

RESOLUTION 2023 - 108

A RESOLUTION OF INTENTION TO AMEND THE RED FOX MEADOWS STORMWATER RURAL IMPROVEMENT DISTRICT NO. 2019-04

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 Red Fox Meadows Stormwater Rural Improvement District, No. 2019-04, was created by the Board on October 31, 2019; and

WHEREAS, the method by which the costs were assessed is described in MCA 7-12-2151(1)(d), and each lot, tract, or parcel of land in the district was assessed an equal amount based upon the total cost; and

WHEREAS, pursuant to MCA 7-12-2151(4)(a), if an increase occurs in the number of benefited lots, tracts, or parcels within the boundaries of a district, the board shall recalculate the amount assessable to each lot, tract, or parcel; and

WHEREAS, the Prestige at Red Fox Meadows is located on Lot 127 within Red Fox Meadows Subdivision and will include 26 additional residential lots; and

WHEREAS, Lot 127 is currently within the boundaries of the Red Fox Meadows Road RID; and

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

1. The designated number of the existing Red Fox Meadows RID is 2019-04.
2. The boundaries of the RID are shown on Exhibit A, which encompass the boundaries of the Red Fox Meadows Subdivision.
3. The County Engineer, or his designee, is to have charge of the work. The general character of maintenance includes stormwater pond sediment removal, drainage ditch sediment removal/slope stability, weed control, necessary to preserve the improvements, as detailed in Exhibit B and Resolution 2019-101.
4. The estimated costs for annual maintenance total \$3,388.00 per year. Each benefited property is estimated to be assessed \$22.00, annually. All maintenance funds collected for the RID will be spent solely on maintenance within the RID.

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

1. That it does hereby approve intent to amend the Red Fox Meadows Rural Improvement District No. 2019-04 to include the additional lots created through the Prestige at Red Fox Meadows Subdivision located within the Red Fox Meadows RID, for the purpose of equitably funding the maintenance, preservation, and repair of the stormwater ponds and drainage ditches, within the Red Fox Meadows RID.
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 B.
4. That written protests will be received from persons owning real property within the proposed amended RID for thirty (30) days after the first publication of notice, and that said protests must contain the printed landowner's name and address as it appears on the last assessment roll.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 28th Day of December, 2023.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Tom Rolfe, Chair



ATTEST:


Amy Reeves, Clerk of the Board

Attachments:

- Exhibit – A (Boundaries)
- Exhibit – B (Maintenance Costs)

EXHIBIT A

BOUNDARIES FOR AMENDED RED FOX MEADOWS STORMWATER RURAL IMPROVEMENT DISTRICT EXHIBIT "A"

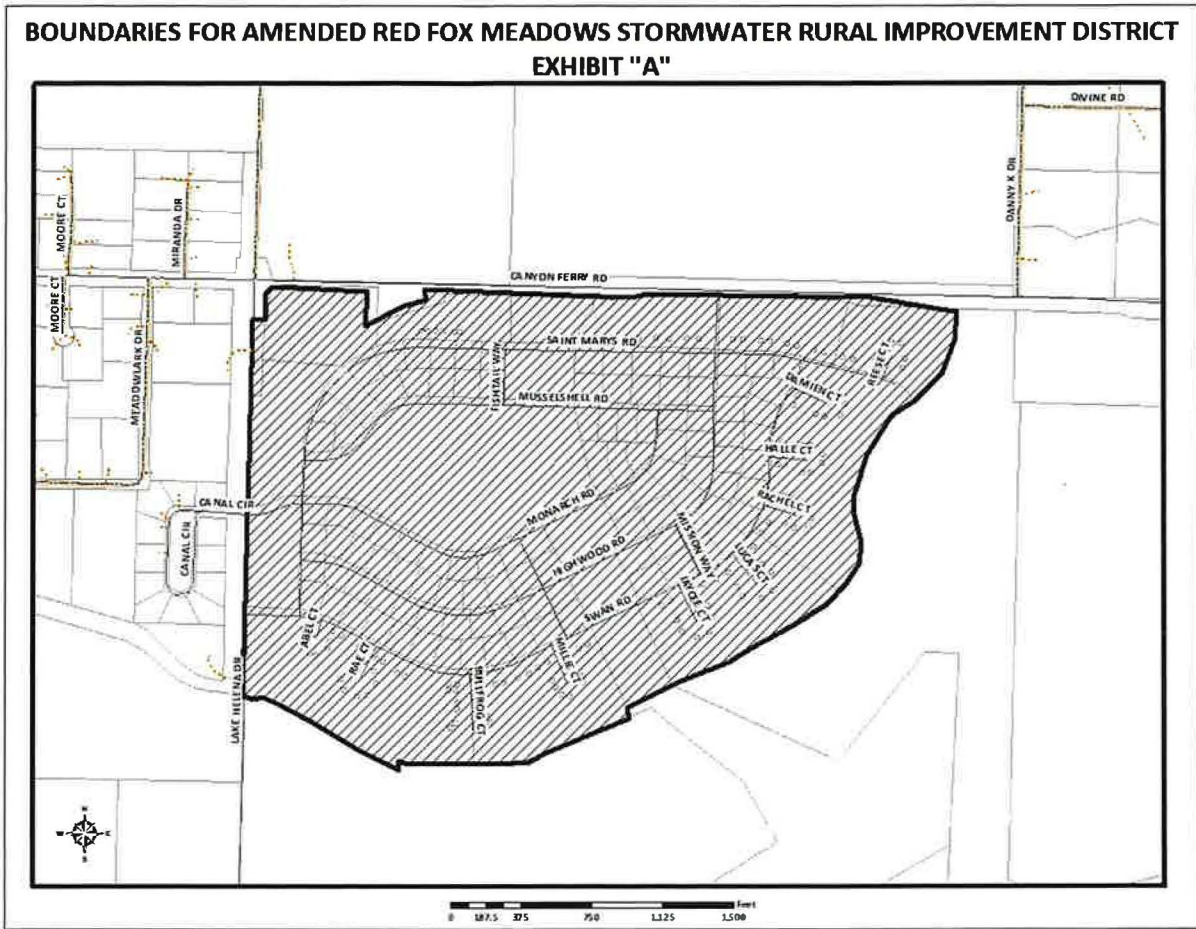


EXHIBIT B

THE PRESTIGE AT RED DOX MEADOWS ANNUAL STORM WATER MAINTENANCE ENGINEER'S ESTIMATE Prepared By: Triple Tree Engineering							
							Date: July 6, 2023
Item #	Limits	Length Feet	Weed Control LF	Culvert Cleaning EACH	Storm Water Pond Maintenance Each	Drainage Ditch Maintenance LF	
4	Storm Water Ponds and Drainage Ditches	Throughout Subdivision	70	70	2	2	70
TOTALS		70	70	2	2	70	
		Weed Control	70	LF	@	3.00	210.80
		Storm Water Pond Sediment Removal	1	EACH	@	400.00	400.00
		Drainage Ditch Sediment Removal/Slope Stability	70	LF	@	2.00	140.40
Storm Water Maintenance Subtotal							751.00
Administration Fee						5%	37.55
Storm Water Maintenance TOTAL							\$788.55