

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

The City of Hardin is inviting you to a scheduled Zoom meeting.

Council Meeting
of Tuesday December 19, 2023

Held by virtual meeting and the Public is invited to attend in person.

Topic: City of Hardin Council Meeting – 12/19/2023

Start Time: 6:30 p.m. Mountain Time

Council Meeting – 6:30 p.m.

The meeting will open at 6:15 p.m.

If you will be logging into the Council meeting by:

Computer: Please identify yourself by submitting your first and last name by using the “Chat” function.

Phone: Please identify yourself by stating your First and Last Name.

City of Hardin is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/9897104479>

Meeting ID: 989 710 4479

One tap mobile

+17193594580,,9897104479# US

+12532050468,,9897104479# US

Dial by your location

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

Meeting ID: 989 710 4479

Find your local number: <https://us02web.zoom.us/j/9897104479>

AGENDA

The City of Hardin
406 N. Cheyenne Avenue
Hardin, MT 59034

December 19, 2023

MEETING CALLED TO ORDER AT 6:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor: _____

Alderspersons: Steven Hopes _____
Rock Massine _____

Clayton Greer _____
Jeremy Krebs _____

Chris Sharpe _____
Antonio Espinoza _____

CONSENT AGENDA:

Council Meeting 12/05/2023

Closed Meeting 12/05/2023

Claims

PUBLIC COMMENT:

MAYOR:

COMMITTEE REPORTS:

- **Personnel Committee/City Policy:** Mayor
- **Sewer & Water:** Massine
- **Law Enforcement:** Espinoza
- **Streets & Alleys:** Hopes
- **Parks & Playgrounds:** Krebs
- **Finance/Landfill:** Greer
- **Resolutions and Ordinances:** Sharpe

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATION:

- City-County Planning Board Minutes of November 13, 2023

UNFINISHED BUSINESS:

NEW BUSINESS:

- City-County Planning Board – Letter of Recommendation:
 - Maverik Zone Change Application
 - Maverik Variance Application
 - Maverik Annexation Application
- Stahly Engineering – Proposed Project Options – HB355

STAFF REPORTS

- **Public Works:**
- **Finance:**
- **Police:**
- **Legal:**
- **Economic Development:**

RESOLUTIONS & ORDINANCES:

Resolution NO. 2355: Approving Applications for License to Serve Beer, Beer and Wine or Liquor

ANNOUNCEMENTS:

City Offices will be Closing at 12:00 p.m. on Friday December 22, 2023 &

Closed Monday, December 25, 2023 for Christmas Day & Monday January 1, 2024 for New Year's Day

Alley Clean-Up - December 26th to December 29th (please have items out early December 26th) and
Christmas Tree Pick-up - January 2nd to January 5th

Liquor Licenses are due by 12:00 noon Friday, December 29th

Business Licenses and Pet Licenses are due by February 1, 2024

Call for Bids for The City and the Hardin Volunteer Fire Department – SCBA's – are due January 9, 2024 by 3:00 p.m.

City of Hardin Job Openings: Full time positions: Police Officers, School Resource Officer, and Maintenance Worker I. Positions are open until filled.

Swearing in of Elected Officials

Meeting adjourned at _____ P.M.

Additions to the Agenda can be voted on by Council to add to the Agenda for the next Council meeting.
Agenda items will need to be submitted by Wednesday noon before a Tuesday Council meeting.

**THE COMMON COUNCIL
CITY of HARDIN, MONTANA**

COUNCIL MEETING: The Regular Council Meeting for December 5, 2023 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Antonio Espinoza was not present.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen and Police Chief Paul George, Jr.

Also present physically and by Virtual Meeting: Members of the public.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes for November 21, 2023 with a correction to who closed the meeting. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Sharpe made the motion to approve the Resolutions or Ordinances meeting of November 21, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 5, 2023.

	CLAIM No.	Monthly Total
September, 2023	30437	\$ 2,532.81
November, 2023	30423-30436, 30438-30460, 30464-30478	\$ 84,166.47
December, 2023	30461-30463	\$ 77,212.50
Claims Total (Expenditures)		\$ 163,911.78
November Payroll		\$ 201,685.55
Total Submitted		\$ 365,597.33

Hopes seconded. On a voice vote, the motion was unanimously approved.

PUBLIC COMMENT:

Laurie Tschetter voiced her concern of receiving a certified letter regarding a complaint she made about a neighboring property that is outside of City limits. She added she is not happy with the community decay; there is a problem there. Tschetter noted she would like to see it addressed and she doesn't know what we can do. Massine asked Knudsen if it is something that can be addressed. Knudsen referenced Title 45 of MCA adding he will look into this. Additionally, Tschetter asked for something to be done about the Stockton Oil mess. Mayor Purcell noted code enforcement is working on this.

Funke asked why it is the City's responsibility to get a School Resource Officer for the School District. Mayor Purcell reported the School pays a hundred percent for the position. Funke voiced his concerns of multiple vehicles in his neighborhood, of potholes, garbage collection, ice removal, alley clean-up and street lights on Center Avenue. He added the number one concern in this town is safety.

MAYOR:

Mayor Purcell congratulated the Hardin Volunteer Fire Department; they were nominated by employees at Stanley and Black and Decker to receive a donation of Dewalt tools in honor of First Responders Day.

Mayor Purcell reported the National Conference of Montana League of Cities and Towns was educational; he learned of federal funding opportunities that may be available to the City.

Mayor Purcell noted that he, Hurff, and Lehr met with Stahly Engineering to discuss HB 355 that was passed by the Legislature. The bill awards cities and towns money based on population. Hardin will receive around \$285,000. Dax Simek will provide a project list to Council at the next meeting to propose project options for Council discussion.

Mayor Purcell extended a "Thank You" to the City Crew for installing the flags and banners and for putting up the Christmas Tree and decorations. He also extended a "Thank You" the Hardin Police Department for participating in the services for Sheriff Darrell King.

Mayor Purcell voiced he wanted to reach out and thank the Landfill, Waste Water and Water Treatment Plant employees for all of their hard work.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a School Resource Officer (SRO).

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen reviewed the "clean" draft Farm to Market Agreement. He noted a correction to be made on page three, paragraph three where the culvert will be the responsibility of the City and not the County. Massine noted Railway is getting really bad; twice as bad as a month ago. Hopes voiced the part of the road that has drainage is falling apart first. Krebs asked if the City would be responsible for Railway. Knudsen noted that is the County's proposal. Sharpe motioned to move subsection 5 of Section 4 *Railway Street between Highway 313 (Mitchell Avenue) and Center Avenue* from the City obligation to the County obligation. Greer seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell recommended approval to appoint Joe Connelly to the City-County Planning Board. He added Connelly will benefit the board being the City Code Enforcement Officer; he has knowledge to help with zoning, etc. Greer motioned to approve the appointment. Sharpe seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the appointment of Corrina-Kirschenmann-Kuntz to serve on the City-County Planning Board as the City Council appointment. Hopes seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the Landfill agreement with Northern Cheyenne. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported plans are being drafted for a concrete slab at the sand shed, he is looking to receive a quote for a pole barn estimated around \$59,000; and the culvert for Center and Railroad has been ordered. Pink Hill is looking to install the culvert in the Spring.

Hurff reported Damschen visited the Landfill and he will provide a more detailed drawing of the dirt moving process and TCT is working on a fiber project in town.

Rob Bryson, local resident, suggested to visit with the superintendent in Colstrip to look at their sand shed and how it was constructed. Mayor Purcell noted he and Hurff will look into it.

Finance:

Lehr reported he hasn't received the contract for the Lodge Grass ARPA (American Rescue Plan Act) funding; he is looking to receive it soon and bring it before Council for approval.

Police:

Police Chief George reviewed calls for service. He announced Officer Dave Weer graduated from the MLA Academy.

Chief George noted the department was assigned kids from the Department of Child Protective Services and there is a need for clothing and unwrapped gifts for males and females ages from infant to eighteen years old. He added donations can be brought to the Police Department and the deadline is the 13th of December.

Legal:

Mayor Purcell approved a request by Knudsen to hold a brief closed session following the Council Meeting.

Economic Development:

Tina Toyne reported she is waiting to hear about the CDBG Planning Grant from the Department of Commerce for housing needs throughout the County. She noted there is a need for new studies, assessments, to be eligible for funding in the future. Toyne reported two individuals from LISC, a company working with them for the HUD TA assistance, have interviewed fifteen people about their concerns, ideas, and suggestions for the City of Hardin and Big Horn County and they will provide a summary report. She noted she has been participating in multiple business attraction meetings.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced the following:

The City Christmas Party is scheduled for Wednesday, December 13, 2023 at 6:30 pm. No business will be conducted, but there is a possibility for a quorum to be present.

City Offices will be Closing at 12:00 p.m. on Friday, December 22, 2023 & will be Closed on Monday, December 25, 2023 for Christmas Day & Monday, January 1, 2024 for New Year's Day.

Alley Clean-Up is scheduled for December 26th to December 29th – please have items out early December 26th.

Christmas Tree Pick-Up is scheduled for January 2, 2024 to January 5, 2024.

2024 Liquor License Applications are due by 12:00 p.m. December 29, 2023.

Swearing-In of Elected Officials is scheduled to be held after the Council Meeting of December 19, 2023

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, School Resource Officer (SRO) and Maintenance Worker I. All positions are open until filled.

Krebs motioned to adjourn the meeting at 7:37 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

CLOSED MEETING requested by Knudsen. The meeting opened at 7:39 p.m. Greer motioned to adjourn the meeting at 7:48 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

DRAFT

City of Hardin

Submitted for Approval

December 19, 2023

Month	CLAIM No.	Monthly Total
November, 2023	30479-30481, 30483-30494, 30511-30514	\$ 147,244.32
December, 2023	30482, 30495-30510	291,222.59
TOTAL Submitted		\$ 438,466.91

Claims or Expenditures over \$5,000 per Resolution #2189

Vendor	Purpose	Check #	Amount
STAHLY ENGINEERING & ASSOCIATES INC	Phase II WW Upgrade Engineering	39880	22,415.33
RATCO LLC	Utility box for water distribution vehicle	39876	9,896.00
TRANSFERS TO BOND TRUSTEE			
US BANK NATIONAL ASSOC	November taxes transferred to trustee	39865	267,507.59
Approved Previously Meeting November 7, 2023			
ENTERPRISE FLEET MANAGEMENT	4 Dodge Durango police vehicles	-99743	87,228.76
EXEMPT from Resolution 2189:			
NORTHWESTERN ENERGY	Electric Utilities	39858	19,395.14

CITY OF HARDIN**Claims Report****For the Accounting Period: November, 2023**

Vendor	Claim #	Check	Amount
BIG HORN COUNTY TREASURER	CL 30479	39863	4,652.70
ANGELA ZIMMER	CL 30480	39850	930.12
KRISTI WEDEL	CL 30481	39856	211.32
360° OFFICE SOLUTIONS INC	CL 30483	39848	807.13
AMERICAN LEGAL PUBLISHING	CL 30484	39849	395.07
BIG HORN COUNTY ELECTRIC	CL 30485	39852	4,992.36
BILL'S AUTO PARTS	CL 30486	39854	1,188.11
HARDIN DO IT BEST	CL 30487	39855	562.16
ST Vincent Occupational Healthcare	CL 30488	39859	30.00
UTILITIES UNDERGROUND LOC. CTR.	CL 30489	39862	32.97
THE ORIGINAL BRIEFS	CL 30490	39861	615.20
MT DEPARTMENT OF ENVIRONMENTAL QUALITY	CL 30491	39857	2,604.00
APG YELLOWSTONE NEWS GROUP	CL 30492	39851	62.83
NORTHWESTERN ENERGY	CL 30493	39858	19,395.14
ENTERPRISE FLEET MANAGEMENT	CL 30494	-99743	87,228.76
VERIZON WIRELESS	CL 30511	-99742	606.43
NEWMAN SIGNS INC	CL 30512	39879	52.69
STAHLY ENGINEERING & ASSOCIATES INC	CL 30513	39880	22,415.33
STAHLY ENGINEERING & ASSOCIATES INC	CL 30514	39881	462.00
			147,244.32

CITY OF HARDIN**Claims Report****For the Accounting Period: December, 2023**

Vendor	Claim #	Check	Amount
STATE OF MT, DEPT OF REVENUE	CL 30482	39860	280.00
MT DEPARTMENT OF ADMINISTRATION	CL 30495	39864	1,700.00
US BANK NATIONAL ASSOC	CL 30496	39865	267,507.59
KEN WOODY	CL 30497	39866	893.00
COLSTRIP ELECTRICAL CONTRACTOR	CL 30499	39867	50.00
YOUR HOME IMPROVEMENT COMPANY	CL 30500	39868	50.00
CIRCLE OF LIFE	CL 30501	39869	50.00
AMERICAN LEGAL PUBLISHING	CL 30502	39870	500.00
BIG SKY FIRE EQUIPMENT	CL 30503	39871	70.00
LEVEL 3 COMMUNICATIONS, LLC	CL 30504	39872	481.32
DIS TECHNOLOGIES	CL 30505	39873	1,001.80
FERGUSON ENTERPRISES INC	CL 30506	39874	4,097.70
GRAINGER	CL 30507	39875	94.38
RATCO LLC	CL 30508	39876	9,896.00
RATCO LLC	CL 30509	39877	4,300.00
BIG HORN COUNTY	CL 30510	39878	250.80
			291,222.59

CITY OF HARDIN

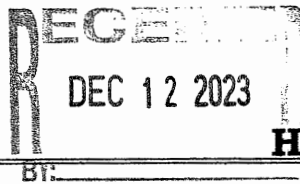
Check Report

12/19/2023

Vendor	Claim #	Check	Amount
360° OFFICE SOLUTIONS INC	CL 30483	39848	807.13
AMERICAN LEGAL PUBLISHING	CL 30484	39849	395.07
ANGELA ZIMMER	CL 30480	39850	930.12
APG YELLOWSTONE NEWS GROUP	CL 30492	39851	62.83
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HARDIN DO IT BEST	CL 30487	39855	562.16
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			438,466.91

CITY-COUNTY PLANNING BOARD

CITY OF HARDIN/BIG HORN COUNTY



PO Box 305

HARDIN MT 59034-0305

Regular Meeting of CCPB
November 13, 2023

The regular meeting of the City County Planning Board was called to order by Chairperson Corinna Kirschenmann-Kuntz at 7:00 pm on November 13, 2023. Members present were Tina Toyne, Clayton Greer, Cyndy Maxwell, Bill Hodges, Dan Lowe and Carla Colstad. Chris Winterrowd stopped in to excuse herself because of illness. City Planner, Forrest Mandeville, was not present.

There was no Public Meeting as there were no matters before the Board.

The minutes from the previous meeting of October 9, 2023 were reviewed and a motion was made by Clayton Greer, seconded by Bill Hodges to accept the minutes as read. Unanimous approval was given.

The September financial was reviewed and a motion was made by Clayton Greer, seconded by Cyndy Maxwell to accept the financial statement. Unanimous approval was given.

Outstanding bills to be paid were presented to the Board and Clayton Greer motioned to approve with Cyndy Maxwell seconding. Unanimous approval was given.

OLD BUSINESS

In the continuing discussion of Community Decay it was suggested that Megan Spry, the contracted Sanitarian, be asked to attend a Board meeting to offer guidance as to solutions. Bill Hodges agreed to contact Ms. Spry to invite her to attend a meeting when she is in our area.

As per the By-Laws for the Board the corrections made to these were submitted to the Board for final approval. Clayton Greer motioned and Tina Toyne seconded the corrections be accepted and the Board unanimously accepted the changes as written.

NEW BUSINESS

There was no new business to transact.

PUBLIC COMMENTS

There were no public comments.

ANNOUNCEMENTS

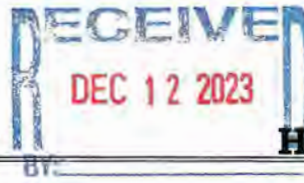
KOA campgrounds will be open year-round
Milk Bucket Bakery is closed
Wrecked Auto Body is closing

ADJOURNMENT

Bill Hodges motioned and Clayton Greer seconded the meeting to be adjourned. Unanimous approval was given and meeting was adjourned at 7:45pm.

A handwritten signature in cursive script, appearing to read "G. Kline".

CITY-COUNTY PLANNING BOARD
CITY OF HARDIN/BIG HORN COUNTY



PO Box 305
HARDIN MT 59034-0305

December 12, 2023

Hardin City Council
406 N Cheyenne Ave
Hardin, MT 59034

Re: Maverik Zone Change, Variance from Driveway Width and Parking Requirements, and Annexation

To The Council,

At the December 11, 2023, monthly meeting, and after holding the prescribed public hearing, the City-County Planning Board voted to recommend **approval** of the zone change, variance request, and annexation request submitted by Maverik, Inc.

The subject property is located just north of Interstate-90 on the west side of Highway 47. The property is legally described as Tract 2, COS 77 Amended (CO), in Section 14, T 1 S, R 33 E, Big Horn County, Montana.

The property is currently zoned AO (agricultural open space), and if the request is granted, would be rezoned to C2 (highway commercial). The variance would allow an 80-foot-wide driveway and 60 parking spaces instead of 75. Road dedication and extension of water and sewer is proposed as part of the annexation request.

At the Planning Board meeting, representatives from the applicant indicated that Maverik does not allow overnight parking and does not have gaming in their locations, which are open 24-hours. It was indicated that the variance was based on past experiences with trailer turning and parking needs. It was also noted that they expect to hire 12-20 employees.

Public and Board discussion centered around traffic concerns, including current conditions on Highway 47 and the width of the proposed access road (Dorn Road). Muddy conditions during construction was also mentioned as a concern, to which the applicants indicated that they usually use methods such as cattle guards or, if necessary, wash stations to keep from tracking mud out of the construction area. It was noted that the Dorn Road shown on the plans may be farther north, and the name should be confirmed, renamed, or differentiated through the use of a suffix, such as Loop or South.

The Planning Board recommended the following conditions of approval for the zone change and variance:

1. All permitting required by the Montana Department of Transportation shall be obtained.
2. Dorn Road shall be constructed as required by the City of Hardin and accepted as such by the Public Works Department. Construction shall be certified by a professional engineer licensed in the State of Montana. The road name should be confirmed or changed as appropriate.
3. The provision of City Services (i.e. water, sewer) shall be coordinated with and subject to the approval of the Public Works Department.
4. The zone change is effective upon annexation. If annexation is not approved, this zone change and variance request are void.
5. The driveway width variance is subject to City Council approval.

6. If a variance from parking space requirements is granted, no less than 60 parking spaces shall be developed and kept accessible.

The Planning Board recommended the following conditions of approval for the annexation request:

1. Water and Sewer service shall be installed at the landowners' expense, and to the approval of the Hardin Public Works Department.
2. A Waiver of Protest as specified in the Application for Annexation, waiving the right to protest the creation of certain improvement districts, shall be filed with the County Clerk and Recorder.
3. Dorn Road shall be built to City standards, except as allowed to be modified by the City Council. Upon final inspection and acceptance, the road shall be dedicated to the City. The road name should be confirmed or changed as appropriate.
4. A survey showing the road dedication shall be filed with the County Clerk and Recorder.
5. The zoning district in effect for the subject property shall be C2-Highway Commercial, pending approval of an associated zone change application.
6. Annexation is effective only upon passage of a resolution by the Hardin City Council providing for annexation.

The Planning Board's recommendation is based on the evidence provided in the application, the staff report, and presented at the public hearing.

Regards,

Corrina Kirschenmann-Kuntz / F.J.M.
Chairman



MAVERIK ZONE CHANGE AND VARIANCE REQUEST – STAFF REPORT

Date: November 29, 2023

To: Hardin City/County Planning Board Members

From: Forrest J. Mandeville, AICP – Planning Consultant

RE: **Maverik Zone Change Application and Variance Request**

Required Planning Board Action: Review, receive public comment at a public hearing, and make a recommendation to the City Council.

Recommendation: **Approval Subject to Conditions**

Recommended Motion: *Having reviewed and considered the application materials, project memorandum, public comments and all of the information presented, I hereby move to recommend **approval** of the Maverik zone change and associated variance request, with the findings and conditions included in the project memorandum.*

Project/Application Summary:

Joshua DeMann of AWA Engineering, on behalf of Maverik, Inc., has applied for a zone change for a 10.22-acre property located just north of Interstate-90 on the west side of Highway 47. The request, if approved, would change the zoning from AO (agricultural open space) to C2 (highway commercial) to allow for the development of a new service station. The property is legally described as Tract 2, COS 77 Amended (CO), in Section 14, T 1 S, R 33 E, Big Horn County.

The property is currently outside of Hardin municipal limits and annexation is proposed.

The subject property is owned by Richard and Lynda Dorn and accessed via Highway 47. The applicant is proposing Dorn Road, on the north side of the property to provide access to the property. Dorn Road would intersect with Highway 47 approximately 580-feet north of the on-ramp with I-90. There is currently an unpaved approach at this location.

The variance would allow a relaxation of parking requirements, allowing the developer to provide 60 parking spaces (including fueling stalls, instead of 75 spaces as required by the zoning code. The applicant has also requested to be allowed to develop an 80-foot-wide access instead of the standard 40-foot width.

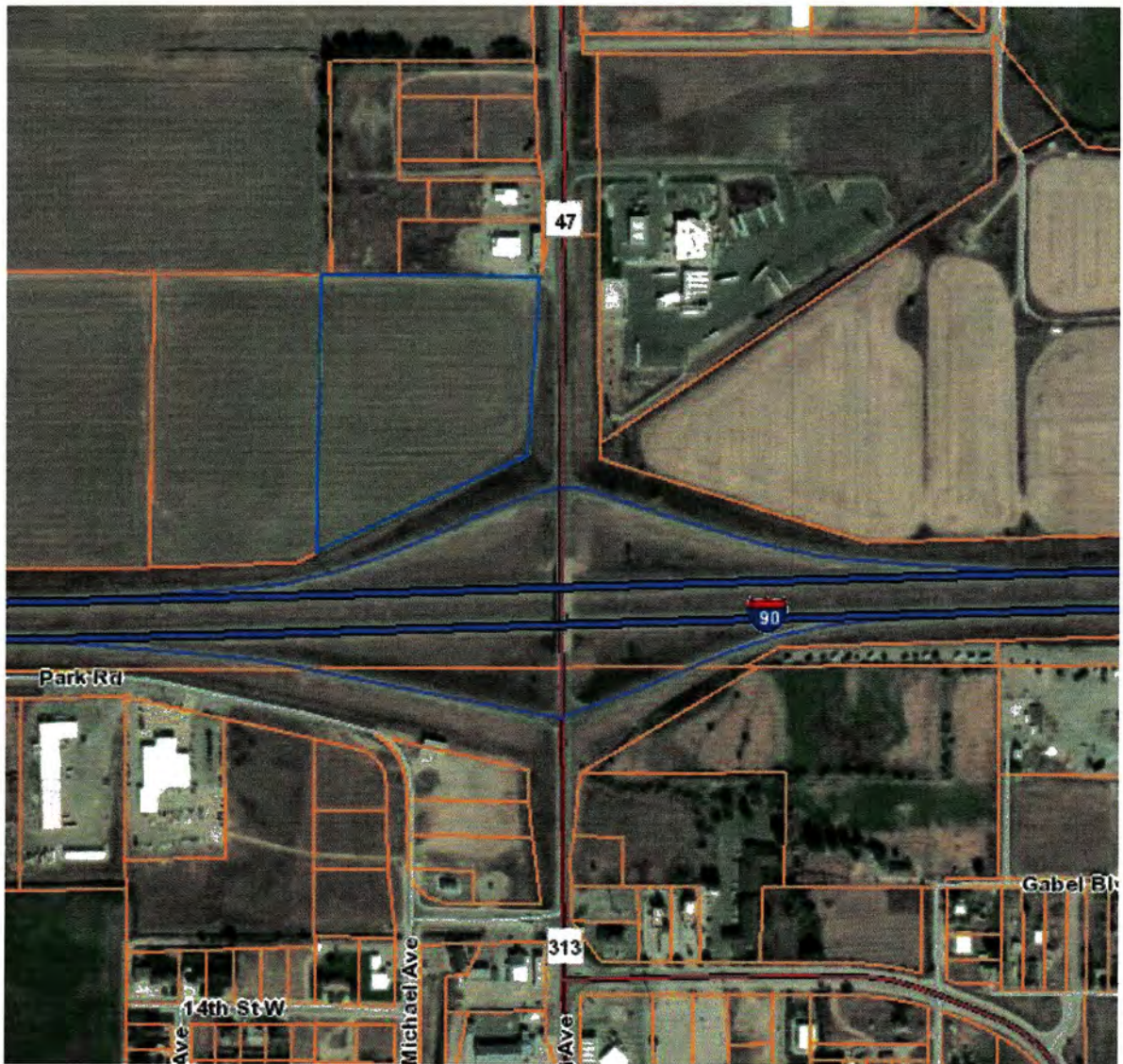
The City/County Planning Board is tasked with conducting a duly advertised public hearing, considering the application, and making a recommendation to the City Council (Common Council). The Board's decision must be made within 30 business days of receiving a complete application.

This is a detailed plat map of a portion of the City of St. Louis, Missouri. The map shows various subdivisions and lots, including:

- I-60 PARK SUBDIVISION**: Located in the upper left, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- WAGNER ADDITION**: Located in the center, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- HUNTER RAMSEY**: Located in the lower left, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- YERGER SUBDIVISION**: Located in the upper right, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- GRENNAN MINOR SUBD**: Located in the center right, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- EVAN GUSTAFSON ADDITION**: Located in the lower right, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.
- Commerce Subdivision**: Located in the bottom right, showing lots 1A, 1B, 1C, 2A, 2B, 3, and 4.

The map includes a scale bar and a north arrow. The title 'PLAT MAP' is located in the upper right corner. The map is color-coded with green, yellow, and blue areas.

2

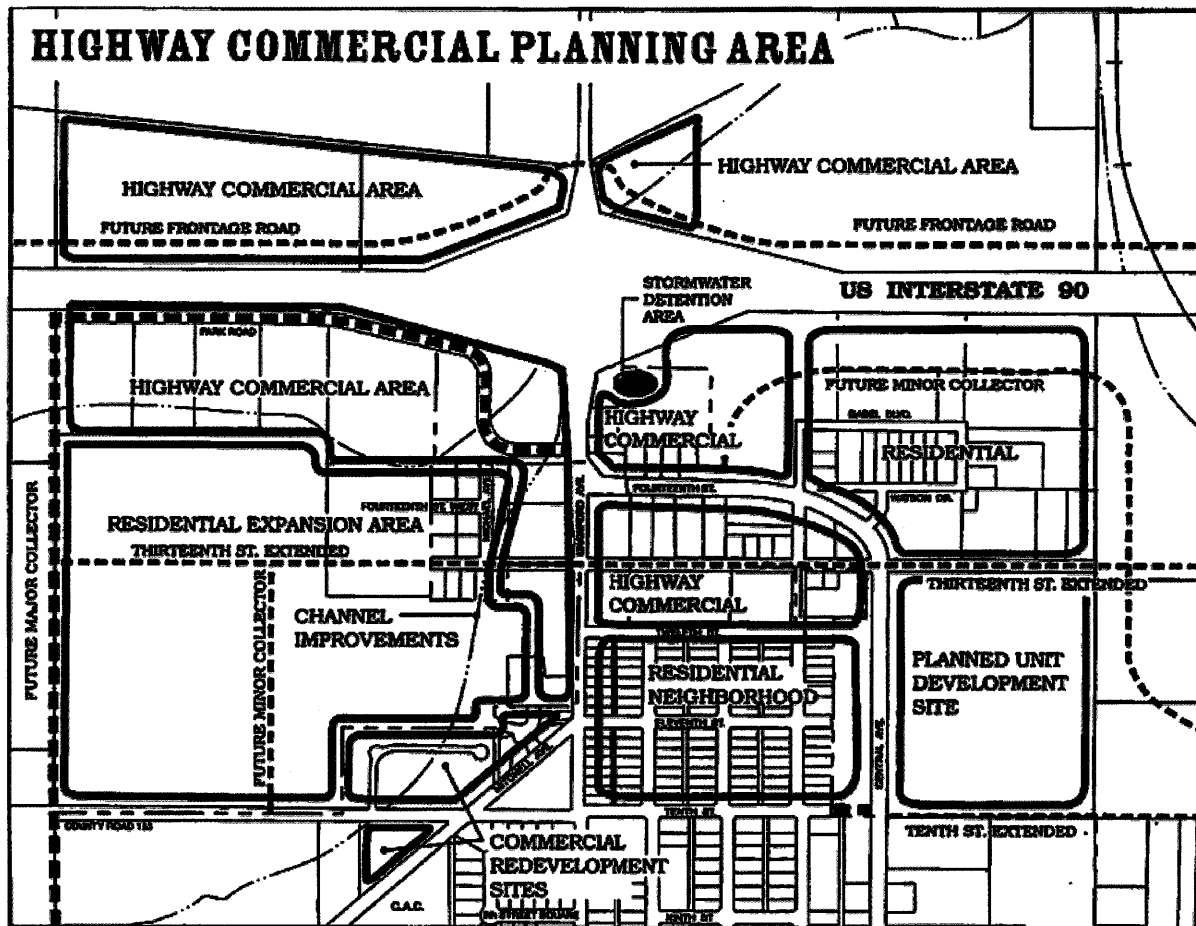


Subject Property (Blue) and Vicinity

Findings of Fact: (Section references are to the Hardin City Code unless otherwise noted)

Section 11-1-9-2 of the Hardin City Code outlines the processes necessary for a zone change to be approved. Municipal zoning is governed in statute by 76-2-301, et seq. State code requires that local governments take into consideration during deliberations on proposed zone changes the “purposes of zoning” as follows:

1. Compliance with the Growth Management Plan. **The 2009 Growth Management Plan identifies a portion of the subject property as “Highway Commercial Area” on the map of the “Highway Commercial Planning Area” on page 49 (see map below). The map also shows a future frontage road going through the property.**



Northwest Planning Area Map from 2009 Growth Management Plan

The requested zone change does not appear to conflict with the 2021 Growth Policy and Downtown Revitalization Plan, or the 2006 Hardin Industrial Park Master Plan.

2. Congestion in the streets. The vicinity contains commercial/industrial uses, including service stations to the north and east. The zone change would result in additional traffic through higher use of the subject property.

The applicant included a Traffic Impact Analysis which indicated the site would generate 276 trips during morning peak hours and 270 trips during afternoon peak hours. Approximately half of these trips would be inbound and half outbound. The analysis concludes that area intersections will operate at an adequate level of service with the development. It is recommended that the turn lane and center median be re-striped, and that appropriate signage, striping, and pavement markings be provided on Dorn Road and Highway 47. The Traffic Impact Analysis was also provided to the Montana Department of Transportation (MDT), which has permitting authority on Highway 47. Any recommendation of approval should include a condition that any requiring permitting with MDT should be obtained.

3. Secure safety from fire, panic, and other dangers. The change, if approved, should have minimal impacts on safety as long as conditions are imposed requiring road design and construction meet necessary requirements.
4. Promote health and the general welfare. No significant impacts on health and general welfare are anticipated if this zone change is approved as long as design requirements are met. The State has standards on underground fuel tank design and operation and building codes. The State also has requirements for accessing off a state highway. The City will require design requirements are met, though variances have been requested to allow for less parking spaces and a wider approach onto Dorn Road.



5. Provide adequate light and air. **The zone change should have little to no impact on the provision of light and air, if approved.**

6. Prevent the overcrowding of land. **The zone change would allow commercial activity on the subject property, which could lead to more crowding in the area long term, especially with regard to traffic. This may be mitigated through improvements to the road network.**
7. Avoid undue concentration of population. **The site is currently zoned for agricultural uses and is currently in agricultural production. This zone change would further a trend of gas stations/truck stops in the area.**
8. Facilitate the adequate provision of transportation, water, schools, parks, and other public requirements. **This zone change should have little to no impact of the provision of water, schools, parks, and other public facilities. Annexation is proposed and water and sewer will be extended to serve the site, per the approval of Hardin Public Works. Transportation networks in the area could be impacted due to the increase in traffic (see discussion under number 2, above).**
9. Character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality. **The site is surrounded by I1 zoning to the north and east, which currently contain similar uses. There is some I2 zoning to the north as well, which is currently vacant. Land to the west is zoned AO and is in agricultural production. The property to the immediate west is owned by the same landowner. Interstate 90 is adjacent to the property to the south, and property south of the Interstate is zoned C2 and contains a variety of commercial uses.**
Approving this zone change would not be an instance of spot-zoning as the site exceeds the minimum zoning district size of 1.928 acres (Section 11-1-3).
Per Section 11-1-2.E, the zone change may be applied for in conjunction with the annexation process, but an approved zone change will only become effective upon annexation.

Variance Request:

The applicant has requested variances on access width and parking requirements. The applicant's request for an 80-foot driveway width would better accommodate tractor trailer access. The relaxation of parking requirements is based on previous parking studies.

The Hardin Zoning Ordinance, Section 11-1-9-3, requires variance requests to provide (1) Proof that the particular property in question is being denied a right under this chapter that is being enjoyed by other properties in the same area and zone, and (2) Proof that a variance grant will not be extending a special privilege to the subject property or cause what would in fact result in a change of land use not allowed in this chapter.

As justification for the driveway width variance, the applicant submitted an exhibit showing similar uses utilize a wider driveway (see exhibit below).



Driveway Width Exhibit

The ability to modify driveway width is specifically reserved to the City Council, and as it is not a zoning variance, does not require further discussion by the City-County Planning Board. Section 9-6-6 of the Hardin City Code states that, "In any commercial and industrial zoned districts, the maximum driveway width shall be forty feet (40'), when approved by City Council, and shall be located in accordance with City specifications and drawings. The minimum distance between curb cuts shall be twenty five feet (25')." Obtaining said variance from the City Council is noted as a recommended condition.

Section 11-1-7-2 of the Hardin Zoning Ordinance requires service stations and drive-in restaurants provide one parking space per 80 square feet of gross floor area with a minimum of 10 parking spaces. The proposed Maverik convenience store would therefore require 75 parking spaces be provided. As shown on the site plan, the applicant is proposing to provide 43 automobile parking spaces, five truck waiting spaces with a 30-minute maximum wait time, 14 automobile fueling stations, and five truck/RV fueling stations, for a total of 67 spaces (some of the submitted material indicates 60 spaces will be provided). The applicant bases this request on site-specific factors and the Institute of Transportation Engineers (ITE) Parking Generation Manual (5th Edition), which recommends 8.11 spaces per 1,000 square feet as the peak weekday demand, or 49 spaces for this development. The projected peak weekend demand is 5.07 spaces per 1,000 square feet.

As further justification of the variance, the applicant submitted an exhibit indicating that the existing Conoco Flying J currently provides 27 parking spaces instead of the approximately 57 that would be required to be provided based on the zoning ordinance. According to information on Montana Cadastral, the Flying J was constructed in 1971 and remodeled in 2000. The ordinance allows existing non-conforming uses to continue, so long as they are not enlarged. It should also be noted that the Flying J appears to utilize an unpaved parking area to the east under the same ownership for additional parking.

If the variance is not allowed, there may be room to provide additional parking on the south or east side of the development, though allowance for proper truck turning radii may limit that space. If the variance relaxing parking requirements were to be allowed, a condition should require a minimum number of spaces be developed and kept accessible.

Parking Variance Support Exhibit



Parking Variance Exhibit

Recommendation:

Based on the findings contained in this report, it is recommended that the City/County Planning Board recommend approval of the zone change and variance requests subject to the following conditions:

1. All permitting required by the Montana Department of Transportation shall be obtained.
2. Dorn Road shall be constructed as required by the City of Hardin and accepted as such by the Public Works Department. Construction shall be certified by a professional engineer licensed in the State of Montana.
3. The provision of City Services (i.e. water, sewer) shall be coordinated with and subject to the approval of the Public Works Department.
4. The zone change is effective upon annexation. If annexation is not approved, this zone change and variance request are void.
5. The driveway width variance is subject to City Council approval.
6. If a variance from parking space requirements is granted, no less than 60 parking spaces shall be developed and kept accessible.



ZONE CHANGE APPLICATION REQUEST FORM
CITY OF HARDIN, MONTANA

Name and email of property owner(s) and agents (if any): Current Property Owner: Richard A Dorn
and Lynda L Dorn. rick@dornrealestate.com. Applicant on behalf of Maverik Inc. : Melanie Ruff; melanie.ruff@maverik.com

Address & phone of property owner(s): Current Property Owner: 406-861-1002 2680 Overland Avenue,
Suite F, Billings, MT 59102. Applicant: Maverik, Inc. 185 S. State Street Suite 800, Salt Lake City, UT 84111;
385-343-4137

Legal or metes and bounds description of property, tract(s), to be rezoned: Tract 2 of parcel described as:
THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS
CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531

☒ A scale map showing dimensions, acreage, and location of the property, tract(s), and adjacent parcels within 150 feet.

☒ Attach a list of property owners of record and their addresses within 150 feet surrounding the property.

Present zoning and desired zoning: Present Zoning: AO; Desired Zoning: C2

☒ Provide an accurate straight-line drawing prepared within thirty (30) days prior to application depicting the property, and include a list of names and addresses of all property owners of record owning property within 150 feet of the proposed location; and a copy of the geocode map of all property owners of record owning property within one hundred fifty feet of the proposed location provided by the Montana department of revenue property assessment Big horn office.

☒ Show present and desired zoning of the subject tract(s).

☒ Twelve (12) copies of the zone change application form with accompanying information shall be submitted to the City Clerk on the first day of the month prior to the month in which the Zoning Commission will hear the application. If the application is not complete its review will be postponed one month until all required information is presented.

The Zoning Commission will notify adjacent property owners of record and advertise and conduct a public hearing before making its recommendation to the Hardin Common Council.

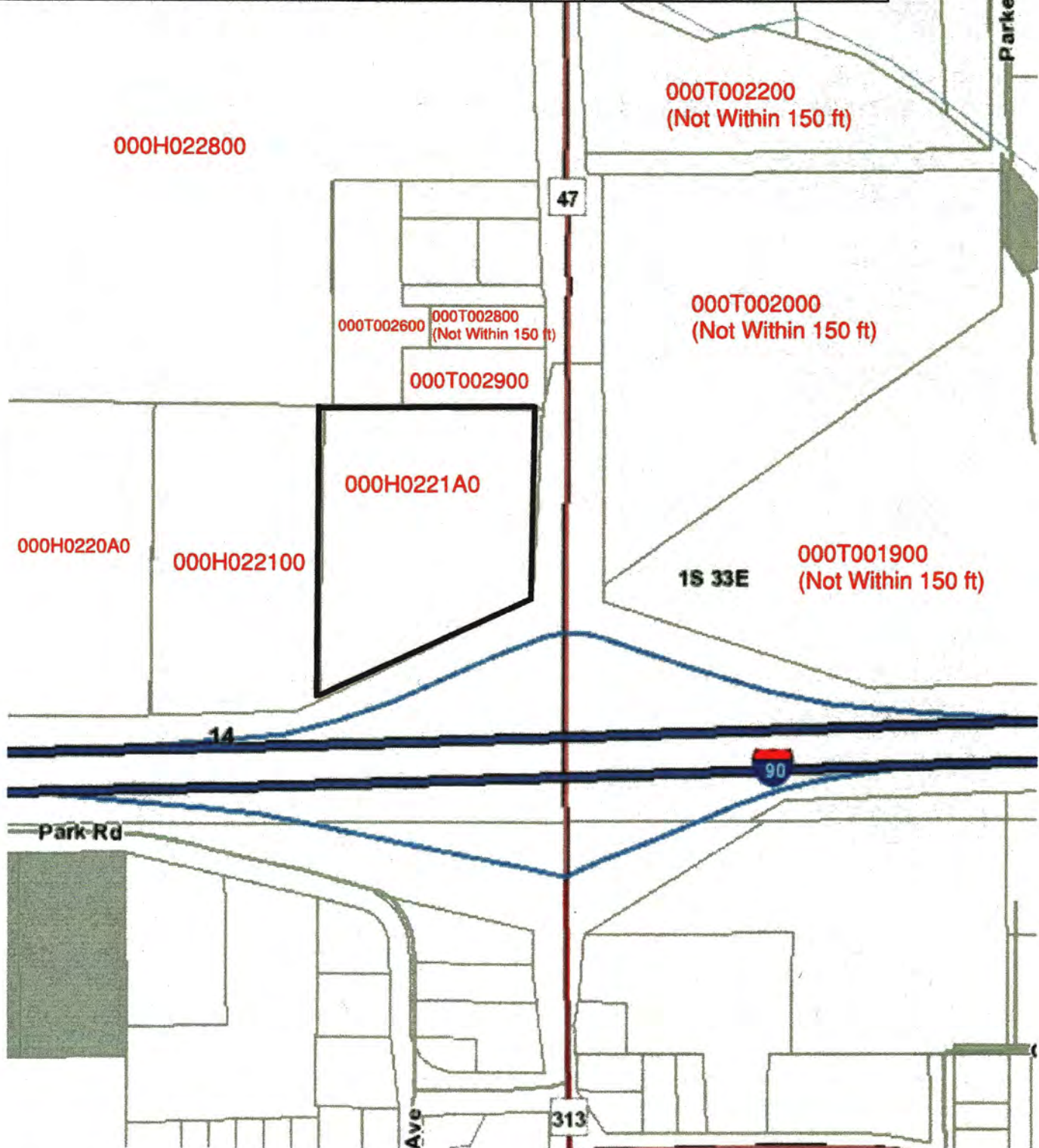
☒ Review fee: \$150.00 (Please make checks payable to: City County-Planning Board)

I understand the review fee is not refundable and does not constitute a payment for zone change. I am the applicant or the authorized agent of the applicant. I understand I must appear before the Zoning Commission and the Common Council when my application is considered. All the information presented herewith is true and correct to the best of my knowledge.

Signature of applicant or agent: Melanie Ruff Date: September 28, 2023

Properties and Owners Within 150 ft

Assessment Code	Property #	Owner	Address
000H022100	22-0934-14-2-02-01-0000	Dorn Richard A	Bighorn Road, Hardin MT, 59034
000H022800	22-0934-14-2-01-01-0001	Shirasago Mary F	Not Listed
000T002600	22-0934-14-2-04-01-0000	Morissette Marc J	Highway 47, Hardin, MT 59034
000T002900	22-0934-14-2-05-03-000	#8 Hardin Montana Property LLC	1600 N Crawford Ave, Hardin, MT 59034



Project No. 23-048

Date 04/28/2023

Scale NTS

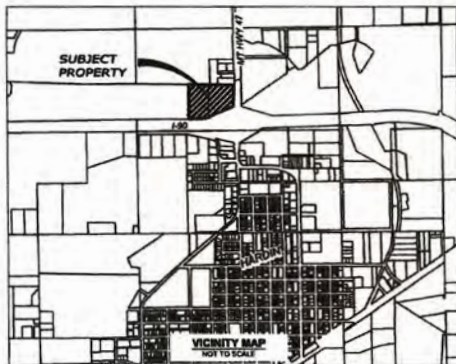
Drawn By JC



MONTANA
CADASTRAL
PARCEL MAP

Figure

4



SURVEYOR'S NOTES

- A. THE FIELD WORK FOR THIS SURVEY WAS PERFORMED BY A HYALITE FIELD CREW AND COMPLETED ON MAY 19, 2023.
- B. SUBJECT PROPERTY HAS NO DIRECT ACCESS TO INTERSTATE 90.
- C. SUBJECT PROPERTY HAS DIRECT ACCESS TO STATE HIGHWAY 47.
- D. AT THE TIME OF THIS SURVEY NO ADJACENT HAS BEEN ASSIGNED TO SUBJECT PROPERTY.
- E. AT THE TIME OF THE FIELD SURVEY THERE WAS NO BUILDING OBSERVED ON THE SUBJECT PROPERTY.
- F. AT THE TIME OF THE FIELD SURVEY THERE WAS NO DRIVWAY OR PARKING SPACES OBSERVED ON THE SUBJECT PROPERTY.
- G. THE SUBJECT PROPERTY CONTAINS A TOTAL OF 26.43 ACRES (90.30 SQ. FT.) MORE OR LESS.
- H. AT THE TIME OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SWAMP OR LANDFILL.
- I. AT THE TIME OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF EARTHMOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT PARCELS.
- J. AT THE TIME OF THE FIELD SURVEY THERE WAS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- K. AT THE TIME OF THE FIELD SURVEY THERE WAS NO PROPOSED CHANGES IN THE STREET RIGHT-OF-WAY.
- L. NO ZONING REPORT WAS SUPPLIED BY CLIENT. SUBJECT PROPERTY ZONING INFORMATION WAS ACQUIRED FOR THE CITY OF HARLOW'S WEBSITE ON 7/26/2023.
- M. AT THE TIME OF THE SURVEY THERE WAS EVIDENCE OF ADJACENT PROPERTIES USING DORN ROAD FOR ACCESS AS SHOWN AND NOTED HEREON.
- N. DURING THE COURSE OF THIS SURVEY NO GAPS, GORES OR OVERLAPS IN THE SUBJECT PROPERTY AND ADJACENT PROPERTIES WERE FOUND.
- O. DATA, P.C. ONLY ACKNOWLEDGES SIGNED AND STAMPED MAP AND DRAWINGS. NO RESPONSIBILITY OR LIABILITY IS EXPRESSED OR IMPLIED FOR ELECTRONIC DATA AND/OR REPRODUCED MAPS AND DRAWINGS.

LEGAL DESCRIPTION (PER TITLE COMMITMENT)

THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS CERTIFICATE OF SURVEY NO. 77 AMENDED (CO) ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531.

TITLE COMMITMENT ORDER NUMBER 109630 COMMITMENT DATE APRIL 7, 2023
TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

SCHEDULE B - PART II EXCEPTIONS FROM COVERAGE

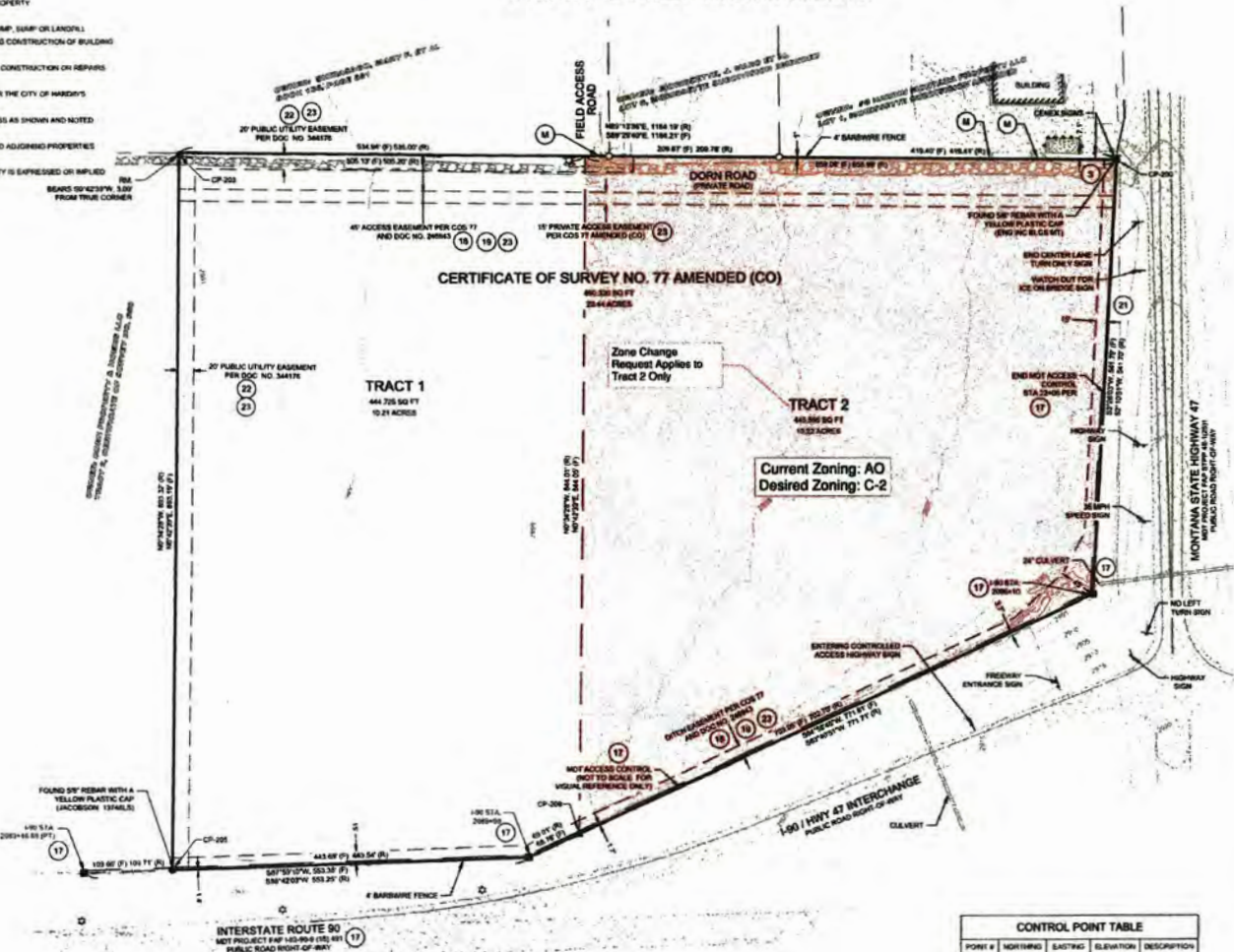
EXCEPTIONS 1-12 ARE NON-SURVEY EXCEPTION ITEMS.

13. RESTRICTIONS IN WARRANTY DEED TO CONRAD SEADER AND KATHERINE SEADER, RECORDED APRIL 27, 1945, IN BOOK 27 DEEDS, PAGE 632, UNDER DOCUMENT #12957, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
14. EASEMENT RESERVATIONS ARE BLANKET IN NATURE OVER SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 14, IN WHICH THE SUBJECT PROPERTY FALLS WITHIN.
15. RESERVATIONS IN UNITED STATES PATENT, RECORDED SEPTEMBER 23, 1948, IN BOOK 29 DEEDS, PAGE 41, UNDER DOCUMENT #131924.
16. NOT LOCATED ON SUBJECT PROPERTY.
17. RESTRICTIONS IN WARRANTY DEED TO HENRY FRICKEL, JR., RECORDED JULY 9, 1947, IN BOOK 30 DEEDS, PAGE 334, UNDER DOCUMENT #134807, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
18. EASEMENT RESERVATIONS ARE BLANKET IN NATURE OVER SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 14, IN WHICH THE SUBJECT PROPERTY FALLS WITHIN.
19. NOTICE OF AN EASEMENT FOR IRRIGATION LATERALS AND MATTERS INCIDENTAL THERETO, CONTAINED IN WARRANTY DEED, RECORDED JULY 9, 1947, IN BOOK 30 DEEDS, PAGE 334, UNDER DOCUMENT #134807.
20. EASEMENT RESERVATIONS ARE BLANKET IN NATURE OVER SOUTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 14, IN WHICH THE SUBJECT PROPERTY FALLS WITHIN.
21. CHANNEL CHANGE EASEMENT CONDEMNED BY JUDGMENT AND FINAL ORDER OF CONDEMNATION IN CIVIL CASE NO. 8760, BIG HORN, MONTANA, IN FAVOR OF THE STATE OF MONTANA FOR THE BENEFIT AND USE OF ITS STATE HIGHWAY COMMISSION, A CERTIFIED COPY OF SAID JUDGMENT AND FINAL ORDER OF CONDEMNATION WAS RECORDED JULY 31, 1969, IN BOOK 74 DEEDS, PAGE 548, RECORDS OF BIG HORN, MONTANA.
22. ESTABLISHED RIGHT-OF-WAY LINES ALONG SUBJECT PROPERTY'S SOUTH AND EAST PROPERTY LINE AND ACCESS CONTROL AS SHOWN AND NOTED.
23. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY RECORD OF SURVEY RECORDED JANUARY 6, 1973, AS INSTRUMENT NUMBER 248556, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
24. EASEMENTS ARE LOCATED ON SUBJECT PROPERTY AS SHOWN AND NOTED HEREON.
25. RESTRICTIONS IN WARRANTY DEED TO BIG HORN IMPLEMENT CO. A MONTANA CORPORATION, RECORDED APRIL 9, 1975, IN BOOK 6 OF MFL, PAGE 220, UNDER DOCUMENT #248943, BUT OMITTING ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
26. EASEMENTS ARE LOCATED ON SUBJECT PROPERTY AS SHOWN AND NOTED HEREON.
27. NOTICE OF AN EASEMENT FOR ACCESS TO A DITCH AND MATTERS INCIDENTAL THERETO, CONTAINED IN WARRANTY DEED, RECORDED APRIL 9, 1975, IN BOOK 6 OF MFL, PAGE 220, UNDER DOCUMENT #248943.
28. THIS IS THE SAME DOCUMENT AT EXCEPTION 19 AND HAS ALREADY BEEN ADDRESSED.
29. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY RECORD OF SURVEY RECORDED JANUARY 5, 2009, AS INSTRUMENT NUMBER 349531, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
30. RETRACEMENT OF HIGHWAY RIGHT-OF-WAY THAT IS LOCATED ALONG THE EAST PROPERTY LINE OF SUBJECT PROPERTY AS SHOWN AND NOTED HEREON.
31. EASEMENT FOR MAINTAINING UTILITIES AND MATTERS GRANTED TO THE CITY OF HARLOW, RECORDED APRIL 21, 2011, IN BOOK 115, PAGE 1022, UNDER DOCUMENT #344176.
32. EASEMENT IS LOCATED ON SUBJECT PROPERTY AS SHOWN AND NOTED HEREON.
33. ALL MATTERS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND ANY RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST BY REASON THEREOF, DISCLOSED BY RECORD OF SURVEY RECORDED NOVEMBER 7, 2014, AS INSTRUMENT NUMBER 349531, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(C).
34. EASEMENTS ARE LOCATED ON SUBJECT PROPERTY AS SHOWN AND NOTED HEREON.

FEMA FLOOD ZONES PER MAP NUMBER 38514M3750 MAP EFFECTIVE DATE SEPTEMBER 2, 1981

COMMUNITY: BIG HORN COUNTY, MONTANA
DATE: 2014
FIRM: 375
SHEET: 8

ZONE C: AREAS OF MINIMAL FLOODING



CONTROL POINT TABLE				
POINT #	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP-201	59499.02	69124.22	2891.13	1PC
CP-202	59499.09	69127.93	2891.61	2PC
CP-203	59510.47	69115.97	2891.61	1PC
CP-204	59509.04	69121.73	2891.47	2PC



COMMISSIONED BY

MAVERIK INC.

OWNER OF RECORD

RICHARD A. DORN AND LYNDA L. DORN

BASE OF BEARINGS AND COORDINATES
WGS84 MONTANA COORDINATE REFERENCE
SYSTEM (NAD 83) COORDINATE SYSTEM
NAD83/UTM ZONE 18N
GRID NORTH BASED ON GROUND OBSERVATION
DATA, P.C. PROJ. NO. 7144

SCALE IN FEET
UNITS FOR DISTANCES AND COORDINATES SHOWN ARE
INTERNATIONAL FEET
AREA AND DISTANCES SHOWN ARE GROUND
VERTICAL DATUM IS NAVD83
PER MONTANA STATE REFERENCE #87004
STANDARD INFO

DJ & C
ENGINEERS
PLANNERS
SURVEYORS
1000 MAPLE STREET
WILSON, MONTANA 59101

PREPARED FOR:
HYALITE
1000 MAPLE STREET
WILSON, MONTANA 59101
WWW.HYALITEENGINEERING.COM

CERTIFICATION
I, RICHARD A. DORN AND LYNDA L. DORN (INDIVIDUALS), MAVERIK INC. (PROPOSED-INDIVIDUALS) AND OLD REPUBLIC NATIONAL
TITLE INSURANCE COMPANY (INSURER)

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE
WITH THE 2011 MONTANA STANDARD DETAIL REQUIREMENTS FOR ALL LANDS AND TITLE SURVEYS, JOINTLY
ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 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CITY OF HARDIN
CONDITIONAL USE PERMIT APPLICATION



Twelve copies of the complete application for Conditional Use Permit must be received by the City Clerk on the first day of the month proceeding the month in which the application shall be reviewed by the City County Planning Board (CCPB) at its regularly scheduled meeting which is the second Monday of the month. The application will not be forwarded for review unless it is complete and the review fee paid. The City County Planning Board will advertise and hold a public hearing regarding the application, and adjacent property owners of record will be notified of the hearing. The City County Planning Board will make a recommendation to the Hardin City Council.

Tract 2 of Parcel described as:
THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE
PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS
CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF THE
CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531

1. Legal description of property: Tract 2 of Parcel described as:
THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE
PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS
CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF THE
CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531
2. Address or general location of property: NW Corner Interstate 90 and Montana State Hwy 47
3. Existing zoning: Agricultural Open Space District (AO)- requesting zone change to C2 - Highway
Commercial District
4. Conditional use being requested: Variance on access width, variance on parking requirements
Requesting 80' driveway width to accommodate tractor trailer access. Current parking requirements (1
stall per 80 s.f.) would result in 75 parking spaces, previous parking study by Maverik has determined
5. Reason for request: that 40 parking spaces is adequate for the proposed store footprint and number of fuel pumps.
6. Possible noise, vibration, air pollution, electrical interference, or other environmental
impacts that may be generated by the proposed use:
N.A.
7. Attach a list of adjacent landowners of record, certified by the County Clerk, within 150
feet of the property. List attached - see page 3
8. Attach scaled drawings of the:
 - ☒ A. Subject property, including size, and existing buildings and improvements
 - ☒ B . Proposed use, buildings, and improvements
 - ☒ C . Adjacent land uses and improvement.
 - ☒ D. Existing natural features of the site such as vegetation or wetlands
 - ☒ E . Off street parking, access, and egress
 - ☒ F. Landscaping, signs, lighting, and fencing

9. Name of owner of record: Tele:

Richard A Dorn and Lynda L Dorn

10. Address of owner of record: Tele:

2680 Overland Avenue, Suite F, Billings, MT 59102

11. Name of applicant: Tele:

Maverik, Inc.

12. Address of applicant: Tele:

185 S State St. Suite 800 Salt Lake City, UT 84111

13. Other information as may be needed by the City
County Planning Board

REVIEW FEE: \$150

Make checks payable to: **City County Planning Board**

I, Melanie Ruff, understand that the filing fee

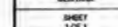
PRINT NAME

accompanying this application is not refundable, that it pays part of the cost of processing this application, and that the fee does not constitute a payment for a conditional review permit. I certify that all information hereon and herewith is true and correct, and I understand that I or my agent must appear in person before the City County Planning Board and City Council when this application is being reviewed.

Signature of applicant: Melanie Ruff

Date: September 28th, 2023

Properties and Owners Within 150 ft		
Assessment Code	Property #	Owner
000H022100	22-0934-14-2-02-01-0000	Dorn Richard A
000H022800	22-0934-14-2-01-01-0001	Shirasago Mary F
000T002600	22-0934-14-2-04-01-0000	Morissette Marc J
000T002800	22-0934-14-2-05-02-0000	#8 Hardin Montana Property LLC
000T002900	22-0934-14-2-05-03-000	#8 Hardin Montana Property LLC



Scatter $I^{\circ} = 30^{\circ}$

File Construction Notes

General Site Notes:

- All structures are in kind of some extent shrouded in mist.
- The site map is not open to be modified as decided by the VDA.
- All meetings should be held within the site and in the presence of each other as decided by the VDA.
- Each and every one of the people who are in the site should be aware of the site.
- Everyone should follow the rules of the site.

[illegible][illegible]

Planning is critical to your

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bioactive compounds (polyphenols, flavonoids, carotenoids, and vitamins) in the diet. In addition, the use of probiotics and prebiotics can help maintain a healthy gut microbiome, which is essential for overall health and disease prevention.

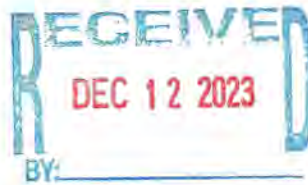
Improvement steadily appears (only in 1988)

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Don Road



MAVERIK ANNEXATION – STAFF REPORT

Date: November 29, 2023

To: Hardin City/County Planning Board Members

From: Forrest J. Mandeville, AICP – Planning Consultant

RE: **Maverik, Inc., Application for Annexation**

Required Planning Board Action: Review, receive public comment at a public hearing, and make a recommendation to the City Council.

Recommendation: **Approval**

Recommended Motion: *Having reviewed and considered the application materials, project memorandum, public comments and all of the information presented, I hereby move to recommend **approval** of the Maverik Annexation request, with the findings and conditions included in the project memorandum.*

Project/Application Summary:

Joshua DeMann of AWA Engineering, on behalf of Maverik, Inc., has submitted an annexation request for a 10.22-acre property located just north of Interstate-90 on the west side of Highway 47. The property is legally described as Tract 2, COS 77 Amended (CO), in Section 14, T 1 S, R 33 E, Big Horn County.

The subject property is owned by Richard and Lynda Dorn and accessed via Highway 47. The applicant is proposing Dorn Road, on the north side of the property to provide access to the property. Dorn Road would intersect with Highway 47 approximately 580-feet north of the on-ramp with I-90. There is currently an unpaved approach at this location.

Water and sewer are in place to the northwest of the property and would be extended across Dorn Road to serve the proposed development of a service station and convenience store. There is an associated zone change and variance request pending.

Required Board Action:

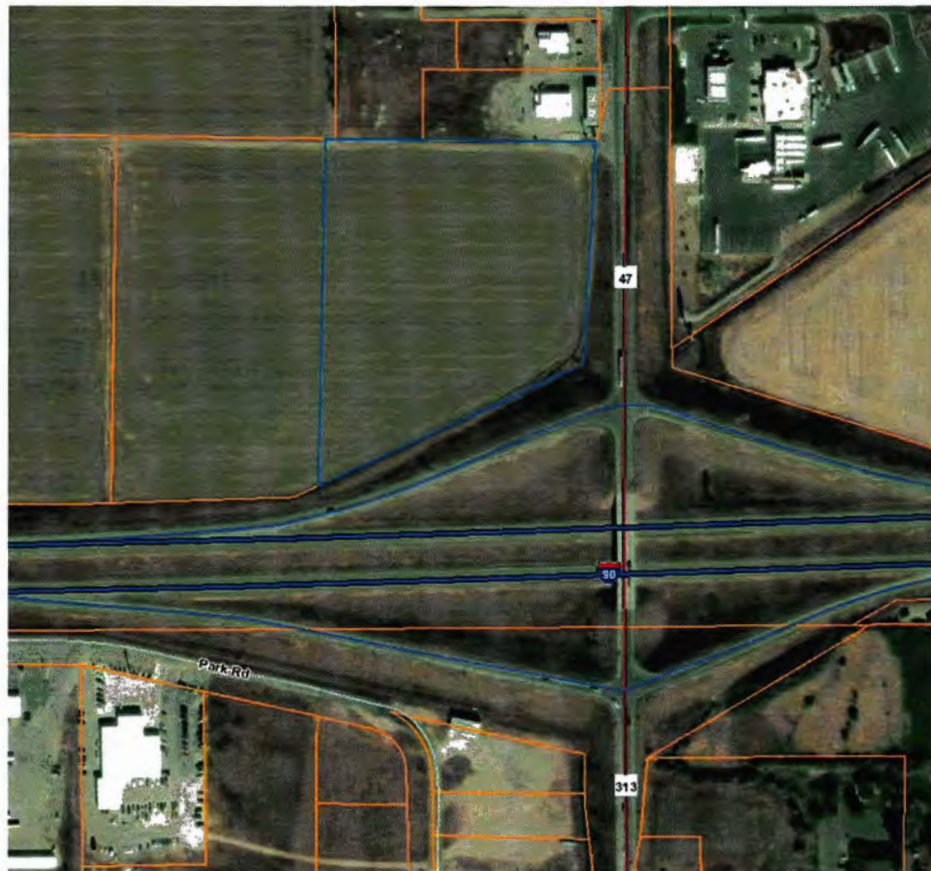
The City/County Planning Board is tasked with conducting a duly advertised public hearing, considering the application, and making a recommendation to the City Council (Common Council). The City Council, after receiving the Board's recommendation, shall make a final decision on the application.

Findings of Fact: (Section references are to the Hardin City Code unless otherwise noted)

The subject property is adjacent to water and sewer lines. Service will be needed to provide service to the property, the cost of which should be the responsibility of the applicant. The applicant provided a cost estimate as part of the application documents indicating the cost of water service would be approximately \$17,239 and sewer service would be approximately \$4,000.

The stated intent of annexation is to develop an automobile service station and convenience store. A zone change, from AO to C2, has also been submitted. The property is adjacent to property that is already within the municipal limits of the City of Hardin.

Section 3-3B-2(C) of the Hardin City Code indicates that one of the purposes of regulations relating to the Water Service Area is to "Promote annexation to the corporate City limits of all properties to be served with water service from the water supply system". Section 3-3B-7 states, in part, that "It shall be the City policy that all properties to be included within the water service area should be annexed or an attempt at annexation should be made first and before any water service area enlargement application may be considered."



Subject Property (Blue) and Vicinity

Section 3-3B-8 requires a “waiver of protest to special improvement districts as they may be created for other services or improvements in the area.” The applicant has provided as part of the application for annexation a waiver of the right to protest the creation of one or more special improvement districts for the construction of streets, curbs and gutters, sidewalks, driveways, street lights, storm or sanitary sewer mains, water distribution lines, park maintenance, or other incidental improvements that the City may require. This waiver should be filed with the County Clerk and Recorder.

Section 9-1-4(D) states that “If the construction of new curbs and gutters is part of a new annexation, subdivision, addition or other similar new development, then the City may order that the property owner bear the full cost of the construction of new curbs and gutters as part of the annexation, subdivision, addition, or similar planning agreement.” The applicant is proposing to construct a new road, Dorn Road, which will be built to City standards, including pavement, curb and gutter, and storm drainage, though the applicant has requested a variance from driveway width to accommodate trailers. The road will be dedicated to the City after acceptance. The applicant also submitted a survey creating the new 60-foot wide right-of-way, which will need to be finalized and filed with the County Clerk and Recorder.

Section 11-1-1-2(E) states that “As part of the annexation process, however, if the specific zoning desired for the property is known, that zoning can be applied for during the annexation process and become effective upon annexation.” The property is currently zoned AO Agricultural Open Space. As previously noted, an application for a zone change to C2 Highway Commercial has been submitted.

Pursuant to 7-2-4601, Montana Code Annotated, if the annexation is approved, the City must pass a resolution providing for annexation.

Recommendation:

Based on the findings contained in this report, it is recommended that the City/County Planning Board recommend approval of the annexation request subject to the following conditions:

1. Water and Sewer service shall be installed at the landowners’ expense, and to the approval of the Hardin Public Works Department.
2. A Waiver of Protest as specified in the Application for Annexation, waiving the right to protest the creation of certain improvement districts, shall be filed with the County Clerk and Recorder.
3. Dorn Road shall be built to City standards, except as allowed to be modified by the City Council. Upon final inspection and acceptance, the road shall be dedicated to the City.
4. A survey showing the road dedication shall be filed with the County Clerk and Recorder.
5. The zoning district in effect for the subject property shall be C2-Highway Commercial, pending approval of an associated zone change application.
6. Annexation is effective only upon passage of a resolution by the Hardin City Council providing for annexation.



APPLICATION FOR ANNEXATION TO THE
CITY OF HARDIN

1. Thirteen copies of this application and all attachments must be prepared and submitted to the City Clerk on or before the first working day of the month preceding the month in which the City-County Planning Board will hold a duly advertised public hearing, consider the application, and make a recommendation to the City Council. Failure to fully complete the application and provide all accompaniments will delay the application.
2. Name of applicant landowner: Applicant on behalf of Maverik, Inc. - Melanie Ruff; melanie.ruff@maverik.com
3. Address and telephone number of applicant: Telephone- Melanie Ruff: 385-343-4137
Address- Maverik: 185 S State St. Suite 800 Salt Lake City, UT 84111
4. Legal description of property to be annexed (must be either part of a subdivision or certificate of survey): THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS TRACT 2 OF CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531
5. General location of property to be annexed: Northwest corner of I 90 entrance/exit ramp and Highway 47
6. Attach a map showing parcel in relation to the existing City limits and for at least 300 feet from the parcel boundary. Include location of existing street(s) and alley(s) serving the parcel as well as nearest sanitary and storm sewer, water main, fire hydrant, and utility lines.
7. What is the cost of extending the services in Item 6, how were such costs determined, who will pay for the costs, and what is the timeframe for construction?
8. Attach a Waiver of Protest (see attached) for recording with the County Clerk and Recorder and containing a covenant to run with the land to be annexed waiving all right of protest to the creation of any special improvement district to be created thereafter for the initial construction or maintenance of any of the following improvements or services: Street grading, paving, improvement, or maintenance; curb, gutter, or sidewalk; lighting; storm and sanitary sewer; water main; and other improvements deemed necessary by the City Council.
9. A non-refundable review fee of \$150.00 (checks must be made out to Hardin Planning Board) must accompany this application.
10. Signature of applicant: Melanie Ruff Date: 10/17/2023
11. Date application received by City Clerk: 10/25/2023
12. Signature of City Clerk: Andrew Lehr

WAIVER OF PROTEST

For consideration of annexation to the City of Hardin, the undersigned, owner of the hereinafter described property, does hereby waive the right to protest the creation of one or more special improvement districts for the construction of streets, curbs and gutters, sidewalks, driveways, street lights, storm or sanitary sewer main serving the area in which the annexation is located, water distribution lines, park maintenance, and other incidental improvements the City of Hardin may require.

This waiver shall run with the land and shall be binding upon the undersigned, its successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Big Horn County, Montana.

The property hereinabove mentioned is more particularly described as follows, to-wit:

THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS TRACT 2 OF CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531

Dated this 17th day of October, 2023. By: Richard A. Dorn
Richard A. Dorn

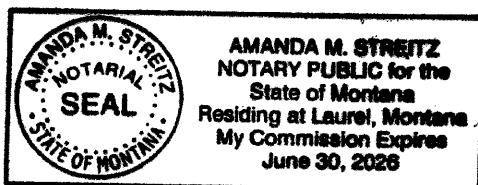
Attest: _____

STATE OF MONTANA)
 Yellowstone : ss.
County of ~~Big Horn~~)

Subscribed and sworn to before me, a Notary Public in and for the State of Montana

this 17 day of October, 2023
(SEAL)

Amanda M. Streitz
Notary Public for the State of Montana
Residing at Laurel, MT
My commission expires 06/30/2026



WAIVER OF PROTEST

For consideration of annexation to the City of Hardin, the undersigned, owner of the hereinafter described property, does hereby waive the right to protest the creation of one or more special improvement districts for the construction of streets, curbs and gutters, sidewalks, driveways, street lights, storm or sanitary sewer main serving the area in which the annexation is located, water distribution lines, park maintenance, and other incidental improvements the City of Hardin may require.

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The property hereinabove mentioned is more particularly described as follows, to-wit:

THAT PART OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 33 EAST, OF THE
PRINCIPAL MONTANA MERIDIAN, IN BIG HORN COUNTY, MONTANA, DESCRIBED AS
TRACT 2 OF CERTIFICATE OF SURVEY #77 AMENDED (CO) ON FILE IN THE OFFICE OF
THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT # 349531

Dated this 18 day of October, 2023 By: Syndee L. Dorn
Syndee L. Dorn

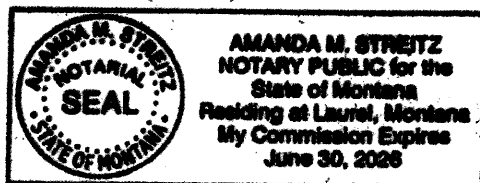
Attest: _____

STATE OF MONTANA)
 Yellowstone : ss.
County of Big Horn)

Subscribed and sworn to before me, a Notary Public in and for the State of Montana,

this 18 day of October, 2023

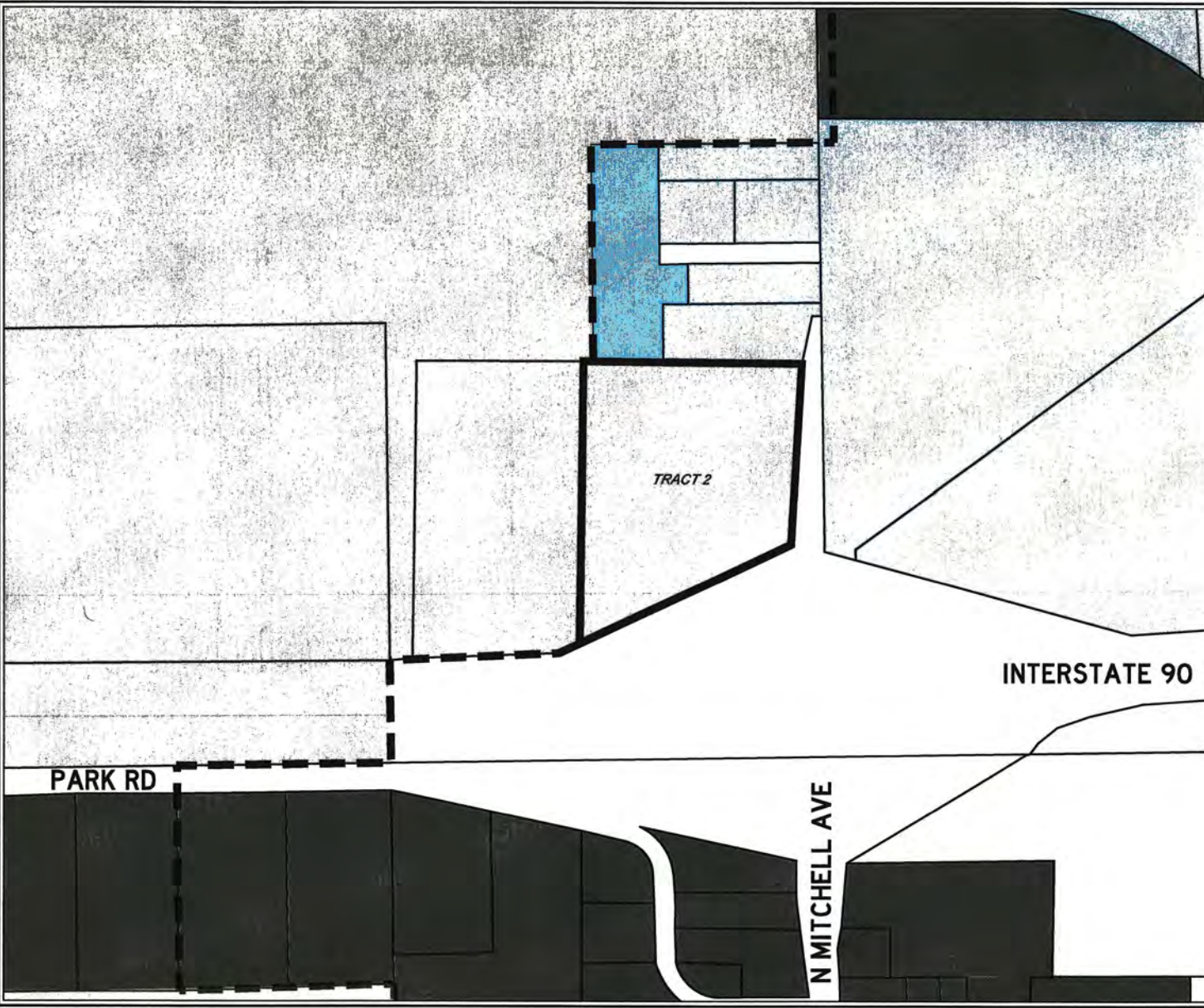
(SEAL)



Amanda M. Streit
Notary Public for the State of Montana
Residing at Laurel, MT
My commission expires June 30, 2026

Item No.	Description	Quantity		Unit Price		Cost
Water (Public)						
1	6" PVC Fire Line	41	LF	\$55.00	LF	\$2,255.00
2	2" Single Service	46	LF	\$4.00	LF	\$184.00
3	2" PVC Service Tap	1	EA	\$4,600.00	LF	\$4,600.00
4	2" Water Meter Vault	1	EA	\$2,500.00	EA	\$2,500.00
5	8"x8"x6" Tee	1	EA	\$1,200.00	EA	\$1,200.00
6	6" Gate Valve	1	EA	\$1,500.00	EA	\$1,500.00
7	Fire Hydrant	1	EA	\$5,000.00	EA	\$5,000.00
Subtotal						\$17,239.00
Sewer (Public)						
8	6" PVC Sewer Line	40	LF	\$55.00	LF	\$2,200.00
8	Connection to Existing Sewer Manhole	1	EA	\$1,800.00	EA	\$1,800.00
Subtotal						\$4,000.00
GRAND TOTAL						\$21,239.00

C:\Users\miller\OneDrive\Engineering\2023-078 Maverik - Hardin Annexation\CADD\DWG\2023-078 Maverik Hardin Annexation.dwg
10/26/2023 12:20:37 PM
PLOT STANDARD CTR



LEGAL DESCRIPTION

TRACT 2 OF CERTIFICATE OF
SURVEY NO. 77 AMENDED
LOCATED IN THE SE 1/4 OF THE
NW 1/4 OF SECTION 14, T01S,
R33E, P.M.M., BIG HORN COUNTY,
MONTANA

COUNTY ZONING LEGEND

- C2
- I1
- I2
- R1
- AO

EXISTING MUNICIPAL BOUNDARY

PROPOSED ANNEXATION
BOUNDARY



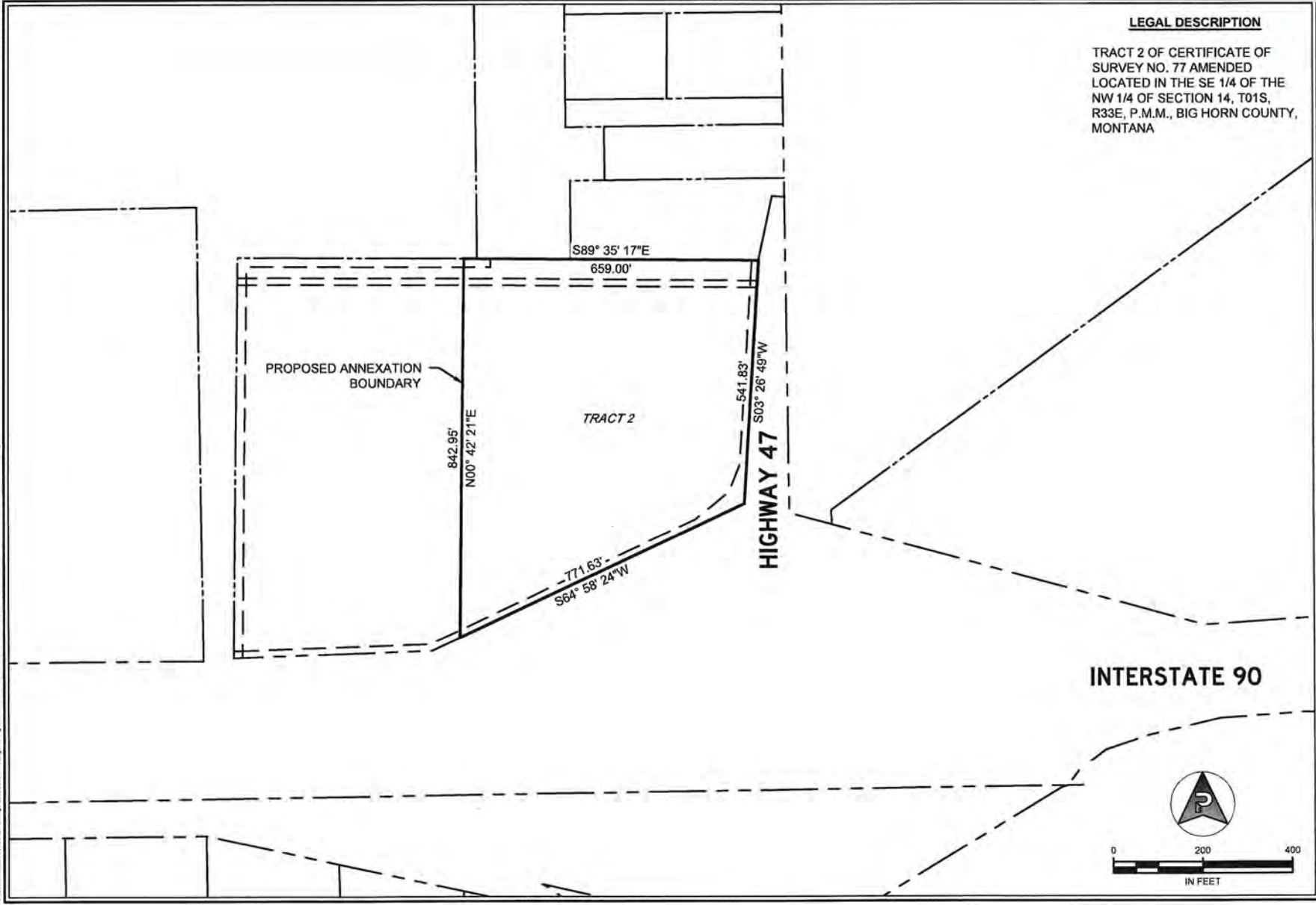
MAVERIK, INC.

HARDIN, MONTANA
HIGHWAY 47

DESIGNED BY	QUALITY ASSURANCE
CHECKED BY	CHECKED BY
DATE	DATE
REV BY	DATE
CHD BY	

SHEET TITLE
CERT. OF SURVEY NO. 77
ANNEXATION MAP

PROJECT NUMBER
2023-078
SHEET NUMBER
1 OF 1
DRAWING NUMBER
EX 1
COPYRIGHT 2023 ©



MAVERIK, INC.

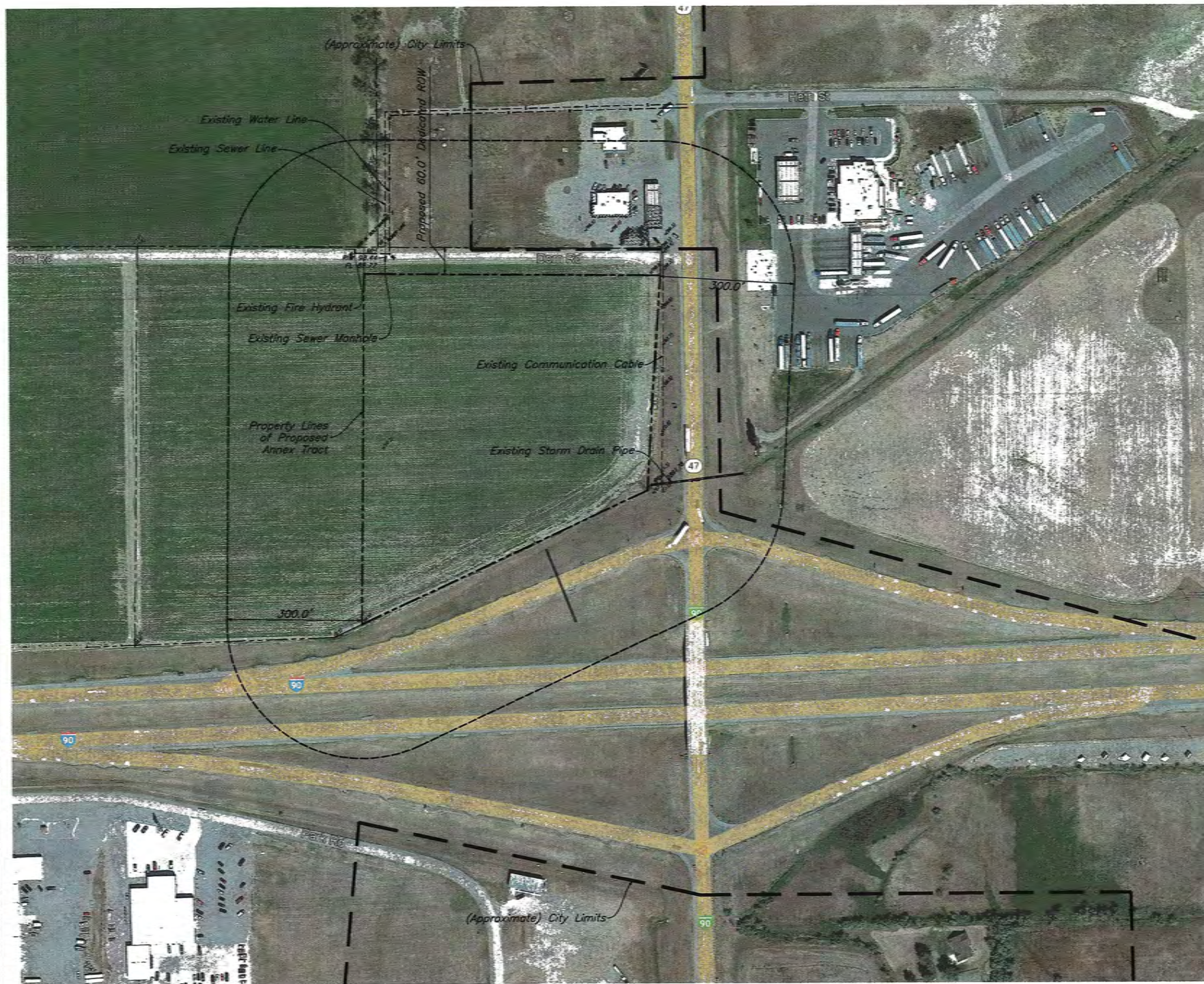
HARDIN, MONTANA
HIGHWAY 47

DESIGNED BY	QUALITY ASSURANCE
CHKD BY	SEALED
CHECKED BY	
DATE	DATE
REV BY	DATE
CHD BY	

SHEET TITLE

CERT. OF SURVEY NO. 77
ANNEXATION MAP

PROJECT NUMBER 2023-078
SHEET NUMBER 2 OF 2
DRAWING NUMBER EX 2 COPYRIGHT 2023 ©

[illegible]

Designed by: JC
Drafted by: JBG
Client Name: Mowbray, Inc.
Answer City Limits Exhibit



City Limits and Existing Utilities Exhibit

Maverik, Inc. Store
Darr Road & Highway 47
Havlen, MT



25 Sep, 2023

Ex

C:\Users\Krause\OneDrive\PE\Bills\Bills\Dropbox\AWA Engineering\2023-078 Mawerick - Hardin Amortization\CADD\WG Plots\03-078 Hardin ROW Plt.dwg
TUE 11/20/23 9:05:49 AM
PLS 51414LS

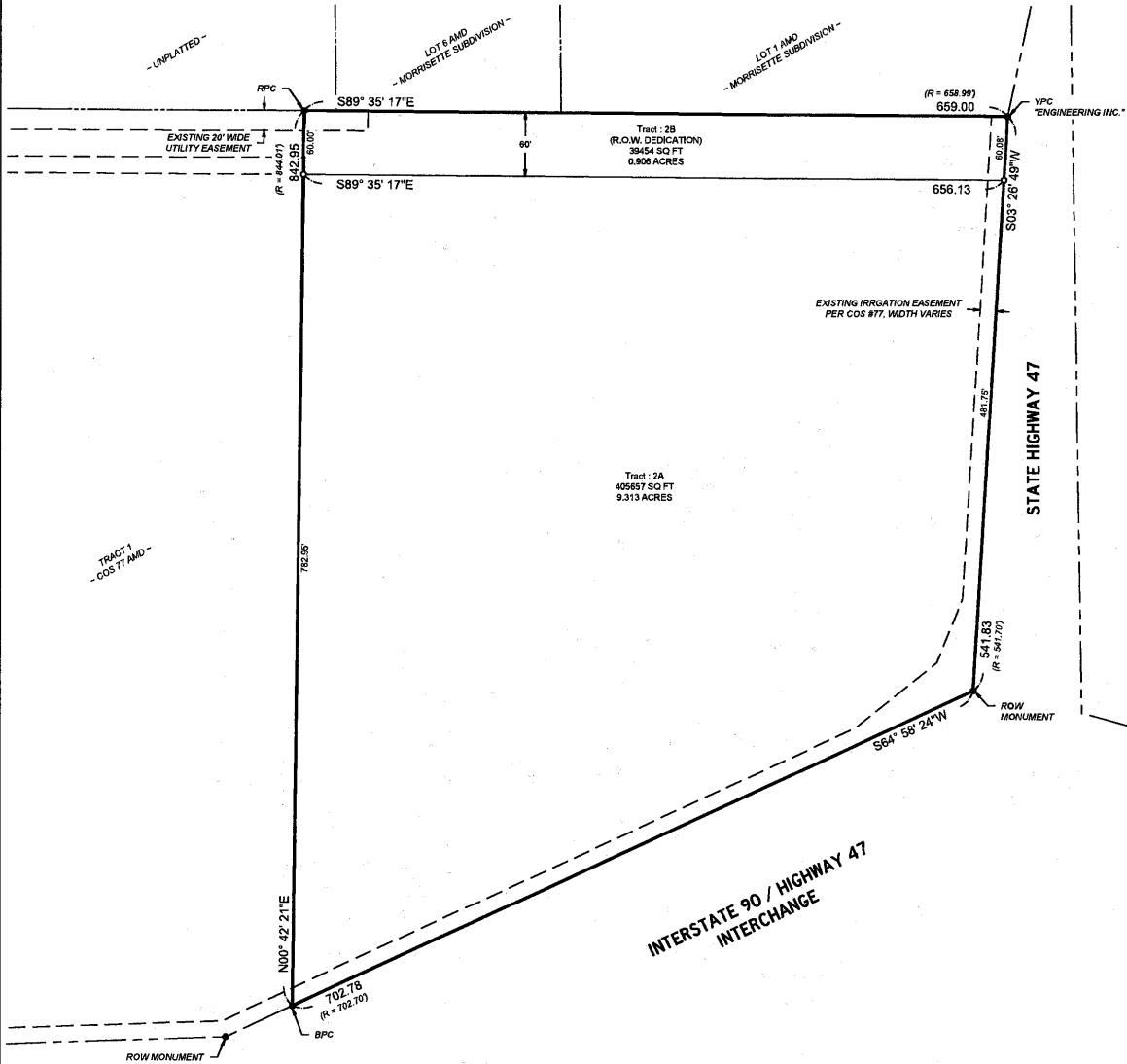
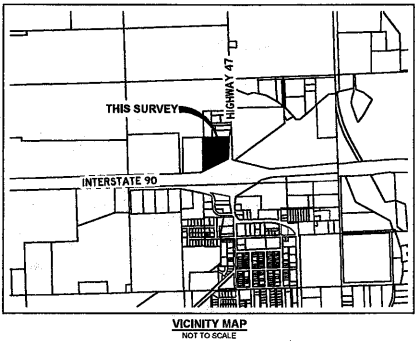
LEGEND	
●	PROPERTY CORNER, FOUND AS DESCRIBED
○	PROPERTY CORNER, SET 5/8" REBAR W/ PEC CAP
—	SURVEY BOUNDARY
- - -	EXISTING PROPERTY LINE
- - -	EASEMENT LINE
- - -	RIGHT-OF-WAY LINE
(R = XXXX)	RECORD DISTANCE

CERTIFICATE OF SURVEY NO. 77, 2ND AMENDED
BEING TRACT 2 OF CERTIFICATE OF SURVEY NO. 77, AMENDED
LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 14, TOWNSHIP 01 SOUTH, RANGE 33 EAST, P.M.M.,
BIG HORN COUNTY, MONTANA

PREPARED FOR: RICHARD A DORN
PREPARED BY: PERFORMANCE ENGINEERING, LLC



PURPOSE OF SURVEY: RIGHT-OF-WAY DEDICATION
DATE OF SURVEY: OCTOBER 2023



LEGAL DESCRIPTION AND OWNER CERTIFICATION

The undersigned owner(s) do hereby certify that they have cause to be surveyed and platted in to lots, blocks, streets, and other divisions and dedications, as shown on this plat hereunto included, a tract of land described as follows:
Being Tract 2 of Certificate of Survey No. 77 Amended (Doc. No. 349531), located in the SE 1/4 of the NW 1/4 of Section 14, Township 01 South, Range 33 East, P.M.M., Big Horn County, Montana.
Said tract contains 10.219 acres in gross, and 9.313 acres in net, more or less.
The undersigned hereby certifies that the purpose of this survey is to dedicate right-of-way and is therefore exempt from subdivision review pursuant to 76-3-201(1)(b), MCA.
This survey is not subject to review by the Department of Environmental Quality pursuant to 76-4-125(1)(a), MCA.

Richard A Dorn
STATE OF MONTANA)
County of) ss
On this day of 20 before me, a Notary Public in and for the State of Montana, personally appeared Richard A Dorn, known to me to be the persons who signed the foregoing instrument and who acknowledged to me that they executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana
Printed Name
Residing at
My commission expires

CERTIFICATE OF SURVEYOR

I, the undersigned Mark W. Kadmas, do hereby certify that this survey was done under my direct supervision of a tract of land located in the SE 1/4 of the NW 1/4 of Section 14, Township 01 South, Range 33 East, P.M.M., Big Horn County, Montana, said tract being Tract 2 of Certificate of Survey No. 77 Amended (Doc. No. 349531)
Said tract contains a gross area of 10.219 acres, and a net area of 9.313 acres, more or less.
Said tract is subject to all easements and rights-of-way of record or apparent on the ground.
This survey was conducted in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 thru 76-3-625, MCA.

Mark W. Kadmas, PLS 51414LS
Registered Land Surveyor
State of Montana



ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the foregoing plat for errors and omissions in computations and drafting.
Dated this day of 20

Examining Land Surveyor

CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Section 76-3-207(3), MCA, that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land have been paid.
Dated this day of 20

Big Horn County Treasurer
Deputy

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the County Attorney and is acceptable as to form.
Dated this day of 20

Reviewed by

BASIS OF BEARING

The bearings shown on this survey are derived from a Transverse Mercator projection with parameters as follows:
Latitude of Origin: 44° 45' 00" N
Longitude of Origin: 107° 45' 00" W
Mapping Scale Factor: 1.000148
Distances shown hereon are equal to ground distances.
Unless otherwise noted, record distances between found monuments are within local accepted practice.



RESOLUTION NO. 2355

RESOLUTION OF THE CITY OF HARDIN, MONTANA APPROVING APPLICATIONS FOR LICENSE TO SERVE BEER, BEER AND WINE, OR LIQUOR

WHEREAS, the City of Hardin, Montana (the "City") has the authority to issue licenses for the sale of Beer, Beer and Wine, or Liquor within the City Limits;

WHEREAS, the City is in receipt of applications from numerous business for an annual license to sell Beer, Beer and Wine, and/or Liquor within the City Limits of the City for the 2024 calendar year, along with an application fee;

WHEREAS, the applicants have provided proof of a State of Montana license to sell beer for on or off premises consumption at their respective locations;

WHEREAS, the applicants have provided proof of a State of Montana license to sell beer and table wine for on or off premises consumption at their respective locations;

WHEREAS, the applicants have provided proof of a State of Montana license to sell liquor for on or off premises consumption at their respective locations;

WHEREAS, the City has investigated the applicants and has determined that the applicants meet the requirements of City Code of City of Hardin Section 5-5-1 et seq. and/or Section 5-6-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "Council") of the City as follows:

A. The Council finds that the following applicants are proper and suitable persons and should be permitted to carry on such business:

1. Lucky Lil's Casino, 1012 N. Crawford Ave.
2. Outlaws Café and Casino, LLC d/b/a 3 Brothers Bistro, 316 N. Center Ave.
3. B&H Corp/Jackrabbit Red's, 315 13th St. W.
4. Brass Rail Tavern, LLC, 317 N. Center Ave.
5. Silver Fox Casino/ Little Big Man Pizza, 605 N. Center Ave.
6. Town and County Supply Assn. 1223 N. Crawford Ave.
7. Loves Travel Stop #679, 1270 N. State Highway 47
8. Pizza Hut, 219 14th Street West
9. EagleCav, LLC d/b/a Reese and Lynn's Superfoods, 901 N. Center Ave.
10. Big Rig Casino #8679, 1270 N. Highway 47, Suite A
11. Good 2 Go Stores, LLC, 1600 N. Crawford Ave.
12. Four Aces Bar and Lounge, 10 3rd St. W.
13. Far West Casino, 1320 N. Crawford Ave.

- B. The applicants are granted licenses to serve beer, beer and wine, and/or liquor, as requested in their applications within the city limits for calendar year 2024.
- C. It is further resolved that if additional complete applications are received before noon December 29, 2023, the City shall fully investigate each application and grant the licenses if it is determined that each application is sufficient and each applicant is qualified to receive said license.
- D. Applications received after noon on December 29, 2023, shall be presented to the City Council for approval at the next regular meeting of the City Council in January of 2023.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this _____ day of December, 2023.

YEA VOTES _____

NAY VOTES _____

CITY OF HARDIN

BY: _____
Mayor

ATTEST: _____
City Clerk

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr



Alley Clean-up

December 26th – December 29th

Please have items out early

December 26th

Christmas Tree Pick-up

January 2nd – 5th

City will be picking up items that are placed in the alley away from trash cans, not obstructing entry way through alley.

**~Branches need to be less than 8 feet~
(NO tires. NO appliances that contain Freon.)**

The City of Hardin would like to take this opportunity during the alley clean-up to remind residents of the refuse ordinances 08-1-12 thru 08-1-20: 08-1-12: Removal of Bulky Items not Required, 08-1-13: Certain Matter Not to be Placed in Receptacles, 08-1-14: Unauthorized Use of Receptacles Prohibited, 08-1-17: Parking Interfering with Containers Prohibited, 08-1-18: Damaging Containers Prohibited, 08-1-19: Doors and Lids to be Kept Closed.

Thank you for allowing us the opportunity to serve the citizens of Hardin. Please follow us on the website, www.hardinmt.com, for extended details of the ordinances. Please contact us by phone, email, or simply stop by and let us know how we can improve our services.

City Hall at 665-9292

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

CALL FOR BIDS

CITY OF HARDIN, MONTANA
Hardin Volunteer Fire Department

Notice is Hereby Given, by the Council of the City of Hardin, Montana, that on the 9th day of January, 2024 at 3:00 p.m. at City Hall, located at 406 North Cheyenne Avenue, Hardin, Montana 59034 it will consider all sealed bids received for bids to furnish the City of Hardin and the City of Hardin Volunteer Fire Department with Thirteen new SCBA approved to NIOSH 42 part 84 and be certified to NFPA 1981 2018 Edition.

Sealed bids shall be submitted to the Finance Officer at the City of Hardin, Montana on or before 9th day of January, 2024, at 3:00 p.m., at City Hall, 406 N. Cheyenne Avenue, Hardin, Montana, 59034, Hardin, Montana, 59034 at which time and place all bids will be publicly opened and read aloud.

Details and specifications may be obtained at the office of the Finance Officer of the City of Hardin located at 406 N. Cheyenne Avenue, Hardin, Montana, 59034, 406-665-9293, Monday through Friday between the hours of 8:00 a.m. to 5:00 p.m.

Bid security in the amount equal to at least ten percent (10%) of the bid made payable to the City of Hardin must accompany each bid. The bid security must be either (1) lawful monies of the United States, (2), cashiers check, certified check, bank money order, or bank draft drawn and issued by a national banking corporation, incorporated under the laws of the State of Montana, or (3) a bid bond executed by a surety corporation authorized to do business in the State of Montana.

Each bidder is deemed to covenant that if he is awarded the contract, he will within fifteen (15) days from written notice of award, enter into a contract and execute and deliver a bond to the satisfaction and approval of the City Council in the form and manner provided for in Title 18, Chapter 2, MCA and in the event that said Bidder fails, neglects, or refuses to enter into the contract or supply the necessary bond in the amount therein mentioned, the bid bond shall be declared to forfeited to said City of shall be collected by it and paid into the general fund.

The City of Hardin reserves the right to reject any or all bids and to hold bids, to waive informalities, to postpone the award of the contract for a period not to exceed thirty (30) days and to accept the bid that is in the best interest of the City of Hardin.

SCBA

Dated this 12th day of December, 2023

A handwritten signature in blue ink that reads "Andrew Lehr". The signature is written in a cursive style with a horizontal line underneath it.

Andrew Lehr, Finance Officer

Published: December 14 & 21, 2023