

RESOLUTION 2025 - 49

RESOLUTION OF INTENTION TO CREATE THE CANAL CIRCLE RURAL IMPROVEMENT DISTRICT, NO. 2025-2

WHEREAS, the Lewis and Clark County Board of Commissioners may order and create a Rural Improvement District (RID) whenever the public interest or convenience may require, Section 7-12-2102, MCA; and

WHEREAS, it is the policy of the Board to follow public process for creating an RID when a petition has been received to create an RID; and

WHEREAS, a petition for the Canal Circle Rural Improvement District, No. 2025-2 (the District), was submitted May 19, 2025, for the purpose of providing road improvements and maintenance on Canal Circle; and

WHEREAS, the petition was signed by 58% of owners of benefited lots within the District boundary; and

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

- (a) The designated number of the District is 2025-2.
- (b) The benefited properties to be included in the District are listed in the petition, Exhibit "A". The roads proposed for improvement and the boundary of the District are shown on Exhibit "B".
- (c) The County Engineer or a designee will have charge of the work. The general character of improvements includes the crushing, grading, and reshaping of the existing road material, the installation of a 2.5-inch, compacted, asphalt overlay, and chip and fog sealing on the full extent of Canal Circle. Improvements will also include culvert replacement at the Canal Circle and Lake Helena Drive intersection and asphalt tie-in at Lake Helena Drive for a smooth road transition. Lewis and Clark County will fund the cost of improvements as part of the County's Road Prioritization initiative.
- (d) The general character of maintenance includes, but is not limited to, snow plowing and sanding, crack sealing, sweeping, chip sealing, pothole patching, culvert and drainage maintenance, signage, and other maintenance as necessary to preserve the road improvements. Funding of annual maintenance is estimated to total \$2,520.00. Each benefited property is estimated to be assessed \$210.00, annually. Maintenance costs are detailed in Exhibit "C".
- (e) Costs shall be assessed equally, as described in Section 7-12-2151(1)(d), MCA.
- (f) Pursuant to Section 7-12-2103(2)(f), MCA, if an increase in the number of benefited lots, tracts, or parcels within the boundaries of the District occurs during the term of bonded indebtedness, the assessment per lot, tract, or parcel then in the district will be recalculated.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners does hereby establish its intention to create the Canal Circle Rural Improvement District, No. 2025-2, for the purpose of equitably funding improvements and maintenance on Canal Circle.


BE IT FURTHER RESOLVED that the Lewis and Clark County Public Works Department is authorized and responsible for coordinating proposed improvements and maintenance for roadways within the District.




BE IT FURTHER RESOLVED that written protests will be received from persons owning real property within the proposed district 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.

DATED this 26 day of June, 2025.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Candace Payne, Chair

ATTEST:


Amy Reeves, Clerk of the Board

Attachments:

- Exhibit "A"
- Exhibit "B"
- Exhibit "C"



Exhibit "A": Property Owners

PETITION TO CREATE THE CANAL CIRCLE RURAL IMPROVEMENT DISTRICT

Petition Circulation Date: April 28, 2025

We the undersigned, owners of real property within the proposed Canal Circle Rural Improvement District (the "Proposed District"), located in Lewis and Clark County, Montana, do hereby petition the Board of County Commissioners to create a Rural Improvement District for the purpose of improving and maintaining Canal Circle, as authorized by MCA §7-12-2101, et. seq. and acknowledge that Canal Circle has been in common and undisputed use by the public for a period of not less than five years.

A property owner list requiring at least 20% of the listed owners' signatures is attached as Exhibit "A", and the boundaries of the district are shown on the attached Exhibit "B".

Improvements for the Proposed District will include the crushing, grading, and reshaping of the existing road material, the installation of a 2.5-inch compacted asphalt overlay, and chip and fog sealing on the full extent of Canal Circle. Improvements will also include culvert replacement at the Canal Circle and Lake Helena Drive intersection and asphalt tie-in at Lake Helena Drive for a smooth road transition. Lewis and Clark County will commit the total cost of the improvements, estimated at \$100,000. Maintenance activities funded by the Proposed District will include snow plowing and sanding, crack sealing, sweeping, chip sealing, pothole patching, drainage and sign maintenance, and other maintenance as needed to preserve the road improvements. Funding of annual maintenance is estimated to total \$2,520.00, annually, and each benefited property is proposed to be levied an ongoing maintenance assessment of \$210.00 per property per year. This annual maintenance assessment will be evaluated each year and adjusted for inflation or maintenance needs as necessary. Any change in the assessment rate over time will result in written legal notice and the opportunity to comment during public hearing. Costs for maintenance are detailed in the attached Exhibits "C".

This petition is being circulated in accordance with the Lewis and Clark County Rural Improvement District Policies and Procedures manual which is available for inspection at the Community Development and Planning Department in Room 230 of the City-County Building, 316 North Park Avenue, Helena, Montana. Details, boundaries of the district, and benefited properties are ultimately the decision of the Board of County Commissioners. The details, boundaries, and benefited properties on this petition may be changed when resolutions establishing the district are considered, also resulting in increased or decreased estimated assessments. The final special assessment per lot may change due to a review of assessable lots by the Lewis and Clark County Property Tax Department.

It is anticipated the Proposed District would be administered by the County and the County will serve only to coordinate the necessary work, collect the assessments, and disburse payments for the Proposed District. It is anticipated private contractors would perform the improvements and maintenance. Lewis and Clark County, by action of the Board in creating the Proposed District, does not assume financial responsibility for the maintenance or improvement financed by the Proposed District.

Exhibit "A": Property Owners

If the County Commission adopts a resolution of intention to create the district upon receipt of this petition, affected property owners will receive mailed notification prior to a public hearing on a resolution to create the district with sufficient time to provide comments in support or protest.



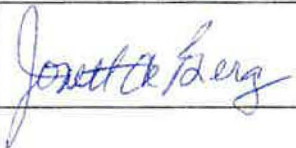
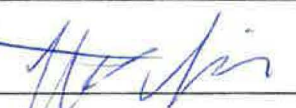

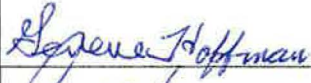

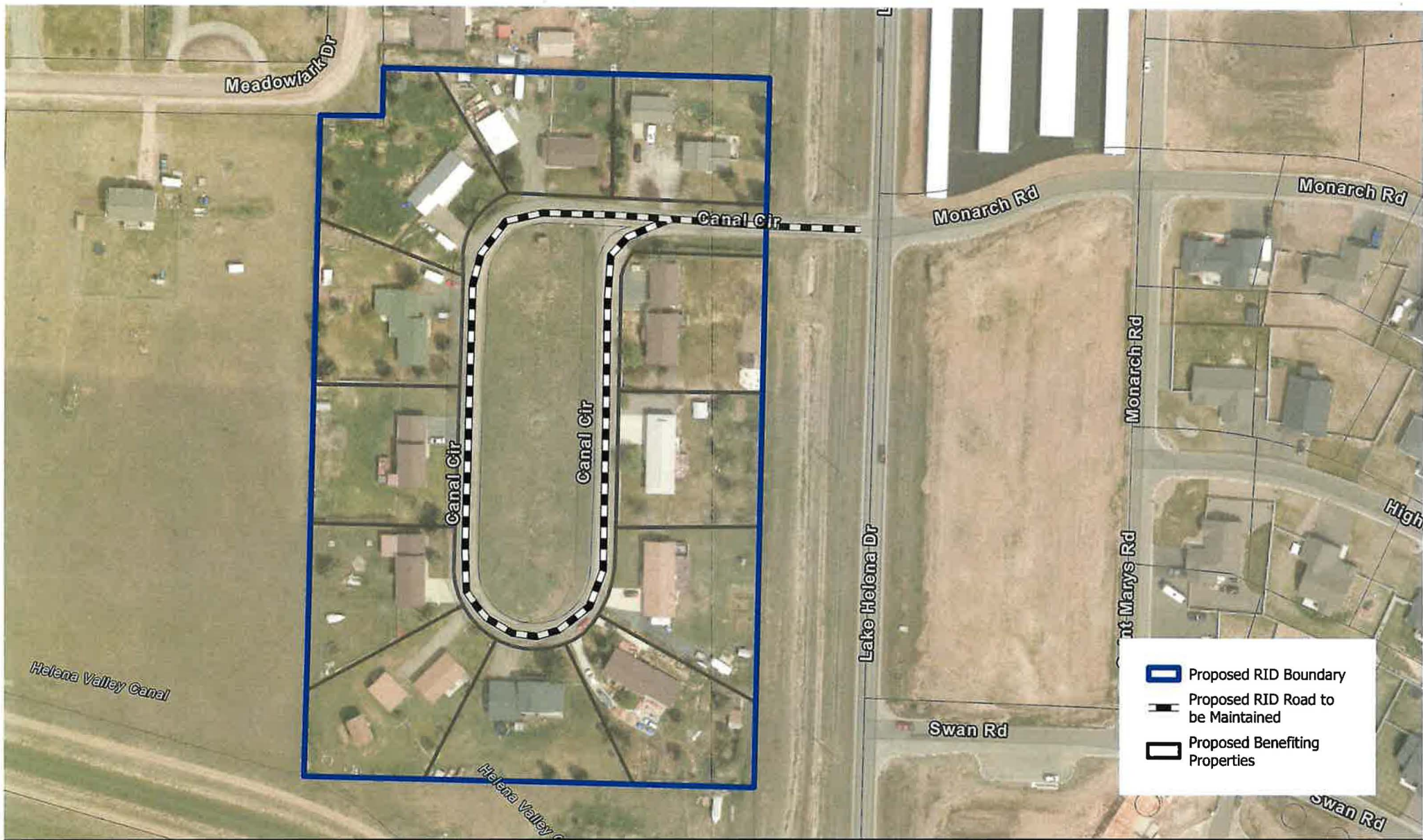
No.	Geocode	Annual RID Improvement Estimate	Annual RID Maintenance Estimate	Address, City, State, Zip	Printed Name	Signature	Date of Signing
1		\$0.00	\$210.00	2998 Canal Cir. East Helena, MT 59635	Brandy Garber		5/17/25
2		\$0.00	\$210.00	2994 Canal Cir. East Helena, MT 59635			
3		\$0.00	\$210.00	2990 Canal Cir. East Helena, MT 59635			
4		\$0.00	\$210.00	2986 Canal Cir. East Helena, MT 59635			
5		\$0.00	\$210.00	2982 Canal Cir. East Helena, MT 59635	STEPHEN REYMAN		5/17/25
6		\$0.00	\$210.00	2978 Canal Cir. East Helena, MT 59635			
7		\$0.00	\$210.00	2974 Canal Cir. East Helena, MT 59635	Donette Berg		5/17/25
8		\$0.00	\$210.00	2970 Canal Cir. East Helena, MT 59635			
9		\$0.00	\$210.00	3014 Canal Cir. East Helena, MT 59635	Jesse Selish		5/17/25

Exhibit "A": Property Owners

No.	Geocode	Annual RID Improvement Estimate	Annual RID Maintenance Estimate	Address, City, State, Zip	Owner Name	Signature	Date of Signing
10		\$0.00	\$210.00	3010 Canal Cir. East Helena, MT 59635	Brandi Dearing		5/17/25
11		\$0.00	\$210.00	3006 Canal Cir. East Helena, MT 59635	Geneva Hoffman		5/17/25
12		\$0.00	\$210.00	3002 Canal Cir. East Helena, MT 59635	Roger Shorten Tina Shorten	 Tina Shorten	5/17/25



Proposed Canal Circle Rural Improvement District Exhibit "B"

0 0.05 0.1 Miles



Exhibit "C"

**LEWIS AND CLARK COUNTY
PUBLIC WORKS DEPARTMENT**

MAINTENANCE AND ASSESSMENT SCHEDULE

RID NAME: Canal Circle

RID FUND #:

PREPARED BY:

Calob Marquis

DATE:

4/28/2025

BENEFITING PROPERTIES:

12

ASSESSMENT:

\$

210.00

TOTAL ANNUAL ASSESSMENT:

\$

2,520.00

YEAR CREATED:

RID DESCRIPTION:

Road	Description of Limits	Surface	Length (ft)	Width (ft)	Area (sq ft)	Area (sq yd)
Canal Circle	Lake Helena Dr through circle	Paved	1352	23	31096	3455
		TOTALS	1352	23	31096	3455

YEARLY MAINTENANCE:

Item	Description	Frequency/Year	Quantity	Units	Unit Price	Total Cost
ROADS:						
	1 Plowing/Sanding	6	3455	sq yd	\$ 0.03	\$ 621.92
	2 Sweeping	0.2	3455	sq yd	\$ 0.15	\$ 103.65
	3 Crack Sealing	1	10	ft	\$ 2.50	\$ 25.00
	4 Pothole Patching	1	0.15	ton	\$ 350.00	\$ 52.50
	5 Misc. (Signs, culverts, etc.)	1	3455	sq yd	\$ 0.05	\$ 172.76
						\$ 975.83

FUTURE MAINTENANCE:

Item	Description	Frequency	Quantity	Units	Unit Price	Total Cost
1	Chip Sealing	12 year	3455	sq yd	\$ 3.25	\$ 11,229.11
						\$ 11,229.11

COMMENTS:

Inflation on construction costs based on:

2.50% per year

Cash on Hand at End of Fiscal Year:

Last Assessment:

Last Chipseal:

FISCAL YEAR	ASSESSMENT	TOTAL ANNUAL ASSESSMENT	BALANCE & CASH ON HAND	CONSTRUCTION COST	MAINTENANCE (W/ INFLATION)	ADMIN	FUTURE MAINTENANCE
2025	\$ -	\$ -	\$ -				
2026	\$ 210.00	\$ 2,520.00	\$ 1,418.17		\$ 975.83	\$ 126.00	
2027	\$ 210.00	\$ 2,520.00	\$ 2,811.95		\$ 1,000.22	\$ 126.00	
2028	\$ 210.00	\$ 2,520.00	\$ 4,180.72		\$ 1,025.23	\$ 126.00	
2029	\$ 210.00	\$ 2,520.00	\$ 5,523.86		\$ 1,050.86	\$ 126.00	
2030	\$ 210.00	\$ 2,520.00	\$ 6,840.72		\$ 1,077.13	\$ 126.00	
2031	\$ 210.00	\$ 2,520.00	\$ 8,130.66		\$ 1,104.06	\$ 126.00	
2032	\$ 210.00	\$ 2,520.00	\$ 9,393.00		\$ 1,131.66	\$ 126.00	
2033	\$ 210.00	\$ 2,520.00	\$ 10,627.05		\$ 1,159.95	\$ 126.00	
2034	\$ 210.00	\$ 2,520.00	\$ 11,832.09		\$ 1,188.95	\$ 126.00	
2035	\$ 210.00	\$ 2,520.00	\$ 13,007.42		\$ 1,218.68	\$ 126.00	
2036	\$ 210.00	\$ 2,520.00	\$ (949.63)	\$15,101.91	\$ 1,249.14	\$ 126.00	Chip Seal
2037	\$ 210.00	\$ 2,520.00	\$ 163.99		\$ 1,280.37	\$ 126.00	
2038	\$ 210.00	\$ 2,520.00	\$ 1,245.61		\$ 1,312.38	\$ 126.00	
2039	\$ 210.00	\$ 2,520.00	\$ 2,294.42		\$ 1,345.19	\$ 126.00	
2040	\$ 210.00	\$ 2,520.00	\$ 3,309.60		\$ 1,378.82	\$ 126.00	
2041	\$ 210.00	\$ 2,520.00	\$ 4,290.31		\$ 1,413.29	\$ 126.00	
2042	\$ 210.00	\$ 2,520.00	\$ 5,235.69		\$ 1,448.62	\$ 126.00	
2043	\$ 210.00	\$ 2,520.00	\$ 6,144.85		\$ 1,484.84	\$ 126.00	
2044	\$ 210.00	\$ 2,520.00	\$ 7,016.89		\$ 1,521.96	\$ 126.00	
2045	\$ 210.00	\$ 2,520.00	\$ 7,850.88		\$ 1,560.01	\$ 126.00	