

Public Hearing for Wednesday, April 5, 1978 at 10:00 A.M. and the first date of publication will be March 18, and will be advertised for ten consecutive days; and the protest would be 15 days following. Tom Honzel, Deputy County Attorney, stated the Board of County Commissioners would pass Resolution No. 1978-6 of Intention to Create Rural Special Improvement District No. 1978-1. Tom commented that he thought this is the first R.S.I.D. in Lewis and Clark County. Mike Kovich formally moved the Board of County Commissioners adopt Resolution No. 1978-5 of Intention to Create Rural Special Improvement District No. 1978-1. Chris Gardner seconded the motion and asked for a vote by signifying "aye". Motion passed unanimously that the Board of County Commissioners adopt Resolution No. 1978-5 of Intention to Create R.S.I.D. #1978-1 for Eastgate Village Subdivision.

RESOLUTION NO. 1978-5

A RESOLUTION OF INTENTION TO CREATE RRBRAL SPECIAL IMPROVEMENT DISTRICT NO. 1978-1 OF THE COUNTY OF LEWIS AND CLARK MONTANA, DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE PURCHASED BY SAID DISTRICT AND THE IMPROVEMENTS TO BE MADE THEREIN, STATING THE APPROXIMATE ESTIMATES OF THE COST THEREOF, AND THE MANNER OF PAYING THEREFOR.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA:

SECTION 1. The public interest and convenience require the creation of rural special improvement district as hereinafter more particularly described, and the intention of said Board of County Commissioners to create such district is hereby declared.

SECTION 2. The number of said rural special improvement district is hereby declared to be number 1978-1.

SECTION 3. The proposed rural special improvement district is a thickly populated locality outside of the limits of the City of East Helena, Montana.

SECTION 4. The boundaries of said rural special improvement district shall be as set forth in Exhibit A attached hereto and by this reference made a part hereof.

SECTION 5. Said rural special improvement district will contain and include the lots and blocks within the boundaries of said district as set forth in Exhibit B attached hereto and by this reference made a part hereof. A separate schedule listing each lot and the area thereof, showing the total area of the property benefited by the improvements and to be assessed for payment of the cost thereof is attached hereto, marked Exhibit C and by this reference made a part hereof.

SECTION 6. The character of the improvements proposed to be constructed is as follows:

(a) A sanitary sewer collection system and sewer treatment plant, including installed poly vinyl chloride (P.V.D.) pipe, vent holes, lift stations, sewer lagoon, air equipment and irrigation equipment; and a water plant and distribution system, including distribution, pump and service lines, wells, pumps, purification equipment, reservoir and incidental facilities; sufficient to provide complete and adequate water and sewer service for the lots hereinbefore described.

(b) Street improvements for the platted streets within said rural special improvement district, including grading, subsurface, asphaltic concrete paving and concrete curb and gutter, all in compliance with the standards of Lewis and Clark County.

(c) Landscaping and development of the park areas in the rural special improvement district.

SECTION 7. The estimated cost of the improvements contemplated, including the cost of engineering, inspection and administration is the sum of \$1,478,660.00, as shown in the engineer's estimate on file in this proceeding.

SECTION 8. The total area of the lots to be assessed is 3,549,171 square feet and the estimated cost per square foot is \$.41662.

SECTION 9. The entire cost and expense of purchasing and making said improvements shall be paid by said entire district, each lot within said district to be assessed for that portion of the whole cost, which its area bears to the total area of the entire district, exclusive of streets, avenues, alleys, and public places, and the Board of County Commissioners declares and finds the entire district is benefited by the above described improvements and shall be assessed accordingly to pay the cost and expense thereof.

SECTION 10. The entire cost and expense of said improvements shall be paid out of the proceeds of bonds to be issued and sold by said district, payable over a term of not to exceed fifteen (15) years, and the assessments referred to in Section 9 hereof shall be payable in installments over a period of fifteen (15) years, and the monies derived therefrom shall be deposited in and shall constitute the fund of said rural special improvement district.

SECTION 11. Menco, Inc., 1300 Marshall Lane, Helena, Montana 59601, shall be the engineer in charge of said project and Scribner, Huss & Mulroney, P.O. Box 514, Helena, Montana 59601, shall be the attorneys for the district.

SECTION 12. On the 5th day of April, 1978 at 10:00 o'clock A.M. on said day in the office of the Board of County Commissioners of Lewis and Clark County, in the Lewis and Clark County courthouse in the City of Helena, Montana, said Board will consider and pass upon all protests against the creation of said district or against the purchase or making of the improvements referred herein, which are made in writing and delivered to the Clerk and Recorder of Lewis and Clark County, Montana, at any time within fifteen (15) days after the date of the first publication of the notice of the passage of this Resolution of Intention.

SECTION 13. The Clerk and Recorder is hereby directed to give notice of the passage of this resolution by publication for ten (10) consecutive days in the Independent Record, a daily

Commissioner's Journal No. 36

newspaper published nearest to the place where such improvement district is to be created, and shall also cause to be posted within the boundaries of such special improvement district, a copy of such notice in three (3) public places, and to mail a copy of such notice to every person, firm or corporation, or the agent of such person, firm or corporation owning real property within the proposed district, listed in his name upon the last completed assessment roll for state, county and school district taxes, at his last known place of residence upon the same day such notice is first published or posted. Said notice shall be as prescribed in Section 16-1602, R.C.M., 1947.

PASSED by the Board of County Commissioners this 15th day of March, 1978.

Board of County Commissioners
Lewis and Clark County, Montana
/s/ Chris Gardner, Chairman
John Goers, Member
Milan Kovich, Member

ATTEST: /s/ Helen Kovich, Clerk & Recorder

THURSDAY, MARCH 16, 1978

The Board attending training seminar in Lincoln, Montana.

FRIDAY, MARCH 17, 1978

The Board attending training seminar in Lincoln, Montana

Routine office business conducted throughout the week.

Board adjourned to meet the following week, March 20, 1978 through March 24, 1978.

Minutes read and approved March 20, 1978.

LEWIS AND CLARK COUNTY
BOARD OF COUNTY COMMISSIONERS

Chris Gardner
Chris Gardner, Chairman

Milan Kovich
Milan Kovich, Member

ATTEST: *Helen Kovich*
Helen Kovich, Clerk

John Goers, Member

MARCH 20, 1978 ---- MARCH 24, 1978

MONDAY, MARCH 20, 1978

The Board of County Commissioners met pursuant to adjournment with the following in attendance:

Chris Gardner, Chairman
Milan Kovich
John Goers
Helen Kovich, Clerk

The Board of County Commissioners received \$1,665.00 cash-in-lieu of Park for Pay Dirt #19, Minor Subdivision. Letter sent to Ralph Hahn, Chairman Scratch Gravel Landfill Board of Directors, informing him that John Goers, Commissioner, has been appointed to replace Art Woods on the Scratch Gravel Landfill Board. Board signed and approved T-L Ranch Acres (amended plat) Trerise-Lanning.

TUESDAY, MARCH 21, 1978

Commissioners conducted routine office business. Reviewed and signed claims. Weekly public meeting cancelled.

WEDNESDAY, MARCH 22, 1978

Commissioners Mike Kovich and John Goers met with Cooney Advisory Board at Cooney Home re Bylaws. Lewis and Clark County Zoning Commission met to consider the requested amendment to Zoning District #22 (La Casa Grande). Present were Chris Gardner, Chairman, Mike Kovich and John Goers, Commissioners; and Lloyd Stadheim, County Assessor. The request was to rezone Lot 17 of Block 6 of the La Casa Grande from R-1 which is single family, residential, to R-3 mobile. This particular lot is adjacent to lots that are already zoned R-3 and therefore the request has been made for the rezoning so as to cause some compatibility for the use. A Public Hearing was held on this request March 14, 1978, in the office of the Board of County Commissioners by the Lewis and Clark County Planning and Zoning Commission. Lloyd Stadheim, County Assessor, made a motion to approve the request to rezone Lot 17 of Block 6 of the La Casa Grande from R-1, which is single family, residential, to R-3 mobile. John Goers seconded the motion. The vote was called for and the motion passed unanimously. Therefore, Special Zoning District #22 was approved. The Board of County Commissioners met in regular session to consider the recommendation of the Lewis and Clark County Planning and Zoning Commission concerning the requested amendment to Special Zoning District #22. Chris Gardner, Mike Kovich and John Goers were present. Chris Gardner made a motion the Board of County Commissioners approve the request to rezone Lot 17 of Block 6 of the La Casa Grande from R-1 which is single family, residential, to R-3 mobile, in Special Zoning District #22. Mike Kovich seconded the motion. The vote was called for and the motion passed unanimously. The Board of County