

RESOLUTION 2022 - 84

**A RESOLUTION TO CREATE THE GOLDEN MEADOWS FIRE
RURAL IMPROVEMENT DISTRICT NO. 2022-08**

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 Golden Meadows Subdivision received preliminary approval from the Commission on November 17, 2020 with Condition of Approval No. 13 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 Golden Meadows Subdivision; and

WHEREAS, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 13 of the Golden Meadows Subdivision, and

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

1. The designated number of Golden Meadows Subdivision RID is 2022-08.
2. The boundaries of the RID are shown on Exhibit B, which encompass the boundaries of the Golden Meadows 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 Ryan Casne, P.E. on August 10, 2022 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,

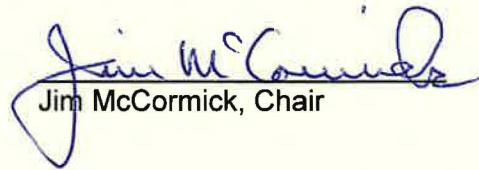
1. That it does hereby create the Golden Meadows Subdivision Rural Improvement District No. 2022-08 for the purpose of equitably funding the maintenance, preservation, and repair of the fire protection system and its improvements within the Golden Meadows Subdivision.



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 23rd Day of August, 2022.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

ATTEST:



Amy Reeves, Clerk of the Board

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

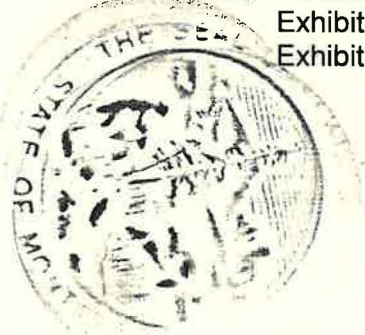


EXHIBIT A

June 3, 2022

Jessica Makus, Special Districts Planner
Lewis & Clark County Planning Dept.
3402 Cooney Drive
Helena, MT 59602

Re: Golden Meadows Subdivision, Final Plat
Petition to create Rural Improvement District (RID) for Onsite Fire Protection System

Dear Ms. Makus:

According to the Lewis and Clark County GIS maps, Golden Meadows Subdivision currently lies outside any RID or SID boundaries and is not within any zoning areas. Condition of Approval #13 states *"In cooperation with the County, the Applicant, its successors and assigns, shall create or amend a Rural Improvement District(s) and/or Special District(s) for the maintenance, preservation, and repair of the fire protection system and its improvements for the proposed Subdivision if an approved on-site fire protection system is constructed. (Sections (7-11-1003, 76-3-102, 501, 504, and 608(3), MCA; Chapters I.C., XI.H., XI.S., and Appendix K, County Subdivision Regulations; Lewis and Clark County Public Works Manual)"*.

I hereby request that a RID be created for the maintenance, preservation and repair of the onsite fire protection system.

Therefore, for purposes of maintenance of the proposed listed in the conditions above, I hereby petition Lewis and Clark County to create a Rural Improvement District in accordance with MCA Title 7, Chapter 12, Part 21.

County policy requires signatures of 60% of the owners to form a RID or SID. I, Larry Kim Smith, am the sole owner of the property owner, therefore satisfying this requirement with my signature hereto.



Larry "Kim" Smith
Owner

EXHIBIT B

FINAL PLAT OF GOLDEN MEADOWS SUBDIVISION (AMENDING TRACT B OF DOCUMENT NO. 566752/F) LOCATED IN THE NW 1/4 OF SEC. 18, T. 11 N., R. 33 W., PM MONTANA, LEWIS AND CLARK COUNTY. PURPOSE: GRANT 15 SINGLE FAMILY RESIDENTIAL LOTS. COMMISSIONED BY: LARRY KIM SMITH

GENERAL NOTES ON REVISIONS:

NO REVISIONS WERE MADE TO THIS PLAT. THE ORIGINAL PLAT IS BEING REPRODUCED FOR RECORDING PURPOSES ONLY. ALL DIMENSIONS AND LOCATIONS ARE AS SHOWN ON THE ORIGINAL PLAT.

LOCAL JURISDICTION: MONTANA

THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE MONTANA SUBDIVISION ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED. THE PLAT IS SUBJECT TO ALL APPLICABLE LOCAL ORDINANCES, INCLUDING BUT NOT LIMITED TO, THE MONTANA SUBDIVISION ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED.

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NOTATIONS:

- (1) THE INFORMATION HEREIN IS THE PROPERTY OF THE ENGINEER AND IS TO BE KEPT PRIVATE AND NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.
- (2) THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE MONTANA SUBDIVISION ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED.
- (3) THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE LAND DESCRIBED HEREON AND HAS FOUND THAT THE INFORMATION HEREON IS TRUE AND CORRECT.
- (4) THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE LAND DESCRIBED HEREON AND HAS FOUND THAT THE INFORMATION HEREON IS TRUE AND CORRECT.

RESTRICTIVE COVENANTS: ALL COVENANTS, CONDITIONS AND RESTRICTIONS OF RECORD SHALL APPLY TO THE LAND SHOWN ON THIS PLAT.

DATE: MAY 28, 2024
DRAWN BY: J. L. SMITH
CHECKED BY: J. L. SMITH
ENGINTEER: J. L. SMITH
MONTANA
REGISTERED PROFESSIONAL ENGINEER
No. 12345
LEWIS AND CLARK COUNTY

OWNER: LARRY KIM SMITH
ADDRESS: 12345 MAIN ST, BOZEMAN, MT 59717
PHONE: (406) 555-1234
E-MAIL: larry@kim-smith.com

CERTIFICATE OF FINAL PLAT APPROVAL: I, J. L. SMITH, ENGINEER, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE MONTANA SUBDIVISION ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED.

NO.	AREA	AREA IN ACRES	COUNTY	STATE
1	SUBDIVISION	1.234	LEWIS AND CLARK	MONTANA

CERTIFICATE OF ANALYSIS OF PUBLIC LAND DEDICATION AND ACCEPTANCE OF CASH IN-LIEN TENDER: THE LAND DESCRIBED HEREON IS PUBLIC LAND AS SHOWN ON THE ORIGINAL PLAT. THE LAND IS BEING DEDICATED TO THE PUBLIC AND THE ACCEPTANCE OF CASH IN-LIEN TENDER IS BEING MADE IN ACCORDANCE WITH THE MONTANA SUBDIVISION ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED.

WITNESSED BY: J. L. SMITH, ENGINEER
DATE: MAY 28, 2024
LEWIS AND CLARK COUNTY, MONTANA



CERTIFICATE OF SURVEYOR: I, J. L. SMITH, SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE MONTANA SURVEYING ACT, CHAPTER 105, TITLE 76, MONTANA CODE ANNOTATED.

DOCUMENT NO. 566752/F
SHEET 1 OF 2

LEWIS AND CLARK COUNTY, MONTANA

**GOLDEN MEADOWS SUBDIVISION
MAINTENANCE RID - ONSITE FIRE SYSTEM ONLY**

ENGINEER'S ESTIMATE of RID Costs
Casne and Associates, Inc.

Date: August 10, 2022

EXHIBIT C

ITEM	Limits	WIDTH (ft)	LENGTH (ft)	AREA (sf)	AREA (sy)	Snow Plowing (sy)	Crack Seal (lf)	LS	EA	Miscellaneous - Signs, Weed Spraying, Etc. (LS)	
											FIRE
FIRE SYSTEM (TOTAL)	DRY HYDRANT and 30,000GAL RFP TANK										MAINTENANCE & REPAIRS
TOTALS				0	0	0	0				

- (PMS) Plantmix Surfacing
- (CCS) Crushed Gravel Surfacing
- (G) General

Maintenance Frequency
FIRE SYSTEM CONTINGENCY FOR REPAIR/MAINT.

Note: See separate RID estimate for Road, Storm, Other

Maintenance Item	Qty	Unit	Times per Year	Cost/Unit	Ext. Cost
CONTINGENCY/REPAIR	1	SY	0.20	1,000.000	\$200.00
SUBTOTAL					\$200.00
5% Administration Fee				5%	\$10.00
TOTAL COST / YEAR					\$210.00
Cost per Lot per Year	15	lots			\$14.00

* Areas of roadway, easements and turnouts to be maintained were supplied by Casne and Associates.

