

RESOLUTION 2017-81

**RESOLUTION TO AMEND THE FRONTIER VILLAGE ESTATES
RURAL IMPROVEMENT DISTRICT NO. 2011-4**

WHEREAS, a resolution of intention to amend the Frontier Village Estates Rural Improvement District (the district) was adopted by the Lewis and Clark County Board of Commissioners (Commission) on June 22, 2017, as Resolution 2017-56; and

WHEREAS, it is the policy of the County Commission to follow the public process for creating a RID when a determination has been made to amend the scope of service of the RID; and

WHEREAS, Resolution 2013-93 to amend the Frontier Village Estates RID, adopted on October 1, 2013, has not been implemented to include the Buckboard Subdivision and costs to maintain additional roads therein; and

WHEREAS, Resolution 2017-4 to create the Frontier Village Fire System RID was adopted on January 3, 2017, for the purpose of equitably funding maintenance of the fire protection system that will service the Frontier Village Estates, Buckboard, and Garden Valley subdivisions; and

WHEREAS, the County Commission has determined that amending the existing Frontier Village Estates RID is in the best interest of the district in order to remove the fire protection cost that is planned to be funded by the Frontier Village Fire System RID; and

WHEREAS, legal notice of the passage of Resolution 2017-56 was mailed to property owners and persons with interest in property within the proposed district, and published in the local newspaper in accordance with 7-12-2105 MCA and 7-1-2121 MCA; and

WHEREAS, on July 27, 2017, the Commission held a public hearing and proceeded to hear all protests, comments, and other matters relating to the district, and determined that the boundaries of the district and method of assessment were equitable; and

WHEREAS, no letters of protest have been received by the County, and it was determined that there was not sufficient protest to bar proceedings as per 7-12-2112 MCA; and

WHEREAS, the designated number of the district remains as 2011-4; and

WHEREAS, the amended boundaries of the district and the roads to be maintained are shown on Exhibit "A"; and

WHEREAS, the amended general character of maintenance includes, but is not limited to, snow plowing, culvert cleaning, mailbox upkeep, contributions toward a future chip seal, crack sealing, and miscellaneous work as needed; and



WHEREAS, the County Engineer or his or her designee is the engineer to have charge of the work, and the estimated annual cost for funding said maintenance is \$9,540.08, raised through levying an annual special assessment of \$265.00 per benefited property, as shown on Exhibit "B". All maintenance funds collected for the district will be spent solely on designated maintenance within the district; and

WHEREAS, 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]."

WHEREAS, 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 7-12-2151(4)."

NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby amend the Frontier Village Estates Rural Improvement District No. 2011-4 for the purpose of removing the fire protection component and continuing to fund road maintenance.

BE IT FURTHER RESOLVED that the Commission has determined pursuant to MCA 7-12-2108 that the contemplated work is of more than local or ordinary public benefits, 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.

BE IT FURTHER RESOLVED that the Lewis and Clark County Department of Public Works is authorized and responsible for coordinating maintenance as described on Exhibit "B" for roadways within the district as shown on Exhibit "A".

DATED this 27 day of July, 2017.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Susan Good Geise, Chairman

ATTEST:


Paulette DeHart, Clerk of Board

Attachments: Exhibit "A"
Exhibit "B"

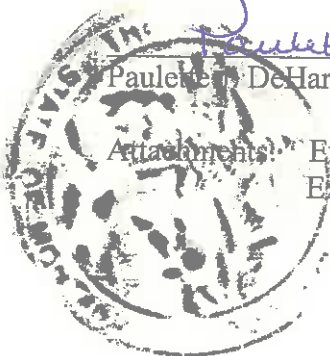
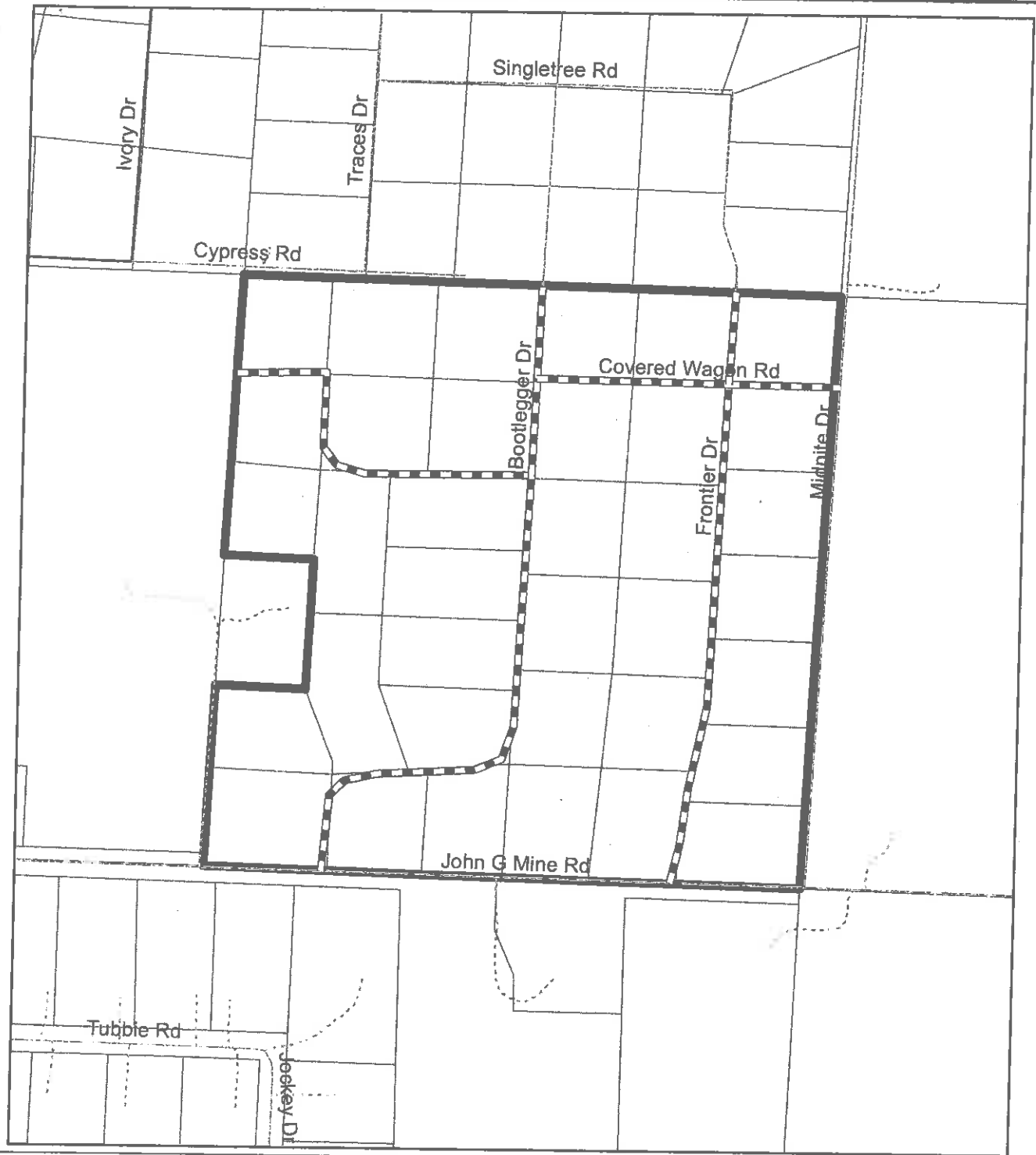








Exhibit "A": Frontier Village Estates Rural Improvement District Boundary (Amended)



Legend

-  Roadway to be Maintained
-  Paved
-  Unpaved
-  Driveway
-  District Boundary
-  Parcel Boundaries



Lewis and Clark County
 Community Development and Planning Dept.
 316 N. Park Ave., Rm 230, Helena, MT 59623
 (406) 447-8374 (phone) (406) 447-8398 (fax)
 email: planning@lccountymt.gov

Map produced: 6/14/17

Exhibit "B": Frontier Village Estates RID 2017 Amendment

Number of Assessments 36 (See methods of assessment 7-12-2151)

ANNUAL MAINTENANCE

Snow Plowing	\$1,383.90
Culvert Cleaning	\$600.00
Mail Box O&M	\$300.00
Chip Seal	\$4,349.94
Crack Seal	\$1,760.00
Miscellaneous	\$691.95
Sub Total	\$9,085.79
5% Admin. Fee (not to exceed \$500)	\$454.29
Total Annual Maintenance Fee	\$9,540.08
Divided by number of lots	\$265.00