

RESOLUTION 2021 - 109

A RESOLUTION TO CREATE THE WHEAT RIDGE ESTATES PHASE IV SUBDIVISION FIRE RURAL IMPROVEMENT DISTRICT NO. 2021-8

WHEREAS, the Lewis and Clark County Board of Commissioners (Board) is authorized to create a rural improvement district (RID) whenever the public interest or convenience may require, as per MCA 7-12-2103; and

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

WHEREAS, the subdivision applicant for the Wheat Ridge Estates Phase IV Subdivision received preliminary approval from the Commission on September 24, 2020 with Condition of Approval No. 15 of that approval requiring the creation or joining of an RID for the maintenance, preservation, and repair of the fire protection system and its improvements for the Wheat Ridge Estates Phase IV Subdivision; and

WHEREAS, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 15 of the Wheat Ridge Estates Phase IV Subdivision, and

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

1. The designated number of the Wheat Ridge Estates Phase IV RID is 2021-8.
2. The boundaries of the RID are shown on Exhibit B, which encompass the boundaries of the Wheat Ridge Estates Phase IV Subdivision.
3. The general character of maintenance includes costs associated with the operation and repair of the fire protection system and its improvements, as detailed in Exhibit C.
4. The County Engineer, or his designee, is to have charge of the work. The estimated costs for funding said maintenance per year of the fire protection system and its improvements were provided by Tony Prothero, P.E. on November 22, 2021 as shown on Exhibit C and will also include a five percent (5%) administrative fee. All maintenance funds collected for the RID will be spent solely on maintenance within the RID.
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 Wheat Ridge Estates Phase IV Subdivision Rural Improvement District No. 2021-8 for the purpose of equitably funding the maintenance, preservation, and repair of the fire protection system and its improvements within the Wheat

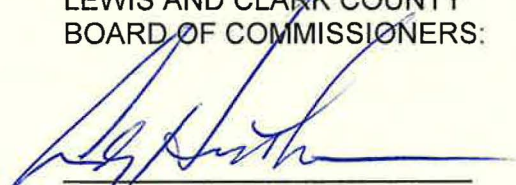


Ridge Estates Phase IV Subdivision.

2. That the Board has 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 in this resolution within the RID boundary as shown on Exhibit C.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 16th Day of December, 2021.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS:



Andy Hunthausen, Chair

ATTEST:



Amy Reeves, Clerk of the Board

Attachments: Exhibit – A (Petition)
Exhibit – B (Boundaries)
Exhibit – C (Maintenance Costs)

EXHIBIT A

Aaron Helfert
Queen City Home Builders
P.O. Box 1907
East Helena, MT 59635-1907

November 22, 2021

Community Development and Planning
Lewis and Clark County
316 N. Park Ave, Rm 230
Helena, MT 59623

RE: Wheat Ridge Estates Phase IV Subdivision, SUBD2020-005

In cooperation with Lewis and Clark County, I, Aaron Helfert of Queen City Home Builders, formally request the creation of a Rural Improvement District for the maintenance, preservation, and repair of the existing off-site fire protection system located on Stubby Road.

Sincerely,



Aaron Helfert
Queen City Home Builders

EXHIBIT B

Vicinity Map, Fire Protection System RID Boundary Wheat Ridge Estates Phase IV Subdivision

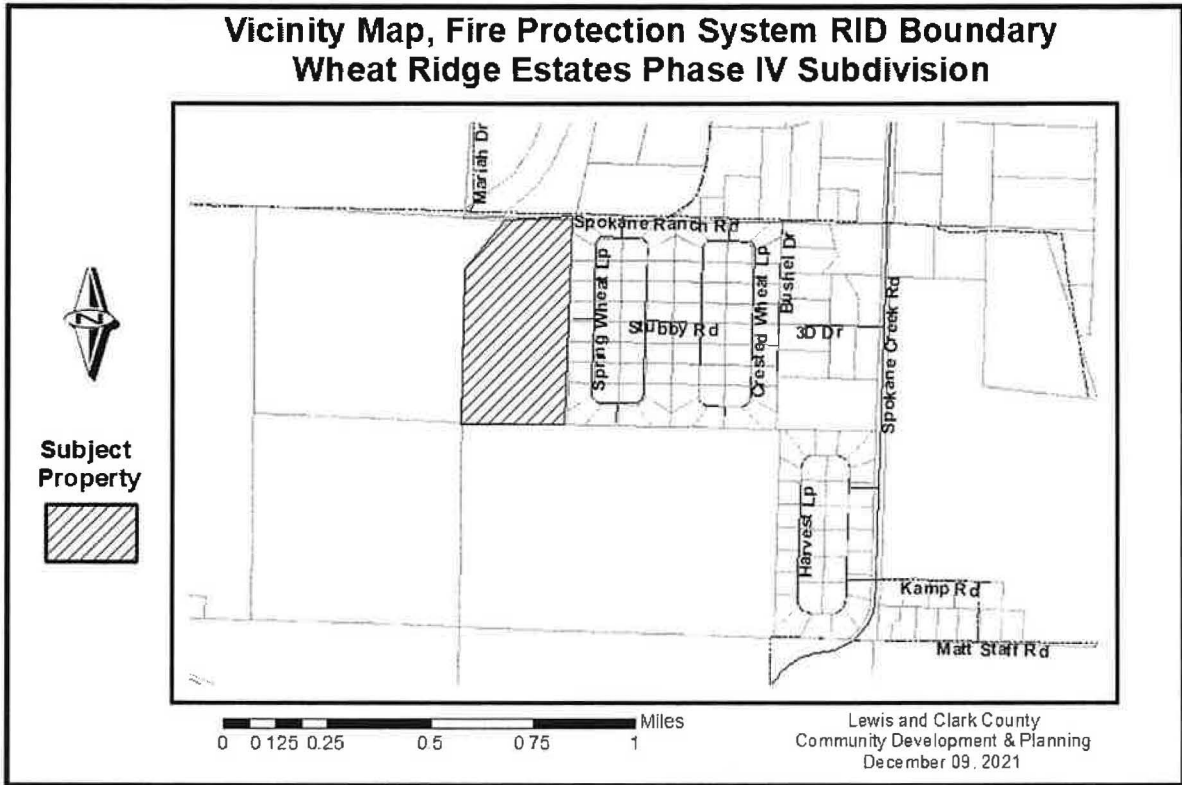


EXHIBIT C



November 22, 2021

Phillipe Gonzalez
Community Development and Planning
Lewis and Clark County
316 N. Park Ave, Rm 230
Helena, MT 59623

RE: Wheat Ridge Estates Phase IV, SUBD2020- 005
Estimate of Maintenance Costs for Fire Protection RMD

Dear Mr. Gonzalez:

The purpose of this letter is to provide Lewis and Clark County with an estimate of operation and maintenance costs for the existing off-site fire protection system located on Stubby Road in Wheat Ridge Estates Phase II. The system is presently owned and operated by the applicant/developer of Wheat Ridge Estates Phase IV (Aaron Helfert, Queen City Home Builders). This estimate is to be used to assist with the establishment of a Rural Maintenance District for the system.

The anticipated operation and maintenance activities are further described in the following bulleted items:

- **Power.** The power bills for occasional operation of the fill site to date have been under \$60/month. The budgeted amount is therefore conservatively estimated at \$60/month. Recent power bills are attached.
Estimated Annual Cost: \$720
- **Well Maintenance & Repairs.** This includes any required repairs or maintenance to both well pumps, piping, and electrical controls.
Estimated Annual Cost: \$400
- **Control Building and Storage Tank Maintenance & Repairs.** This includes any required maintenance or repairs to the control building structure, storage tank structure, and floats.
Estimated Annual Cost: \$600
- **Fire Pump and Hydrant Maintenance & Repairs.** This would include repairs and maintenance to the fire pump, controls, piping and hydrant.
Estimated Annual Cost: \$600

1093 HELENA AVE.
HELENA, MT 59601

J BART ENGINEERS, LLC

(406) 449-1306
JBARTENGINEERS.COM

WHEAT RIDGE ESTATES PHASE IV, SUBD2020-005
ESTIMATE OF MAINTENANCE COSTS FOR FIRE PROTECTION RMD


- **Fill Site Maintenance.** The major tasks associated with this item are snow removal around the fill site/turn out and weed spraying.
Estimated Annual Cost: \$600

Based on the above, the total estimated annual cost for operation and maintenance of the fire fill site is \$2,920/yr.

Please feel free to contact me should you have questions or comments via email at tony@jbartengineers.com or telephone at (406) 449-1306. Thank you.

Sincerely,

J BART ENGINEERS, LLC



Tony J. Prothero, PE

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