

RESOLUTION 2022 - 85

**A RESOLUTION TO CREATE THE CATTLE BARON ESTATES SUBDIVISION ROAD
RURAL IMPROVEMENT DISTRICT NO. 2022-9**

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 Cattle Baron Estates Subdivision received preliminary approval from the Commission on July 21, 2015 with Condition of Approval No. 16 of that approval requiring the creation or joining of an RID for maintenance, preservation, and repair of the internal access road, stormwater improvements; and all common areas/public improvements within the Cattle Baron Estates Subdivision that will serve this Subdivision; and

WHEREAS, the subdivision applicant has requested the creation of a rural improvement district to satisfy Condition of Approval No. 16 of the Cattle Baron Estates Subdivision, and

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

1. The designated number of the Cattle Baron Estates Subdivision RID is 2022-9.
2. The boundaries of the RID are shown on Exhibit B, which encompass the boundaries of the Cattle Baron Estates Subdivision.
3. The general character of maintenance includes costs associated with the maintenance, preservation, and repair of the internal access roads; stormwater improvements and all common areas/ public improvements within Cattle Baron Estates Subdivision.
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 internal access road; snow removal; dredge and clean retention ponds; clean culverts; and all common areas/public improvements were provided by Tony Prothero, P.E. on June 22, 2022. The estimated costs for funding said maintenance will be commensurate with the improvements, 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)."

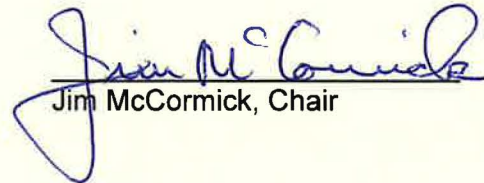
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners,



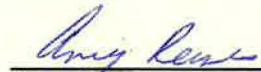
1. That it does hereby create the Cattle Baron Estates Rural Improvement District No. 2022-9 for the purpose of equitably funding the maintenance, preservation, and repair of the internal access road, stormwater improvements and detention ponds; and all common areas/public improvements within the Cattle Baron Estates 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

Varyn Land & Livestock
420 Sierra Road West
Helena, MT 59602

May 18, 2022

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

RE: Cattle Baron Estates Subdivision

We, Ryon and Valeria Robinett of Varyn Land & Livestock, Applicants/Developers for Cattle Baron Estates Subdivision, formally request the creation of a Rural Improvement District (RID) to provide maintenance of the internal road(s) and infrastructure.

Sincerely,


Valeria Robinett


Ryon Robinett

EXHIBIT B

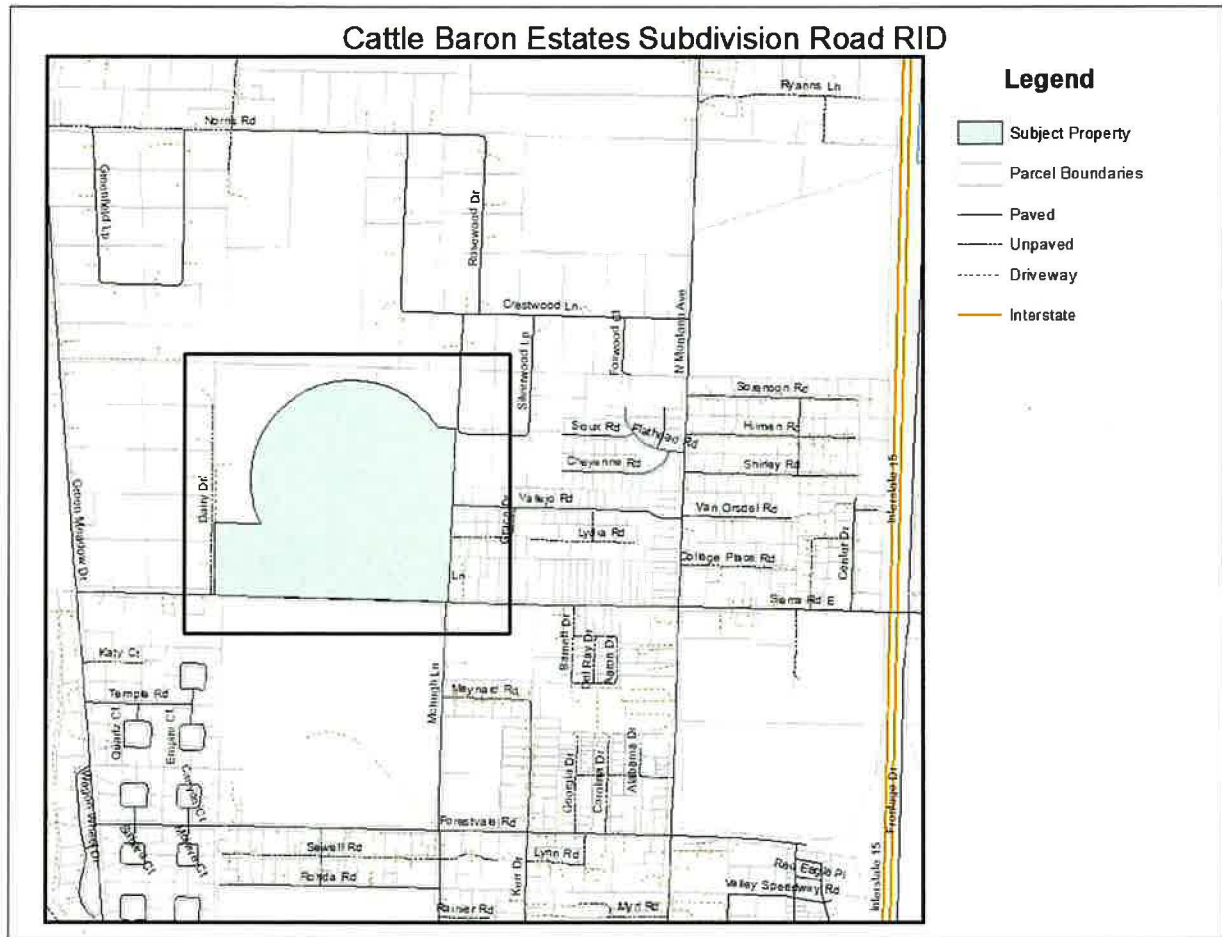


EXHIBIT C



J BAR T ENGINEERS, LLC

1229 E. LYNDALE • HELENA, MT 59601
406.449.1306 • JBARTENGINEERS.COM

June 22, 2022

Ryon Robinett
Varyn Land & Livestock
420 Sierra Rd. W.
Helena, MT 59602

**RE: Cattle Baron Estates
Estimate of Maintenance Costs for Internal Roads & Drainage**

Dear Ryon:

The purpose of this letter is to provide an engineer's estimate of maintenance costs for the internal road and drainage infrastructure of Cattle Baron Estates Subdivision to assist in the creation of a Rural Improvement District (RID).

The anticipated tasks necessary to maintain the internal roads and drainage infrastructure are described in the following bulleted items:

- Grading roads on 2-year intervals.
- Snow removal.
- Mowing retention ponds, once annually.
- Dredge and clean retention ponds on approximately 6-year intervals.
- Culverts will also require cleaning to remove sediment and vegetation around inlets and outlets. The barrels may also need cleaning to remove sediment accumulation and/or debris. The anticipated frequency is on 6-year intervals.
- Miscellaneous items include hauling and placing additional gravel, weed spraying, signage repair, or other required maintenance as needed.



Table 1: Cattle Baron Estates Road and Drainage Maintenance

Item	Estimated Cost	Frequency (years)	Cost/yr
1 Road Grading (Grader, Water Truck Compactor)	\$500	2	\$250
2 Snow Removal	\$300	1	\$300
3 Mowing Retention Ponds	\$100	1	\$100
4 Dredge/Clean Retention Ponds	\$600	6	\$100
5 Culvert Cleaning	\$300	6	\$50
6 Miscellaneous	\$300	1	\$300
Annual Total			\$1,100

Please contact me should you have any questions or comments via email at tony@jbartengineers.com or telephone at (406) 449-1306. Thank you.

Sincerely,

J Bar T Engineers, LLC

Tony J. Prothero, PE



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