

RESOLUTION 2018-94

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEWIS AND CLARK COUNTY, MONTANA TO CREATE THE
SADDLE ROCK RURAL IMPROVEMENT DISTRICT NO. 2018-03**

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 Saddle Rock Subdivision was granted preliminary approval on October 1, 2013; and

WHEREAS, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 11 for the Saddle Rock Subdivision; and

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

- (a) The designated number of the District is 2018-03.
- (b) The boundaries of the District are shown on Exhibit "B", which encompass the boundaries of the Saddle Rock Subdivision.
- (c) Maintenance.
 - i. The general character of maintenance for roadway and stormwater improvements includes, but is not limited to, snow plowing, grading, culvert cleaning, weed spraying, dust control, and detention pond maintenance, as detailed on Exhibit "C."
 - ii. Maintenance of roadway and stormwater improvements for the preliminarily approved Saddle Rock Subdivision are within the scope of service for the Saddle Rock RID No. 2018-03.
- (d) The County Engineer, or his designee, is to have charge of the work. The estimated cost for funding said maintenance is \$735.00 per year, as shown on Exhibit "C", or \$183.75 per parcel per year. All maintenance funds collected for the District will be spent solely on roadway and stormwater maintenance within the District.
- (e) 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]."
- (f) 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, that it does hereby create the Saddle Rock Rural Improvement District No. 2018-03 for the purpose of equitably funding road maintenance.



BE IT FURTHER RESOLVED 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.

BE IT FURTHER RESOLVED 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 25, 2018 by Commission Member Andy Hunthausen.

PASSED AND APPROVED BY LEWIS AND CLARK Board of County Commissioners on this 25 Day of October, 2018.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

ATTEST:



Paulette DeHart, Clerk of the Board

Attachments: Exhibits "A", "B", AND "C"



Exhibit "A": RID Request Letter/Petition

Lindsey,

I would like to petition Lewis and Clark county commission to create a Rural Improvement division. The RID should include maintenance of Saddle Rock court and the on-site detention ponds.

Thank you,

Mark Floerchinger

