

RESOLUTION NO. 2015-111

A RESOLUTION CALLING FOR A MAIL BALLOT ELECTION ON THE QUESTION OF ESTABLISHING A PERMANENT LEVY FOR THE OPERATION AND MAINTENANCE OF THE COUNTY'S PROPOSED PUBLIC SAFETY FACILITY

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA, as follows:

WHEREAS, Lewis and Clark County (the "County") is a public body and is authorized pursuant to Section 15-10-425, MCA, to impose a new mill levy or exceed the mill levy limit provided for in Section 15-10-420, MCA by conducting an election authorizing such new mill levy for County purposes; and

WHEREAS, the County is in the process of designing, constructing, equipping, furnishing and financing a public safety facility located on the I-15 frontage road one mile north of Custer Avenue in Helena, Montana (the "Facility"), which is intended to be funded by County General Obligation Bonds, upon the completion of a successful election; and

WHEREAS, when the Facility is complete, the County would like to ensure that the County has the financial capacity to properly operate and maintain the Facility; and

Whereas, the Board of Commissioners (the "Board") of the County intends, upon the successful completion of the bond election and subsequent construction of the Facility, to levy a public safety facility operation and maintenance permanent levy, pursuant to Section 15-10-420, MCA, in order to pay the costs of maintenance and operation of the Facility; and

WHEREAS, the County is conducting a general obligation bond election to authorize the issuance of up to \$40,945,389 in aggregate principal amount of bonds to fund the design, equipping, furnishing and financing of the public safety facility; and

WHEREAS, the County has determined that if the general obligation bond election is successful, that a permanent mill levy for the operation and maintenance of the public safety facility should be imposed; and

WHEREAS, it is estimated by the County that the annual operation and maintenance levy for the Facility will be approximately 45.10 mills or approximately \$5,281,802 annually for operation and maintenance costs, subject to the provisions of Section 15-10-420(1)(a), MCA which allow for inflation and new growth in subsequent years to fund the operation and maintenance of the Facility; and



WHEREAS, the value of a mill in the County, according to the most recent (2014) assessment for the state and county taxes, is \$117,108; and

WHEREAS, if the County obtains the voted authority for the public safety facility operation and maintenance permanent levy to increase 45.10 mills, the anticipated amount collected, based on 2014 assessment figures, would be approximately \$5,281,802; and

WHEREAS, the County estimates the tax increase for a home in the County valued at "Phased-in Market Value for tax purposes" at \$100,000 would be an annual increase of \$59.04 and for a home so valued at \$200,000 would be an annual increase of \$118.07.

NOW THEREFORE, it is hereby resolved as follows:

1. Calling of the Election. The Board of County Commissioners of Lewis and Clark County, Montana, hereby calls and directs a special County mail ballot election to be held on November 3, 2015, in conjunction with the general obligation bond mail ballot election, for the purpose of voting on the following question:

Shall the Board of County Commissioners be authorized to establish a public safety facility permanent mill levy of approximately 45.10 mills or \$5,281,802 annually for the operation and maintenance of the County's proposed public safety facility where the new permanent levy of approximately 45.10 mills or \$5,281,802 annually will be subject to Section 15-10-420(1)(a), MCA after the first year allowing for inflationary growth and newly taxable growth?

It is estimated by the County that, using current assessed values of taxable property, for a home valued at \$100,000 would be increased by the levy \$59.04 and a home valued at \$200,000 would be increased by the levy \$118.07.

The imposition of the permanent levy for maintenance and operation of the proposed public safety facility is contingent on the voter approval of the \$40,945,389 general obligation bonds of the County for such facility and construction of the facility.

2. Conduct of the Election. All qualified electors of the County shall be entitled to vote at the bond election. The Lewis and Clark County Election Administrator is hereby requested and authorized to give proper notice of the close of registration and thereafter prepare printed lists of the electors in the County entitled to vote in the election in the County and to conduct the election in the form and manner prescribed by law and to work with the Montana Secretary of State on the conduct of the mail ballot

election.

3. Notice of Election. The Election Administrator is hereby authorized and requested to cause notice of the call and holding of the election to be given by publishing notice at least once a week for the three consecutive weeks before the election in the Independent Record, a newspaper of general circulation in the County. The notice of election as published shall read substantially as follows:

NOTICE OF MAIL BALLOT ELECTION
TO ESTABLISH A PERMANENT LEVY FOR
OPERATION AND MAINTENANCE OF THE COUNTY'S
PROPOSED PUBLIC SAFETY FACILITY
Lewis and Clark County, Montana
November 3, 2015

NOTICE IS HEREBY GIVEN by the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County"), that pursuant to a certain resolution duly adopted at the regular meeting of the Board on August 4th, 2015, a special mail ballot election of the registered voters of the County will be held on November 3, 2015, in conjunction with the general obligation bond mail ballot election, for the purpose of voting on the following question:

Shall the Board of County Commissioners be authorized to establish a public safety facility permanent mill levy of approximately 45.10 mills or \$5,281,802 annually for the operation and maintenance of the County's proposed public safety facility where the new permanent levy of approximately 45.10 mills or \$5,281,802 annually will be subject to Section 15-10-420(1)(a), MCA after the first year allowing for inflationary growth and newly taxable growth?

It is estimated by the County that, using current assessed values of taxable property, for a home valued at \$100,000 would be increased by the levy \$59.04 and a home valued at \$200,000 would be increased by the levy \$118.07.

The imposition of the permanent levy for maintenance and operation of the proposed public safety facility is contingent on the voter approval of the \$40,945,389 general obligation bonds of the County for such facility and construction of the facility.

The special election shall be by mail ballot conducted by the Lewis and Clark Election Administrator, Helena, Montana.

Paulette DeHart

Election Administrator

Publish once a week for three consecutive weeks.

4. Form of Ballot. The Ballot shall be printed in substantially the following form:

OFFICIAL BALLOT
LEWIS AND CLARK COUNTY, MONTANA
MAIL BALLOT ELECTION TO ESTABLISH A PERMANENT LEVY FOR
OPERATION AND MAINTENANCE OF THE
PROPOSED PUBLIC SAFETY FACILITY
NOVEMBER 3, 2015

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "PERMANENT MILL LEVY – YES" if you wish to vote for the permanent mill levy; if you are opposed to the permanent mill levy make an X or similar mark in the square before the words "PERMANENT MILL LEVY – NO".

Shall the Board of County Commissioners be authorized to establish a public safety facility permanent mill levy of approximately 45.10 mills or \$5,281,802 annually for the operation and maintenance of the County's proposed public safety facility where the new permanent levy of approximately 45.10 mills or \$5,281,802 annually will be subject to Section 15-10-420(1)(a), MCA after the first year allowing for inflationary growth and newly taxable growth?

It is estimated by the County that, using current assessed values of taxable property, for a home valued at \$100,000 would be increased by the levy \$59.04 and a home valued at \$200,000 would be increased by the levy \$118.07.

The imposition of the permanent levy for maintenance and operation of the proposed public safety facility is contingent on the voter approval of the \$40,945,389 general obligation bonds of the County for such facility and construction of the facility.

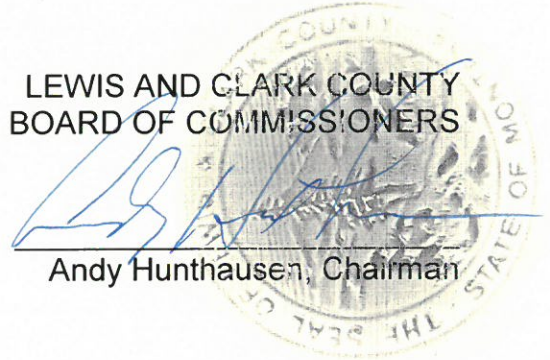
- PERMANENT MILL LEVY – YES
 PERMANENT MILL LEVY – NO

5. That a copy of this resolution will be provided to the County Election Administrator as soon as possible after its adoption and approval in order to inform

him/her of the details of the election and pertinent requests and authorizations as to the conduct of the election.

PASSED AND ADOPTED by the Board of County Commissioners of Lewis and Clark County, Montana this 1st day of Sept 2015.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS



Andy Hunthausen, Chairman

ATTEST:

Paulette DeHart

Paulette DeHart, Clerk of the Board