

RESOLUTION 2019-101

A RESOLUTION TO CREATE THE RED FOX MEADOWS STORMWATER RURAL IMPROVEMENT DISTRICT NO. 2019-04

WHEREAS, the Board of County Commissioners may order and create a rural improvement district upon the receipt of a petition to create a rural improvement district that contains the consent of all of the property to be included in the District, as per MCA 7-12-2102(2); and

WHEREAS, the attached letter, Exhibit "A", serving as the petition to create a rural improvement district, contains the signature of the sole owner of property to be included within the District; and

WHEREAS, the subdivision applicant for the proposed Red Fox Meadows Subdivision was granted preliminary approval on September 17, 2014; and

WHEREAS, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 11 of the Red Fox Meadows Subdivision; and

WHEREAS, the designated items set forth in MCA 7-12-2103(2) are as follows:

1. The designated number of the District is 2019-04.
2. The boundaries of the District are shown on Exhibit "B", which encompass the boundaries of the Red Fox Meadows Subdivision.
3. Maintenance:
 - a. The general character of maintenance includes maintenance of the stormwater ponds and drainage ditches, as detailed on Exhibit "C."
 - b. Maintenance of these improvements for the preliminarily approved Red Fox Meadows Subdivision are within the scope of service for the Red Fox Meadows Stormwater RID No. 2019-04.
4. The County Engineer, or his designee, is to have charge of the work. The estimated cost per year for funding said maintenance is \$3,045.00 per year, as shown on Exhibit "C". All maintenance funds collected for the District will be spent solely on maintenance within the District.
5. The method by which the costs shall be assessed is described in MCA 7-12- 2151(d): "each lot, tract, or parcel of land in the district [will] be assessed an equal amount based upon the total cost of the [maintenance of improvements]."
6. Pursuant to MCA 7-12-2103(2)(f), "if an increase occurs in the number of benefitted lots, tracts, or parcels within the boundaries of the proposed district during the term of the bonded indebtedness, the assessment per lot, t
7. ract, or parcel then in the district will be recalculated as provided in MCA 7-21-2151(4)."

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners,

1. That it does hereby create the Red Fox Meadows Stormwater Rural Improvement District No. 2019-04 for the purpose of equitably funding maintenance of stormwater improvements.
2. That the Board of County Commissioners have determined pursuant to MCA 7-12-2108



that the contemplated work is of more than local or ordinary public benefit, and that the expense of such work is chargeable upon the lots and land fronting upon proposed improvements and upon other lots and lands not fronting on the proposed improvements, which are the property benefited by said work and to be assessed to pay the cost and expense thereof.

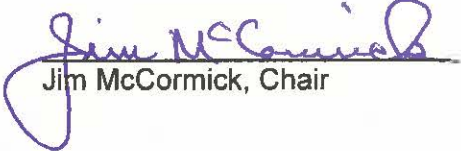
3. That the Lewis and Clark County Public Works Department is authorized and responsible for coordinating maintenance as described on Exhibit "C" within the District boundary as shown on Exhibit "B".

INTRODUCED at a Regular meeting of the Board of County Commissioners on October 31, 2019 by Commissioner McCormick

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 31 Day of October, 2019.



LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

ATTEST:


Paulette DeHart, Clerk of the Board

Attachments: Exhibit "A" (Petition), "B", AND "C"
 Exhibit "B" (Boundaries)
 Exhibit "C" (General Character of Maintenance)



Exhibit "A" to RESOLUTION 2019-101

Professional Plaza Building Suite A-6
900 N Montana Avenue • Helena MT 59601
(406)443-1340 office • (406)443-7666 fax
Website: hamlinconstruction.com
Email: jerry.L@hamlinconstruction.com

8-28-19

Lewis and Clark County Planning
316 North park Avenue
Helena, Montana 59601

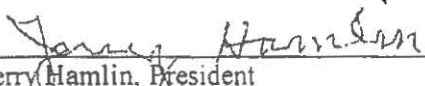
Attn: Lindsay Morgan-Planner III

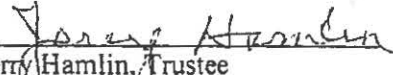
Re: Red Fox Meadows Final Plat RID Request Letter

To whom it may concern:

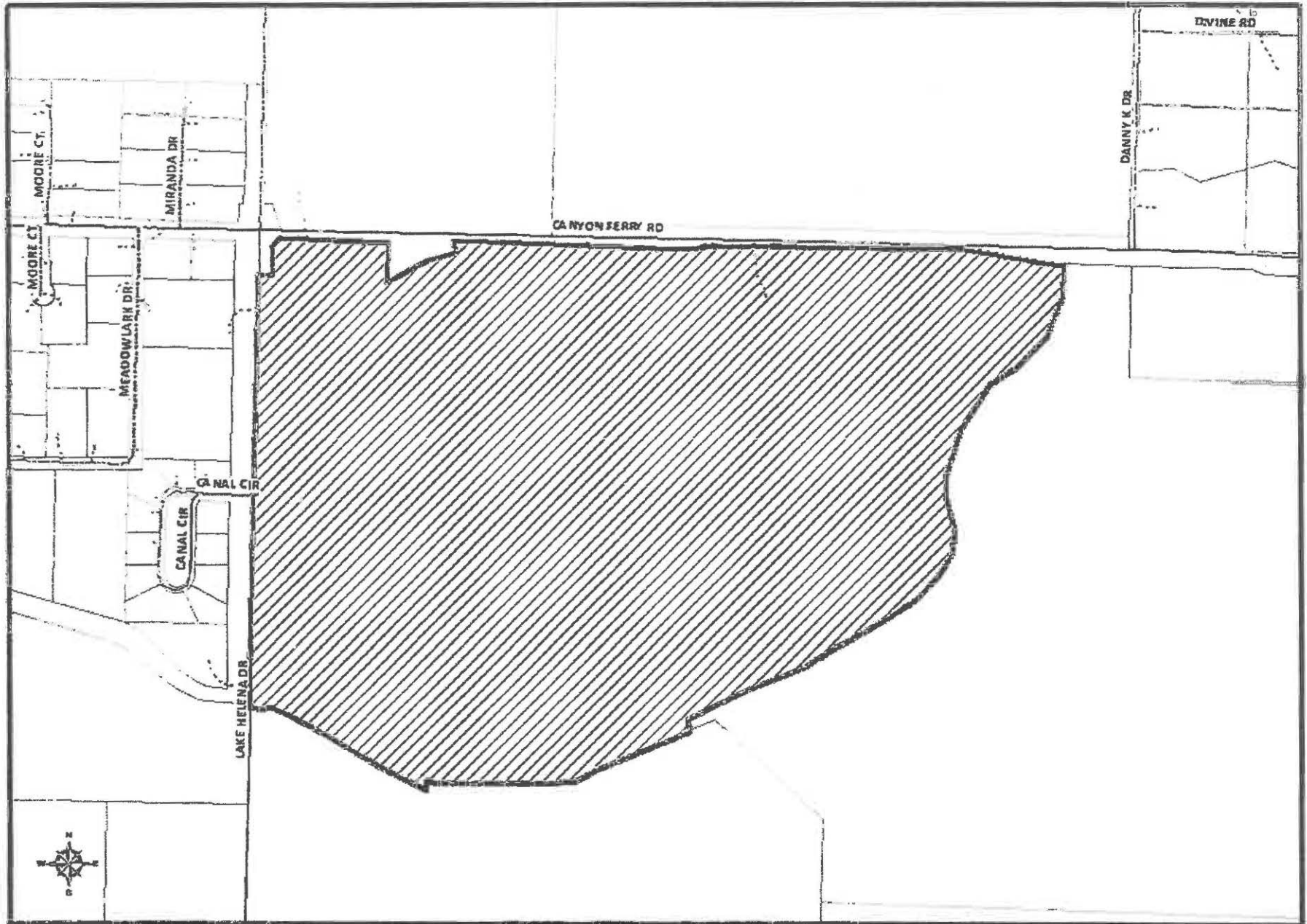
Hamlin Construction & Development Company, Inc., the owner of the tract of land known as the Red Fox Meadows Subdivision, and the Hamlin Family Trust who is the owner of Tract 3A-1A-1 of COS 339439 hereby petition the Lewis and Clark County Commissioners create a Rural Improvement District for the purposes of maintenance, preservation and repair of the following: internal access roads, annual trail and fence maintenance, annual storm water maintenance including all detention ponds, flood control pond and outlet structure and their upkeep, annual fire protection maintenance including maintaining and repairing all pumping apparatus, maintenance, fire hydrants, etc to keep the fire protection system in good working order and all public areas/improvements within the subdivision and related lines to and from the subdivision.

Sincerely,


Jerry Hamlin, President
Hamlin construction & Dev. Co., Inc.
900 N. Mt. Ave. – Suite A6
Helena, Montana 59601
Cell Phone-406-459-8071


Jerry Hamlin, Trustee
Hamlin Family Revocable Living Trust
900 N. Mt. Ave. – Suite A6
Helena, Montana 59601
Cell Phone-406-459-8071

BOUNDARIES OF RED FOX MEADOWS STORMWATER RURAL IMPROVEMENT DISTRICT
EXHIBIT "B" TO RESOLUTION 2019-101



0 375 750 1,125 1,500 Feet

Exhibit "C" to RESOLUTION 2019-101

**RED FOX MEADOWS SUBDIVISION
ANNUAL STORM WATER MAINTENANCE
ENGINEER'S ESTIMATE
Prepared By: WWC Engineering**

Date: July 25, 2019

Item #		Limits	Length Feet	Weed Control LF	Culvert Cleaning EACH	Storm Water Pond Maintenance Each	Drainage Ditch Maintenance LF
4	Storm Water Ponds and Drainage Ditches	Throughout Subdivision	4,000	4,000	0	6	4,000
TOTALS			4,000	4,000	0	6	4,000
		Weed Control	4,000	LF	@	0.25	1,000.00
		Culvert Cleaning	0	EACH	@	50.00	-
		Storm Water Pond Maintenance	6	EACH	@	250.00	1,500.00
		Drainage Ditch	4,000	LF	@	0.10	400.00
		Storm Water Maintenance Subtotal					2,900.00
		Administration Fee			5%		145.00
		Storm Water Maintenance TOTAL					\$3,045.00