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RESOLUTION 1991 - 134

A RESOLUTION OF INTENTION TO CREATE A RURAL IMPROVEMENT DISTRICT
FOR ROAD IMPROVEMENTS AND ROAD MAINTENANCE
ON BEARTOOTH ROAD

WHEREAS, the Beartooth Road is a County Road located along the east side of Holter Lake in Townships 14 and 15 North, Range 3 West, Lewis and Clark County; and

WHEREAS, the Board of County Commissioners has identified extraordinary costs for proper maintenance of the Beartooth Road, due to the high volume of recreational traffic and gravel nature of the road; and

WHEREAS, the Board has discussed the creation of a Rural Improvement District for the purpose of funding road improvements and on-going maintenance of the road with private property owners and public agencies along the road; and

WHEREAS, there appears to be significant support for the concept of cooperatively funding the installation and maintenance of a chip-seal surface to improve access, reduce dust, and eliminate the maintenance costs associated with the gravel road; and

WHEREAS, a map of the road to be improved and the benefitting properties, and a description and cost estimates for the proposed improvements and maintenance are set forth on the attached Exhibits A and B; and

WHEREAS, the Board has the authority to propose Rural Improvement Districts for the purpose of funding road improvements and/or maintenance, pursuant to Section 7-12-2101, et. seq., MCA.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby establish its intention to create Rural Improvement District No. 91-3 for the purpose of funding road improvements and road maintenance within said district.

BE IT FURTHER RESOLVED that said district will include all benefitting parcels of land within the proposed boundaries as identified on Exhibit A, attached hereto and made a part hereof, except public lands.

BE IT FURTHER RESOLVED that the owners of public lands within the district will make contributions toward the costs of the improvements and maintenance on a contractual agreement with the County.

BE IT FURTHER RESOLVED that the improvements will consist of grading, shaping and compacting the existing road surface and installing a chip-seal surface, resulting in a road surface of 24 feet in top width, and will include drainage and safety improvements.

BE IT FURTHER RESOLVED that the maintenance shall include crack sealing, resurfacing, and other maintenance and repair as necessary to preserve the road surface, and that such maintenance shall be administered by the County Road Foreman.

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LEWIS

BE IT FURTHER RESOLVED that assessments for the improvements and maintenance shall be assessed upon each existing lot within the district and any lots created in the future. All funds collected herein shall be spent solely for activities within the proposed improvement/maintenance district. Assessments shall be based upon one of the following methods:

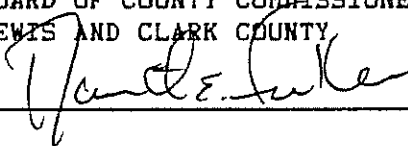
1. Based upon property valuation, not to exceed a maximum total taxable value of ten dollars (\$10) per lot, resulting in an equal flat fee assessment per assessed property; or
2. Based upon total property valuation, resulting in a range of assessments proportionate to the value of the assessed property.

Estimated costs of improvements to be financed are \$55,600; annual costs for improvements (including interest and administration) are \$10,951. Estimated annual maintenance costs (including administration) are \$1,793. Based upon assessment method No. 1, annual individual assessments would be approximately \$50.17 for the first seven years, and approximately \$7.06 for subsequent years. Based upon assessment method No. 2, annual individual assessments would range from approximately \$0.84 to \$558.54 for the first seven years, and from approximately \$0.12 to \$78.58 for subsequent years, depending upon the property valuation.

BE IT FURTHER RESOLVED that any owner of property within the proposed district may make protest against the creation of the district, pursuant to Section 7-12-2109, MCA.

DATED this 17th day of December, 1991

BOARD OF COUNTY COMMISSIONERS
LEWIS AND CLARK COUNTY



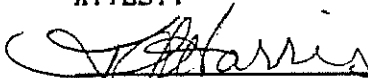
David E. Fuller, Chairman



Linda Stoll-Anderson

Blake J. Wordal

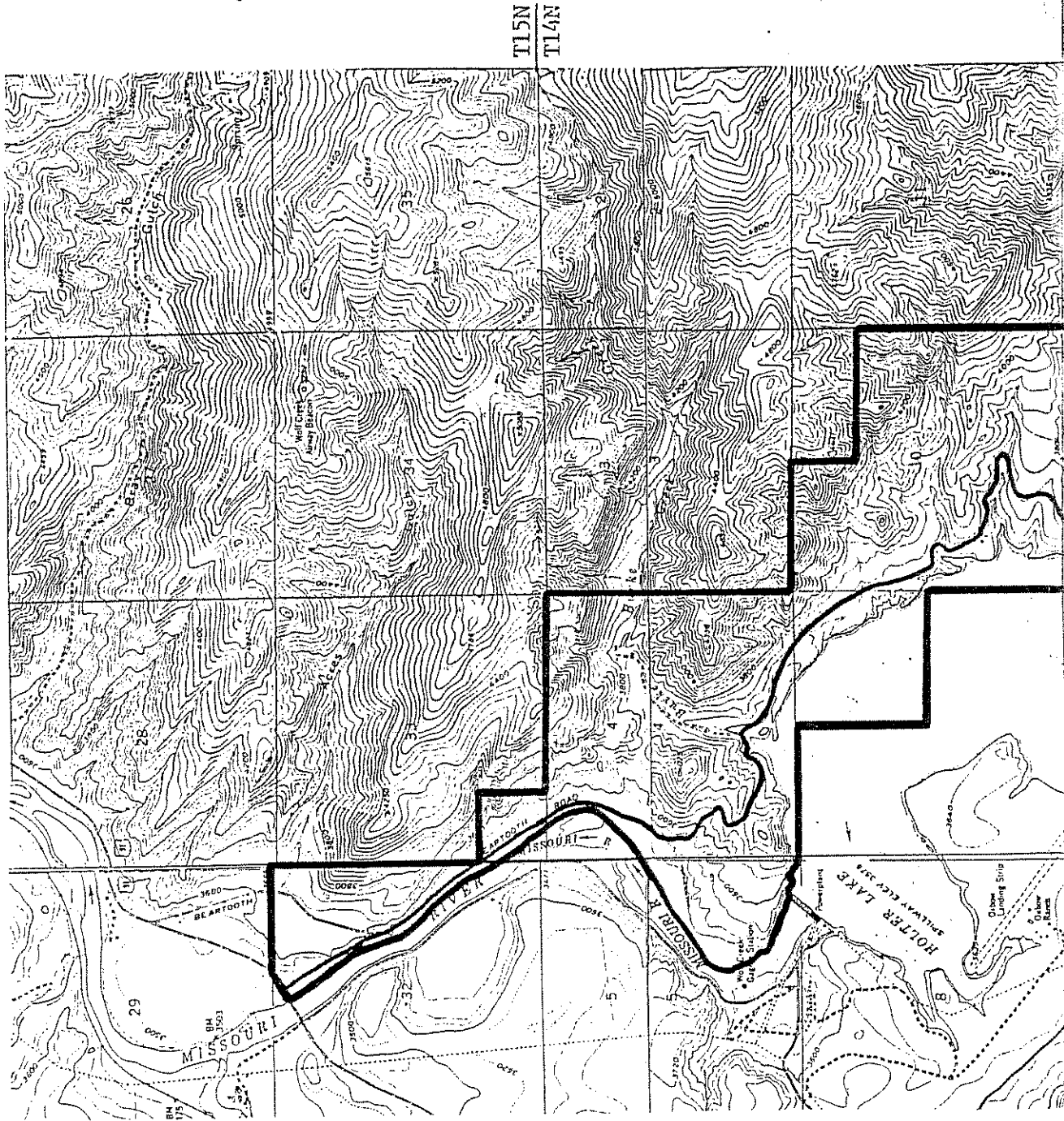
ATTEST:



Kim Harris, Clerk of Board

EXHIBIT A

Proposed Rural Improvement District for Beartooth Road

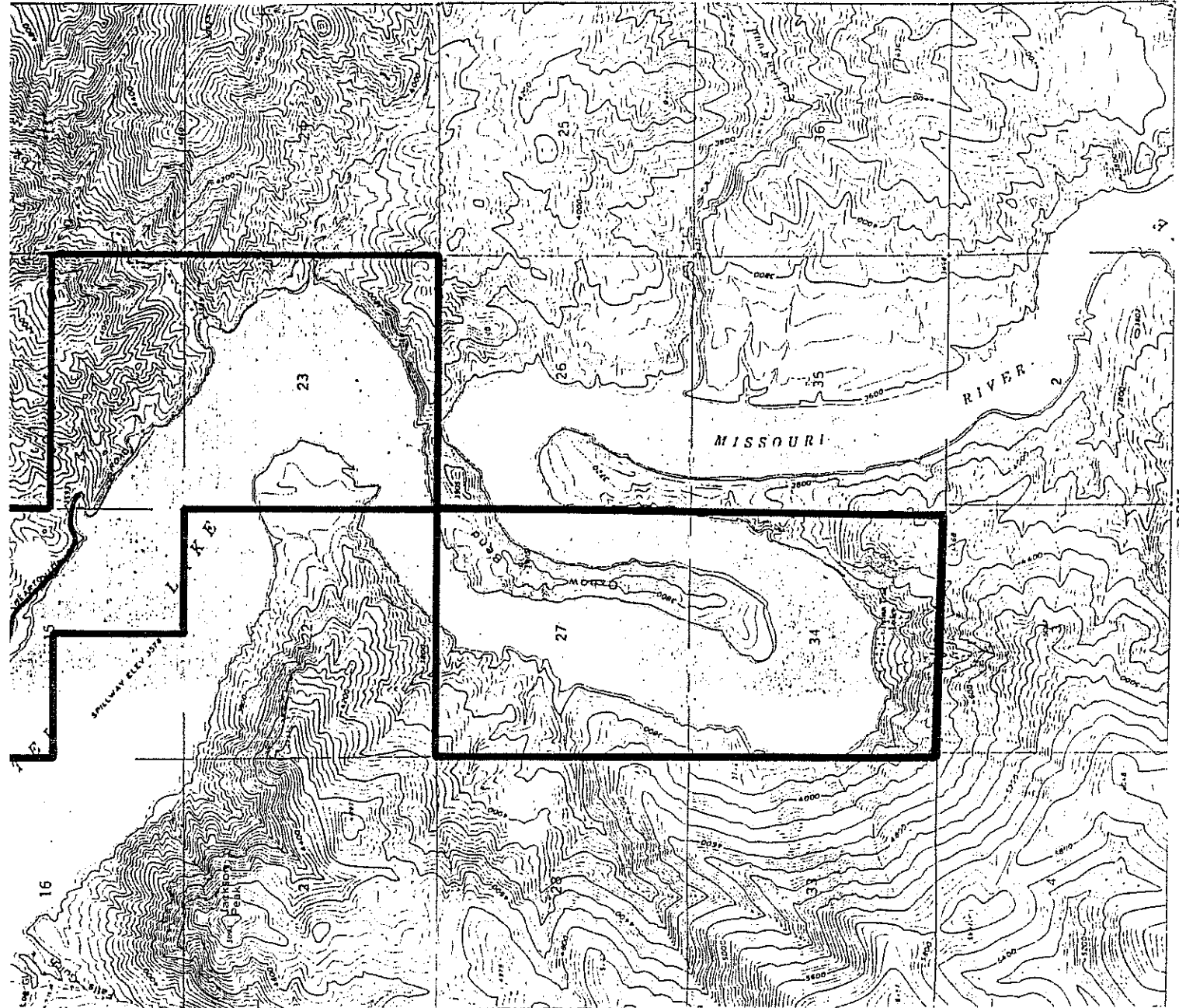


Proposed Boundary of the District

Section of road proposed for improvement

T14N
T13N

R1



23

25

26

27

34

MISSOURI

RIVER

SULLIVAN ELEV. STUDY

L
K
E

16

EXHIBIT B

BEARTOOTH ROAD RID
Budget Calculations for Chipseal Improvement

IMPROVEMENTS -

specifications of improvements

provided by County Road Department for road approximately five miles long and 24 feet wide: grade, shape, and compact existing road surface; install a double layer chip-seal surface; install drainage control; install guard rail and signing in hazard areas.

estimated cost of improvements

\$ 80,800	materials (includes drainage structures)
44,000	labor (donated by County)
10,000	safety improvements (includes guardrails and signs)
2,500	initial administration
<u>9,300</u>	contingency
\$146,600	total project cost

landowners' portion of improvements

total project cost less contributions from County, State, and Federal entities
\$146,600 - (\$44,000 + \$25,000 + \$25,000) = \$52,600

financing of improvements

landowners' portion + operating reserve (assumes 10% delinquency)
52,600 + 3,000 = \$55,600
see attached amortization schedule (7 year term; 8% interest)
annual payment (for life of loan) = \$10,632.00

administration and insurance of payments

3% of annual payment (for life of loan) = \$319.00

total annual costs of improvements

payment + administration = total
10,632.00 + 319.00 = \$10,951.00

MAINTENANCE -

Maintenance includes surface sealing and resurfacing, drainage control, signing, and other maintenance and repair as necessary to preserve the integrity of the road surface and the safety of the travelling public.

estimated cost of maintenance

\$6,000 per year

landowners' portion of maintenance

1/4 of annual cost = \$1,500.00

administration and insurance of maintenance and assessments

2% of annual budget = \$30.00
minimum engineering fee = \$100.00

operating reserve

10% of annual maintenance and administrative costs = \$163.00
(until 15% reserve fund accumulated)

total annual cost of maintenance

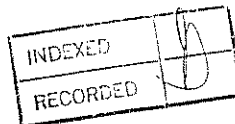
maintenance + administration + operating reserve = total
\$1,500 + \$130.00 + \$163.00 = \$1,793.00

TOTAL ANNUAL ASSESSMENTS -

First 7 years (improvements + maintenance)
\$10,951.00 + 1,793.00 = \$12,744.00

Subsequent years (maintenance only)
= \$1,793.00

FILE: 2710 BearRd.RID



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KIM HARRIS
TREAS/CLK
LEWIS & CLARK CO., MONT.

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PUT OF RECORD AT
Philly Mardosh
No fee

REPAYMENT SCHEDULE - Beartooth Road

AMOUNT OF LOAN 55,600

NUMBER OF YEARS 7

INTEREST RATE 8.00%

NUMBER PAYMENTS PER YEAR 2

DATE OF LOAN 07/01/92

SEMI ANNUAL PAYMENT 5,316.00

DATE	BALANCE BEGINNING	PAYMENT	INTEREST	PRINCIPAL PAYMENT	BALANCE ENDING
11/30/92	55,600	5,316.00	1,968.09	3,347.91	52,252.09
06/01/93	52,252	5,316.00	2,226.80	3,089.20	49,162.89
12/01/93	49,163	5,316.00	2,095.15	3,220.85	45,942.03
06/01/94	45,942	5,316.00	1,947.19	3,368.81	42,573.22
12/01/94	42,573	5,316.00	1,814.32	3,501.68	39,071.54
06/01/95	39,072	5,316.00	1,655.99	3,660.01	35,411.53
12/01/95	35,412	5,316.00	1,509.11	3,806.89	31,604.64
05/31/96	31,605	5,316.00	1,339.52	3,976.48	27,628.16
11/30/96	27,628	5,316.00	1,177.41	4,138.59	23,489.57
06/01/97	23,490	5,316.00	1,001.04	4,314.96	19,174.62
12/01/97	19,175	5,316.00	817.15	4,498.85	14,675.77
06/01/98	14,676	5,316.00	622.01	4,693.99	9,981.78
12/01/98	9,982	5,316.00	425.39	4,890.61	5,091.17
06/01/99	5,091	5,306.95	215.78	5,091.17	(0.00)
TOTALS		74,414.95	18,814.95	55,600.00	