

RESOLUTION 2019-102

**A RESOLUTION TO CREATE THE
RED FOX MEADOWS TRAILS RURAL IMPROVEMENT DISTRICT NO. 2019-05**

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 2019-05.
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 on-site trails and fencing along the canal, 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 Road RID No. 2019-05.
4. The County Engineer, or his designee, is to have charge of the work. The estimated cost per year for funding said maintenance is \$4,049.40 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, tract, 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 Trails Rural Improvement District No. 2019-05 for the purpose of equitably funding maintenance of trails and fencing 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



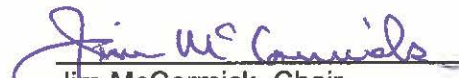
proposed improvements and upon other lots and lands not fronting on the proposed improvements, which are the property benefited by said work and to be assessed to pay the cost and expense thereof.

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".

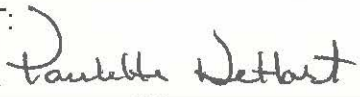
INTRODUCED at a Regular meeting of the Board of County Commissioners on October 31, 2019 by Commissioner McCormick

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 2019-102

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.f@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

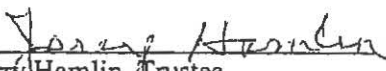
To whom it may concern:

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 TRAILS RURAL IMPROVEMENT DISTRICT

Exhibit "B" to RESOLUTION 2019-102

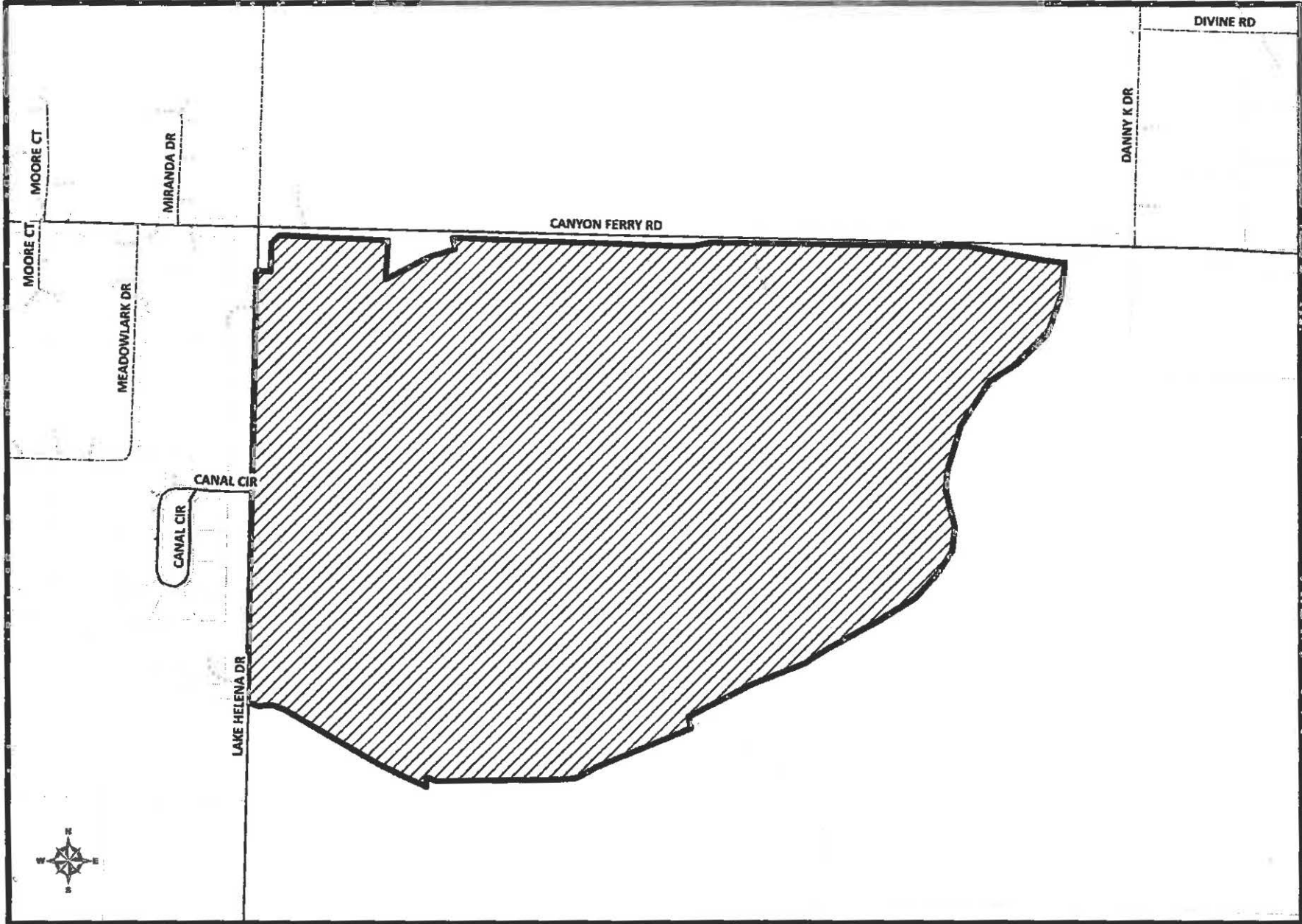


Exhibit "C" to RESOLUTION 2019-102

**RED FOX MEADOWS SUBDIVISION
ANNUAL TRAIL MAINTENANCE**

ENGINEER'S ESTIMATE

Prepared By: WWC Engineering

Date: July 25, 2019

Item #		Limits	Width Feet	Length Feet	SY	Weed Control LF	Mowing LF	Resurfacing SY
1	Red Fox Meadows Bike Path	Trail along south boundary	8	5,100	4,533	5,100	5,100	4,533
2	Canal Fence	Fence along canal	0	5,100	0	0	0	0
TOTALS				10,200	4,533	5,100	5,100	4,533
						Times Per Year		
			Weed Control	5,100 LF	@	2	0.20	1,020.00
			Mowing	5,100 LF	@	2	0.20	1,020.00
			Resurfacing****	4,533 SY	@	0.14	1.23	796.57
			Fence Maintenance	5,100 LF	@	1	0.20	1,020.00
CONSTRUCTION TOTAL								3,856.57
Administration Fee							5%	192.83
PROJECT TOTAL								\$4,049.40

**** Resurfacing will be done every 7 years and cost is prorated from \$1/sy current cost at 3%/yr

\$1/sy current cost = \$1.23/sy future cost in 7 years

Trail is 8 feet wide, Trail easement is 20 feet wide