

RESOLUTION 2021 - 92

RESOLUTION OF INTENTION TO CREATE THE SHIMMERING SANDS RURAL IMPROVEMENT DISTRICT FOR IMPROVEMENT AND ROAD MAINTENANCE NO. 2021-5

WHEREAS, the Lewis and Clark County Board of Commissioners may order and create a Rural Improvement District (RID) whenever the public interest or convenience may require, Section 7-12-2102, MCA; and

WHEREAS, it is the policy of the Board to follow public process for creating an RID when a petition has been received to create an RID; and

WHEREAS, a petition for the Shimmering Sands Rural Improvement District No. 2021-5 (the District), was submitted September 22, 2021, for the purpose of funding improvements and maintenance on Shimmering Sands; and

WHEREAS, the petition was signed by 50% of owners of benefited lots within the District boundary; and

WHEREAS, the designated items set forth in Section 7-12-21-03(2), MCA, are as follows:

(a) The designated number of the District is 2021-5.

(b) The benefited properties to be included in the District are listed in the petition, Exhibit "A". The roads proposed for improvement and maintenance within the boundary of the District are shown on Exhibit "B".

(c) The County Engineer or a designee will have charge of the work. The general character of improvements includes adding 6 inches of gravel base, 3 inches of asphalt, installing drainage infrastructure, and chip sealing on Shimmering Sands Lane (from York Road to Sands Road) and Sands Road (from Shimmering Sands Lane to York Road). Financing of improvements is estimated to total \$224,234.95, and each benefited property is proposed to be levied a 15-year debt services assessment of \$1200.97, annually. Improvement costs are detailed on Exhibit "C".

(d) Maintenance activities funded by the Proposed district will include crack sealing, snow plowing, sanding, sweeping, chip sealing, drainage, and sign maintenance. Funding of annual maintenance is estimated to total \$3,140.00, and each benefited property is proposed to be levied a maintenance assessment of \$157.00, annually. Costs for maintenance are detailed on Exhibit "D". Estimated loan information and a summary of annual assessment estimates are detailed on Exhibit "E".

(e) Costs shall be assessed equally, as described in Section 7-12-2151(1)(d), MCA.

(f) Pursuant to Section 7-12-2103(2)(f), MCA, if an increase in the number of benefited lots, tracts, or parcels within the boundaries of the district during the term of bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners does hereby establish its intention to create the Shimmering Sands Rural Improvement District No. 2021-5 for the purpose of equitably funding improvements and maintenance for Shimmering Sands Rural Improvement District.

BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating proposed improvements and maintenance for roadways within the District.



BE IT FURTHER RESOLVED that written protests will be received from persons owning real property within the proposed district 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.

DATED this 19 day of October, 2021.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS





Andy Hunthausen, Chair



Amy Reeves, Clerk of the Board

Attachments:
Exhibit "A"
Exhibit "B"
Exhibit "C"
Exhibit "D"
Exhibit "E"

Exhibit "A": Property Owners

PETITION TO CREATE THE SHIMMERING SANDS RURAL IMPROVEMENT DISTRICT

Petition Circulation Date: August 9, 2021

We the undersigned, owners of real property within the proposed Shimmering Sands Rural Improvement District (the "Proposed District"), located in Lewis and Clark County, Montana, do hereby petition the Board of County Commissioners to create a Rural Improvement District for the purpose of improving and maintaining Shimmering Sands Lane and Sands Road, as authorized by MCA §7-12-2101, et. Seq.

A property owner list requiring at least 20% of the listed owners' signatures is attached as Exhibit "A", and the boundaries of the district are shown on the attached Exhibit "B".

Improvements to be funded by the Proposed District include adding gravel base, 3 inches of asphalt, installing drainage infrastructure, and chip sealing on Shimmering Sands Lane (from York Road to Sands Road) and Sands Road (from Shimmering Sands Lane to York Road). Financing of improvements is estimated to total \$224,234.95, and each benefited property is proposed to be levied a 15-year debt service assessment of \$1,043.97, annually. Maintenance activities funded by the Proposed District will include crack sealing, snow plowing, sanding, sweeping, chip sealing, drainage, and sign maintenance. Funding of annual maintenance is estimated to total \$3,140.00, and each benefited property is proposed to be levied an ongoing maintenance assessment of \$157.00, annually. Costs for improvements and maintenance are detailed in the attached Exhibits "C" and "D", respectively. Estimated annual assessments are detailed on the attached Exhibit "E".

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District Policies and Procedures manual which is available for inspection at the Community Development and Planning Department in Room 230 of the City-County Building, 316 North Park Avenue, Helena, Montana. Details, boundaries of the district, and benefited properties are ultimately the decision of the Board of County Commissioners. The details, boundaries, and benefited properties on this petition may be changed when resolutions establishing the district are considered, also resulting in increased or decreased estimated assessments. The final special assessment per lot may change due to a review of assessable lots by the Lewis and Clark County Property Tax Department.

It is anticipated the Proposed District would be administered by the County and the County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the district. It is anticipated a private contractor would perform the improvements and maintenance. Lewis and Clark County, by action of the Board in creating the Proposed District does not assume financial responsibility for the maintenance or improvement financed by the Proposed District.

If the County Commission adopts a resolution of intention to create the district upon receipt of this petition, affected property owners will receive mailed notification prior to a public hearing on a resolution to create the district with sufficient time to provide comments in support or protest.

Exhibit "A": Property Owners



No.	Geocode	Annual RID Improvement Estimate (Asphalt, 15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
1	05-1996-26-2-03-13-0000	\$1043.97	\$157.00	5581 Sands Rd Helena, MT 59602	Colette Pfeffer		8-18-21
2	05-1996-26-2-01-16-0000	\$1043.97	\$157.00	5585 Sands Rd Helena, MT 59602	Robert Pfeffer		8-18-21
3		\$1043.97	\$157.00				
4		\$1043.97	\$157.00				
5		\$1043.97	\$157.00				
6		\$1043.97	\$157.00				
7		\$1043.97	\$157.00				
8		\$1043.97	\$157.00				
9		\$1043.97	\$157.00				
10		\$1043.97	\$157.00				

Exhibit "A": Property Owners

No.	Geocode	Annual RID Improvement Estimate (Asphalt, 15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
1		\$1043.97	\$157.00				
2		\$1043.97	\$157.00				
3		\$1043.97	\$157.00				
4		\$1043.97	\$157.00				
5		\$1043.97	\$157.00	3049 Old Broadwater Ln Helena, MT 59601	Frank Gruber Bonita Gruber	<i>Frank Gruber</i> <i>Bonita Gruber</i>	8/17/21
6		\$1043.97	\$157.00	3049 Old Broadwater Ln Helena, MT 59601	Frank Gruber Bonita Gruber	<i>Frank Gruber</i> <i>Bonita Gruber</i>	8/17/21
7		\$1043.97	\$157.00				
8		\$1043.97	\$157.00				
9		\$1043.97	\$157.00				
10		\$1043.97	\$157.00	5049 York Rd Helena, MT 59602	HARRY R. JOHNS JEANNE E. JOHNS	<i>Harry R. Johns</i> <i>Jeanne E. Johns</i>	8/17/21

Exhibit "A": Property Owners




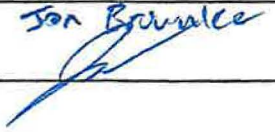
No.	Geocode	Annual RID Improvement Estimate (Asphalt, 15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Owner Name	Signature	Date of Signing
11		\$1043.97	\$157.00				
12		\$1043.97	\$157.00	5649 York Rd Helena, MT 59602	LARRY R. JOHNS JEANNE E. JOHNS	Larry R. Johns Jeanne E. Johns	8/17/21 8/17/21
13		\$1043.97	\$157.00				
14		\$1043.97	\$157.00	5654 SANDS ROAD HELENA, MT 59602	JOHN G. MANSANTI MARGARET M. MANSANTI	 	8/18/21 8/18/21
15		\$1043.97	\$157.00				
16		\$1043.97	\$157.00				
17		\$1043.97	\$157.00	5635 York Rd Helena, MT 59602	Bronhee Properties LLC By  Manager	Jon Bronhee 	8/22/21
18		\$1043.97	\$157.00				
19		\$1043.97	\$157.00				

Exhibit "A": Property Owners



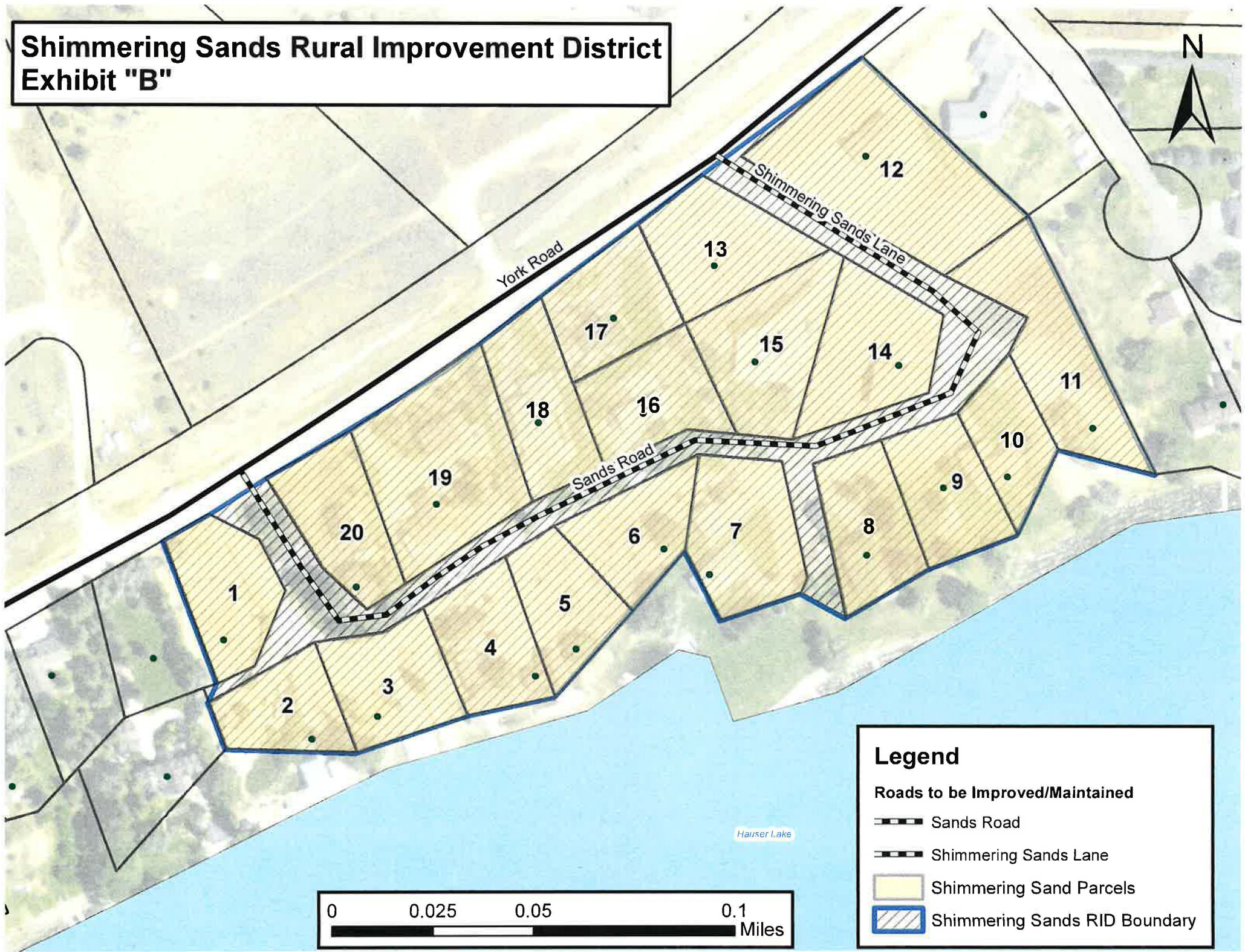
No.	Geocode	Annual RID Improvement Estimate (Asphalt, 15 years)	Annual RID Maintenance Estimate	Address, City, State, Zip	Owner Name	Signature	Date of Signing
11		\$1043.97	\$157.00				
12		\$1043.97	\$157.00				
13		\$1043.97	\$157.00				
14		\$1043.97	\$157.00				
15		\$1043.97	\$157.00				
16	05-1996-26-2 -04-19-0000	\$1043.97	\$157.00	5626 Sands Rd. Helena, MT, 59602	Janis M. Huff		8/18/21
17		\$1043.97	\$157.00				
18		\$1043.97	\$157.00				
19	05-1996-26-2 -04-03-0000	\$1043.97	\$157.00	5615 YORK RD. HELENA, MT 59602	ERWIN + VIRGINIA TYREE		08/18/21

Exhibit "A": Property Owners

No.	Geocode	Annual RID Improvement Estimate <small>(Asphalt, 15 years)</small>	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
20		\$1043.97	\$157.00				

Shimmering Sands Rural Improvement District Exhibit "B"

N



Legend

Roads to be Improved/Maintained

--- Sands Road

--- Shimmering Sands Lane

Shimmering Sand Parcels

Shimmering Sands RID Boundary

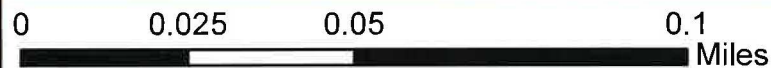


Exhibit "C"

LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT ESTIMATE

PROJECT: Shimmering Sands
 PROJECT DESCRIPTION: Asphalt Improvement
 PREPARED BY: Calob Marouis
 DATE: 6/22/2021

Road Name	Description of Limits	Width (ft)	Length (ft)	Area (sq ft)	Volume (sq yd)	3" Asphalt Overlay (tons)	Drainage	Chip & Seal (sq yd)	Gravel, 6" Depth (cu yd)
Sands Rd	York Rd to Shimmering Sands Ln	24	1,300	31,200	3,467	593		3,467	693
Shimmering Sands Ln	York Rd to Sands Rd	24	450	10,800	1,200	205		1,200	240
TOTALS		24	1,750	42,000	4,667	798		4,667	933

Item	Total	Unit	Cost/Unit	Total Cost
Asphalt Overlay	798	tons	\$ 100.00	\$ 79,800.00
Chip & Seal	4,667	sq yd	\$ 2.15	\$ 10,034.05
Gravel	933	cu yd	\$ 35.00	\$ 32,655.00
Drainage	1,750	sq yd	\$ 9.00	\$ 15,750.00
Culvert Installatic	4	each	\$ 2,500.00	\$ 10,000.00
Rip Rap	22	cu yd	\$ 54.00	\$ 1,188.00
CONSTRUCTION TOTAL				\$ 149,427.05
Contingency			10%	\$ 14,942.71
Subtotal				\$ 164,369.76
Mobilization, Bonding & Insurance			4%	\$ 6,574.79
Traffic Control			4%	\$ 6,574.79
Subtotal				\$ 177,519.34
Design & Construction Engineering			20%	\$ 35,503.87
PROJECT TOTAL				\$213,023.21

Exhibit "D"

LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT

MAINTENANCE AND ASSESSMENT SCHEDULE

RID NAME: Shimmering Sands

RID FUND #:
PREPARED BY: Calob Marquis
DATE: 5/18/2021
BENEFITING PROPERTIES: 20

PROPOSED ASSESSMENT: \$ 157.00
PROPOSED TOTAL ANNUAL ASSESSMENT: \$ 3,140.00

RID DESCRIPTION:

Road	Description of Limits	Surface	Length (ft)	Width (ft)	Area (sq ft)	Area (sq yd)
Sands Rd	York Rd to Shimmering Sands Lan	Paved	1300	24	31200	3467
Shimmering Sands Lan	York Rd to Sands Rd	Paved	450	24	10800	1200
TOTALS			1750	24	42000	4667

YEARLY MAINTENANCE:

Item	Description	Frequency/Year	Quantity	Units	Unit Price	Total Cost
1	Plowing/Sanding	4	4667	sq yd	\$ 0.03	\$ 560.00
2	Sweeping	1	4667	sq yd	\$ 0.12	\$ 560.00
3	Crack Seal	1	120	ft	\$ 2.00	\$ 240.00
4	Misc. (Signs, culverts, etc.)	1	4667	sq yd	\$ 0.05	\$ 233.33
						\$ 1,593.33

FUTURE MAINTENANCE:

Item	Description	Frequency	Quantity	Units	Unit Price	Total Cost
1	Chip Seal	7 years	4667	sq yd	\$ 2.00	\$ 9,333.33

COMMENTS:

Inflation on construction costs based on: 1.50% per year

FISCAL YEAR	ASSESSMENT	TOTAL ANNUAL ASSESSMENT	BALANCE & CASH ON HAND	CONSTRUCTION COST	MAINTENANCE (W/1.5% INFLATION)	ADMIN	FUTURE MAINTENANCE
2021	\$ 157.00	\$ 3,140.00	\$ 1,389.67		\$ 1,593.33	\$ 157.00	
2022	\$ 157.00	\$ 3,140.00	\$ 2,755.43		\$ 1,617.23	\$ 157.00	
2023	\$ 157.00	\$ 3,140.00	\$ 4,096.94		\$ 1,641.49	\$ 157.00	
2024	\$ 157.00	\$ 3,140.00	\$ 5,413.83		\$ 1,666.11	\$ 157.00	
2025	\$ 157.00	\$ 3,140.00	\$ 6,705.72		\$ 1,691.11	\$ 157.00	
2026	\$ 157.00	\$ 3,140.00	\$ 7,972.25		\$ 1,716.47	\$ 157.00	
2027	\$ 157.00	\$ 3,140.00	\$ 9,213.03		\$ 1,742.22	\$ 157.00	
2028	\$ 157.00	\$ 3,140.00	\$ 10,427.68		\$ 1,768.35	\$ 157.00	
2029	\$ 157.00	\$ 3,140.00	\$ 11,615.80		\$ 1,794.88	\$ 157.00	
2030	\$ 157.00	\$ 3,140.00	\$ 2,418.44	\$10,358.55	\$ 1,821.80	\$ 157.00	chip seal
2031	\$ 157.00	\$ 3,140.00	\$ 3,552.32		\$ 1,849.13	\$ 157.00	
2032	\$ 157.00	\$ 3,140.00	\$ 4,658.45		\$ 1,876.87	\$ 157.00	
2033	\$ 157.00	\$ 3,140.00	\$ 5,736.43		\$ 1,905.02	\$ 157.00	
2034	\$ 157.00	\$ 3,140.00	\$ 6,785.84		\$ 1,933.59	\$ 157.00	
2035	\$ 157.00	\$ 3,140.00	\$ 7,806.24		\$ 1,962.60	\$ 157.00	
2036	\$ 157.00	\$ 3,140.00	\$ 8,797.20		\$ 1,992.04	\$ 157.00	
2037	\$ 157.00	\$ 3,140.00	\$ (1,738.10)	\$11,496.39	\$ 2,021.92	\$ 157.00	chip seal
2038	\$ 157.00	\$ 3,140.00	\$ (807.34)		\$ 2,052.25	\$ 157.00	
2039	\$ 157.00	\$ 3,140.00	\$ 92.63		\$ 2,083.03	\$ 157.00	
2040	\$ 157.00	\$ 3,140.00	\$ 961.35		\$ 2,114.27	\$ 157.00	

Exhibit "E": Estimated Assessments for Shimmering Sands RID

Construction		\$149,427.05
Contingency	10%	\$14,942.71
		164,369.76
Mobilization, Insurance & Bonding	4%	\$6,574.79
Traffic Control	4%	\$6,574.79
		177,519.34
Design & Construction Engineering	20%	35,503.87
Total Estimated Construction Cost		\$213,023.20
RID Reserve (5%) MCA 7-12-2181 & 7-12-2182		11,211.75
Total Estimated Loan Amount		\$224,234.95

Value of Loan	\$224,234.95		
Period (years)	15	Total Int	\$88,955.60
Payments per Period	1	Total Princ	\$224,234.95
Interest Rate (7-12-2176)	4.50%	Total	\$313,190.55
Number of Assessments	20		

ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT **\$1,043.97**

Payment Number	Interest Payment	Principal Payment	Total Payment	Amount Remaining
				224,234.95
1	10,090.57	10,788.80	20,879.37	213,446.15
2	9,605.08	11,274.29	20,879.37	202,171.86
3	9,097.73	11,781.64	20,879.37	190,390.22
4	8,567.56	12,311.81	20,879.37	178,078.41
5	8,013.53	12,865.84	20,879.37	165,212.57
6	7,434.57	13,444.80	20,879.37	151,767.77
7	6,829.55	14,049.82	20,879.37	137,717.95
8	6,197.31	14,682.06	20,879.37	123,035.88
9	5,536.61	15,342.76	20,879.37	107,693.13
10	4,846.19	16,033.18	20,879.37	91,659.95
11	4,124.70	16,754.67	20,879.37	74,905.28
12	3,370.74	17,508.63	20,879.37	57,396.64
13	2,582.85	18,296.52	20,879.37	39,100.12
14	1,759.51	19,119.86	20,879.37	19,980.26
15	899.11	19,980.26	20,879.37	0.00
Total	\$88,955.60	\$224,234.95	\$313,190.55	

ANNUAL MAINTENANCE		times per year	
Crack Seal		1	\$240.00
Plowing/Sanding		4	\$560.00
Sweeping		1	\$560.00
Sign Maintenance		1	\$233.33
Chip Seal		Every 7 Years	\$1,389.67
Sub Total			\$2,983.00
5% Admin. Fee (not to exceed \$500)			\$157.00
Total Annual Maintenance Fee			\$3,140.00
ANNUAL ESTIMATED MAINTENANCE ASSESSMENT			\$157.00
ANNUAL ESTIMATED IMPROVEMENT ASSESSMENT			\$1,043.97
TOTAL ANNUAL ESTIMATED ASSESSMENT			\$1,200.97