
SB

**SPECIAL AND REGULAR MEETINGS
OF THE
RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS**

REGULAR MEETING 10:30 AM

Monday, October 06, 2025

**Commissioners' Meeting Room
County Administration Building,
215 S. 4th St, Hamilton, MT 59840.**

1. Roll Call.

Commissioner Dan Huls, Commissioner Greg Chilcott and Commissioner Jeff Burrows.

STAFF PRESENT:

Chris Taggart, minutes

2. Pledge of Allegiance.

3. Public comment: For those participating via Granicus, you may call 406-375-6513 in order to provide your public comment.

None.

4. Interview: Collaborative M Pingree

Present:

Melissa Pingree

John Maciel, RCC

**5. Discussion with possible decisions: Finalization of TEDD Airport Sewer hook ups
- paperwork and timelines**

Attachment - Sewer Line

Attachment - Airport Exhibit

Attachment - Excavators

Attachment - Connection Fees

Attachment - Application Template

Attachment - Mildenerger Partnership Exhibit

Attachment - Mildenerger Properties Exhibit

Attachment - DRAFT Connection Letter

Attachment - Reimbursement Methodology

Commissioner Chilcott moved to approve and execute the Transfer of Sewer Main Ownership and Sewer Main Construction Rebate Recovery Program Agreement of the

TEDD sewer main to the City of Hamilton, as presented. Seconded by Commissioner Burrows. Public comment on motion: none. Discussion: none. All voted "aye" (3-0).

6. Department Head Evaluation: Environmental Health *Closed door may be invoked per MCA 2-3-203

Present:

Elizabeth Warriner, HR Director
John Palacio, RCEH

John Palacio requested a closed door meeting and invoked MCA 2-3-203 at 1:04 PM.

BCC meeting was re-opened at 1:32 PM.

No BCC decisions were made during the closed door session.

7. Public comment on items not otherwise on the agenda.

None

8. Adjournment.

Commissioner Burrows moved to adjourn the meeting. Seconded by Commissioner Chilcott. All voted "aye" (3-0).

Chris Taggart, Administrative Assistant

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REGULAR MEETING 10:30 A.M.

Monday October 6, 2025

**Commissioners' Meeting Room
County Administration Building,
215 S. 4th St, Hamilton, MT 59840.**

**Commissioner Jeff Burrows
Commissioner Greg Chilcott
Commissioner Dan Huls**

COMMENTS FROM THE PUBLIC

Members of the audience will be provided an opportunity to address the Board concerning each item on the agenda, and will be afforded the opportunity to comment on items not on the agenda at the end of the meeting or as solicited by the Chairperson. (See protocol for addressing the Board or submitting written comments below.) If you have a petition or other information pertaining to your subject, please present it to the clerk. Please sign the sign-in sheet to document your attendance. Meetings of the Board of County Commissioners' are open to the public except when closed under §2-3-203, MCA. Minutes of public meetings will be made available for inspection by the public.

AMERICANS WITH DISABILITIES ACT

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Commissioners' Office (at 406-375-6500) at least 48 hours in advance so that appropriate arrangements can be made. (28 CFR 34.102.104 ADA TITLE II)

NON-DISCRIMINATION POLICY

The Board does not discriminate on the basis of race, color, sex, culture, social origin or condition, or political or religious ideas. Statements, gestures and behaviors that threaten the health, welfare or safety of others are prohibited. Violators of this policy may be removed from the meeting

PLEASE TURN OFF CELL PHONES AND PAGERS WHILE MEETING IN PROGRESS.

PLEASE NOTE: A recording is made of Board meetings. When addressing the Board, please speak into the microphone. State your name and address (spell your name if the spelling is unusual). If you have a petition or other information pertaining to your subject, please present it to the clerk.

To allow all an equal opportunity to participate and to preserve decorum, please:

1. Address the chairperson, not the members of the audience or others.


2. Limit your comments to the allotted time.
3. Confine your comments to the item on the agenda unless the Board is taking comment on items not on the agenda.

The purpose of allowing public comment is to afford all interested persons the opportunity to participate. Comments can be verbal or written. Verbal and written comments carry equal weight. Respect the time of others: please do not simply read a written comment. Instead, present written comments to the clerk. The Board will allow all those who wish to address the Board an equal time and thus may not be able to respond to questions. In order that all can hear and participate, members of the audience are asked to refrain from commenting out of turn or attempting to engage those addressing the Board or Board members unless recognized by the Board.

10:30 A.M. REGULAR BOARD OF COMMISSIONERS MEETING

PRELIMINARY BUSINESS

1. **Roll Call.**
2. **Pledge of Allegiance.**
3. **Public comment: For those participating via Granicus, you may call 406-375-6513 in order to provide your public comment.**
4. **Interview: Collaborative M Pingree**
5. **Discussion with possible decisions: Finalization of TEDD Airport Sewer hook ups - paperwork and timelines**

Attachment - Sewer Line 

Attachment - Airport Exhibit 

Attachment - Excavators 

Attachment - Connection Fees 

Attachment - Application Template 

Attachment - Mildenerger Partnership Exhibit 

Attachment - Mildenerger Properties Exhibit 

Attachment - DRAFT Connection Letter 

Attachment - Reimbursement Methodology 

6. **Department Head Evaluation: Environmental Health *Closed door may be invoked per MCA 2-3-203**
7. **Public comment on items not otherwise on the agenda.**
8. **Adjournment.**

Monday October 6, 2025

BLACK MOUNTAIN SOFTWARE BUSINESS LICENSING

CITY OF HAMILTON

LICENSE LIST For 2025-26 to 2025-26 Active Businesses Only Ordered by Business Name

15:53:56 - 01/09/2025

OWNERS: ALL
 BUSINESSES: ALL
 BUS TYPE: EXCAV-1 EXCAVATION/ LANDSCAPING RESIDENT EXCAV-2 EXCAVATION/ LANDSCAPING NON-RESIDENT
 BUS GROUP: ALL
 License Type: ALL

Business	Owner	Business Phone
Email Address	Web Address	
License Number - Year	Issued Date	Expiration Date
CM EXCAVATING AND TRUCKING INC 6441 MULLAN RD	MILLER, CHARLES PO BOX 18116	(406) 214-7251
12972 2025-26	12/02/2024	12/31/2025
DIRT WORKS 935 N 1ST ST	PIGMAN, CHIP 935 N FIRST ST	(406) 363-3000
12086 2025-26	12/02/2024	12/31/2025
DOUG SMITH GRADING LLC 724 PORTER HILL RD	SMITH, DOUG 967 FOXY LN	(406) 777-2160
12441 2025-26	12/02/2024	12/31/2025
EIGHT POINT EXCAVATION 402 WILCOX LN	NEWSWANGER, MARVIN 402 WILCOX LN	(406) 381-4510
13441 2025-26	12/02/2024	12/31/2025
GOLD PEAK EXCAVATING LLC 12655 MILL CREEK RD	BOWMAN, BRANDON & WAITS, BRYCE 12655 MILL CREEK RD	(406) 529-0904
12963 2025-26	12/02/2024	12/31/2025
GRANT CREEK EXCAVATING LLC 316 EXPRESSWAY	EDGEELL, P DAVID 316 EXPRESSWAY	(406) 541-7122
12357 2025-26	12/02/2024	12/31/2025
GRINDSTONE ENTERPRISES 707 W DESTA	MOSS, ROBERT 707 W DESTA UNIT B	(406) 253-6189
13168 2025-26	12/02/2024	12/31/2025
H & H CONSTRUCTION & EXCAVATION 416 COLE AVE	HORVATH, DRAKE 416 COLE AVE	(406) 381-3268
13335 2025-26	12/02/2024	12/31/2025
HIGHER MOUNTAIN LLC 356 OWINGS CREEK RD	ROSE, MICHAEL 356 OWINGS CREEK RD	(406) 360-9228
13358 2025-26	12/02/2024	12/31/2025
HOLMESCAPES 914 N SHOSHONE LOOP	HOLMES, SARAH 914 N SHOSHONE LOOP	(406) 381-7155
12500 2025-26	12/02/2024	12/31/2025
HUCKLEBERRY EARTHWORKS 851 OIL WELL RD	GODWIN, KASEY 851 OIL WELL RD	(406) 529-0854
13086 2025-26	12/02/2024	12/31/2025
I DIG 406 3500 WILCOX LN	MCBRIDE, BOB 350 WILCOX LN	(406) 240-1320
13125 2025-26	12/02/2024	12/31/2025
J & J EXCAVATING AND TRUCKING, INC 1559 EASTSIDE HWY	KING, JAKE PO BOX 1068	(406) 961-1511
12174 2025-26	12/02/2024	12/31/2025
JAMIE MANZ CONSTRUCTION 4119 BADGER LN	MANZ, JAMIE PO BOX 515	(406) 546-0389
12094 2025-26	12/02/2024	12/31/2025
JCS ENTERPRISES LLC 1618 HUMBLE RD	SORENSEN, JHAN 1618 HUMBLE RD	(406) 370-3578

12773 2025-26 JW EXCAVATION & SEPTIC LLC 1741 MAPLE ST	12/02/2024	12/31/2025 JORDAN WISSENBACH P.O. BOX 410144	(406)	214-4523
13372 2025-26 L4 GROUND WORKS 2691 MULBERRY RD	12/02/2024	12/31/2025 LEWIS, LANCE PO BOX 410241	(406)	381-9762
13183 2025-26 LANDMARK EXCAVATING LLC 633 THOUSAND ACRE RD	12/02/2024	12/31/2025 HOOLEY, DWIGHT 633 THOUSAND ACRE RD	(406)	381-7914
12821 2025-26 LOS 2 AMIGOS 487 BLODGETT VIEW DR	12/02/2024	12/31/2025 MARTINEZ, LUIS 487 BLODGETT VIEW DR	(406)	369-4071
13305 2025-26 MCGILLIS EXCAVATING 21614 MULLAN RD	12/02/2024	12/31/2025 MCGILLIS, JOSEPH & JENNIFER 21614 MULLAN RD	(406)	360-2187
12278 2025-26 MIKESELL TRUCKING AND EXCAVATING LLC 5353 FIRST STREET	12/02/2024	12/31/2025 MIKESELL, BRIAN 5353 FIRST STREET	(406)	239-5474
12592 2025-26 MRC TRUCKING 688 WINDING CREEK TRAIL	12/02/2024	12/31/2025 ANDREWS, ELISABETH 688 WINDING CREEK TRAIL	(406)	291-3842
13328 2025-26 MT MOUNTAIN MADE LLC 1577 WILLOW CREEK RD	12/02/2024	12/31/2025 SPENCER, TREVOR 1577 WILLOW CREEK RD	(406)	239-3426
13203 2025-26 MYTTY EXCAVATING INC. DBA WESTERN EXCAVATING 4685 MULLEN RD	12/02/2024	12/31/2025 MYTTY, RILEY* PO BOX 4746	(406)	728-1400
12103 2025-26 ODLIN EXCAVATION & CONSTRUCTION 822 UPPER SWEENEY CREEK LP	12/02/2024	12/31/2025 ODLIN, MARK & JESSIE 822 UPPER SWEENEY CREEK LP	(406)	369-4611
12979 2025-26 PATTERSON ENTERPRISES INC 10537 RUSTIC RD	12/02/2024	12/31/2025 PATTERSON, JOSH 10537 RUSTIC RD	(406)	926-2190
12429 2025-26 PEI MT INC 10537 RUSTIC ROAD	12/02/2024	12/31/2025 PATTERSON, JOSHUA 10537 RUSTIC ROAD	(406)	240-6350
13149 2025-26 PETRA STONE COMPANY 906 S 1ST ST	12/02/2024	12/31/2025 CREMER, JAKE PO BOX 597	(406)	250-7195
13417 2025-26 POOLEY EXCAVATING INC 6007 AVON LN	12/02/2024	12/31/2025 POOLEY, RUSS 6007 AVON LN	(406)	251-4048
12964 2025-26 PREMIER EXCAVATING & DEVELOPMENT, INC 711 US 93 S	12/02/2024	12/31/2025 HICKS, MIKE PO BOX 1896	(406)	273-1657
13241 2025-26 QB ENTERPRISES 4600 LERCH LN	12/02/2024	12/31/2025 BRITTNER, JACKSON 4600 LERCH LN	(406)	493-9391
13093 2025-26 ROCKY MOUNTAIN AGGREGATES LLC 6988 EDWARDS RD	12/02/2024	12/31/2025 EHMANN, DEAN 6988 EDWARDS RD	(406)	381-0344
13106 2025-26 RODRIGUEZ LAWN & GARDEN SERVICE 1107 CENTENNIAL LN	12/02/2024	12/31/2025 RODRIGUEZ, GUSTAVO M 1107 CENTENNIAL LN	(406)	360-8699
13234 2025-26 SCENIC EXCAVATION	12/02/2024	12/31/2025 MILLS, BYRON	(406)	203-8390

15655-2 E. MULLAN RD

15655-2 E MULLAN RD

12931 2025-26
SHANNON MORRIS EXCAVATING INC
375 ROARING LION RD

12/02/2024
MORRIS, SHANNON
395 ROARING LION RD

12/31/2025

(406)

552-5819

11956 2025-26
SOUZA'S FINISH GRADING
222 BEN DR

12/02/2024
SOUZA, DAVID G
222 BEN DR

12/31/2025

(406)

212-8085

13314 2025-26
SPECIALTY EXCAVATING, INC
1302 HWY 93 N, STE 1

12/02/2024
DOWDY, GREG
1302 HWY 93 N STE 1

12/31/2025

(406)

961-8980

12363 2025-26
TODD TOWNSEND DBLE T PROPERTIES LLC
128 BELL X-ING WEST

12/02/2024
TOWNSEND, TODD
128 BELL X-ING WEST

12/31/2025

(406)

642-6421

12469 2025-26
TRENCHLESS SOLUTIONS
9448 SUMMIT DR

12/02/2024
FOSSEN, KURT
2055 ROUNDUP DR

12/31/2025

(406)

830-4728

12030 2025-26
TWIN LAKES DIRT WORKS
19555 TWIN LAKES RD

12/02/2024
COOK, CODY
19555 TWIN LAKES RD

12/31/2025

(406)

240-1445

13451 2025-26
UNDERGROUND INTERNATIONAL DBA BIG SKY
UTILITIES
4820 HOPE RD

12/02/2024
ESTENSON, ELI & STEVE MCCURRY
4820 HOPE RD

12/31/2025

(406)

461-2389

13070 2025-26
VAN KIRK CREATIONS
518 GROFF LN

12/02/2024
VAN KIRK, JOSIAH
518 GROFF LN

12/31/2025

(406)

274-4494

13260 2025-26
VERCRUYSSSEN EXCAVATING, INC.
300 6TH AVE

12/02/2024
VERCRUYSSSEN, NORMAN
300 6TH AVE

12/31/2025

(406)

363-8179

11960 2025-26
ZACHA UNDERGROUND CONSTRUCTION, INC
1355 SUMMERDALE RD

12/02/2024
ZACHA, DAVID
1355 SUMMERDALE RD

12/31/2025

(406)

961-4572

12408 2025-26

12/02/2024

12/31/2025

City of Hamilton Impact Fee Airport Hangar		Updated 10/1/24		
Project:				
Square Feet:				
Use:	Airport Hangar Connection Fees			
	Monthly			
Sewer Base Rate	\$ 29.29			
Sewer Usage Rate	\$ 2.58	per 1000 gallons		
	\$ 31.87			
Wastewater System	Method	EDU Equivalent	Price per EDU	Total
EDU Determination	0.75	1	\$ 1,467.00	\$1,467.00
Subtotal Wastewater Impact Fee				\$1,467.00
Equipment	Quantity		Price per Unit	Total
3/4 meter/transponder	1		\$ 361.23	\$ 361.23
				\$ -
				\$ -
Subtotal Equipment				\$ 361.23
Permit	Quantity		Price per Unit	Total
Sewer Inspection	1		\$ 50.00	\$ 50.00
Sewer Tap	1		\$ 90.00	\$ 90.00
Sewer Saddle	1		\$ 102.17	\$ 102.17
Subtotal Permit Impact Fee				
Total Permit Fees and Equipment				\$ 2,207.56
TOTAL				\$ 2,207.56



City of Hamilton, Utility Billing
223 S 2nd St
Hamilton, MT 59840
406-363-2131

APPLICATION FOR SEWER SERVICE

Please verify all contact information is correct, sign and return to address above

ACCOUNT NUMBER: _____ WEB ID: _____ COUNTY TAX #: _____

SERVICE ADDRESS: _____

PROPERTY OWNER NAME: _____

MAILING ADDRESS: _____

BILLING ADDRESS: _____

OWNER PHONE: (____) _____ SECONDARY PHONE: (____) _____

EMAIL ADDRESS: _____ EMAIL STATEMENTS
(check here if you prefer email bills)

The property owner and the City of Hamilton agree to the following conditions for sewer service:

1. The City agrees to furnish sewer service to this property.
2. The property owner agrees to pay the full amount due to the City for these services, including base rates, usage amounts and any penalties, within 28 days of the monthly billing date. In addition, the property owner acknowledges that delinquent sewer charges may result in termination of service. Delinquent sewer charges may be placed as a lien against the parcel or lot to which service is furnished. The property owner agrees to pay all attorney fees and court costs in the event legal proceedings become necessary to collect unpaid sewer bills.*
3. Sewer accounts **MUST BE** held in the **PROPERTY OWNER'S NAME ONLY** and bills must be sent to the property owner's mailing address or email address.
4. The property owner shall be responsible for maintaining the service lines and ensuring that they are in good working order at all times. The meter and related materials will remain the property of the City.*
5. The property owner agrees to grant access to the premises by properly authorized agents of the City at all reasonable hours, for the purpose of examining, reading, repairing, upgrading or removing the meter and related materials.*
6. This agreement will remain in effect until there is a change in ownership.

Please report changes in mailing address, phone number or email addresses as soon as possible

Property Owner, PRINT

Property Owner Signature

Date

EXHIBIT "A"

60' WIDE ROADWAY & UTILITY EASEMENT

ROADWAY AND UTILITY EASEMENT

A SIXTY (60) FOOT WIDE ROADWAY AND UTILITY EASEMENT LOCATED IN THE EAST ONE-HALF (E 1/2) OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 20 WEST PRINCIPAL MERIDIAN, RAVALLI COUNTY, MONTANA, WITH ALL BEARINGS SHOWN HEREON BEING RELATIVE TO A BEARING OF N 86°38'59" W BETWEEN THE SOUTHEAST (SE) CORNER OF SECTION 19, OF SAID TOWNSHIP AND RANGE, A FOUND 2" ALUMINUM CAP, PROPERLY MARKED FOR SECTIONS 19, 20, 30 AND 29 AND THE SOUTHWEST (SW) CORNER OF SAID SECTION 19, A FOUND 2" ALUMINUM CAP, MARKINGS ILLEGIBLE.

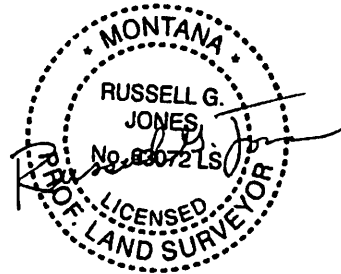
A STRIP OF LAND BEING 30 FEET WIDE ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY OF THE EASTSIDE HIGHWAY (STATE HIGHWAY No. 269), ALSO BEING ON THE EASTERLY BOUNDARY OF PARCEL 4, AS SHOWN ON CERTIFICATE OF SURVEY No. 743476-CT OF THE RAVALLI COUNTY RECORDS, **THE POINT OF BEGINNING**; WHENCE THE SOUTHEAST CORNER OF SAID SECTION 19 BEARS S 02°00'23" W, 1283.50 FEET; THENCE ALONG SAID CENTERLINE OF SIXTY (60) FOOT WIDE ROADWAY AND UTILITY EASEMENT THE FOLLOWING FOUR (4) COURSES: 1) THENCE N 86°24'17" W, 1091.12 FEET; 2) THENCE S 03°42'43" W, 704.68 FEET; 3) THENCE 62.75 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 165.57 FEET AND A CENTRAL ANGLE OF 21°42'52"; 4) THENCE S 18°00'09" E, 427.13 FEET TO THE SOUTH BOUNDARY OF SAID PARCEL 4 AS SHOWN ON CERTIFICATE OF SURVEY 743476-CT, **THE POINT OF TERMINUS**; WHENCE THE SOUTHEAST CORNER OF SAID SECTION 19, BEARS S 79°16'49" E, 966.76 FEET. THE SIDELINES OF THE HEREON DESCRIBED EASEMENT ARE TO BE LENGTHENED OR SHORTENED SO AS TO INTERSECT AT ALL ANGLE POINT AT THE SOUTHERLY AND EASTERLY BOUNDARY LINES OF SAID PARCEL 4. SAID STRIP OF LAND CONTAINING 3.15 ACRES, MORE OR LESS

I HEREBY STATE THAT THIS EASEMENT EXHIBIT HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION DURING THE MONTHS OF AUGUST & NOVEMBER, 2022 AND REVISED OWNERSHIP ON MARCH 29, 2023.

SIGNED

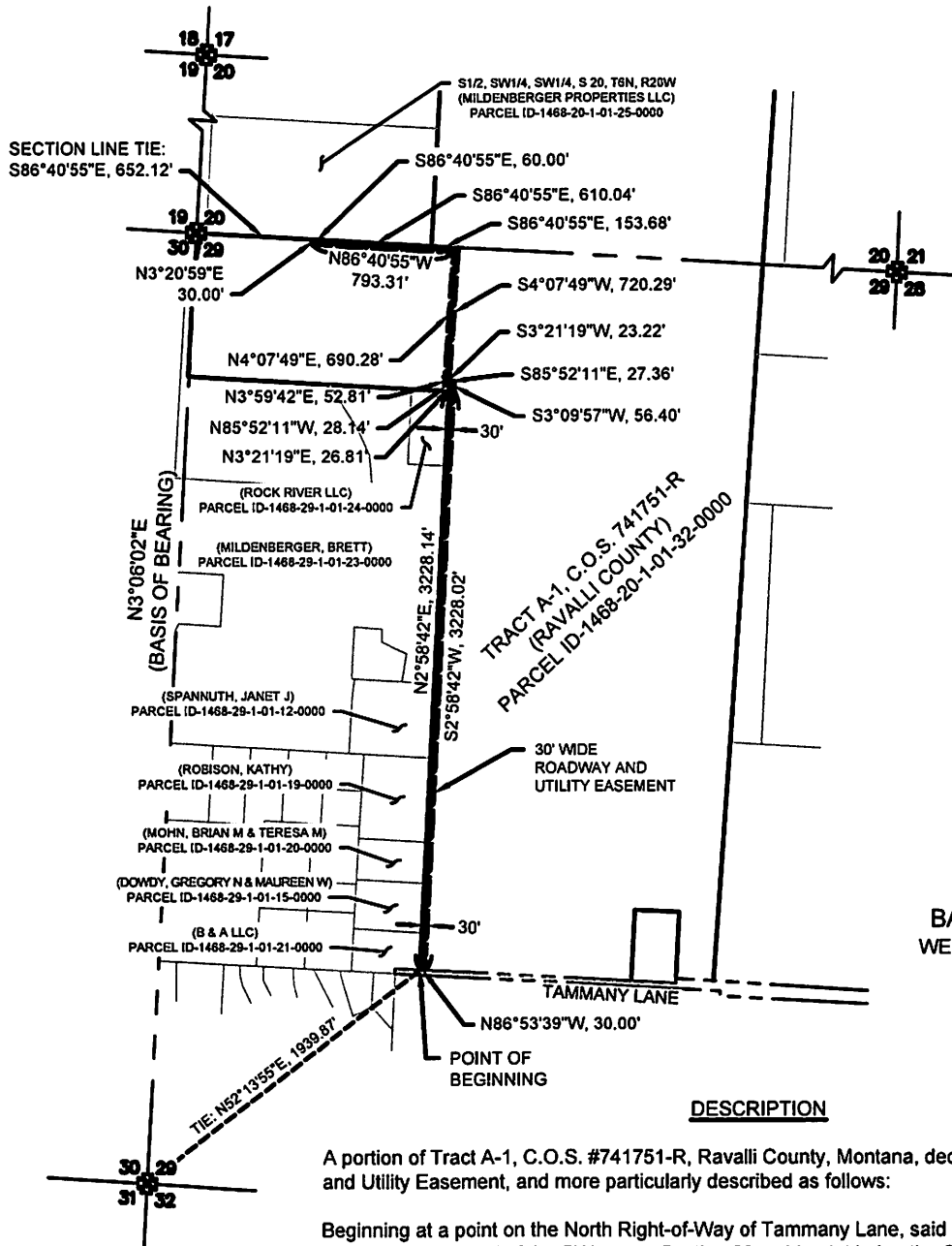


RUSSELL G. JONES, P.L.S. (MT) 63072LS DATE 03-29-2023



3/29/23 10:58 AM RUSTY F1754 RAVALLI COUNTY TECD SANITARY SEWER SURVEY 008 DWG0794.D1 EXHIBIT-SEWER LINE REVISED FINAL DWG

C:\Users\ahollaway\Desktop\Ravalli County\Hamilton-TEDDMildenberger Easement Exhibit\MildenbergerAreaEG.dwg, County EXH (2023), 3/28/2023 10:17:26 AM, AHOLLAWAY



0 1000
SCALE IN FEET

BASIS OF BEARING:
WEST LINE OF SECTION 29
N3°06'02"E

DESCRIPTION

A portion of Tract A-1, C.O.S. #741751-R, Ravalli County, Montana, dedicated as a 30' Roadway and Utility Easement, and more particularly described as follows:

Beginning at a point on the North Right-of-Way of Tammany Lane, said point being N52°13'55"E a distance of 1939.87' of the SW corner Section 29, said point being the SW'ly most boundary corner of Tract A-1, C.O.S. #741751-R (Ravalli County), thence along said boundary N2°58'42"E, 3228.14'; thence leaving said boundary and crossing said Tract A-1, C.O.S. #741751-R, N3°21'19"E, 26.81'; thence N85°52'11"W, 28.14'; thence N4°07'49"E, 690.28'; thence N86°40'55"W, 793.31'; thence N3°20'59"E, 30.00' to a point on the boundary of said Tract A-1, C.O.S. #741751-R being the North line of Sec. 29, T6N, R20W and being a point that is S86°40'55"E, 652.12' from the Northwest Corner of Section 29; thence along said North line S86°40'55"E, 60.00'; thence S86°40'55"E, 610.04'; to a point on the boundary of said Tract A-1, C.O.S. #741751-R, thence continuing along the North line of said Section 29 and crossing said Tract A-1, C.O.S. #741751-R, S86°40'55"E, 153.68'; thence departing said section line, S4°07'49"W, 720.29'; thence S3°21'19"W, 23.22'; thence S85°52'11"E, 27.36'; thence S3°09'57"W, 56.40'; thence S2°58'42"W, 3228.02' to a point on the North Right-of-Way of Tammany Lane; thence N86°53'39"W, 30.00' to the Point of Beginning, describing a 30' Roadway and Utility Easement encompassing 3.34 Acres more or less.



EXHIBIT A
ROADWAY AND UTILITY EASEMENT
W 1/2, SECTION 29, T6N, R20W, P.M.M.
RAVALLI COUNTY, STATE OF MONTANA

DATE
03/28/2023

FIGURE
EXHIBIT A



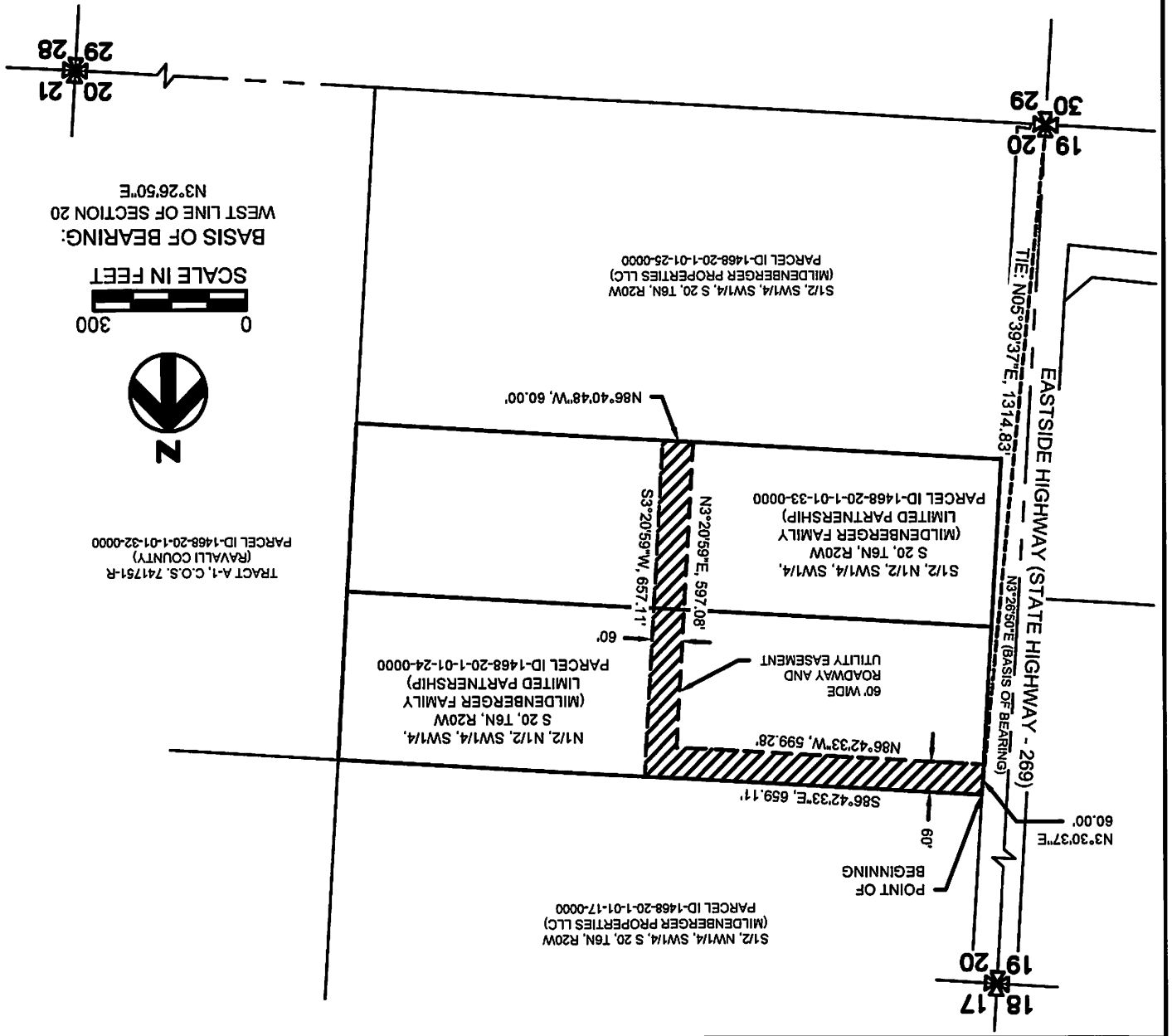
EXHIBIT A ROADWAY AND UTILITY EASEMENT N1/2, SW1/4, SW1/4, S20, T6N, R20W, P.M.M. RAVALLI COUNTY, STATE OF MONTANA

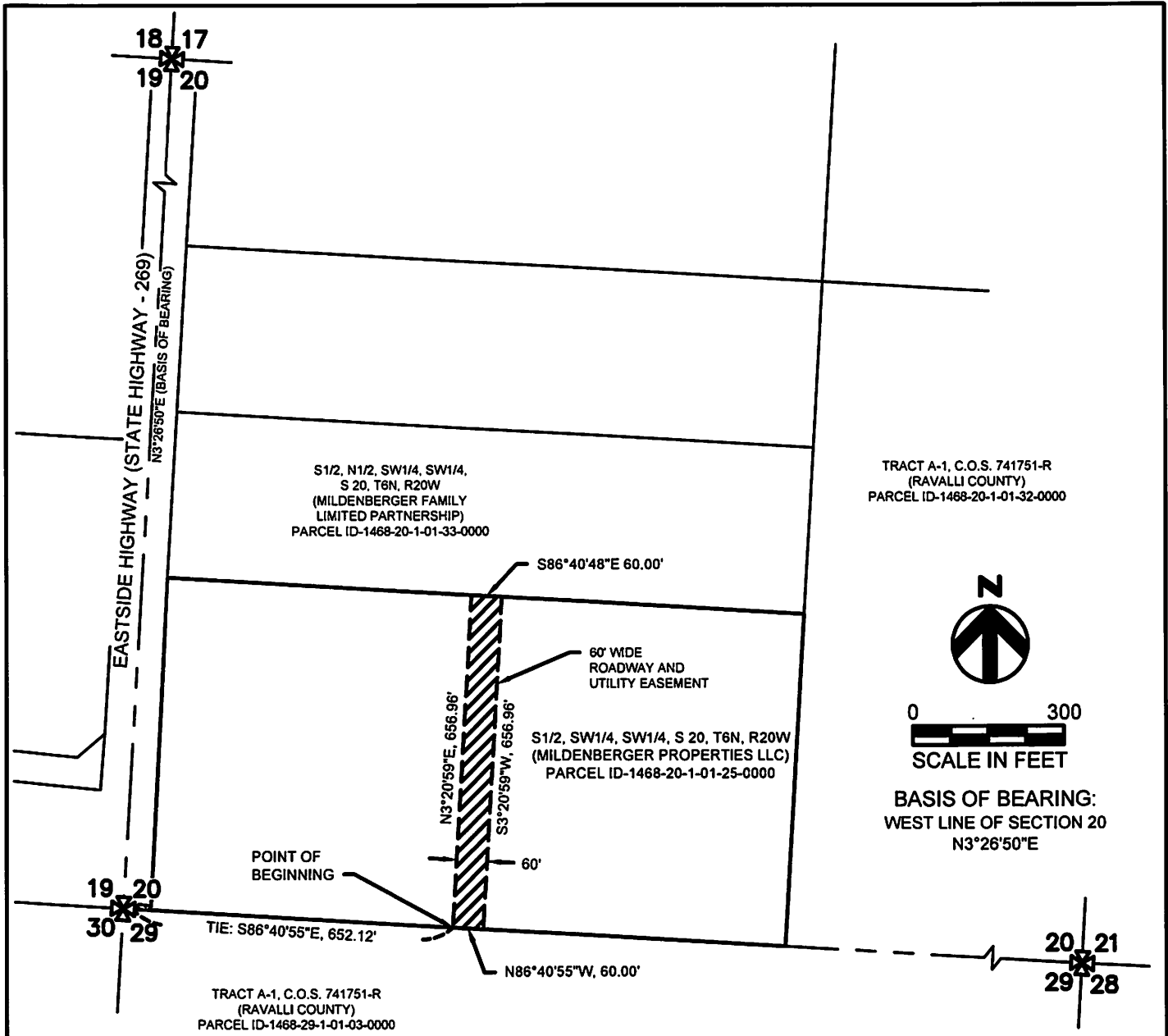
DATE 03/28/2023
FIGURE
EXHIBIT A

A portion of the N1/2, SW1/4, SW1/4, S20, T6N, R20W, P.M.M., Ravalli County, State of Montana, dedicated as a 60' Roadway and Utility Easement, and more particularly described as follows:

Beginning at a point on the East Right-of-Way line of Eastside Highway (State Highway - 269), said point being N05°39'37"E, a distance of 1314.83' from the SW corner of Section 20; thence along the North boundary of the shown Mildenberger Family Limited Partnership ownership S86°42'33"E, 659.11'; thence Boundary of the Northernly most property of the shown Mildenberger Family Limited Partnership ownership S86°42'33"E, 659.11'; thence departing said North line, crossing properties owned by the Mildenberger Family Limited Partnership as shown, S3°20'59"W, 657.11' to a point on the South line of the N1/2, SW1/4, SW1/4, S20, T6N, R20W and the Southernly line of said properties; thence along said South line N86°40'48"W, 60.00'; thence re-crossing said properties, N3°20'59"E, 597.08'; thence N86°42'33"W, 599.28' to a point on said Eastside Highway Right-of-Way, thence along said Right-of-Way, N3°30'37"E, 60.00', to the Point of Beginning, describing a 60' Roadway and Utility Easement encompassing 1.73 Acres more or less.

DESCRIPTION





TRACT A-1, C.O.S. 741751-R
(RAVALLI COUNTY)
PARCEL ID-1468-20-1-01-32-0000

S1/2, N1/2, SW1/4, SW1/4,
S 20, T6N, R20W
(MILDENBERGER FAMILY
LIMITED PARTNERSHIP)
PARCEL ID-1468-20-1-01-33-0000

S1/2, SW1/4, SW1/4, S 20, T6N, R20W
(MILDENBERGER PROPERTIES LLC)
PARCEL ID-1468-20-1-01-25-0000

TRACT A-1, C.O.S. 741751-R
(RAVALLI COUNTY)
PARCEL ID-1468-29-1-01-03-0000



0 300
SCALE IN FEET

BASIS OF BEARING:
WEST LINE OF SECTION 20
N3°26'50"E

DESCRIPTION

A portion of the S1/2, SW1/4, SW1/4, Sec. 20, T6N, R20W, P.M.M., Ravalli County, State of Montana, dedicated as a 60' Roadway and Utility Easement, and more particularly described as follows:

Beginning at the SW corner of Section 20; thence S86°40'55"E along the South boundary of said Section 20, being the South line of the Mildenberger Properties LLC property, a distance of 652.12' to the Point of Beginning; thence N03°20'59"E, across said property 656.96', to a point on the North line of said property; thence S86°40'48"E, along said North line 60.00', thence re-crossing said property S03°20'59"W, 656.96', to a point on the South line of Section 20 and the Southerly line of said property; thence along said South line, N86°40'55"W, 60.00', to the Point of Beginning, describing a 60' Roadway and Utility Easement encompassing 0.90 Acres more or less.



EXHIBIT A
ROADWAY AND UTILITY EASEMENT
S1/2, SW1/4, SW1/4, S20, T6N, R20W, P.M.M.
RAVALLI COUNTY, STATE OF MONTANA

DATE
03/28/2023
FIGURE
EXHIBIT A

Dear Business Owner,

Ravalli County completed a \$5.7-million-dollar sewer main line extension in the Targeted Economic Development District (TEDD) which includes the Airport in December of 2024. As planned, the new sewer main line is connected to the City of Hamilton's municipal system and is owned and operated by the City of Hamilton.

A key component of the main line extension was to provide waste water service and decommission the raised mound septic system that has been out of compliance and over capacity since 2012. The grant that was obtained to pay for a portion of the project requires that the septic system be decommissioned. Ravalli County Environmental Health with support from the City of Hamilton will complete shutting down the raised mound system on _____.

The [name of business] will need to have their facility connected to the new sewer main line by _____.

Attached are the fee schedule and hangar sewer application for connection into the City of Hamilton sanitary sewer along the west side of the airport. A water meter will need to be installed, as the City bills for sewer by water usage, averaging the winter months. The application can be returned to Utility Billing at City Hall.

A list of contractors that are city approved is attached. The contractor will need to get a permit from Public Works for the inspection and to pick up the water meter. If you wish to use a contractor that is not on this list, they will need to obtain a City business license when they pull their permit.

If you have any questions regarding the County sewer main line project you may contact Julie Foster at julie@rceda.org or 406-375-9416. If you have questions regarding filling out the City's paperwork please contact their Public Works Department at 920 New York Avenue in Hamilton or (406) 363-6717.

TEDD- Reimbursement Fee Methodology
Master Census

Census #	Property	Address	Assessment Cc
1	709 TAMMANY LN HAMILTON, MT	59840	740010
3	182 TAMMANY SOUTH LN HAMILTON, MT 59840		827550
4			827520
5	231 LIL TAM WAY HAMILTON, MT 59840		827530
6			827540
7			740020
8			610108
9			610109
10			827560
11			827510
12	791 TAMMANY LN HAMILTON, MT 59840		827410
13			610140
14			610138
15			610139
16			609849
17			609833
18	450 GOLF COURSE RD HAMILTON MT 59840		718820
19			718830
20	200 AIRPORT RD HAMILTON, MT 59840		590450
21	200 AIRPORT RD HAMILTON, MT 59840		590450
22	470 TAMMANY LN HAMILTON, MT 59840		744301
23	466 TAMMANY LN HAMILTON, MT 59840		744300
24	EASTSIDE HWY HAMILTON, MT 59840		648700
25	468 TAMMANY LN HAMILTON, MT 59840		744308
26	168 EASTSIDE HWY HAMILTON, MT 59840		648700
29			827570
30	789 TAMMANY LN HAMILTON, MT 59840		827400
31			609854
32			609832
33			609851
34			609852
35			609841
36			609838
37			609839
38			609845
39			609846
40			655230

Geocode	Tax ID	Lot ID	Owner/Name
13-1468-28-3-01-10-0000	740010		TEN PEAKS RANCH LLC 6101 BUENA VISTA DR V
13-1468-33-1-01-10-0000	827550		WILSON JERRY E & KAREN J 182 TAMMANY SOU
13-1468-33-1-01-07-0000	827520		ERFERT DAVID & MARY BETH CO-TRUSTEE AND
13-1468-33-1-01-08-0000	827530		BAR 4 BAR RIVER RANCH LLC PO BOX 1705 HAM
13-1468-33-1-01-09-0000	827540		BAR 4 BAR RIVER RANCH LLC PO BOX 1705 HAM
13-1468-33-1-01-03-0000	740020		TEN PEAKS RANCH LLC 6101 BUENA VISTA DR V
13-1468-33-1-01-04-0000	610108		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-33-1-01-05-0000	610109		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-28-3-01-08-0000	827560		HOOKER EDWIN S IIII 723 N MCKINLEY RD UNIT
13-1468-28-3-01-02-0000	827510		HOOKER EDWIN S IIII 723 N MCKINLEY RD UNIT
13-1468-28-3-01-07-0000	827410		HOOKER EDWIN S IIII 723 N MCKINLEY RD UNIT
13-1468-32-1-01-07-0000	610140		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-32-1-01-12-0000	610138		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-32-1-01-11-0000	610139		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-29-4-04-02-0000	609849		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-29-4-04-01-0000	609833		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-32-1-01-49-0000	718820		LEONARDI FARMS INC 450 GOLF COURSE RD H/
13-1468-29-3-01-06-0000	718830		LEONARDI FARMS INC 450 GOLF COURSE RD H/
13-1468-32-1-01-06-0000	590450		RAVALLI COUNTY 215 S 4TH ST STE A HAMILTON
13-1468-29-1-01-03-0000	590450		RAVALLI COUNTY 215 S 4TH ST STE A HAMILTON
13-1468-29-1-01-12-0000	744301		OLSON SHARRON 314 HARBISON DR HAMILTON
13-1468-29-1-01-01-0000	744300		MILDENBERGER INVESTMENTS LLC PO BOX 630
13-1468-30-1-03-01-0000	648700		MILDENBERGER BRETT PO BOX 1707 HAMILTON
13-1468-29-1-01-22-0000	744308		WEAVER CRAIG 468 TAMMANY LN HAMILTON, M
13-1468-29-1-01-23-0000	648700		MILDENBERGER BRETT PO BOX 1707 HAMILTON
13-1468-28-3-01-09-0000	827570		HOOKER EDWIN S IIII 723 N MCKINLEY RD UNIT
13-1468-28-3-01-03-0000	827400		HOOKER EDWIN S IIII 723 N MCKINLEY RD UNIT
13-1468-29-4-02-01-0000	609854		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-29-1-01-10-0000	609832		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-29-1-01-11-0000	609851		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-20-0000	609852		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-19-0000	609841		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-14-0000	609838		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-13-0000	609839		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-08-0000	609845		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-28-1-01-07-0000	609846		MILDENBERGER PROPERTIES LLC PO BOX 630 F
13-1468-32-1-01-51-0000	655230		K&K PONDS INC 484 MAKI DR HAMILTON, MT 59E

EDU's / Acre =	8.00
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Description	Acres	EDU Calc	EDU Manual Override	Calculation of Reimbursement
VAC_R- VACANT LAND- RURAL	34.27	274.16	114.66	\$ 75,963.19
FARM_R- FARMSTEAD-RURAL	10.08	80.64	50.38	\$ 33,378.65
VAC_R- VACANT LAND- RURAL	10.08	80.64	80.64	\$ 53,422.79
VAC_R- VACANT LAND- RURAL	10.08	80.64	80.64	\$ 53,422.79
VAC_R- VACANT LAND- RURAL	10.08	80.64	80.64	\$ 53,422.79
VAC_R- VACANT LAND- RURAL	34.27	274.16	274.16	\$ 181,626.90
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	15.43	123.44	123.44	\$ 81,777.16
FARM_R- FARMSTEAD-RURAL	10.61	84.88	31.71	\$ 21,006.08
VAC_R- VACANT LAND- RURAL	28.97	231.76	231.76	\$ 153,537.54
VAC_R- VACANT LAND- RURAL	20.03	160.24	160.24	\$ 106,156.61
VAC_R- VACANT LAND- RURAL	20.23	161.84	161.84	\$ 107,216.58
VAC_R- VACANT LAND- RURAL	20.42	163.36	163.36	\$ 108,223.56
VAC_R- VACANT LAND- RURAL	20.50	164.00	164.00	\$ 108,647.55
FARM_R- FARMSTEAD-RURAL	25.44	203.52	144.46	\$ 95,705.24
VAC_R- VACANT LAND- RURAL	23.88	191.04	191.04	\$ 126,561.15
FARM_R- FARMSTEAD-RURAL	52.97	423.76	0.00	\$ -
EXEMPT PROPERTY	137.28	1,098.21	166.00	\$ 109,972.52
IMP_R- IMPROVED PROPERTY- F	4.33	34.64	8.93	\$ 5,914.67
IMP_R- IMPROVED PROPERTY- F	2.49	19.92	4.00	\$ 2,649.94
VAC_R- VACANT LAND- RURAL	11.98	95.84	95.84	\$ 63,492.57
IMP_R- IMPROVED PROPERTY- F	1.60	12.80	7.12	\$ 4,716.89
FARM_R- FARMSTEAD-RURAL	46.51	372.08	298.66	\$ 197,860.44
VAC_R- VACANT LAND- RURAL	4.35	34.80	34.80	\$ 23,054.48
FARM_R- FARMSTEAD-RURAL	0.53	4.24	1.42	\$ 943.38
VAC_R- VACANT LAND- RURAL	26.22	209.76	209.76	\$ 138,962.87
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	20.00	160.00	160.00	\$ 105,997.61
VAC_R- VACANT LAND- RURAL	1.52	12.16	12.16	\$ 8,055.82
Total EDU Count		6,639.81	4,813.80	\$ 3,189,067.92

Cadastral Reference Google Earth Reference

C 709 TAI GE 709 Tammany Ln.PNG
C 182 TAI GE 182 TAMMANY S LN.PNG
C 827520 GE 827520.PNG
C 231 LIL GE 231 LIL TAM WAY.PNG
C 827540 GE 827540.PNG
C 740020 GE 740020.PNG
C 610108 GE 610108.PNG
C 610109 GE 610109.PNG
C 827560 GE 827560.PNG
C 827510 GE 827510.PNG
C 791 TAI GE 791 TAMMANY LN.PNG
C 610140 GE 610140.PNG
C 610138 GE 610138.PNG
C 610139 GE 610139.PNG
C 609849 GE 609849.PNG
C 609833 GE 609833.PNG
C 450 GC GE 450 GOLF COURSE RD.PNG
C 718830 GE 718830.PNG

C 470 TAI GE 470 TAMMANY LN.PNG
C 466 TA GE 466 TAMMANY LN.PNG
C 648700 GE 648700.PNG
C 468 TAI GE 468 TAMMANY LN.PNG
C 168 EA: GE 168 EASTSIDE HWY.PNG
C 827570 GE 827570.PNG
C 789 TAI GE 789 TAMMANY LN.PNG
C 609854 GE 609854.PNG
C 609832 GE 609832.PNG
C 609851 GE 609851.PNG
C 609852 GE 609852.PNG
C 609851 GE 609851.PNG
C 609838 GE 609838.PNG
C 609839 GE 609839.PNG
C 609845 GE 609845.PNG
C 609846 GE 609846.PNG
C 655230 GE 655230.PNG

Chris Taggart

10/18
Call

From: julie@rceda.org
Sent: Thursday, September 18, 2025 2:04 PM
To: Chris Taggart
Cc: Dan Huls
Subject: [EXTERNAL] RE: TEDD - Airport Sewer hook ups
Attachments: 7294.01-EXHIBIT-SewerLine-Revised-FINAL-EXHIBIT-PG 1.pdf; County Airport EXHIBIT A (2023).pdf; Mildenberger Family Limited Partnership EXHIBIT A (2023).pdf; Mildenberger Properties LLC EXHIBIT A (2023).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Chris,

Having read the document I see that there were attachments referenced as Exhibit 1 and Exhibit 2 and I sent you these a moment ago. Additionally there is 4 easements labeled Exhibit A and I believe these are those 4 exhibit. We had to have these to construct the sewer line.

I don't know if this provides what is needed to go ahead and sign the document?

Also, see page 4 the time limitation is twenty years. The county wanted 30 years. What we needed to happen was that the city council pass this agreement as they did on June 17. We did not want to create a hullabulloo at the council meeting. And so, it was agreed upon, Commissioners just saying ok to me, not a formal meeting to say "we vote that we will accept 20 instead of 30." I spoke with each commissioner but I don't have that documented anywhere except my head.

My opinion is that this document should be signed.

Cheers
Julie

From: Chris Taggart [mailto:CTaggart@rc.mt.gov]
Sent: Thursday, September 18, 2025 1:41 PM
To: Julie Foster - RCEDA <julie@rceda.org>
Cc: Dan Huls <dhuls@rc.mt.gov>
Subject: RE: TEDD - Airport Sewer hook ups

PS
I sent an email to Karen Mahar on June 19, 2025 stating that the City signed final Agreement did NOT include attachments 1 or 2
I never heard back from her

From: Chris Taggart
Sent: Thursday, September 18, 2025 12:56 PM
To: Julie Foster - RCEDA <julie@rceda.org>
Cc: Dan Huls (dhuls@rc.mt.gov) <dhuls@rc.mt.gov>
Subject: TEDD - Airport Sewer hook ups

Hello!

Commissioner Huls has asked me to research and try and move things along with regard to getting the Hangar Café + hooked up to City Sewer.

In my mind, I think, that we, Ravalli County, never received back from the City of Hamilton an

1. approved Connection application (including fee schedule) OR
2. approved rebate agreement (including methodology)

Can you please assist me with this? And possibly explain to me how this would go forward with hook ups?

CAUTION: This email originated from outside of Ravalli County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you believe the email to be malicious and/or phishing email, please use the Phish Alert button.

Chris Taggart

From: julie@rceda.org
Sent: Thursday, September 18, 2025 1:55 PM
To: Chris Taggart
Cc: Dan Huls
Subject: [EXTERNAL] RE: TEDD - Airport Sewer hook ups
Attachments: RCEDA TEDD 24x36 20250213.jpg; TEDD Reimbursement Methodology Workbook_FINAL 3 4 25.xlsx; TEDD Reimbursement Methodology_FINAL 3 4 25.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Chris,

These are documents that the County has and they were contracted by the County from HDR. I believe this is the agreement that is going to enable the city to collect the "rebate fee" and provide it to the county. I am going to read this now and I'll be back in touch in a minute. I wanted to get the documents to you though.

Julie

From: Chris Taggart [mailto:CTaggart@rc.mt.gov]
Sent: Thursday, September 18, 2025 1:41 PM
To: Julie Foster - RCEDA <julie@rceda.org>
Cc: Dan Huls <dhuls@rc.mt.gov>
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CAUTION: This email originated from outside of Ravalli County. Do not click links or open attachments unless you recognize the sender and know the content is

Chris Taggart

From: julie@rceda.org
Sent: Thursday, September 18, 2025 3:56 PM
To: Chris Taggart
Cc: Dan Huls
Subject: RE: [EXTERNAL] RE: TEDD - Airport Sewer hook ups
Attachments: airport sewer connection draft ltr.docx; Airport hanger Sewer Application Template word.pdf; Excavating Contractors.xlsx; Airport Hangar Connection Fees.xlsx

Good Afternoon Chris,

Attached please see the draft letter and the attachments. Also please note that there was a place holder in the Airport Hanger Connection fee schedule for the Rebate amount that will be collected by the city. This can change depending on the number of EDU's. The City will need to calculate that...I don't think there will be many hangars over 1 EDU but the businesses for which this letter is intended could be.

I am in for only one hour tomorrow morning if you have any immediate questions for me. Otherwise I will be in on Monday.

Cheers and a great weekend to you Chris and to you Dan.

Julie

From: Chris Taggart [mailto:CTaggart@rc.mt.gov]
Sent: Thursday, September 18, 2025 1:52 PM
To: julie@rceda.org
Cc: Dan Huls <dhuls@rc.mt.gov>
Subject: RE: [EXTERNAL] RE: TEDD - Airport Sewer hook ups

Sure please do draft a letter.

So my timing for the immediate future is:

1. BCC gone week of 09-22-2025-09-26-2025 (MACO)
2. I am on vacation 09-26-2025 – 10-01-2025

So if I can get the draft from you by Oct 02nd, I can then speak with BCC about timeline and moving forward.

That work for you?

From: julie@rceda.org <julie@rceda.org>
Sent: Thursday, September 18, 2025 1:47 PM
To: Chris Taggart <CTaggart@rc.mt.gov>
Cc: Dan Huls <dhuls@rc.mt.gov>
Subject: [EXTERNAL] RE: TEDD - Airport Sewer hook ups

Hi Chris,

This has been on my list many thanks to you and Dan for getting it to the fore front. I spoke with Donny and Karen Mahar at the City about it in August.

**AFTER RECORDING return to:
Hamilton City Clerk
223 South 2nd Street
Hamilton, MT 59840**

**TRANSFER OF SEWER MAIN OWNERSHIP
AND
SEWER MAIN CONSTRUCTION REBATE RECOVERY PROGRAM AGREEMENT**

THIS TRANSFER AND REBATE AGREEMENT is made effective the 20th day of June, 2025, by and between RAVALLI COUNTY, a political subdivision of the State of Montana located at 215 S. 4th, Ste. A, Hamilton, Montana, and the CITY OF HAMILTON (City), a municipal corporation and political subdivision of the State of Montana located at 223 S 2nd Street, Hamilton, Montana.

WHEREAS, the construction and installation of a section of new sewer main in and along property to the north and east of the City limits in an area identified as the Ravalli County Targeted Economic Development District (TEDD) was completed on or about December 31, 2024; and

WHEREAS, the cost of said construction and installation was financed by RAVALLI COUNTY subject to a right to claim rebates of proportional shares of said cost from each property that is subsequently connected to the rebate recovery area of the newly-constructed sewer main; and

WHEREAS, RAVALLI COUNTY worked with Ravalli County Economic Development Authority (RCEDA) and HDR Engineering to generate a RCEDA TEDD Reimbursement Methodology Memorandum and Workbook, which were completed March 4, 2025, and are attached to this Agreement as "Exhibit 1" and "Exhibit 2" respectively; and

WHEREAS, pursuant to Hamilton Municipal Code (HMC) 13.20.030, on March 6, 2025, RCEDA on behalf of RAVALLI COUNTY submitted a request to the City to establish a rebate program for future connections to the newly installed main, to be applied to properties that connect to the main after March 6, 2025; and

WHEREAS, HMC 13.20.020 requires the transfer to City by RAVALLI COUNTY of the portion of the newly-constructed sewer main financed by RAVALLI COUNTY and authorizes a rebate recovery program as set forth in this Agreement, subject to approval by the Hamilton City Council; and

WHEREAS, on June 17, 2025, the City Council met at a duly noticed public meeting to review this Agreement and approved the same, to be effective as of June 20, 2025.

NOW THEREFORE, IN CONSIDERATION OF the terms and conditions set forth below, RAVALLI COUNTY and City agree as follows:

1. **SEWER MAIN OWNERSHIP TRANSFER:** For good and valuable consideration, receipt of which is hereby acknowledged, RAVALLI COUNTY does hereby grant, convey, remise, release and forever quitclaim unto City, and to its successors and assigns, any and all interest RAVALLI COUNTY may have in that portion of the newly-constructed sewer main financed by it, which sewer main is located in the four (4) easements labeled as "Exhibit A" attached hereto and by this reference made a part hereof. Said transfer includes all sewer materials and equipment (such as pipe, fittings and manholes) located within the easements related to the supply and maintenance of municipal sewer services.

2. **REBATE RECOVERY PROGRAM:** The parties agree that reimbursement shall be recoverable by RAVALLI COUNTY in the manner and according to the methodology set forth in Exhibits 1 and 2 of this Agreement. These Exhibits specifically describe the parcels of real property and airport hangars within the rebate recovery area and the calculation of the amount of each property and hangar's connection assessment to be rebated to RAVALLI COUNTY. The parties agree that the amount of all rebates to RAVALLI COUNTY shall be determined according to and governed by Exhibits 1 and 2, including the incentives for early payment of assessment and assessment increases due to interest over the reimbursement period described in detail in those Exhibits.

3. **REBATE ASSESSMENT AND INTEREST AMOUNTS:** As each property or hangar listed in Exhibits 1 and 2 connects to the new sewer main, it will be charged its share of the total rebate assessment as shown in those Exhibits, including any applicable accrued interest as set forth in the methodology. In turn, City will rebate to RAVALLI COUNTY both the connecting property or hangar's rebate assessment payment and any accrued interest paid on that assessment by the connecting property or hangar. City shall be obligated to pay RAVALLI COUNTY only the amount it successfully collects from a connecting property or hangar. This Agreement does not obligate City to pay rebate amounts or accrued interest to RAVALLI COUNTY that, for any reason, City is unsuccessful in collecting from a connecting property or hangar.

4. **TIME LIMITATION OF REBATE AGREEMENT:** Pursuant to Section 13.20.050, HMC, the life of the rebate recovery program established by this Agreement is twenty (20) years from the date of approval of this Agreement. Thus, RAVALLI COUNTY shall be eligible for rebate payments under this Agreement only from those properties listed in Exhibits 1 and 2 that choose to connect to the new sewer main from March 6, 2025, until expiration of the 20-year period. At the expiration of the 20-year period, this Agreement and the rebate recovery program established hereunder shall automatically terminate.

5. **NO WARRANTY:** RAVALLI COUNTY understands and agrees that City cannot and does not represent nor warrant that any property listed in Exhibits 1 and 2 will connect to the new sewer main during the effective term of this Agreement. City shall not be obligated to force any property to connect to the new sewer main, and City shall not be obligated to pay RAVALLI COUNTY any part of the rebate recovery amount other than those rebate

assessments actually collected by City within the term of this rebate recovery program. This Agreement does not represent a general obligation of the City and, in relation to RAVALLI COUNTY, City's position shall be nothing more than a "pass-through" entity that collects rebate assessments from connecting properties or hangars, if any, and passes such assessments on to RAVALLI COUNTY. RAVALLI COUNTY agrees to defend, indemnify and hold the City, its officers, employees and agents, harmless against any claims, liabilities, causes of action or damages asserted by or awarded to any party claiming any right to reimbursement or compensation related to payments made pursuant to this rebate agreement.

6. **REBATE COLLECTION AND PAYMENT:** City agrees that before it will issue a permit to one of the properties or hangars listed in Exhibits 1 and 2 to connect to the new sewer main within the rebate recovery area, City will collect from said property that property or hangar's share of the total rebate assessment in addition to accrued interest. If any owner challenges the amount of the assessment or accrued interest to collect under the methodology detailed in Exhibits 1 and 2, the City will submit the issue to RAVALLI COUNTY will be responsible for providing verification of and defending the calculation of the amount to assess. Upon receipt of said payment, City shall issue payment to RAVALLI COUNTY within fifteen (15) business days in a manner agreed to by the parties.

7. **MISCELLANEOUS:** This Agreement shall be construed according to the Hamilton Municipal Code and the laws of the State of Montana. This Agreement shall inure to the benefit of the heirs, successors and assigns of both parties. Should any provision of this Agreement be held to be void, unlawful, or unenforceable, such holding shall not destroy the validity of the remaining provisions. All prior negotiations and understandings between the parties are embodied in this Agreement. The parties agree that no modification of this Agreement shall be valid and enforceable unless evidenced in a writing signed by all parties.

IN WITNESS WHEREOF, the parties have executed this Transfer of Sewer Main Ownership and Sewer Main Construction Rebate Recovery Program Agreement on the dates appearing below, intending this Agreement be effective the date and year first appearing above.

RAVALLI COUNTY

By: _____
Dan Huls, Chair

APPROVED BY:

CITY OF HAMILTON

By: _____
Mayor Dominic Farrenkopf

ATTEST:

Rebecca Scoggins, City Clerk