

RESOLUTION 2025 - 30

A RESOLUTION TO CREATE THE SKYVIEW PHASE V ROAD RURAL IMPROVEMENT DISTRICT NO. 2025-1

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

WHEREAS, the subdivision applicant for the Skyview Phase V Subdivision received preliminary approval from the Commission on December 8, 2020 with Condition of Approval No. 20 of that approval requiring the creation or joining of an RID for maintenance, preservation, and repair of the internal access road including snow removal, culvert cleaning, pothole repair and chip seal maintenance and signage within the Skyview Phase V Subdivision; and

WHEREAS, the subdivision applicant has petitioned the creation of a rural improvement district to satisfy Condition of Approval No. 20 of the Skyview Phases V Subdivision, and

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

1. The designated number of the Skyview Phases V RID is 2025-1.
2. The boundaries of the RID are shown on Exhibit B, which encompass the boundaries of the Skyview Phase V Subdivision.
3. The general character of maintenance includes costs associated with the operation and repair of the internal access road including snow removal, culvert cleaning, pothole repair and chip seal maintenance and signage as detailed in Exhibit C.
4. The County Engineer, or his designee, is to have charge of the work. The estimated costs for funding said maintenance per year of the internal road including snow removal, culvert cleaning, pothole repair and chip seal maintenance and signage were provided by Tony Prothero, P.E. on September 29, 2021. The estimated costs for funding said maintenance will be commensurate with the improvements, as shown on Exhibit C, and will also include a five percent (5%) administrative fee. 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 create the Skyview Phase V Rural Improvement District No. 2025-1 for the purpose of equitably funding the maintenance, preservation, and repair of the internal access road including snow removal, culvert cleaning, pothole repair and chip seal maintenance and signage within the Skyview Phase V Subdivision.
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 C.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS on this 29th Day of April, 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Candace Payne, Chair

ATTEST:


Amy Reeves, Clerk of the Board

Attachments: Exhibit – A (Petition)
Exhibit – B (Boundaries)
Exhibit – C (Maintenance Costs)



EXHIBIT A

April 23, 2025

John Maxness
Last Chance Holdings, LLC
3224 Airport Rd
Helena, MT 59601

Phillipe Gonzalez
Lewis & Clark County
Community Development and Planning
Helena, MT

To whom it may concern:

I, John Maxness, formally request the creation of a Road Rural Improvement District to provide maintenance of the internal road(s) and infrastructure, to satisfy the Subdivision approval of Skyview V Phase V condition of approval #20 of the preliminary Subdivision Application SUBD2020-013.

Please do not hesitate to contact me with any questions.

Regards,


John Maxness

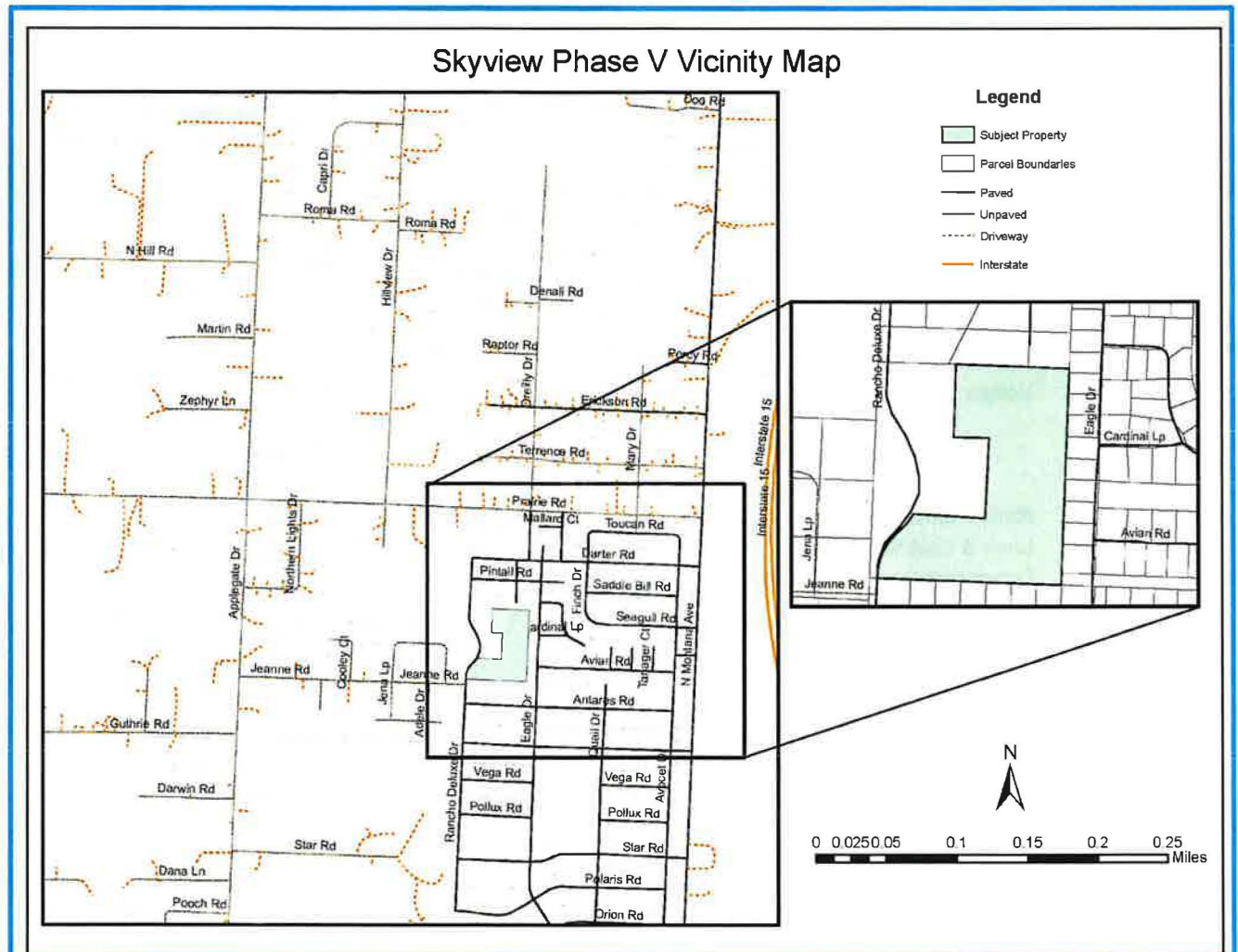
EXHIBIT B

EXHIBIT C



J BAR T ENGINEERS, LLC

1229 E. LYNDALE • HELENA, MT 59601
406.449.1306 • JBARTENGINEERS.COM

April 11, 2025

John Maxness
Last Chance Holdings LLC
2908 Canyon Ridge Dr.
East Helena, MT 59635

**RE: Skyview Phase V Subdivision, SUBD2020-013
Road and Drainage Maintenance Estimate for RMD (Revised 4/11/2025)**

Dear Mr. Maxness:

The purpose of this letter is to provide an engineer's estimate of maintenance costs for the internal road and drainage infrastructure of Skyview Phase V Subdivision to assist in the creation of an RMD. The anticipated tasks necessary to maintain 1,175 lineal feet of asphalt surfaced internal roads (Local Road #2) and drainage infrastructure (culverts, ditches, and stormwater retention pond) are described in the following bulleted items:

- Repair potholes and crack sealing on approximately 5-year intervals.
- Maintenance Chip Seal on approximately 10-year intervals.
- Snow removal services approximately 4 times per year, average.
- Culverts (2) will also require cleaning to remove sediment and vegetation around inlets and outlets. The barrels may also need cleaning to remove sediment accumulation and/or debris. The anticipated frequency would be on 5-year intervals.
- Straightening and/or repair of internal road signs and signposts once annually.

Table 1: Skyview Phase V Road and Drainage Maintenance

Item	Estimated Cost	Frequency (years)	Cost/yr
1 Pothole Repair and Crack Seal	\$2,500	5	\$500
2 Maintenance Chip Seal	\$10,000	10	\$1,000
3 Snow Removal	\$500	0.25	\$2000
4 Culvert Cleaning	\$500	5	\$100
5 Signage	\$200	1	\$200
6 Miscellaneous	\$500	1	\$500
Annual Total			\$4300
Total Annual Cost /Lot (20 Lots)			\$215

PROFESSIONAL SERVICES, MONTANA VALUES.

Skyview Phase V Subdivision, SUBD2020-013

Road and Drainage Maintenance Estimate for RMD (Revised 4/11/2025)



Please contact me should you have any questions or comments via email at tony@jbartengineers.com or telephone at (406) 449-1306. Thank you.

Sincerely,

J Bar T Engineers, LLC

A handwritten signature in blue ink, appearing to read 'Tony', is written over a horizontal line.

Tony J. Prothero, PE



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