

RESOLUTION 2021 - 27

**A RESOLUTION OF INTENTION TO AMEND THE SADDLE ROCK
FIRE SYSTEM RURAL IMPROVEMENT DISTRICT NO. 2016-2**

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

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

WHEREAS, the attached letter, Exhibit A, serves as the petition from the developer of the Olivet Subdivision to include all properties within this Subdivision in the existing Saddle Rock Fire System RID; and

WHEREAS, the Olivet Subdivision received preliminary approval from the Commission on August 30, 2018 with Condition No. 15 of that approval requiring the creation or joining of an RID for maintenance of the fire protection system that will serve this Subdivision; and

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

1. The designated number of the existing Saddle Rock Fire System RID is 2016-2.
2. The boundaries of the amended RID are shown on Exhibit B, which encompass the boundaries of the Saddle Rock, JAMVAR, Lorac, and Olivet Subdivisions.
3. Maintenance:
 - a. The general character of maintenance includes costs associated with the operation and repair of the electrical power supply; repairs of the tanks, float valve, dry hydrant; well pump and piping repairs; weed spraying of the gravel turnaround; and any grading and snow removal that provides vehicular access to the system
 - b. Maintenance of these improvements are within the scope of service for the Saddle Rock Fire System RID No. 2016-2.
4. The County Engineer, or his designee, is to have charge of the work. Maintenance costs for the fire protection system were provided by Tony Prothero, P.E. on June 28, 2018 and were reviewed and updated by the Lewis and Clark County Public Works Special Districts Construction Coordinator on April 20, 2021 and in consultation with the West Helena Valley Fire District Fire Chief. The estimated costs for funding said maintenance will be \$1100.00 per year, as shown on Exhibit C. 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 approve an intent to amend the Saddle Rock Fire System Rural Improvement District No. 2016-2 for the purposes of: (1) adding the Olivet Subdivision and (2) updating the costs associated with maintenance of the fire protection system 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 in this resolution within the RID boundary as shown on Exhibit "B".
4. That written protests will be received from persons owning real property within the proposed amended RID for thirty (30) days after the first publication of notice, and that said protests must contain the printed landowner's name and address as it appears on the last assessment roll.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 27
Day of April, 2021.



LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

A handwritten signature in blue ink, appearing to read "Andy Hunthausen", written over a horizontal line.

Andy Hunthausen, Chair

ATTEST:

A handwritten signature in blue ink, appearing to read "Amy Reeves", written over a horizontal line.

Amy Reeves, Clerk of the Board

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

EXHIBIT A

Robert S Utick
P.O. Box 598
East Helena, MT 59635

RECEIVED

SEP 11 2020

LEWIS & CLARK COUNTY
Community Development & Planning

September 1, 2020

Greg McNally
Lewis and Clark County Planning Department
City County Building, Room 230
316 N Park Avenue
Helena, MT 59623

Greg,

Per Condition of Approval number 15 of the Olivet Subdivision, please consider this letter an official request that the Rural Improvement District for maintenance, preservation and repair of the 30,000 gallon Fire Protection Fill site that is physically located on the Saddle Rock Subdivision be revised to include the four lots in the Olivet Subdivision.

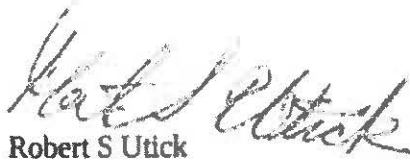

Robert S Utick

EXHIBIT B

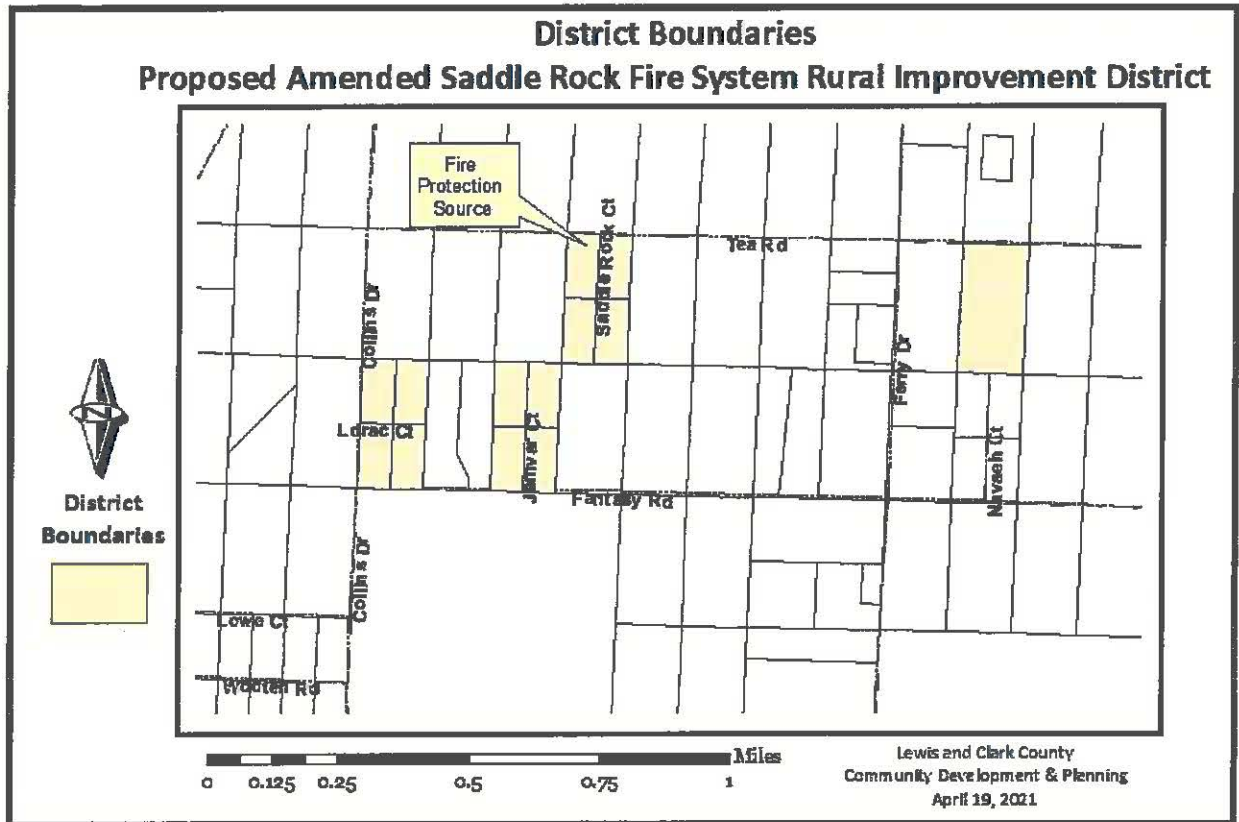


EXHIBIT C

LEWIS AND CLARK COUNTY PUBLIC WORKS DEPARTMENT						
MAINTENANCE AND ASSESSMENT SCHEDULE						
RID NAME:	Saddle Rock Fire 2016-2					
PREPARED BY:	Calob Marquis			ASSESSMENT PER LOT:	\$	68.75
DATE:	4/20/2021			TOTAL ANNUAL ASSESSMENT:	\$	1,100.00
BENEFITING PROPERTIES:	16					
RID DESCRIPTION:	Description of Limits	Surface	Length (ft)	Width (ft)	Area (sq ft)	Square Yards (sq yd)
Road						
Parking Area	Entire Area of turnaround	Gravel	95	95	9025	1003
TOTALS			95	95	9025	1003
YEARLY MAINTENANCE:	Description	Frequency/Year	Quantity	Units	Unit Price	Total Cost
Item						
FIRE PROTECTION SYSTEM AND TURN-AROUND						
	1 Electrical Power Supply	1	1	each	\$ 150.00	\$ 150.00
	2 Tank Maintenance and Repair	1	1	each	\$ 200.00	\$ 200.00
	3 Well Maintenance and Repair	1	1	each	\$ 400.00	\$ 400.00
	4 Turnaround Surface Maintenance and Snow Removal	1	1	each	\$ 350.00	\$ 350.00
					\$	1,100.00