

**RESOLUTION 2021 - 96**

**A RESOLUTION TO CREATE THE GRAND VISTA ESTATES, PHASE I-IV FIRE RURAL IMPROVEMENT DISTRICT NO. 2021-7**

**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 Grand Vista Estates, Phases I-IV Subdivision received preliminary approval from the Commission on December 17, 2019 with Condition of Approval No. 21 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 within the Grand Vista Estates, Phases I-IV Subdivision; and

**WHEREAS**, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 21 of the Grand Vista Estates, Phases I-IV Subdivision, and

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

1. The designated number of the Grand Vista Estates, Phases I-IV RID is 2021-7.
2. The boundaries of the RID are shown on Exhibit B, which encompass the boundaries of the Grand Vista Estates, Phases I-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 September 09, 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 Grand Vista Estates, Phases I-IV Rural Improvement District No. 2021-7 for the purpose of equitably funding the maintenance, preservation, and repair of the fire protection system and its improvements within the Grand Vista Estates, Phases I-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 21<sup>st</sup> Day of October, 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**

Steven Utick  
U&M Enterprises LLC  
P.O. Box 4582  
Helena, MT 59604

July 23, 2021

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 21 of the Grand Vista Estates Subdivision, please consider this letter an official request that the Rural Improvement District be created for maintenance, preservation and repair of the on-site fire protection system that was constructed to fulfill requirements of condition of approval 4(b) of the Grand Vista Estates Subdivision



Steven R Utick

EXHIBIT B

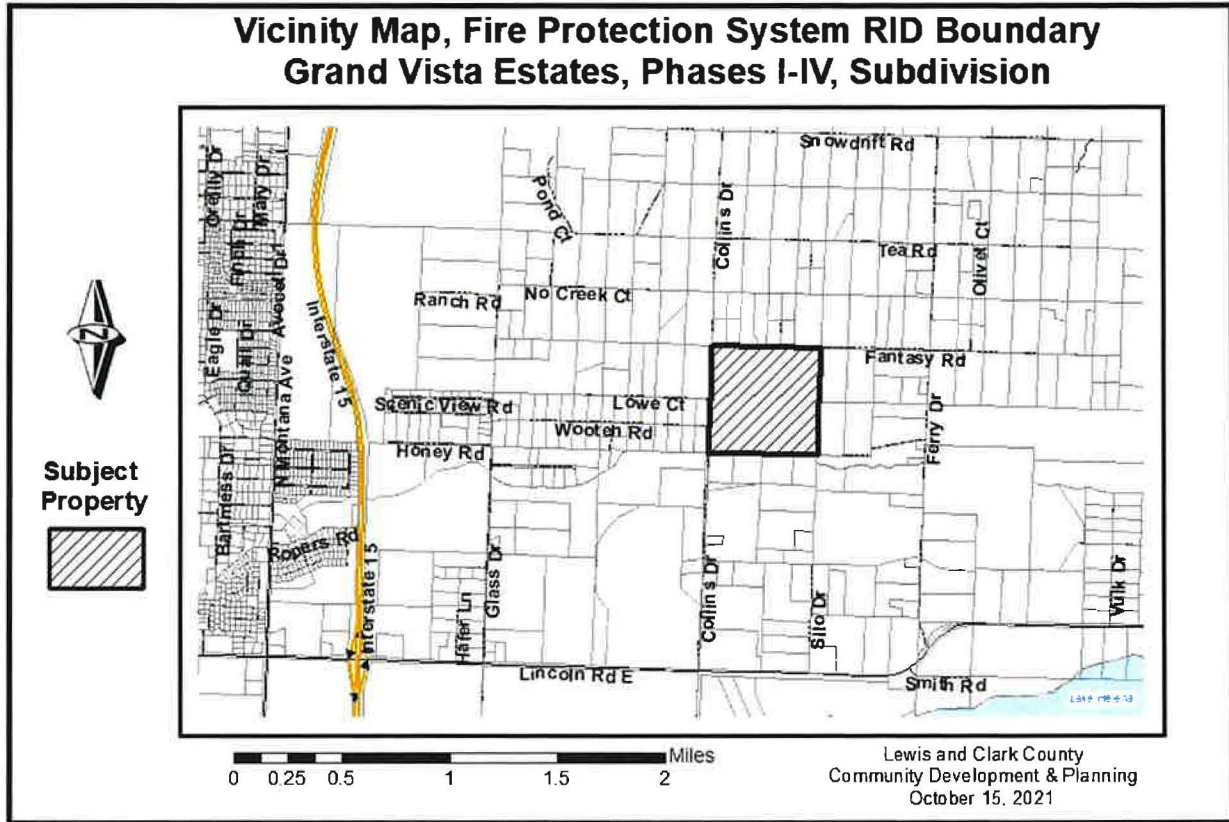




EXHIBIT C



September 9, 2021

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

**RE: Grand Vista Estates Subdivision Phase I  
Estimate of Operation & Maintenance Costs for Fire Protection RMD**

Dear Greg:

The purpose of this letter is to provide Lewis and Clark County with an estimate of operation and maintenance costs for the Grand Vista Estates Subdivision Fire Fill Site. 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 described in the following bulleted items:

- **Power.** The power bills for occasional operation of the fill site to date have been under \$40/month. The budgeted amount is therefore conservatively estimated at \$40/month. Recent power bills are attached.  
Estimated Annual Cost: \$480
- **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

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1093 HELENA AVE.  
HELENA, MT 59601

J BART ENGINEERS, LLC

(406) 449-1306  
JBARTENGINEERS.COM

**GRAND VISTA ESTATES SUBDIVISION PHASE I**  
**ESTIMATE OF OPERATION & MAINTENANCE COSTS FOR FIRE PROTECTION RMD**

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- **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 \$2,680/yr. For the 10 lots in Grand Vista Estates Phase I, the annualized cost would be \$268/yr per lot.

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

Sincerely,

**J BART ENGINEERS, LLC**



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Tony J. Prothero, PE

Attached: Power Bills

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**J BART ENGINEERS, LLC**  
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