

RESOLUTION 2017-53

**RESOLUTION TO CREATE THE CANYON FERRY CROSSING FIRE SYSTEM
RURAL IMPROVEMENT DISTRICT NO. 2017-8**

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

WHEREAS, the attached letter, Exhibit "A", serving as the petition to create a rural improvement district, contains the signature of the sole owner of property to be included within the District; and

WHEREAS, the subdivision applicant for the proposed Canyon Ferry Crossing Subdivision – Phase V was granted preliminary approval on November 6, 2008; and

WHEREAS, the subdivision applicant has requested the creation of a Fire System Rural Improvement District to satisfy Condition of Approval No. 7.e for Phase V of the Canyon Ferry Crossing Subdivision ; and

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

- (a) The designated number of the District is 2017-8.
- (b) The boundaries of the District are shown on Exhibit "B", which encompass the boundaries of the Canyon Ferry Crossing Subdivision – Phase V, with the exception of Lot 19.
- (c)
 - i. The general character of maintenance for fire system improvements includes, but is not limited to, saving for a pump replacement, an annual hydrant exercise, snow plowing of the pullout, and road grading for the pullout, as detailed on Exhibit "C."
 - ii. Maintenance of the fire system improvements for the preliminarily approved Phase V of the Canyon Ferry Crossing Subdivision are within the scope of service for the Canyon Ferry Crossing Fire System RID No. 2017-8.
- (d) DOWL is the engineer to have charge of the work. The estimated cost for funding said maintenance in Phase V is \$295.88 per year, as shown on Exhibit "C" or \$16.44 per parcel per year. All maintenance funds collected for the District will be spent solely on fire system maintenance within the proposed District.
- (e) 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]."



(f) 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 Lewis and Clark County Board of Commissioners, that it does hereby create the Canyon Ferry Crossing Fire System Rural Improvement District No. 2017-8 for the purpose of equitably funding the fire system maintenance.

BE IT FURTHER RESOLVED that the Commission 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.

BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating maintenance as described on Exhibit "C" within the District boundary as shown on Exhibit "B".

DATED this 13th day of June, 2017.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Susan Good Geise, Chair



ATTEST



Paulette DeHart, Clerk of the Board

Exhibit "A", Exhibit "B", and Exhibit "C"

Exhibit "A": RID Request Letter/Petition

March 7, 2017

Matt HeimeI, Special Districts Planner
Lewis & Clark County Community Development
316 N. Park Avenue, Room 230
Helena, MT 59624

Re: Petition to Create Rural Improvement Districts
- Canyon Ferry Crossing Phase V, Rural Improvement District
- Canyon Ferry Crossing Phase V, Tri-lakes Fire District System #1,
Rural Improvement District

Dear Mr. HeimeI:

The purpose of this letter is to petition the Lewis and Clark County Commission to create two separate Rural Improvement District for maintenance of a fire mitigation system and for maintenance of the internal access public roads within Canyon Ferry Crossing Phase V.

In its Final Plat Conditions of Approval decision dated November 6, 2008 the County Commission required:

7.(e) The applicant shall create a Rural Maintenance District for maintenance of the fire mitigation system.

...

10. In cooperation with the County, the Applicant shall create Rural Improvement District for the local roads.

In support of this letter Petition I state the following:

1. I am the President of Canyon Ferry Crossing, Inc., and the applicant for final plat approval of Canyon Ferry Crossing Phase V, described as: Tracts 1 and 2 of COS #3018322 and Lot 6B-1 located in the SW1/4 of Section 1, T10N, and R1W, P.M.M., Lewis and Clark County, Montana.
2. Canyon Ferry Crossing, Inc. is the sole owner of the proposed lands depicted as Lots 1 through 19 of Canyon Ferry Crossing, Phase V. Only Lots 2 through 18 will be included in the proposed RID for maintenance of the internal access public roads. Lot 6B-1, Lot 1 and Lot 19 will not be included in the proposed RID for maintenance of the internal access public roads. Canyon Ferry Crossing, Inc. consents for Lots 2 through 18 to be included in this district per MCA §7-12-2102(2). Only Lots 1 through 19 will be included in the proposed RID for maintenance of a fire mitigation system. Lot 6B-1 will not be included in the proposed RID for maintenance of a fire mitigation system. Canyon Ferry Crossing, Inc. consents for Lots 1 through 19 to be included in this district per MCA §7-12-2102(2).

Exhibit "A": RID Request Letter/Petition

3. The attached cost calculation is provided for consideration by the County to establish the cost of maintaining the public roads including culvert cleaning, gravel replacement and grading and for maintenance and operation of the fire mitigation system consisting of a well, tank, mains and hydrant.

4. Creation of these Districts will comply with the Conditions of Approval placed on Canyon Ferry Crossing Subdivision Phase V.

Respectfully submitted by:

CANYON FERRY CROSSING, INC.
a Colorado corporation

by:

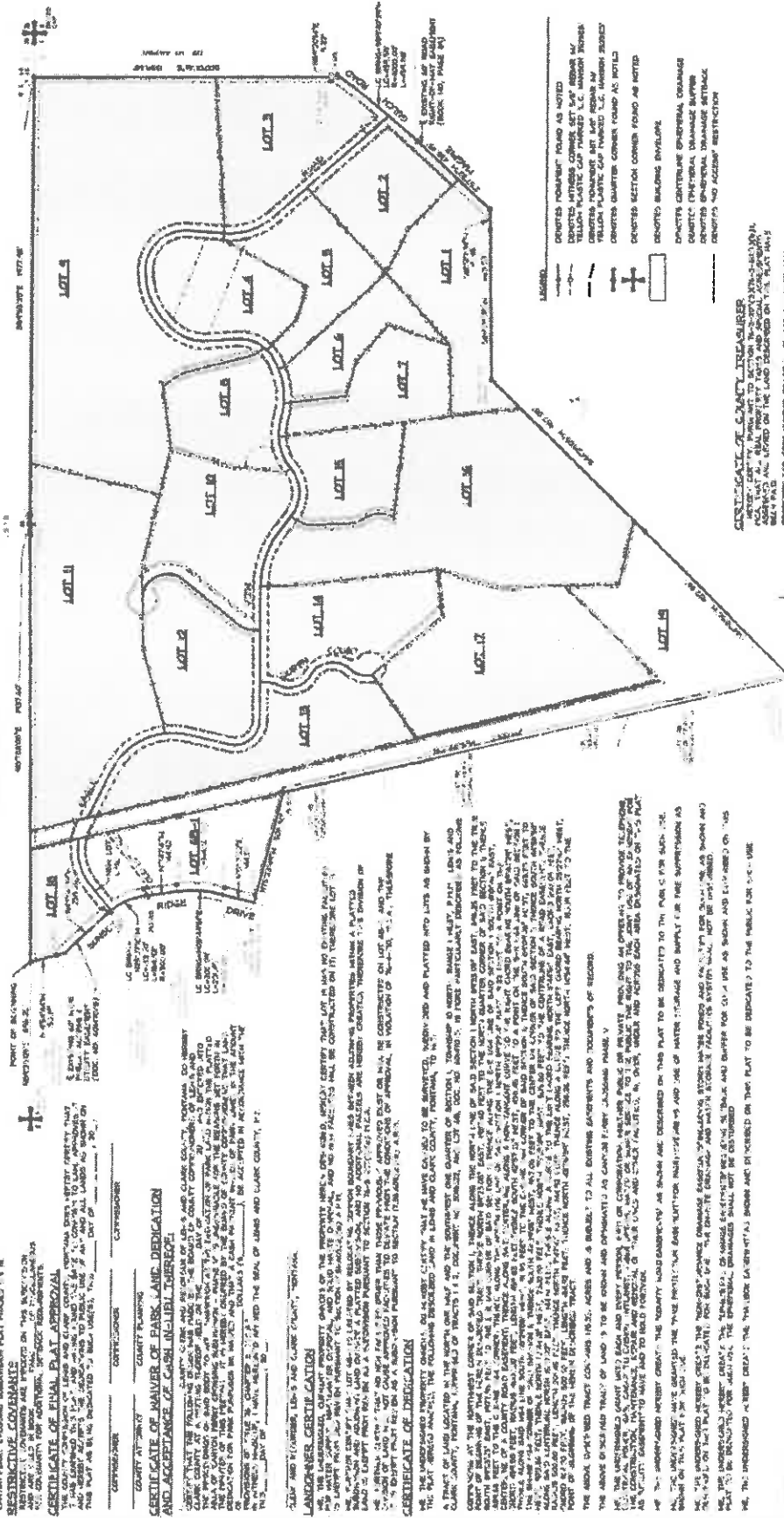

Peter K. Kloepfer, its President

Exhibit "B": Canyon Ferry Crossing Fire System Rural Improvement District Boundary

PLAT FOR CANYON FERRY CROSSING SUBDIVISION - PHASE V

LOCATED IN THE NORTH ONE HALF AND THE SOUTHWEST ONE QUARTER OF SECTION 1
TOWNSHIP 10 NORTH, RANGE 1 WEST, P.M.M., LEWIS AND CLARK COUNTY, MONTANA

SHEET 1 OF 4



SURVEY COMMISSIONER REC.
 COUNTY OF LEWIS AND CLARK
 REASON FOR SURVEY
 BASIS OF BEARINGS
 RESTRICTIVE COVENANTS
 CERTIFICATE OF FINAL PLAT APPROVAL
 COUNTY TREASURER
 COUNTY CLERK
 COUNTY ENGINEER
 COUNTY ATTORNEY
 COUNTY COMMISSIONER
 COUNTY BOARD OF SUPERVISORS
 COUNTY BOARD OF HEALTH
 COUNTY BOARD OF EDUCATION
 COUNTY BOARD OF SOCIAL SERVICES
 COUNTY BOARD OF ECONOMIC DEVELOPMENT
 COUNTY BOARD OF COMMUNITY DEVELOPMENT
 COUNTY BOARD OF SENIORS
 COUNTY BOARD OF DISABILITY SERVICES
 COUNTY BOARD OF MENTAL HEALTH SERVICES
 COUNTY BOARD OF SUBSTANCE ABUSE SERVICES
 COUNTY BOARD OF ADDICTION SERVICES
 COUNTY BOARD OF DOMESTIC VIOLENCE SERVICES
 COUNTY BOARD OF ANTI-TRAFFICKING SERVICES
 COUNTY BOARD OF ANTI-SLAVERY SERVICES
 COUNTY BOARD OF ANTI-HUMAN TRAFFICKING SERVICES
 COUNTY BOARD OF ANTI-PEOPLE SMUGGLING SERVICES
 COUNTY BOARD OF ANTI-DRUG TRAFFICKING SERVICES
 COUNTY BOARD OF ANTI-WEAPON TRAFFICKING SERVICES
 COUNTY BOARD OF ANTI-EXPLOSION SERVICES
 COUNTY BOARD OF ANTI-TERRORISM SERVICES
 COUNTY BOARD OF ANTI-CYBERSTalking SERVICES
 COUNTY BOARD OF ANTI-IDENTITY THEFT SERVICES
 COUNTY BOARD OF ANTI-FRAUD SERVICES
 COUNTY BOARD OF ANTI-SCAM SERVICES
 COUNTY BOARD OF ANTI-PHISHING SERVICES
 COUNTY BOARD OF ANTI-SPOOFING SERVICES
 COUNTY BOARD OF ANTI-SIM-SWAPPING SERVICES
 COUNTY BOARD OF ANTI-VOICEMAIL HOOKUP SERVICES
 COUNTY BOARD OF ANTI-TEXT MESSAGE HOOKUP SERVICES
 COUNTY BOARD OF ANTI-EMAIL HOOKUP SERVICES
 COUNTY BOARD OF ANTI-CHAT HOOKUP SERVICES
 COUNTY BOARD OF ANTI-VIDEO HOOKUP SERVICES
 COUNTY BOARD OF ANTI-SCREEN SHARING SERVICES
 COUNTY BOARD OF ANTI-REMOTE ACCESS SERVICES
 COUNTY BOARD OF ANTI-VPN SERVICES
 COUNTY BOARD OF ANTI-TOR SERVICES
 COUNTY BOARD OF ANTI-PROXY SERVICES
 COUNTY BOARD OF ANTI-VPN SERVICES
 COUNTY BOARD OF ANTI-TOR SERVICES
 COUNTY BOARD OF ANTI-PROXY SERVICES

PRELIMINARY
 NORTHLAND ENGINEERING
 10101 N. 10TH AVENUE, SUITE 100
 DENVER, CO 80231
 PHONE: 303.751.1111
 FAX: 303.751.1112
 WWW.NORTHLANDENGINEERING.COM

CERTIFICATE OF ENGINEER
 I, _____, a duly licensed Professional Engineer in the State of Montana, do hereby certify that the above described plat is correct and true to the original survey and that the same has been prepared in accordance with the provisions of the Montana Plat Act, Chapter 10, Title 82, M.C.A. and that the same has been approved by the Board of County Commissioners of Lewis and Clark County, Montana, on this _____ day of _____, 20____.

CERTIFICATE OF EXAMINING LAND SURVEYOR
 I, _____, a duly licensed Professional Land Surveyor in the State of Montana, do hereby certify that the above described plat is correct and true to the original survey and that the same has been prepared in accordance with the provisions of the Montana Plat Act, Chapter 10, Title 82, M.C.A. and that the same has been approved by the Board of County Commissioners of Lewis and Clark County, Montana, on this _____ day of _____, 20____.

CERTIFICATE OF DEDICATION
 I, _____, County Engineer of Lewis and Clark County, Montana, do hereby certify that the above described plat is correct and true to the original survey and that the same has been prepared in accordance with the provisions of the Montana Plat Act, Chapter 10, Title 82, M.C.A. and that the same has been approved by the Board of County Commissioners of Lewis and Clark County, Montana, on this _____ day of _____, 20____.

Exhibit "C"

CANYON FERRY CROSSING Phase V MAINTENANCE ANNUAL COSTS

ENGINEER'S ESTIMATE

Fire Protection System Maintenance Unit Costs

		Date: April 28, 2017									
		Limits	Width Feet	SF	SY	Snow Plowing SY	Grading		Quantity		
G	Fire Protection System	5' X 100' Puddle		500	56	56	56		56		
(M)	Fire Protection System	1-hp Well Pump Replacement (15 yr) Exercise 8" Hydrant Annually							1		
									1		
	TOTALS			500	56	56	56				

(G) Gravel Roadways
(M) Misc.

		Times per			
Fire Protection System Pump	1	EA	1/15	2,500.00	\$166.67
Fire Protect. System Hydrant Exercise	1	EA	1	100.00	\$100.00
Snow Plowing avg. 3X per year	56	SY	3	0.03	\$5.04
Grading Gravel Road once annually	56	SY	1	0.18	\$10.08

Sub Total \$281.79
5% Administration Fee \$14.09
Project Total \$295.88

Total per parcel for 18 Lots \$16.44