

RESOLUTION 2022 - 10

**A RESOLUTION TO AMEND FRONTIER VILLAGE ESTATES
FIRE SYSTEM RURAL IMPROVEMENT DISTRICT NO. 2016-4**

WHEREAS, the Lewis and Clark County Board of Commissioners (Commission) 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 Mayville Manor Subdivision received preliminary approval from the Commission on December 08, 2020 with Condition No. 23 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 Frontier Village Estates Fire System RID is 2016-4.
2. The boundaries of the amended RID are shown on Exhibit A, which encompass the boundaries of the Frontier Village Estates, Buckboard Meadows, Garden Valley, and Mayville Manor 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, dry hydrant; well pump and piping repairs; 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 Frontier Village Estates Fire System RID No. 2016-4.
4. The County Engineer, or his designee, is to have charge of the work. Total annual maintenance costs for the fire protection system has been \$2,749.50, plus a 5% administrative fee, totaling \$2,886.98. Funding amounts were reviewed and updated by the Lewis and Clark County Public Works Special Districts Coordinator on December 30, 2021 and in consultation with the West Helena Valley Fire District Fire Chief. The estimated costs for funding said maintenance will be \$2,886.98 per year, as shown on Exhibit B. 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)."

WHEREAS, a resolution of intention to amend the Frontier Village Estates Fire System Rural Improvement District was adopted by the Board of January 6, 2022 as Resolution No. 2022-4; and



WHEREAS, legal notice of passage of resolution 2022-4 was mailed to property owners and persons with interest in property within the proposed district, and published in the local newspaper in accordance with 7-12-2105 MCA and 7-1-2121 MCA; and

WHEREAS, on February 17, 2022, the Commission held a public hearing and proceeded to hear all protests, comments, and other matters relating to the district, and determined that the boundaries of the district and method of assessment were equitable; and

WHEREAS, no letters of protest have been received by the County, and therefore it was determined that there was not sufficient protest to bar proceedings as per 7-12-2112 MCA.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners,

1. That it does hereby amend the Frontier Village Estates Fire System Rural Improvement District No. 2016-4 for the purposes of: (1) adding the Mayville Manor 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 "A".

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 17th Day of February, 2022.



LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

ATTEST:

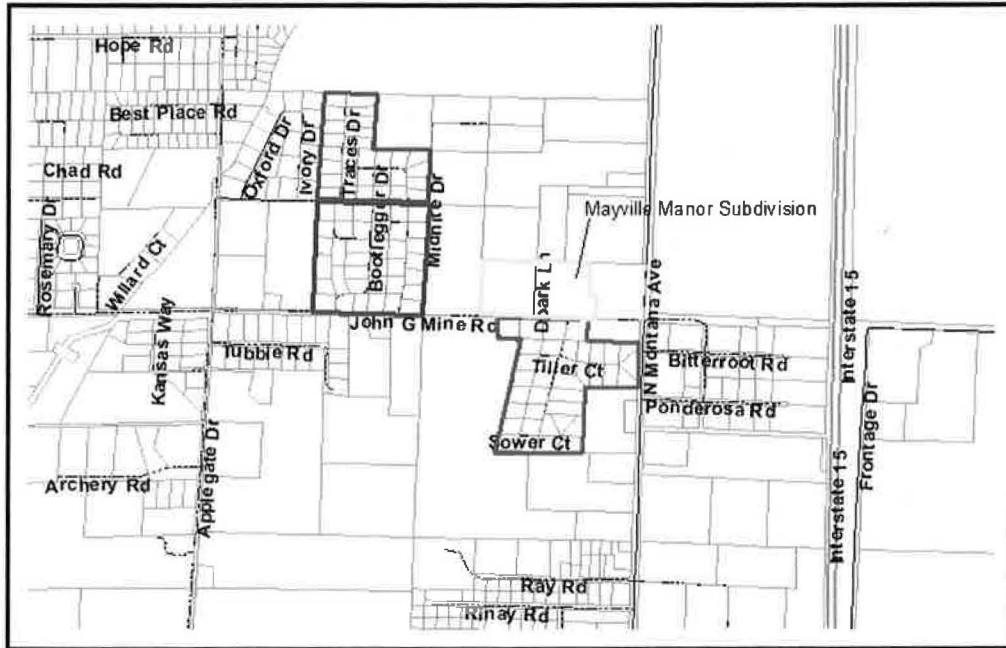


Amy Reeves, Clerk of the Board

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

EXHIBIT A

Vicinity Map Frontier Village Fire System Rural Improvement District



Lewis and Clark County
Community Development & Planning
February 11, 2022

EXHIBIT B

Exhibit "C" Frontier Village Estates Fire System RID Estimated Maintenance Costs		
Number of Assessments: 116		
Annual Maintenance		
<u>Description</u>	<u>Frequency</u>	<u>Item Cost</u>
Fire suppression system repair and upkeep	As needed	\$2,749.50
<u>Subtotal</u>		<u>\$2,749.50</u>
<u>5% Admin. Fee (not to exceed \$500)</u>		<u>\$137.48</u>
<u>Total Annual Maintenance Fee</u>		<u>\$2,886.98</u>
<u>Annual Maintenance Assessment Per Benefited Property</u>		<u>\$24.88</u>
(Note: all costs and frequencies are estimates)		