

RESOLUTION NO. 16-03

**A RESOLUTION OF BONNEVILLE COUNTY, IDAHO, APPROVING
A SUMMARY OF ORDINANCE NOS. 228-16**

**BONNEVILLE COUNTY LIGHTING DISTRICTS NOS. 96, 97, 98,
99, 100, 101 Inclusive**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY, IDAHO, as follows:

WHEREAS, on July 19, 2016, the Board of County Commissioners of Bonneville County (the "Board") adopted Ordinance No. 228-16, creating Bonneville County Lighting District

LIGHTING DISTRICT NO. 96 (RED ROCK ESTATES, DIVISION NOS. 8, 9 & 10); LIGHTING DISTRICT NO. 97 (ROCK RIVER, DIVISION NOS. 1 & 2); LIGHTING DISTRICT NO. 98 (GREEN VALLEY ESTATES, DIVISION NOS. 3 & 4); LIGHTING DISTRICT NO. 99 (CROW CREEK ESTATES, DIVISION NO. 3); LIGHTING DISTRICT NO. 100 (WARM SPRING MEADOW, DIVISION NO. 6); LIGHTING DISTRICT NO. 101 (BOULDER CREEK ESTATES, DIVISION NO. 1) (the "Districts"); and

WHEREAS, pursuant to Section 50-901A, Idaho Code, the County is authorized to publish, in lieu of the entire Ordinance, a summary thereof;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDERED as follows:

Section 1: The Board hereby approves the Summary of Ordinance No. 228-16, which Ordinance was adopted by the Board on the 19th day of July, 2016, a copy of the Summary is annexed hereto marked as Exhibit "A" and is incorporated herein by reference.

Section 2: This Resolution shall take effect and be in force from and after its passage and approval.

ADOPTED this 19th day of July, 2016.

BONNEVILLE COUNTY, IDAHO


By: ROGER CHRISTENSEN, Chairman

ATTEST:


CHERYL MATTIESEN, Deputy Clerk and
Secretary to the Board of County Commissioners

CERTIFICATION

I, the undersigned Deputy Clerk and Secretary to the Board of County Commissioners of the County of Bonneville, State of Idaho, HEREBY CERTIFY that the foregoing Resolution is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Directors, duly held at the regular meeting place thereof held on the 19th day of July, 2016, at 1:30 p.m., of which meeting all members of said Board had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

VOTING AYE:

Roger Christensen, Chairman
Lee Staker, Commissioner
Dave Radford, Commissioner

VOTING NAY:

None

ABSENT:

None

ABSTAINING:

None

I FURTHER CERTIFY that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal on the 19th day of July, 2016.



Cheryl Matthiesen, Deputy Clerk and Secretary to the Board of County Commissioners

**SUMMARY OF
ORDINANCE NO. 228-16**

BONNEVILLE COUNTY LIGHTING DISTRICT NOS. 96, 97, 98, 99, 100, 101 Inclusive

BONNEVILLE COUNTY, IDAHO

AN ORDINANCE DESCRIBING AND CREATING BONNEVILLE COUNTY LIGHTING DISTRICTS NOS. 96, 97, 98, 99, 100, 101 INCLUSIVE, AS FOLLOWS: NO. LIGHTING DISTRICT NO. 96 (RED ROCK ESTATES, DIVISION NOS. 8, 9 & 10); LIGHTING DISTRICT NO. 97 (ROCK RIVER, DIVISION NOS. 1 & 2); LIGHTING DISTRICT NO. 98 (GREEN VALLEY ESTATES, DIVISION NOS. 3 & 4); LIGHTING DISTRICT NO. 99 (CROW CREEK ESTATES, DIVISION NO. 3); LIGHTING DISTRICT NO. 100 (WARM SPRING MEADOW, DIVISION NO. 6); LIGHTING DISTRICT NO. 101 (BOULDER CREEK ESTATES, DIVISION NO. 1) ALL IN THE COUNTY OF BONNEVILLE, STATE OF IDAHO; DESCRIBING THE BOUNDARIES OF SAID LIGHTING DISTRICTS; DESCRIBING THE PURPOSES OF SUCH LIGHTING DISTRICTS FOR IMPOSING AND COLLECTING FEES FOR THE MAINTENANCE AND OPERATION OF A SECURITY LIGHTING SYSTEM IN EACH OF THE LIGHTING DISTRICTS; PROVIDING FOR PAYMENTS FOR THE OPERATION AND MAINTENANCE OF SUCH SECURITY LIGHTING SYSTEMS TO ROCKY MOUNTAIN POWER COMPANY, PURSUANT TO PROVISIONS OF SCHEDULE 12, ADOPTED BY THE IDAHO PUBLIC UTILITIES COMMISSION AS MAY BE AMENDED FROM TIME TO TIME; PROVIDING THAT SUCH FEES AS ASSESSED SHALL BE FOR THOSE SERVICES PROVIDED BY THE COUNTY WHICH WOULD OTHERWISE BE PROVIDED BY AD VALOREM TAX REVENUES; PROVIDING THAT THE FEES COLLECTED PURSUANT TO THE PROVISIONS OF THIS ORDINANCE SHALL BE REASONABLY RELATED TO BUT SHALL NOT EXCEED THE ACTUAL COST OF THE SERVICES BEING RENDERED; PROVIDING FOR THE ASSESSMENT OF FEES AGAINST EACH LOT AND PARCEL WITHIN EACH OF THE LIGHTING DISTRICTS FOR THE PAYMENT OF SUCH COSTS OF OPERATION AND MAINTENANCE; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE OF THIS ORDINANCE.

A summary of the principal provisions of Ordinance No. 228-16 of Bonneville County, Idaho, adopted on June 28, 2016, is as follows:

Section 1. Bonneville County Lighting District No. 96 (Estimated Fees per Year Per Lot) \$32.20: Red Rock Estates, Division No. 8: Slate Drive from 3839 E to 3968 E, Rain Tree Street, from 3580 N to 3585 N, Jade Street, from 3384 N to 3575 N, Marble Drive, from 3858 E to 3960 E, Chalet Drive, from 3870 E to 3951 E, Tanzanite Drive, from 3356 N to 3524 N, Coral Way, from 3872 E to 3939 E. Which includes: Lots 16 through 23 Block 5, Lots 10 through 15 Block 11, Lots 1 through 37 Block 13, Lots 1 through 12 Block 14, Lots 1 through 12 Block 15, Lot 1 Block 16. Red Rock Estates, Division No. 9: Ridgeland Drive, from 3811 E to 3859 E, Pitney Way, from 3787 to 3834 N, Yates Avenue, from 3700 N to 3976 N, Hyrum Drive, from 3851 E to 3932 E. Which includes: Lots 29 through 31 Block 11, Lots 13 through 24 Block 12, Lots 2 through 4 Block 13, Lots 1 through 3 Block 16, Lots 1 through 9 Block 17. Red Rock Estates, Division No. 10: Ridgeland Drive, from 3860 E to 3950 E, Pitney Way, from 3700 N to 3766 N, Rain Tree Street, from 3597 N to 4000 N, Hyrum Drive, from 3933 E to 4020 E. Which includes: Lots 32 through 37 Block 11, Lots 4 through 6 Block 16, Lots 10 through 24 Block 17, Lots 1 through 18 Block 18.

Section 2. Bonneville County Lighting District No. 97 (Estimated Fees per Year Per Lot) \$35.85: Rock River, Division No. 1: Snowcrest Avenue, from 3520 E to 3596 E, Glock Street, from 3530 E to 3546 E, Beretta Avenue, from 3526 E to 3581 E, Harley Drive, from 4166 N to 4348 N. Which includes: Lots 1 through 8 Block 1, Lots 1 through 9 Block 2, Lots 1 through 5 Block 3, Lot 1 Block 4, Rock River, Division No. 2: Snowcrest Avenue, from 3618 E to 3663 E, Beretta Avenue, from 3598 E to 3654 E, Harley Drive, from 4163 N to 4346 N. Which includes: Lots 10 through 13 Block 2, Lots 6 through 10 Block 3, Lot 2 Block 4, Lot 1 Block 5, Lots 1 through 5 Block 6

Section 3. Bonneville County Lighting District No. 98 (Estimated Fees per Year Per Lot) \$42.75. Green Valley Estates, Division No. 3: Vision Drive, from 4007 E to 4125 E, Badger Creek Road, from 2600 N to 2941 N, Lone Rock Road, from 4100 E to 4133 E, 41st East, from 2600 N to 2611 N. Which includes: Lots 26 through 31 Block 1, Lots 21 through 31 Block 5, Lots 1 through 15 Block 6, Lots 1 through 3 Block 7. Green Valley Estates, Division No. 4: Patton Way, from 4307 E to 4437 E, Waverly Road, from 2839 N to 2962 N, Cable Case, from 2849 N to 2871 N, Woodbine Road, from 2807 N to 2877 N. Which includes: Lots 6 through 10 Block 2, Lots 11

through 14 Block 3, Lots 6 through 10 Block 4, Lots 1 through 4 Block 5, Lots 1 through 7 Block 8,

Section 4. Bonneville County Lighting District No. 99 (Estimated Fees per Year Per Lot) \$38.85. Crow Creek Estates, Division No. 3: Lucina Avenue, from 2984 N to 3147 N, Which includes: Lots 11 through 16 Block 4, Lots 3 through 8 Block.

Section 5. Bonneville County Lighting District No. 100 (Estimated Fees per Year Per Lot) \$41.15. Warm Spring Meadow, Division No. 6: Emery Lane, from 133 S to 466 S, Deon Lane, from 253 S to 400 S, Echo Way, from 3910 E to 3937 E, Talon Circle, from 3844 E to 3876 E. Which includes: Lots 1 through 7 Block 1, Lots 1 through 11 Block 2, Lots 1 through 10 Block 3, Lots 1 through 6 Block 4.

Section 6. Bonneville County Lighting District No. 101 (Estimated Fees per Year Per Lot) \$27.50. Boulder Creek Estates, Division No. 1: Deloy Drive, from 4299 E to 4490 E, Oakbrook Road, from 2267 N to 2395 N, Titus Lane, from 4338 E to 4378 E. Which includes: Lots 1 through 17 Block 1, Lots 1 through 11 Block 2, Lots 1 through 6 Block 3.


Section 7-11. There shall be assessed against each property a fee for the services to be supplied for the operation and maintenance; that the fees shall be reasonably related to, but shall not exceed the actual cost of services; the fees shall be for services provide which would otherwise be provided by ad valorem tax; that the fees shall be computed by the County and assessed upon the property within the lighting district with the assessment of ad valorem property taxes; the County shall segregate the funds paid as fees and maintain a fund for collection of fees and payment of costs.

Section 12. That this ordinance shall become effective upon its due passage and publication as provided by law.

A full text of Ordinance No. 228-16 is available at the office of the Clerk of the Board and will be provided to any citizen upon personal request during normal business hours.

DATED this 19th day of July, 2016

BONNEVILLE COUNTY, IDAHO

By: 
ROGER CHRISTENSEN, Chairman, Board of County
Commissioner

ATTEST:

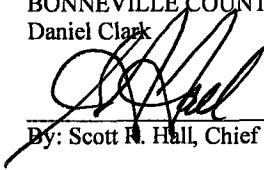

Cheryl Matthiesen, Deputy Clerk and
Secretary to the Board of County Commissioners

CERTIFICATION OF COUNSEL

I, the undersigned counsel for Bonneville County Lighting Districts Nos. 96, 97, 98, 99, 100, 101 inclusive, hereby certify that the same is true and complete and provides adequate notice to the public of the contents of said Summary of Ordinance.

DATED this 19th day of July, 2016.

BONNEVILLE COUNTY PROSECUTOR
Daniel Clark


By: Scott R. Hall, Chief Civil Deputy

Published: July 26, 2016

ORDINANCE NO. 228-16

**BONNEVILLE COUNTY LIGHTING DISTRICT NO. 96, 97, 98, 99, 100, 101
BONNEVILLE COUNTY, IDAHO**

AN ORDINANCE DESCRIBING AND CREATING BONNEVILLE COUNTY LIGHTING DISTRICT NOS. 96, 97, 98, 99, 100, 101 INCLUSIVE, AS FOLLOWS: LIGHTING DISTRICT NO. 96 (RED ROCK ESTATES, DIVISION NOS. 8, 9 & 10); LIGHTING DISTRICT NO. 97 (ROCK RIVER, DIVISION NOS. 1 & 2); LIGHTING DISTRICT NO. 98 (GREEN VALLEY ESTATES, DIVISION NOS. 3 & 4); LIGHTING DISTRICT NO. 99 (CROW CREEK ESTATES, DIVISION NO. 3); LIGHTING DISTRICT NO. 100 (WARM SPRING MEADOW, DIVISION NO. 6); LIGHTING DISTRICT NO. 101 (BOULDER CREEK ESTATES, DIVISION NO. 1) ALL IN THE COUNTY OF BONNEVILLE, STATE OF IDAHO: DESCRIBING THE BOUNDARIES OF SAID LIGHTING DISTRICT; DESCRIBING THE PURPOSES OF SUCH LIGHTING DISTRICT FOR IMPOSING AND COLLECTING FEES FOR THE MAINTENANCE AND OPERATION OF A SECURITY LIGHTING SYSTEM IN THE LIGHTING DISTRICT; PROVIDING FOR PAYMENTS FOR THE OPERATION AND MAINTENANCE OF SUCH SECURITY LIGHTING SYSTEM TO ROCKY MOUNTAIN POWER COMPANY PURSUANT TO PROVISIONS OF SCHEDULE 12, ADOPTED BY THE IDAHO PUBLIC UTILITIES COMMISSION AS MAY BE AMENDED FROM TIME TO TIME; PROVIDING THAT SUCH FEES AS ASSESSED SHALL BE FOR THOSE SERVICES PROVIDED BY THE COUNTY WHICH WOULD OTHERWISE BE PROVIDED BY AD VALOREM TAX REVENUES; PROVIDING THAT THE FEES COLLECTED PURSUANT TO THE PROVISIONS OF THIS ORDINANCE SHALL BE REASONABLY RELATED TO BUT SHALL NOT EXCEED THE ACTUAL COST OF THE SERVICES BEING RENDERED; PROVIDING FOR THE ASSESSMENT OF FEES AGAINST EACH LOT AND PARCEL WITHIN THE LIGHTING DISTRICT FOR THE PAYMENT OF SUCH COSTS OF OPERATION AND MAINTENANCE; AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the County of Bonneville, State of Idaho, has created Development Agreement Residential Security Lighting System for the purpose of the installation and construction of a security lighting system within the various subdivisions of the County; and

WHEREAS, subsequent to the installation and construction, the security lighting system shall require the payment of costs and fees for the operation and maintenance thereof; and

WHEREAS, Bonneville County Lighting District No. 96, 97, 98, 99, 100, 101 shall contract with the Rocky Mountain Power Company for the maintenance and operation of such security lighting system with the fees to be charged as authorized by Schedule 12 adopted by the Idaho Public Utilities Commission as may be modified from time to time; and

WHEREAS, if service fees were not charged such costs would be paid from the ad valorem taxes on property within the County of Bonneville; and

WHEREAS, it is not appropriate or equitable to pay the costs of one district for the benefit of that district from all property within the County; and

WHEREAS, the County may assess fees upon services provided which would otherwise be provided by ad valorem tax revenues; and

WHEREAS, such fees shall be reasonably related to but not exceed the actual cost of the services being rendered; and

WHEREAS, the County Commissioners have caused notice to be given to each owner within the proposed lighting district of the intent to create a lighting district and impose fees and charges for the services rendered therein and such notice was mailed to all property owners on the property tax rolls of the County within such proposed district more than fifteen (15) days prior to the date and time scheduled for the hearing upon the creation of such district; and

WHEREAS, the Board of County Commissioners caused the notice of the hearing of the intent to create the proposed lighting district to be published in the *Post Register*, the official newspaper of the County, with the first publication thereof being more than fifteen (15) days prior to the date and time set for the hearing upon the notice of intention to create such district and it was published for two (2) weeks on the same day of each week; and

WHEREAS, a public hearing has been held with no protests to the creation of such lighting district;

NOW THEREFORE, be it hereby ordained by the Board of County Commissioners of the County of Bonneville;

Section 1. **Bonneville County Lighting District No. 96** (Red Rock Estates Division Nos. 8, 9 & 10.

That there is hereby created Bonneville County Lighting District No. 96 (Red Rock Estates Division Nos. 8, 9 & 10) to be comprised of the following described real property, Bonneville County, Idaho:

Red Rock Estates, Division No. 8:

Slate Drive from 3839 E to 3968 E
Rain Tree Street, from 3580 N to 3585 N
Jade Street, from 3384 N to 3575 N
Marble Drive, from 3858 E to 3960 E
Chalet Drive, from 3870 E to 3951 E
Tanzanite Drive, from 3356 N to 3524 N
Coral Way, from 3872 E to 3939 E

Which includes:

Lots 16 through 23 Block 5

Lots 10 through 15 Block 11
Lots 1 through 37 Block 13
Lots 1 through 12 Block 14
Lots 1 through 12 Block 15
Lot 1 Block 16

Red Rock Estates, Division No. 9:

Ridgeland Drive, from 3811 E to 3859 E
Pitney Way, from 3787 to 3834 N
Yates Avenue, from 3700 N to 3976 N
Hyrum Drive, from 3851 E to 3932 E

Which includes:

Lots 29 through 31 Block 11
Lots 13 through 24 Block 12
Lots 2 through 4 Block 13
Lots 1 through 3 Block 16
Lots 1 through 9 Block 17

Red Rock Estates, Division No. 10:

Ridgeland Drive, from 3860 E to 3950 E
Pitney Way, from 3700 N to 3766 N
Rain Tree Street, from 3597 N to 4000 N
Hyrum Drive, from 3933 E to 4020 E

Which includes:

Lots 32 through 37 Block 11
Lots 4 through 6 Block 16
Lots 10 through 24 Block 17
Lots 1 through 18 Block 18

Section 2. Bonneville County Lighting District No. 97 (Rock River, Division Nos. 1 & 2)

That there is hereby created Bonneville County Lighting District No. 97 to be comprised of the following described real property, Bonneville County, Idaho:

Rock River, Division No. 1:

Snowcrest Avenue, from 3520 E to 3596 E
Glock Street, from 3530 E to 3546 E
Beretta Avenue, from 3526 E to 3581 E
Harley Drive, from 4166 N to 4348 N

Which includes:

Lots 1 through 8 Block 1

Lots 1 through 9 Block 2
Lots 1 through 5 Block 3
Lot 1 Block 4

Rock River, Division No. 2:

Snowcrest Avenue, from 3618 E to 3663 E
Beretta Avenue, from 3598 E 3654 E
Harley Drive, from 4163 N to 4346 N

Which includes:

Lots 10 through 13 Block 2
Lots 6 through 10 Block 3
Lot 2 Block 4
Lot 1 Block 5
Lots 1 through 5 Block 6

Section 3. Bonneville County Lighting District No. 98 (Green Valley Estates, Division Nos. 3 & 4)

That there is hereby created Bonneville County Lighting District No. 98 to be compromised of the following described real property, Bonneville County, Idaho:

Green Valley Estates, Division No. 3:

Vision Drive, from 4007 E to 4125 E
Badger Creek Road, from 2600 N to 2941 N
Lone Rock Road, from 4100 E to 4133 E
41st East, from 2600 N 2611 N

Which includes:

Lots 26 through 31 Block 1
Lots 21 through 31 Block 5
Lots 1 through 15 Block 6
Lots 1 through 3 Block 7

Green Valley Estates, Division No. 4:

Patton Way, from 4307 E to 4437 E
Waverly Road, from 2839 N to 2962 N
Cable Case, from 2849 N to 2871 N
Woodbine Road, from 2807 N to 2877 N

Which includes:

Lots 6 through 10 Block 2
Lots 11 through 14 Block 3
Lots 6 through 10 Block 4
Lots 1 through 4 Block 5

Lots 1 through 7 Block 8

Section 4. Bonneville County Lighting District No. 99 (Crow Creek Estates, Division No 3)

That there is hereby created Bonneville County Lighting District No. 99 to be compromised of the following described real property, Bonneville County, Idaho:

Crow Creek Estates, Division No. 3:

Lucina Avenue, from 2984 N to 3147 N

Which includes:

Lots 11 through 16 Block 4

Lots 3 through 8 Block 6

Section 5. Bonneville County Lighting District No. 100 (Warm Spring Meadow, Division No 6)

That there is hereby created Bonneville County Lighting District No. 100 to be compromised of the following described real property, Bonneville County, Idaho:

Warm Spring Meadow, Division No. 6:

Emery Lane, from 133 S to 466 S

Deon Lane, from 253 S to 400 S

Echo Way, from 3910 E to 3937 E

Talon Circle, from 3844 E to 3876 E

Which includes:

Lots 1 through 7 Block 1

Lots 1 through 11 Block 2

Lots 1 through 10 Block 3

Lots 1 through 6 Block 4

Section 6. Bonneville County Lighting District No. 101 (Boulder Creek Estates, Division No. 1)

That there is hereby created Bonneville County Lighting District No. 101 to be compromised of the following described real property, Bonneville County, Idaho:

Boulder Creek Estates, Division No. 1:

Deloy Drive, from 4299 E to 4490 E

Oakbrook Road, from 2267 N to 2395 N

Titus Lane, from 4338 E to 4378 E

Which includes:

Lots 1 through 17 Block 1

Lots 1 through 11 Block 2

Lots 1 through 6 Block 3

Section 7. That there shall be assessed against each property within such district a fee for the services to be supplied by the County of the operation and maintenance of the Bonneville County Lighting Districts.

Section 8. That the fees to be collected shall be reasonably related to but shall not exceed the actual cost of the services being rendered.

Section 9. That the fees to be collected shall be for those services provided by the County which would otherwise be provided by ad valorem tax revenues.

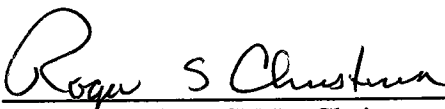
Section 10. That the fees to be collected shall be computed by the County and assessed upon the property within such lighting district with the assessment of the ad valorem property taxes and shall be paid with the payment of such taxes.

Section 11. That the County shall segregate such funds paid as fees and maintain the same in a fund for the payment of the fees and costs for the services provided in the operation and maintenance of the Bonneville County Lighting Districts.

Section 12. That this ordinance shall become effective upon its due passage and publication as provided by law.

DATED this 19th day of July, 2016.

BONNEVILLE COUNTY, IDAHO

By: 

ROGER CHRISTENSEN, Chairman, Board of
County Commissioners

ATTEST:



Cheryl Matthiesen, Deputy Clerk
and Secretary to the Board of County
Commissioners

I, the undersigned, the Deputy Clerk and Secretary to the Board of Commissioners of Bonneville County, Idaho, hereby certify that the foregoing Ordinance is a full, true, and correct copy of an Ordinance duly adopted at a regular meeting of the Board of said County, duly and regularly held at the meeting of the Board of said County, duly and regularly held at the meeting place thereof held on the 19th day of July, 2016 at 1:30 p.m., which meeting all members of said Board had due notice and at which all members were present; and that at said meeting said Summary of Ordinance was adopted by the following vote:

VOTING AYE

Roger Christensen, Chairman
Lee Staker, Commissioner
Dave Radford, Commissioner

VOTING NAY

None

ABSENT

None

ABSTAINING

None

I further certify that I have carefully compared the same with the original Summary of Ordinance on file and of record in my office; that said Summary of Ordinance is a full, true, and correct copy of the original Summary of Ordinance adopted at said meeting; and that said Summary of Ordinance has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the County on this 19th day of July, 2016.



Cheryl Matthiesen, Deputy Clerk and Secretary to
the Board of County Commissioners