate resolution, become delinquent. Upon delinquency in one or all installments, the whole property must be sold the same as other property sold for taxes per §7-12-2163(2), MCA.

SECTION II.14: PAYMENT OF PRINCIPAL AND INTEREST ASSOCIATED WITH RSID OR RID FUNDING METHOD

- A. The Board will retire debt issued for a RSID or RID as rapidly as possible. In furtherance of this goal, individual parcel owners have the right at any time to pay off that portion of the improvement debt attributable to their parcel(s) without penalty. The amount of principal and interest owing shall be calculated by the County Treasurer. Such payment shall not relieve the parcel owner of further annual assessments for the maintenance of the improvement if such assessment is imposed.
- B. Whenever it is a condition of sale of a parcel of land within a RSID or RID that the balance owed issued in conjunction with a RSID or RID be paid, it is the immediate responsibility of the parties to the transaction to deposit with the County Treasurer the amount owing on that parcel's portion of debt service incurred by the RSID or RID. The provisions as to calculating the amount and effect on the annual assessment stated in Section II.14.A of this Handbook shall apply.

SECTION II.15: MAINTENANCE COSTS

- A. Beginning January 1, or at such other time as may appear necessary, the Board of County Commissioners shall estimate, as near as practicable, the whole cost of maintaining, preserving, or repairing the improvements within the district. (*§7-12-2161(1), MCA*)
- B. Prior to the first Monday in September, the Board of County Commissioners may, pass and adopt a resolution levying and assessing all property within the district. The assessment must be proportioned as provided for in §7-12-2108 and §7-12-2161(2), MCA.
- C. All property within the district shall be assessed an amount equal to the whole cost of maintaining, preserving, or repairing the improvements within the district. While §7-12-2161(2), MCA contemplates the Board of County Commissioners may, in lieu of an assessment, provide for the whole cost of maintaining, repairing, or preserving the improvements.
- D. To defray the costs of administering the district, the Board of County Commissioners shall include in the estimated cost of maintaining the district, and as a cost of

maintenance, the lesser of \$500.00 or 5% of the annual assessment of the district. On an annual basis, the Board of County Commissioners shall pay the determined amount to the county treasurer for deposit into the county general fund § 7-12-2161(5), MCA

- E. Assessments collected to defray the cost of maintaining, repairing, or preserving the improvements shall be paid into a fund known as Special Improvement District No. _____ Maintenance Fund. The fund number shall correspond with the maintenance district number. (§7-12-2162, MCA)
- F. The cost of maintaining, preserving, or repairing the improvements which may be paid through the special improvement district maintenance fund, include, but are not limited to: overlays, chip sealing, dust abatement measures, snow plowing, sweeping, grading, culvert and drainage maintenance, weed control, and signage. The cost of projected maintenance shall be included in the cost estimated prepared by the county engineer, or a private engineer after review and approval by the county engineer.
- G. The costs of maintenance for a maintenance district created by petition or by the Board of County Commissioners, which includes a county road or roads, whether maintained or non-maintained, shall be born by the district. Provided however, the Board of County Commissioners may, in lieu of an assessment, provide for the whole cost of maintaining, repairing, or preserving the improvements. It is the policy of Jefferson County it will not fund any costs of maintaining the improvements except in rare and extraordinary circumstances. (§§7-12-2102, 7-12-2161(2), 7-14-2101-2103, MCA & 41 A.G. Op. (1986))

SECTION II.16: BID REQUIREMENTS AND CONSTRUCTION DOCUMENTS

- A. The applicable provisions of §7-12-2131 through 2139, MCA shall apply to the construction of the improvements and bid requirements. When the Board passes the resolution to create a RSID or RID, the bidding and construction of the proposed project is the responsibility of the Board.
- B. Except for technical changes involving the engineering and design of the proposed project, no changes as to size and scope of the project may be made once the resolution creating the district is passed.
- C. The County Engineer is responsible for preparing the necessary engineering plans, advertisement for construction bids, and inspecting the work. The County Engineer is responsible for the advertisement for construction bids. After the construction bid is let, the County's Engineer shall furnish to the County Clerk & Recorder an itemized cost analysis of the RSID or RID improvements. The County Engineer shall report to the Board as is necessary or requested concerning the completion of the work.
- D. Per §7-12-2134(1), MCA, the Board shall, in open session, publically open and examine and declare the bids. As addressed in §7-12-2134(2), MCA, the time for opening the bids

shall not be less than 15 days from the time of final publication of the notice required by §7-12-2132, MCA.

- E. The Board may award the contract to the lowest responsible bidder at the prices named in the bid and shall reject all proposals other than the lowest regular proposal or bid of a responsible bidder per §7-12-2135(1), MCA. As addressed in §7-12-2135(2), MCA, the Board may reject any proposals or bid if it considers this for the public good or may reject the bid of a party who has been delinquent or unfaithful in a former contract with the Board.
- F. If the bids are rejected or no bids are received, the Board may within 6 months re-advertise for proposals or bids for performance of the work as in the first instance, without further proceedings per § 7-12-2136, MCA.
- G. Per §7-12-2131(1), MCA, all proposals or bids offered must be accompanied by bid security as provided for in Title 18, Chapter 1, part 2, MCA. The proposals or bids must be delivered to the County Clerk. Pursuant to §7-12-2138, MCA, the bidder who is selected by the County shall, at the time of executing any contract for any work, execute a bond to the satisfaction and approval of the Board, in the form and manner provided for in Title 18, Chapter 2, Part 2, MCA for successful completion of work pursuant to §7-12-2138, MCA.
- H. The County Engineer, upon completion of the project, shall submit to the County's Clerk & Recorder a final cost summary. The County Attorney is responsible for preparing the contract documents and for holding Jefferson County harmless in these matters.
- I. The County Engineer is responsible for certifying to the Board all construction work as it progresses. Claims by the contractor will not be paid unless authorized by the District Engineer.
- J. The County Engineer shall keep an accounting of all costs and expenses incurred in connection with each special improvement district and shall certify the costs and expenses to the County Clerk as required in §7-12-2117, MCA.

SECTION II.17: PROCEDURE FOR OBJECTION TO PROCEEDINGS

- A. Pursuant to §7-12-2140(1), MCA, within 60 days from the date of the awarding of a contract, any parcel owner or person having interest in any parcel liable to assessment who claims that any of the previous acts or proceedings relating to the improvements are irregular, defective, erroneous, or faulty or that the property will be damaged by making any of the improvements in the manner contemplated may file with the County Clerk a written notice specifying in what respect the acts or proceedings are irregular, defective, erroneous, or faulty or in what manner and to what extent the property will be damaged by making the improvements. Additionally, the notice must state that it is made pursuant to §7-12-2140, MCA.

- B. Per §7-12-2140(3), MCA, all claims for damages must be waived by the property owner if a written objection is not filed, if notice of the passage of the resolution of intention has been actually published and the notice of improvements posted as provided in this part.

SECTION II.18: PROFESSIONAL ASSISTANCE

- A. Lot owners within the proposed district may seek professional assistance to prepare the petition, maps, and any other items that will be included with their formal petition. Such parties are responsible for covering any and all such incidental expenses as addressed in Section II.4 of this Handbook. Such incidental expenses may be payable from the RID’s reserve fund, if the RSID or RID is created. The County Engineer may also be paid out of the RSID or RID reserve fund for expenses directly related to the creation of the District.

Jefferson County is not responsible for compensating any individuals or firms for any work performed in the creation of the RSID, RID, or RMD petition or its associated materials unless such expenses are addressed in this Handbook under incidental expenses, and the district is approved and a RSID or RID reserve fund is created to cover such expenses for the district.

- B. It shall be the responsibility of the County Engineer to, as accurately as possible, estimate the costs of improvements and maintenance.

SECTION II.19: COUNTY ADMINISTRATIVE PROCEDURES

- A. Processes and procedures associated with creating and administering RSIDs, RIDs and RMDs will be carried out through the various offices of county government. To avoid confusion and clearly establish the duties of each office with respect to RSID, RID, and RMD petition process and creation and administration of the districts, the Board adopts the following directives:

- 1. The County Planning Department Staff shall have the following responsibilities:
 - a. Serve as the initial contact point regarding how to establish a RSID, RID, or RMD and explain Jefferson County’s RSID, RID, and RMD policies and processes as outlined in this Handbook;
 - b. Review and provide guidance on draft RSID, RID, or RMD petitions, maps, and any other associated materials; and
 - c. With the assistance of the County Clerk, review the final draft petition and associated documents to confirm that the information complies with the County’s requirements and state law. If all County’s requirements are met, the Planning Department Staff and County Clerk shall authorize release of the petition for circulation and inform the Board that the petition has been reviewed for conformance and is free to be circulated.
- 2. The County Clerk or his or her designee shall have the following responsibilities:

- a. With the assistance of the County Planning Department Staff, review the final draft petition and associated documents to confirm that the information complies with the County's requirements and state law. If all the County's requirements are met, the County Clerk and Planning Department Staff shall authorize release of the petition for circulation and inform the Board that the petition has been reviewed for conformance and is free to be circulated.
 - b. Certify the signatures on the petition stating the percentage of parcels of the district which is represented by qualified signatures and forwarding the petition to the Board to begin the creation process;
 - c. Certify the number of developed and undeveloped lots, parcels, or tracts included within the district;
 - d. Schedule RSID, RID, and RMD petitions for review with the Board;
 - e. Procure the publication and posting legal notice regarding all proposed RSIDs, RIDs, and RMDs per §7-12-2107, MCA;
 - f. Mail a copy of the notice as required under §7-12-2105(2), MCA;
 - g. Prepare all necessary schedules and resolutions levying the taxes and assessments in such special improvement districts (§7-12-2118, MCA);
 - h. Accept any documents that are required to be filed;
 - i. Responsible for accounting for funds spent in association with each RSID, RID, or RMD; and
 - j. Maintain the official files on the creation of each RSID, RID, and RMD.
3. The County Attorney or his or her designee shall have the following responsibilities:
- a. Prepare or review the resolution of intention to create a RSID, RID, and/or RMD;
 - b. Prepare or review the resolution to create a RSID, RID, and/or RMD;
 - c. Review or prepare contracts for the project; and
 - d. Prepare all notices connected with the advertisement of bids for the project, notice of bids for bonds, and the bonds themselves.

4. Pursuant to §15-10-305(1), MCA, the Department of Revenue will be responsible for the assessments on each district.
 5. The County Treasurer or his or her designee shall have the following responsibilities:
 - a. Maintain all cash accounts created for RSIDs, RIDs, or RMDs;
 - b. Retain the bond and interest charge sheet and be responsible for the computations for individuals wishing to pay their portions of the indebtedness;
 - c. Pay interest on bonds and call the bonds that are due; and
 - d. Collect all assessments on RSIDs, RIDs, and RMDs through authority to collect taxes.
 6. The County Engineer's responsibilities are addressed under Section II.16.C, II.16.H, II.16.I, and II.16.J of this Handbook. The County Engineer shall also have the following responsibilities:
 - a. Ensure that all approved projects are completed as specified;
 - b. Cause the related notices/bids to be published; and
 - c. May assist in determining the yearly maintenance schedule for existing districts and maintaining the project files.
- B. Before August 1st of each year, all RSIDs, RIDs, and RMDs in the county shall be reviewed for development and assessment accuracies by the County Commissioners. Pursuant to §7-12-2161(2), MCA, prior to the first Monday in September of each year, the Board may pass and finally adopt a resolution levying and assessing all the properties within the district with an amount equal to the whole cost of maintaining, preserving, or repairing the improvements within the district.

III. APPENDICES

SECTION III.1: APPENDIX A - DEFINITIONS

The following definitions and abbreviations are used throughout this Handbook in order to save space and to avoid the need for continued defining of common terms.

County Attorney: Means the Jefferson County Attorney.

Board: Means the Board of County Commissioners of Jefferson County, Montana.

Clerk or County Clerk: Includes any persons or officer who is clerk of the Board of County Commissioners.

County: Shall be used to refer to the political subdivision of the State of Montana known as Jefferson County.

County Treasurer: Means and includes any person who, under whatever name or title, is the custodian of the funds of the county.

Developed Density: The percentage of individual lots and parcels with dwellings or commercial establishments compared to the total number of lots or parcels within the RSID or RID. The percentage is figured by the following equation:

$$A / B \times 100 = \text{Percentage of Developed Density}$$

A = the number of individual lots or parcels of land within the proposed RSID or RID boundary with dwellings or commercial establishments whose construction is completed.

B = the total number of individual lots or parcels within the boundary of the proposed RSID or RID, as shown by the official records of the Jefferson County Clerk and Recorder.

County Engineer: Means the qualified engineer/engineering firm contracted by the County to complete engineering services for RSID, RID or RMD associated projects. This person or firm must be qualified under the terms of Title 37, Chapter 67 of the MCA.

Inter-Cap Loan: A State of Montana loan program providing low interest loans to Montana local governments and state agencies for a variety of purposes.

Parcel: The term parcel will include within its definition lot, tract, parcel, property, and condominium units.

Percentage: Whenever it is a requirement of this document or a statute that a certain percentage of occurrence be obtained, it is not permissible to round up from a lower percentage. The percentage number given is the standard that must be obtained.

Petitioner: Means those individuals presenting the petition and other supporting documents for Board action.

RID: Refers to a Rural Improvements District created under the provision of Title 7, Chapter 12 of the MCA.

RSID: Refers to a Rural Special Improvements District created under the provision of Title 7, Chapter 12 of the MCA.

RMD: Refers to a Rural Improvement District created strictly for maintenance purposes under the provision of Title 7, Chapter 12 of the MCA.

SECTION III.2: APPENDIX B – RSID, RID, OR RMD PROCEDURES CHECKLIST QUESTIONS

Petitioners should address the questions in this checklist. In addition, a map of the proposed district must be submitted. The petition should be submitted, and the petition are also required. The Planning Department Staff can assist with questions associated with creating the petition. Once the petition contains all items needed for review, the Planning Department Staff or Clerk & Recorder will inform the drafters of the document and the County Commissioners that the petition and any associated materials may be circulated. Once the required number of signatures have been obtained, the petitioners can present the petition to the Clerk and Recorder and request that a RSID, RID, or RMD be created. The petition shall contain the following information:

- 1. The type of project and a description of the project;
- 2. A statement as to why the project is in the public interest or convenience;
- 3. A map of the proposed District:
The map attached to the petition shall clearly include and identify the following information (a cadastral map cannot be used):
 - a. The exterior boundaries of the RSID, RID, or RMD;
 - b. All existing parcels within the boundaries of the proposed district identified by appropriate boundary lines;
 - c. All existing road and associated rights-of-way shall be delineated; and
 - d. The location, scope, and extent of the proposed improvements shall be delineate.
- 4. The petition shall include a complete written description of the outside boundary of the proposed District and a written legal description of each lot or tract in the District. If the outside boundary can be determined from the description of the lots, the outside boundary description requirement may be waived.
- 5. Preliminary estimates and other engineering and associated work;
- 6. For RSIDs or RIDs: Detailed cost estimates of the proposed project certified by the County Engineer OR
For RMDs: Cost estimates from contractors demonstrating the potential costs associated with performing potential maintenance activities;
- 7. Cost estimate of all county administration costs, including financing costs for maintenance administration and revolving fund;
- 8. The preferred method(s) of assessment to be used;

- 9. The preferred method of financing;
- 10. Pay-back schedule for the preferred method of financing for RSIDs or RIDs;
 - a. For the assessment method chosen, an estimate of the dollar amount for each individual property owner to pay his portion for expenses if paid in one payment.
 - b. For the assessment method chosen, an estimate of the dollar amount for each individual owner to pay his portion over the term of the financing.
- 11. The number of individual lots, tracts, or parcels within the proposed RSID, RID, or RMD as shown on the official records at the Jefferson County Assessor's Records as the date the petition is first circulated for signatures;
- 12. The number of individual lots, tracts, or parcels within the proposed district with occupied dwellings upon them, no more than 30 days before the date of the petition is first circulated for signatures, certified by the county;
- 13. The signatures of the owners of 60 percent (60%) of the parcels in the proposed RSID or RID or 85 percent (85%) of the area of the property proposed in the petition to be included in the district if only an RMD is being proposed;
- 14. Each property owner's signature shall be followed by the property owner's address, date of signing the petition, and a legal description of the owner's property by reference either to the recorded plat, subdivision, deed and the geocode number assigned to the property;
- 15. A clear statement that an additional yearly assessment shall be levied upon the District for the maintenance of the proposed improvements as required by State statute and this Handbook;
- 16. A clear statement acknowledging that Jefferson County, by action of the Board in creating the RSID, RID, or RMD, does not assume financial responsibility for the improvements financed by the District. The District is responsible for the continued support and maintenance for the improvements, except as otherwise provided in this Handbook. Jefferson County will serve only to approve the necessary work and collect the assessments for the District. Jefferson County does not assume any responsibility for the continued maintenance or replacement of RSID or RID improvements at the end of the term of the financing.
- 17. A short statement that the petition is being circulated according to the Jefferson County RSID, RID, and RMD Handbook and in accordance with state law;
- 18. A clear statement acknowledging that because of aggregation and subdivision of lots, the actual number of lots stated in the petition may change between the time the petition is circulated and the time the board considers the resolution of intention to create the RSID, RID, or RMD, and therefore, the actual assessment per lot may be greater than or less

than the amount stated in the petition and the number of lots to be assessed will be set as of the date of the resolution of intention to create the RSID, RID, or RMD.

- 19. List all the documents that are being submitted for consideration with the petition.

SECTION III.3: APPENDIX C – EXAMPLE SIGNATURE PAGES FOR PETITION

Petition to Form a Rural Special Improvement District (RSID), Rural Improvement District (RID), or Rural Improvement District for Maintenance Purposes (RMD)

Petition summary and background	To the Jefferson County Commission:
Action petitioned for	

Printed Name	Signature	Property Address & Geocode	Legal Description	Date

