

RESOLUTION 2016-72

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA, SUBMITTING TO THE QUALIFIED ELECTORS OF LEWIS AND CLARK COUNTY AT THE GENERAL ELECTION, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) FOR THE PURPOSE OF FUNDING THE DESIGN, REMODELING, EQUIPPING, FURNISHING AND FINANCING OF THE COUNTY'S EXISTING DETENTION CENTER FACILITY LOCATED AT 221 BRECKENRIDGE IN HELENA, MONTANA, TO PROVIDE HOLDING CAPACITY FOR APPROXIMATELY 160 INMATES AND PROVIDING THAT THE NUMBER OF YEARS THROUGH WHICH THE BONDS ARE TO BE PAID SHALL BE 15 YEARS.

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

WHEREAS, the board of county commissioners of a county may issue bonds on the credit of the county for the purpose of designing, constructing, remodeling or erecting necessary public buildings within the county, under its control and authorized by law; making additions to and repairing buildings; and furnishing and equipping the same, upon approval of the electorate of the county, provided that the amount of indebtedness does not exceed 2.5% of the total assessed value of taxable property within the county, calculated in accordance with Section 7-7-2101, MCA; and

WHEREAS, a board of county commissioners is authorized pursuant to Section 7-7-2223, MCA to call a bond election by adoption of a resolution to that effect; and

WHEREAS, the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County"), pursuant to a Preliminary Architecture Report, has determined that there should be submitted to the electors of the County qualified to vote at bond elections the question of whether the Board shall be authorized to issue and sell bonds of the County in one or more series to obtain funds for the purpose of designing, remodeling, equipping, furnishing and financing a remodeled county detention center facility having a holding capacity for approximately 160 inmates through the remodeling of all three floors so that the entire facility will only be utilized for detention center purposes and programs and will be located at 221 Breckenridge in Helena, Montana; and

WHEREAS, the design and construction consultants to the County have estimated the costs of the design, remodeling, equipping and financing of the remodeled county detention center facility to be \$6,500,000; and

WHEREAS, the Board has determined that the issuance of general obligation bonds in the amount of up to \$6,500,000 in bonds will not cause the County to exceed its indebtedness limitation, which, as currently calculated, is \$174,414,567 (total assessed value of taxable property in the County of \$6,976,582,678, x 2.50%); and



WHEREAS, the County's existing general obligation indebtedness is \$6,007,709;
and

WHEREAS, it is the judgment of the Board that the sum of up to six million five hundred thousand dollars (\$6,500,000) in bonds will be necessary to carry out the purpose set forth above; and

WHEREAS, it is the judgment and determination of the Board that such bonds should be payable during a term of not to exceed fifteen (15) years and shall be redeemable on any date after one-half of the term for which they are issued.

NOW THEREFORE, it is hereby found, determined and ordered as follows:

1. Calling of Election. That the Board of Commissioners of Lewis and Clark County, Montana, does hereby call and direct to be held a general obligation bond election at the general election held in the County on November 8, 2016 for the purpose of voting on the following question:

Shall the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County") be authorized to issue and sell general obligation bonds of the County, in one or more series in the aggregate principal amount of up to six million five hundred thousand dollars (\$6,500,000), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed fifteen (15) years and redeemable on any date after one-half of their term, for the purpose of paying the issuance costs of the bonds and the costs of designing, remodeling, equipping and furnishing the county detention center facility to provide holding capacity for approximately 160 inmates through the remodeling of all three floors so that the entire facility will only be utilized for detention center purposes and programs and will be located at 221 Breckenridge in Helena, Montana?

If this bond issue is approved, based on the estimated costs of the proposed project of \$6,500,000, the most recent assessed values of taxable property in the County and assuming an interest rate on the bonds of 4.00% per annum and a term of 15 years, the bonds issued in their maximum authorized amount would result in an estimated annual tax increase on a home, with a current assessed value of \$100,000, of \$6.22 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$12.44.

The County will not issue the bonds or remodel the detention center facility as indicated unless the voters of the County also approve a companion mill levy election for paying the costs of the operation and maintenance of the detention center facility by imposition of a detention center facility annual mill levy for a fifteen year term.

2. Conduct of Election. That all qualified electors of the Lewis and Clark County, Montana, 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 to 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.

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

NOTICE OF GENERAL OBLIGATION BOND
ELECTION
LEWIS AND CLARK COUNTY, MONTANA
November 8, 2016

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 a regular meeting of the Board on August 9, 2016, a general obligation bond election of the registered voters of the County will be held at the General Election on November 8, 2016, in conjunction with the operation and maintenance mill levy election, for the purpose of voting on the following question:

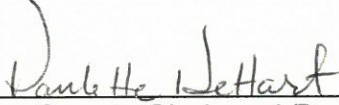
Shall the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County") be authorized to issue and sell general obligation bonds of the County, in one or more series in the aggregate principal amount of up to six million five hundred thousand dollars (\$6,500,000), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed fifteen (15) years and redeemable on any date after one-half of their term, for the purpose of paying the issuance costs of the bonds and the costs of designing, remodeling, equipping and furnishing the county detention center facility to provide holding capacity for approximately 160 inmates through the remodeling of all three floors so that the entire facility will only be utilized for detention center purposes and programs and will be located at 221 Breckenridge in Helena, Montana?

If this bond issue is approved, based on the estimated costs of the proposed project of \$6,500,000, the most recent assessed values of taxable property in the County and assuming an interest rate on the bonds of 4.00% per annum and a term of 15 years, the bonds issued in their maximum authorized amount would result in an estimated annual tax increase on a home, with a current assessed value of \$100,000, of \$6.22 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$12.44.

The County will not issue the bonds or remodel the detention center facility as

indicated unless the voters of the County also approve a companion mill levy election for paying the costs of the operation and maintenance of the detention center facility by imposition of a detention center facility annual mill levy for a fifteen year term.

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



County Clerk and Recorder

Publish: once per week for 3 weeks before election)

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

OFFICIAL BALLOT
LEWIS AND CLARK COUNTY, MONTANA
GENERAL OBLIGATION BOND ELECTION
November 8, 2016

INSTRUCTIONS TO VOTERS: Make an X or similar mark in the vacant square before the words "BONDS - YES" if you wish to vote for the bond issue; if you are opposed to the bond issue, make an X or similar mark in the vacant square before the words "BONDS - NO."

Shall the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County") be authorized to issue and sell general obligation bonds of the County, in one or more series in the aggregate principal amount of up to six million five hundred thousand dollars (\$6,500,000), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed fifteen (15) years and redeemable on any date after one-half of their term, for the purpose of paying the issuance costs of the bonds and the costs of designing, remodeling, equipping and furnishing the county detention center facility to provide holding capacity for approximately 160 inmates through the remodeling of all three floors so that the entire facility will only be utilized for detention center purposes and programs and will be located at 221 Breckenridge in Helena, Montana?

If this bond issue is approved, based on the estimated costs of the proposed project of \$6,500,000, the most recent assessed values of taxable property in the County and assuming an interest rate on the bonds of 4.00% per annum and a term of 15 years, the bonds issued in their maximum authorized amount would result in an estimated annual tax increase on a home, with a current assessed value of \$100,000, of \$6.22 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$12.44.

The County will not issue the bonds or remodel the detention center facility as

indicated unless the voters of the County also approve a companion mill levy election for paying the costs of the operation and maintenance of the detention center facility by imposition of a detention center facility annual mill levy for a fifteen year term.


G BONDS - YES

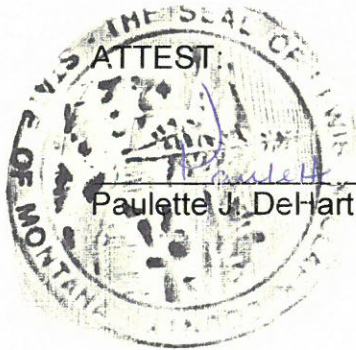
G BONDS - NO

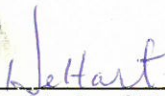
5. That a copy of this resolution will be provided to the County Election Administrator as soon as possible after its adoption and approval in order to inform him/her of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

PASSED, ADOPTED, AND APPROVED this 09 day of August, 2016, by a unanimous vote of the Board of Commissioners.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael Murray, Chairman




Paulette J. DeHart, Clerk of Board