

RESOLUTION 2023 - 109

A RESOLUTION OF INTENTION TO AMEND THE RED FOX MEADOWS TRAILS RURAL IMPROVEMENT DISTRICT NO. 2019-05

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 Road Rural Improvement District, No. 2019-05, 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 2019-05.
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 mowing, weed control, and resurfacing, as detailed in Exhibit B and Resolution 2019-102.
4. The estimated costs for annual maintenance total \$4,158 per year. Each benefited property is estimated to be assessed \$27, 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. 2019-05, 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 trails 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 A.
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 TRAILS RURAL IMPROVEMENT DISTRICT EXHIBIT "A"

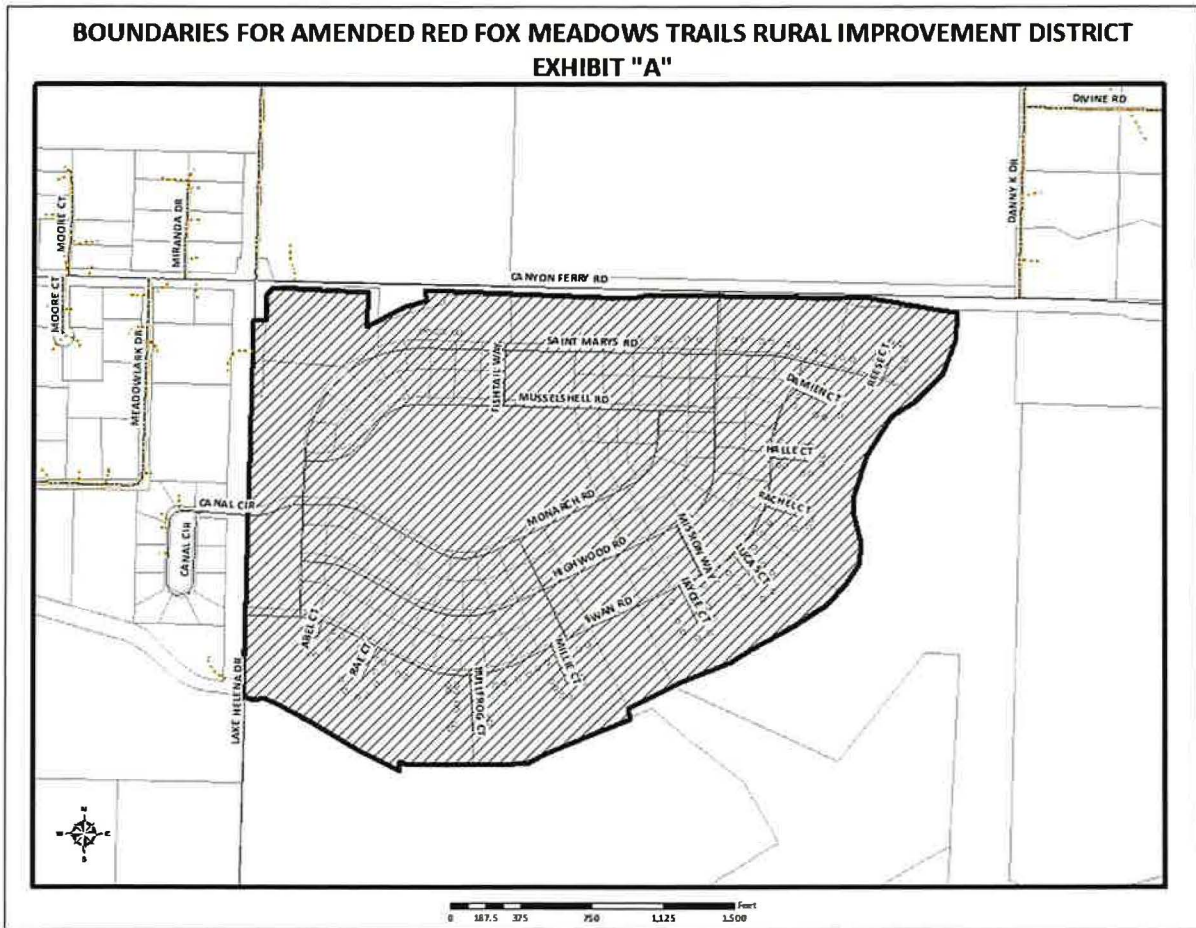


EXHIBIT B

THE PRESTIGE AT RED FOX MEADOWS SUBDIVISION ANNUAL TRAIL MAINTENANCE ENGINEER'S ESTIMATE Prepared By: Triple Tree Engineering									
Date: July 6, 2023									
Item #	Description	Limits	Width Feet	Length Feet	SY	Weed Control LF	Mowing LF	Gravel SY	
1	Red Fox Meadows Bike Path	Trail along Lot 127-30	8	621	552	621	621	552	
TOTALS				621	552	621	621	552	
						Times Per Year			
			Weed Control	621	LF	@	2	0.40	248.40
			Mowing	621	LF	@	2	0.40	248.40
			Resurfacing***	552	CY	@	0.14	1.25	98.57
CONSTRUCTION TOTAL									
								595.37	
							Administration Fee	5%	29.77
PROJECT TOTAL									
								\$825.14	