

RESOLUTION 2017-80

**A RESOLUTION CALLING FOR AN ELECTION ON THE QUESTION OF
ESTABLISHING AN ANNUAL LEVY FOR FIFTEEN YEARS FOR
MAINTENANCE AND OPERATIONS COSTS FOR THE COUNTY'S
PROPOSED REMODELED DETENTION CENTER**

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, remodeling, expanding, equipping, furnishing and financing its detention center located at 221 Breckenridge in Helena, Montana (the "Facility"), which is intended to be funded by \$6,500,000 principal amount of County General Obligation Bonds (the "Bonds") approved for such purpose in a general election held on November 8, 2016, upon the completion of a successful County election approving an annual mill levy for fifteen years to raise \$4,000,000 annually for maintenance and operations costs for the Facility (the "Initial Companion Mill Levy Election"); and

WHEREAS, the County held the Initial Companion Mill Levy Election and the election was not successful; and

WHEREAS, the County proposes to conduct another companion mill levy election on November 7, 2017 approving an annual mill levy for fifteen years to raise \$4,000,000 annually for maintenance and operation costs for the Facility; and

WHEREAS, when the Facility is expanded and remodeled, the County wants 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 levy election described herein, the sale and issuance of the Bonds and subsequent remodeling of the Facility, to establish an annual detention center operation and maintenance levy for fifteen years, pursuant to Section 15-10-425, MCA, in order to pay the costs of maintenance and operation of the Facility, including additional staff, services and programs; and

WHEREAS, the County has determined that since the general obligation bond election was successful, that an annual mill levy for fifteen years to raise \$4,000,000 annually for the operation and maintenance of the Facility should be imposed; and

WHEREAS, it is estimated by the County that the annual operation and maintenance costs for the Facility, including additional staff, services and programs, will require a new levy of approximately 31.75 mills to raise \$4,000,000 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 estimated value of a mill in the County, according to the most recent (2016) assessment for the state and county taxes, is \$125,989; and

WHEREAS, if the County obtains the voted authority for the levy to annually fund \$4,000,000 for operation and maintenance of the remodeled facility, based on 2016 assessment figures, the estimated new mills required would be 31.75; and

WHEREAS, the County estimates the tax increase for the levy for a home in the County with a market value for tax purposes at \$100,000 would be an annual increase of \$42.86 and for a home so valued at \$200,000 would be an annual increase of \$85.72.

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 County mill levy election to be held on November 7, 2017, in conjunction with the general municipal election, for the purpose of voting on the following question:

Shall the Board of County Commissioners be authorized to establish a detention center facility annual mill levy for 15 years of approximately 31.75 mills to raise \$4,000,000 annually for the operation and maintenance of the County's proposed remodeled detention center facility, including additional staff, services and programs, where the new levy of approximately 31.75 mills to raise \$4,000,000 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, taxes would be increased annually by the levy in the amount of \$42.86 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$85.72.

The voters in the County, on November 8, 2016, approved \$6,500,000 general obligation bonds of the County to be issued for the remodeling of the county detention center facility. This is a companion mill levy to the November 8, 2016 County election approving issuance of \$6,500,000 general obligation bonds of the County, and passage of this companion mill levy will allow for the issuance of those bonds for the remodeling of the County's detention center.

2. Conduct of the Election. All qualified electors of the County shall be entitled to vote at the mill levy 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.

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 ELECTION
TO ESTABLISH AN ANNUAL LEVY FOR FIFTEEN YEARS FOR
OPERATION AND MAINTENANCE OF THE COUNTY'S
PROPOSED REMODELED DETENTION CENTER
Lewis and Clark County, Montana
November 7, 2017

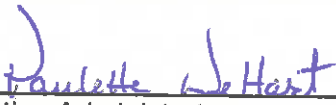
NOTICE IS HEREBY GIVEN by the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County"), that pursuant to a certain resolution duly adopted at the regular meeting of the Board on July 27, 2017, a mill levy election of the registered voters of the County will be held on November 7, 2017, in conjunction with the general municipal election, for the purpose of voting on the following question:

Shall the Board of County Commissioners be authorized to establish a detention center facility annual mill levy for 15 years of approximately 31.75 mills to raise \$4,000,000 annually for the operation and maintenance of the County's proposed remodeled detention center facility, including additional staff, services and programs, where the new levy of approximately 31.75 mills to raise \$4,000,000 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, taxes would be increased annually by the levy in the amount of \$42.86 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$85.72.

The voters in the County, on November 8, 2016, approved \$6,500,000 general obligation bonds of the County to be issued for the remodeling of the county detention center facility. This is a companion mill levy to the November 8, 2016 county election approving issuance of \$6,500,000 general obligation bonds of the County, and passage of this companion mill levy will allow for the issuance of those bonds for the remodeling of the County's detention center.

The mill levy election shall be conducted by the Lewis and Clark Election Administrator, Helena, Montana on November 7, 2017.



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
ELECTION TO ESTABLISH AN ANNUAL LEVY FOR FIFTEEN YEARS
FOR OPERATION AND MAINTENANCE OF THE COUNTY'S
PROPOSED REMODELED DETENTION CENTER FACILITY
November 7, 2017

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

Shall the Board of County Commissioners be authorized to establish a detention center facility annual mill levy for 15 years of approximately 31.75 mills to raise \$4,000,000 annually for the operation and maintenance of the County's proposed remodeled detention center facility, including additional staff, services and programs, where the new levy of approximately 31.75 mills to raise \$4,000,000 annually will be subject to Section 15-10-420(1)(a), MCA after the first year allowing for inflationary growth and newly taxable growth?

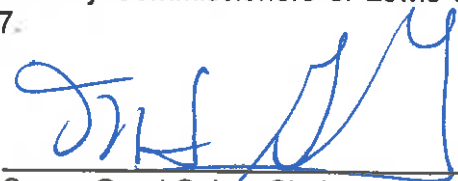
It is estimated by the County that, using current assessed values of taxable property, for a home valued at \$100,000, taxes would be increased annually by the levy in the amount of \$42.86 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$85.72.

The voters in the County, on November 8, 2016, approved \$6,500,000 general obligation bonds of the County to be issued for the remodeling of the county detention center facility. This is a companion mill levy to the November 8, 2016 county election approving issuance of \$6,500,000 general obligation bonds of the County, and passage of this companion mill levy will allow for the issuance of those bonds for the remodeling of the County's detention center.

- MILL LEVY – YES
- 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 20 day of July 2017.




Susan Good Geise, Chairman

Andy Hunthausen, Commissioner



Jim McCormick, Commissioner

Attest:



Paulette DeHart, Clerk and Recorder

