

RESOLUTION 2022-53

RESOLUTION TO CREATE THE LONG GULCH RURAL IMPROVEMENT DISTRICT NO. 2022-6

WHEREAS, a resolution of intention to create Long Gulch Rural Improvement District (the District) was adopted by the Lewis and Clark County Board of Commissioners on June 16, 2022, as resolution 2022-38; and

WHEREAS, legal notice of the passage of Resolution 2022-38 was mailed to each property owner or person of interest in property within the proposed District, and published in the local newspaper in accordance with Section 7-12-2105, MCA and 7-1-2121, MCA; and

WHEREAS, it was determined that there was not sufficient protest to bar proceedings as per Section 7-12-2112, MCA; and

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

(a) The designated number of the District is 2022-6.

(b) The benefited properties to be included in the District are listed in the petition, Exhibit "A". The road proposed for improvement and 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 include drainage remediation and culvert installation, surface preparation with the PTH crusher, grading, and compacting. The estimated costs for improvements total \$22,085 and will be paid for with a fifteen (15) year debt service, with \$294 assessed annually to each benefited property. Improvement costs are detailed in Exhibit "C".

(d) The general character of maintenance includes, but is not limited to, annual grading, drainage maintenance, snow plowing and sanding, gravel maintenance, and other maintenance as necessary to preserve the road improvements. Each benefited property is estimated to be assessed \$175.00, annually. Maintenance costs are detailed in Exhibit "D".

(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 occurs 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 create the Long Gulch Rural Improvement District No. 2022-6 for the purpose of equitably funding improvements and maintenance for Long Gulch Road.

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



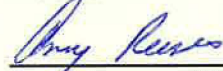
DATED this 26th day of July, 2022.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS




Jim McCormick, Chair

ATTEST:



Amy Reeves, Clerk of the Board

Attachments:

- Exhibit "A"
- Exhibit "B"
- Exhibit "C"
- Exhibit "D"

Exhibit "A": Property Owners

PETITION TO CREATE THE LONG GULCH RURAL IMPROVEMENT DISTRICT

Petition Circulation Date: May 10, 2022

We the undersigned, owners of real property within the proposed Long Gulch Rural Improvement District (the "Proposed District"), located in Lewis and Clark County, Montana, do hereby petition the Board of County Commissioners to create the Proposed District for the purpose of improving and maintaining Long Gulch 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".








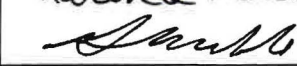
Improvements to be funded by the Proposed District include drainage remediation, surface preparation with the PTH crusher, grading, and compacting. Financing of improvements is estimated to total \$22,085, and each benefited property is proposed to be levied a 15-year debt service assessment of \$294, annually. Maintenance activities funded by the Proposed District include snow plowing, grading, gravel maintenance, drainage maintenance, and other items as needed to preserve the road improvement. Funding of annual maintenance is estimated to total \$1,225, and each benefited property is proposed to be levied an ongoing maintenance assessment of \$175.00, annually. This annual maintenance assessment will be evaluated each year and adjusted for inflation or maintenance needs as necessary. Any change in the assessment rate will result in written legal notice and the opportunity for protest during public hearing. The combined annual improvement and maintenance assessment estimate for each benefited property is \$469. Once the improvement debt service is paid, the annual assessment will drop to the maintenance cost only. Costs for improvements and maintenance are detailed in the attached Exhibits "C" and "D", respectively. Estimated annual assessments and loan information are detailed in the attached Exhibit "E".

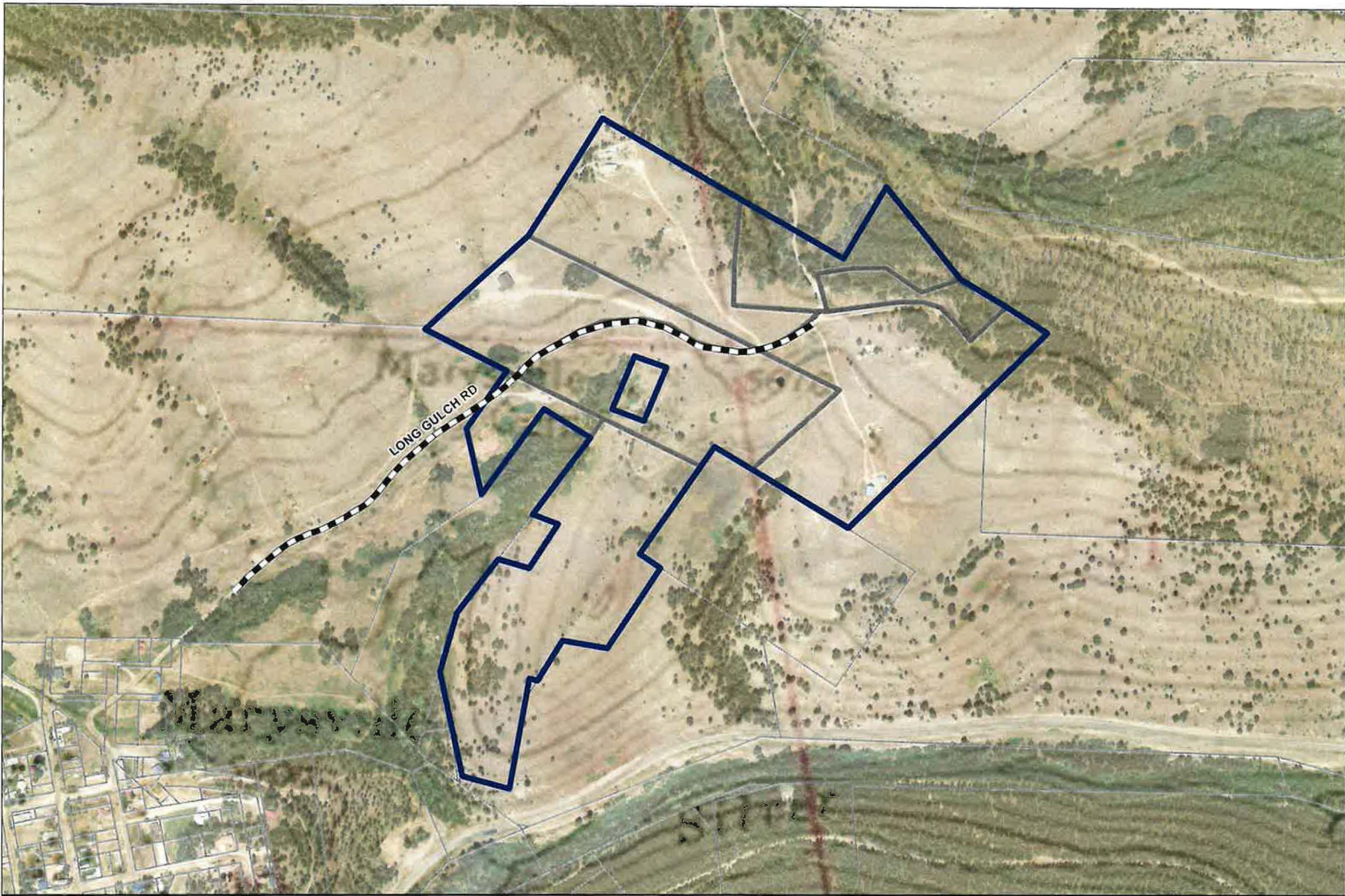
This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District Policies and Procedures manual which is available for inspection at the Community Development and Planning Department in Room 230 of the City-County Building, 316 North Park Avenue, Helena, Montana. 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.

Exhibit "A": Property Owners

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.

| No. | Geocode | Annual Improvement Estimate (15 years) | Annual RID Maintenance Estimate | Address, City, State, Zip | Printed Name | Signature | Date of Signing |
|-----|---|--|---------------------------------|-----------------------------|--|--|--------------------|
| 1 | 05-2109-31-2-01-03-0000 05-2109-31-2-01-03-0000 | \$294.00 | \$175.00 | 7537 Long Gulch Rd 59640 | BETTY GAIL SHERMAN DONALD R. CLARK |   | 5/16/22 5/16/22 |
| 2 | 05-2108-25-4-01-01-0000 | \$294.00 | \$175.00 | 7456 Long Gulch Rd 59640 | Brian McDaniel |  | 5-17-22 |
| 3 | 05-2108-35-4-01-05-0000 05-2108-25-4-01-01-0000 | \$294.00 | \$175.00 | 7441 Long Gulch 59640 | Brian McDaniel |  | 5-17-22 |
| 4 | 05-2108-25-4-01-03-0000 | \$294.00 | \$175.00 | 7526 Long Gulch Rd 59640 | Melanie Christensen Bully Christensen |   | 5/17/22 5/17/22 |
| 5 | 05-2109-31-2-01-02-0000 | \$294.00 | \$175.00 | N/A | Karen L Marble George F. Marble |   | 5/18/22 5/18/22 |
| 6 | | \$294.00 | \$175.00 | | | | |
| 7 | | \$294.00 | \$175.00 | | | | |



Long Gulch Rural Improvement District Exhibit "B"

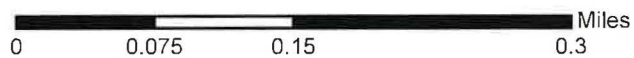


Exhibit "C"

LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT ESTIMATE

PROJECT: Long Gulch
PROJECT DESCRIPTION: Gravel Improvement
PREPARED BY: Calob Marquis
DATE: 3/18/2022

| Road Name | Description of Limits | Width (ft) | Length (ft) | Area (sq yd) | Area (sq yd) | Crushed Top Surfacing 4" (cu yd) | Pulverization (sq yd) | Mag (ft) | Pit Run 9" (cu yd) | Drainage Prep (ft) |
|---------------|------------------------------|------------|-------------|--------------|--------------|----------------------------------|-----------------------|----------|--------------------|--------------------|
| Long Gulch | Cattle guard to cattle guard | 15 | 2,684 | 40,260 | 4,473 | 596 | 4,473 | 0 | 160 | 2,684 |
| | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTALS | | | 2,684 | 40,260 | 4,473 | 0 | 4,473 | 0 | 0 | 2,684 |

| Item | Total | Unit | Cost/Unit | Total Cost |
|-----------------------------------|-------|-------|-----------|--------------------|
| Drainage Prep | 2,684 | ft | \$ 3.50 | \$ 9,394.00 |
| Pulverization | 4,473 | sq yd | \$ 2.00 | \$ 8,946.00 |
| Pit Run | 0 | cu yd | \$ 28.00 | \$ - |
| CONSTRUCTION TOTAL | | | | \$ 18,340.00 |
| Contingency | | | 10% | \$ 1,834.00 |
| Subtotal | | | | \$ 20,174.00 |
| Mobilization, Bonding & Insurance | | | 4% | \$ 806.96 |
| Traffic Control | | | 0% | \$ - |
| Subtotal | | | | \$ 20,980.96 |
| Design & Construction Engineering | | | 18% | \$ - |
| PROJECT TOTAL | | | | \$20,980.96 |

Exhibit "D"

**LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT**

MAINTENANCE AND ASSESSMENT SCHEDULE

RID NAME: Long Gulch

RID FUND #:
 PREPARED BY: Calob Marquis
 DATE: 3/19/2022
 BENEFITING PROPERTIES: 7

ASSESSMENT: \$ 175.00
 TOTAL ANNUAL ASSESSMENT: \$ 1,225.00

| Road | Description of Limits | Surface | Length (ft) | Width (ft) | Area (sq ft) | Square Yards (sq yd) |
|---------------|------------------------------|---------|-------------|------------|--------------|----------------------|
| Long Gulch Rd | Cattle guard to Cattle Guard | Gravel | 2922 | 15 | 43830 | 4870 |

TOTALS 2922 15 43830 4870

| Item | Description | Frequency/Year | Quantity | Units | Unit Price | Total Cost |
|---------------|-------------------------------|----------------|----------|------------|------------|--------------------|
| ROADS: | | | | | | |
| 1 | Plowing/Sanding | | 3 | 4870 sq yd | \$ 0.02 | \$ 292.20 |
| 2 | Grading | | 0.5 | 4870 sq yd | \$ 0.25 | \$ 608.75 |
| 3 | Misc. (Signs, culverts, etc.) | | 0.5 | 4870 sq yd | \$ 0.05 | \$ 121.75 |
| 4 | Crushed Mix | | | 30 cu yd | \$ 18.00 | \$ - |
| | | | | | | <u>\$ 1,022.70</u> |

COMMENTS:

Inflation on construction costs based on: 1.50% per year
 Cash On Hand At End Of Fiscal Year:

| FISCAL YEAR | ASSESSMENT | TOTAL ANNUAL ASSESSMENT | BALANCE & CASH ON HAND | CONSTRUCTION COST | MAINTENANCE (W/1.5% INFLATION) | ADMIN | FUTURE MAINTENANCE |
|-------------|------------|-------------------------|------------------------|-------------------|--------------------------------|----------|--------------------|
| 2023 | \$ - | \$ 1,225.00 | \$ - | | \$ 61.25 | \$ 61.25 | |
| 2024 | \$ 175.00 | \$ 1,225.00 | \$ 141.05 | | \$ 1,022.70 | \$ 61.25 | |
| 2025 | \$ 175.00 | \$ 1,225.00 | \$ 266.76 | | \$ 1,038.04 | \$ 61.25 | |
| 2026 | \$ 175.00 | \$ 1,225.00 | \$ 376.90 | | \$ 1,053.61 | \$ 61.25 | |
| 2027 | \$ 175.00 | \$ 1,225.00 | \$ 471.23 | | \$ 1,069.42 | \$ 61.25 | |
| 2028 | \$ 175.00 | \$ 1,225.00 | \$ 549.53 | | \$ 1,085.46 | \$ 61.25 | |
| 2029 | \$ 175.00 | \$ 1,225.00 | \$ 611.54 | | \$ 1,101.74 | \$ 61.25 | |
| 2030 | \$ 175.00 | \$ 1,225.00 | \$ 657.02 | | \$ 1,118.26 | \$ 61.25 | |
| 2031 | \$ 175.00 | \$ 1,225.00 | \$ 685.74 | | \$ 1,135.04 | \$ 61.25 | |
| 2032 | \$ 175.00 | \$ 1,225.00 | \$ 697.42 | | \$ 1,152.06 | \$ 61.25 | |
| 2033 | \$ 175.00 | \$ 1,225.00 | \$ 691.83 | | \$ 1,169.34 | \$ 61.25 | |
| 2034 | \$ 175.00 | \$ 1,225.00 | \$ 668.69 | | \$ 1,186.89 | \$ 61.25 | |
| 2035 | \$ 175.00 | \$ 1,225.00 | \$ 627.75 | | \$ 1,204.69 | \$ 61.25 | |
| 2036 | \$ 175.00 | \$ 1,225.00 | \$ 568.74 | | \$ 1,222.76 | \$ 61.25 | |
| 2037 | \$ 175.00 | \$ 1,225.00 | \$ 491.39 | | \$ 1,241.10 | \$ 61.25 | |
| 2038 | \$ 175.00 | \$ 1,225.00 | \$ 395.43 | | \$ 1,259.72 | \$ 61.25 | |
| 2039 | \$ 175.00 | \$ 1,225.00 | \$ 280.57 | | \$ 1,278.61 | \$ 61.25 | |
| 2040 | \$ 175.00 | \$ 1,225.00 | \$ 146.52 | | \$ 1,297.79 | \$ 61.25 | |
| 2041 | \$ 175.00 | \$ 1,225.00 | \$ (6.98) | | \$ 1,317.26 | \$ 61.25 | |
| 2042 | \$ 175.00 | \$ 1,225.00 | \$ (180.25) | | \$ 1,337.02 | \$ 61.25 | |
| 2043 | \$ 175.00 | \$ 1,225.00 | \$ (373.57) | | \$ 1,357.07 | \$ 61.25 | |