

## RESOLUTION 2020-11

### A RESOLUTION OF INTENTION TO AMEND THE SADDLE ROCK FIRE SYSTEM RURAL IMPROVEMENT DISTRICT NO. 2016-2

**WHEREAS**, the Lewis and Clark County Board of Commissioners (Commission) is authorized to establish an intention to create a rural improvement district (RID) whenever the public interest or convenience may require, as per 7-12-2103, MCA; and

**WHEREAS**, the Board of County Commissioners may also order and create a rural improvement district upon the receipt of a petition to create an RID that contains the consent of all property to be included in the RID, as per MCA 7-12-2102(2); and

**WHEREAS**, the attached letter, Exhibit "A", serves as the petition from the developer of the Lorac Subdivision to include all properties within this Subdivision in the existing Saddle Rock Fire System RID; and

**WHEREAS**, the Lorac Subdivision received preliminary approval from the Commission on December 8, 2016 with Condition No. 9 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 Lorac Subdivision received final approval from the Commission on November 30, 2017; and

**WHEREAS**, the boundaries of the Saddle Rock Fire System RID were not amended to include the Lorac Subdivision prior to that final approval; and

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

1. The designated number of the existing Saddle Rock Fire System RID is 2016-2.
2. The boundaries of the amended RID are shown on Exhibit "B", which encompass the boundaries of the Saddle Rock, JAMVAR, and Lorac Subdivisions.
3. Maintenance:
  - a. The general character of maintenance includes costs associated with the electrical power supply, any tank and well repairs, weed spraying of the gravel turnaround, and any grading and snow removal that provides vehicular access to the system, as detailed on Exhibit "C."
  - b. Maintenance of these improvements are within the scope of service for the Saddle Rock Fire System RID No. 2016-2.
4. The County Engineer, or his designee, is to have charge of the work. Updated maintenance costs for the fire protection system were provided by Tony Prothero, P.E. on June 28, 2018. The estimated costs for funding said maintenance will be \$1000.00 per year, as shown on Exhibit "C" (NOTE: Snow removal on Tea Road has been eliminated from these estimates.). 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 amend the Saddle Rock Fire System Rural Improvement District No. 2016-2 for the purposes of: (1) adding the Lorac 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 benefitted 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 on Exhibit "C" 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.

**INTRODUCED** at a Regular meeting of the Board of County Commissioners on March 5, 2020 by Commissioner Susan Good Geise.

**PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS** on this 5 Day of March, 2020.



LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

Susan Good Geise, Chair

ATTEST:

Paulette DeHart, Clerk of the Board

Attachments: Exhibit "A" (Petition),  
Exhibit "B" (Boundaries)  
Exhibit "C" (General Character of Maintenance)

**EXHIBIT "A" TO RESOLUTION NO. 2020-11**

**September 14, 2017**

**Matt Heime  
Special Districts Planner  
Lewis and Clark County  
Community Development Planning  
City-County Building  
316 North Park  
Helena, MT 59623**

**Dear Matt:**

**I, Robert Utick, owner of LORAC Subdivision, petition you to do the paperwork necessary for the expansion of the Saddle Rock Fire System (RID) to include the addition of the 4 lots which are being created by the aforementioned Subdivision. Tony Prothero of Shedhorn Engineering has already submitted any cost figures association with this RID.**

**If any other information is needed please contact me, Bob Utick at 439-1311.**

**Thank you.**


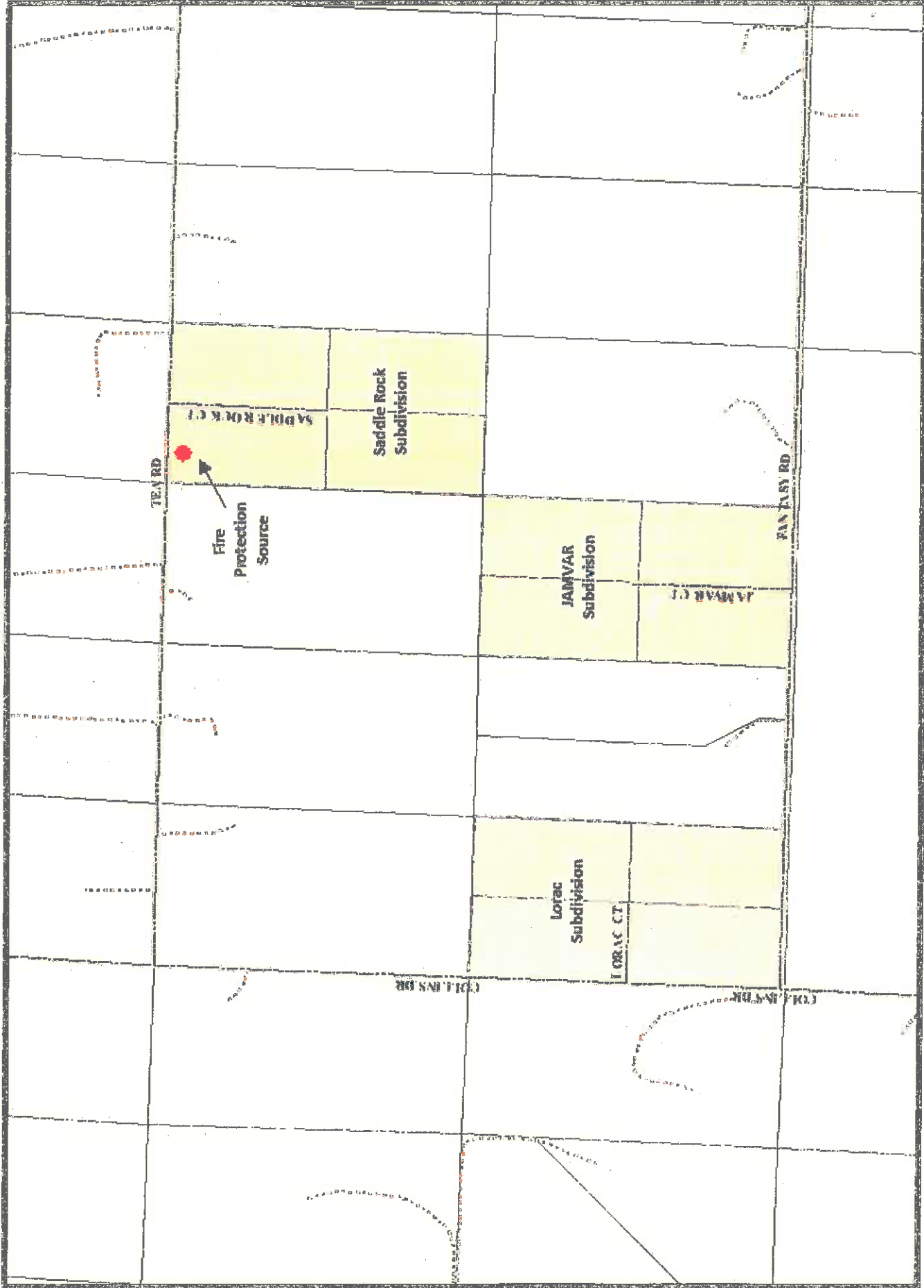
  
\_\_\_\_\_  
**Robert Utick**



EXHIBIT "B" OF RESOLUTION NO. 2020-11



Legend



Amended Saddle Rock Fire System RID



Date: February 28, 2020



June 28, 2018

Lindsay Morgan  
Lewis and Clark County Planning  
316 N. Park Avenue  
Helena, MT 59623

RE: Saddle Rock Subdivision Fire Fill Site  
Estimate of Operation and Maintenance Costs - Revised 6-28-18

Dear Lindsay:

The purpose of this letter is to provide Lewis and Clark County with an estimate of operation and maintenance costs for the Saddle Rock Subdivision Fire Fill Site. This fill site was a jointly constructed effort between the developers of Saddle Rock Subdivision (Mark Floerchinger) and JAMVAR Subdivision (Bob Utick). This estimate is to be used to assist with the establishment of a Rural Maintenance District for the system.

The anticipated operation and maintenance activities are further described in the following bulleted items:

- **Power.** The actual operation of the well pump is not expected to be frequent; therefore costs for electricity to run the well will be minimal. In order to estimate power consumption, it is assumed that the well pump would run for a maximum of 70 hours per year, and a cost of electricity at \$0.10/kw-hr. Estimated Annual Cost: \$50
- **Tank Maintenance & Repairs.** This would include any required maintenance or repairs to the tanks, float valve, or dry hydrant. Estimated Annual Cost: \$200
- **Well Maintenance & Repairs.** This would include any required repairs or maintenance to the well pump, piping, or electrical controls. Estimated Annual Cost: \$400
- **Gravel Turn-Around Maintenance & Repairs.** The major tasks associated with this are periodic grading, snow removal, and weed spraying. Estimated Annual Cost: \$350
- **Snow Removal on Tea Road.** The estimated annual cost for snow removal on Tea Road to provide access for emergency vehicles to the fill site is \$300.

Based on the above, the total estimated annual cost for operation and maintenance of the fire fill site is \$1,300/yr. Please feel free to contact me should you have questions or comments via email at [tony@shedhornengineering.com](mailto:tony@shedhornengineering.com) or telephone at (406) 439-8027. Thank you.

Sincerely,

SHEDHORN ENGINEERING LLC

A handwritten signature in black ink, appearing to read "Tony J. Prothero".

Tony J. Prothero, PE



C:\2013 Projects\13-06 Floerchinger Minor\Estimates\Estimate of Operation and Maintenance Costs - Revised 6-28-18 Up.docx

3 Microwave Hill Road, Suite B  
Clancy, MT 59634

P.O. Box 151  
(406) 439-8027

[www.shedhornengineering.com](http://www.shedhornengineering.com)