

BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

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RESOLUTION NO. 2021-09

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS SUBMITTING TO THE QUALIFIED ELECTORS OF CARBON COUNTY, MONTANA, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO NINETEEN MILLION AND NO/100 DOLLARS (\$19,000,000) FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF DESIGNING, CONSTRUCTING, EQUIPPING AND FURNISHING A NEW COUNTY DETENTION CENTER TO PROVIDE HOLDING CAPACITY FOR APPROXIMATELY 53 INMATES AT COUNTY-OWNED PROPERTY LOCATED AT 9520 HIGHWAY 212, JOLIET, MONTANA; AND PAYING COSTS ASSOCIATED WITH THE SALE AND ISSUANCE OF THE BONDS

This Resolution was introduced by Bill Bullock; moved by Commissioner Scott Miller and seconded by Commissioner Scott Blain. This Resolution was adopted unanimously.

RECITALS

WHEREAS, the Board of County Commissioners (the "Board") of Carbon County, Montana (the "County") may issue bonds on the credit of the County for the purpose of constructing, erecting, or acquiring by purchase 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 2.50% of the total assessed value of taxable property within the County, calculated in accordance with Section 7-7-2101, M.C.A.; and

WHEREAS, the Board is authorized pursuant to Section 7-7-2223, M.C.A., to call a bond election by adopting a resolution to that effect; and

WHEREAS, the Board, 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 paying a portion of the costs of designing, constructing, equipping and furnishing a new county detention center to provide holding capacity for approximately 53 inmates at County-owned property located at 9520 Highway 212 in Joliet, Montana, legally described as Tract 1-C-1, Section 14, Township 4 South, Range 22 East, as shown on Certificate of Survey 982 RB, filed in the office of the Clerk and Recorder of Carbon County, Montana as Document No. 380619; and paying costs associated with the sale and issuance of the bonds (the "Project"); and

WHEREAS, the design and construction consultants to the County have estimated the costs of the designing, constructing, equipping and financing a new County Detention Center to be \$19,000,000;

WHEREAS, the Board has determined that the issuance of general obligation bonds in the aggregate principal amount of up to \$19,000,000 will not cause the County to exceed its indebtedness limitation, which, as currently calculated, is \$53,313,130, i.e. \$2,132,525,236 x 2.50%; and

WHEREAS, the County has no existing general obligation indebtedness; and

WHEREAS, the County has executed a Memorandum of Understanding with Sweetgrass County for the detention of up to a certain number of their inmates, with payments under such Memoranda to pay a portion of operation and maintenance costs of the new County Detention Center;

WHEREAS, it is the judgment of the Board that the sum of up to Nineteen Million and No/100 Dollars (\$19,000,000) in bonds will be necessary, with other available funds, to carry out the purpose set forth above; and

WHEREAS, it is the judgment and determination of the Board that such bonds, if issued, would be payable during a term not to exceed twenty (20) years and shall be redeemable on any date after one-half of the term for which they are issued.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby calls and directs a special mail ballot county election be held on August 3, 2021, for the purpose of voting on the following question:

Shall the Board of County Commissioners (the "Board") of Carbon 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 Nineteen Million and No/100 Dollars (\$19,000,000), bearing market interest rates to be determined by the Board, payable semiannually during a term not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying a portion of the costs of designing, constructing, equipping and furnishing a New County Detention center to provide holding capacity for approximately 53 inmates at County-owned property located at 9520 Highway 212 in Joliet, Montana, legally described as Tract 1-C-1, Section 14, Township 4 South, Range 22 East, as shown on Certificate of Survey 982 RB, filed in the office of the Clerk and Recorder of Carbon County, Montana as Document No. 380619; and paying costs associated with the sale and issuance of the bonds (the "Project")?

2. Conduct of Election. All qualified electors of the County shall be entitled to vote at the bond election. The Carbon 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 three times no earlier than 40 days and no later than 10 days before the election in the Carbon County News, 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
Carbon County, Montana
August 3, 2021

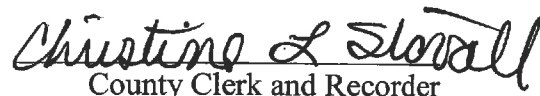
NOTICE IS HEREBY GIVEN by the Board of County Commissioners (the "Board") of Carbon County, Montana (the "County"), that pursuant to a certain resolution duly adopted at a regular meeting of the Board on May 11, 2021, a mail ballot special election of the registered voters of the County will be held on August 3, 2021, for the purpose of voting on the following question:

Shall the Board of County Commissioners (the "Board") of Carbon 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 Nineteen Million and No/100 Dollars (\$19,000,000), bearing market interest rates to be determined by the Board, payable semiannually during a term not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying a portion of the costs of designing, constructing, equipping, and furnishing a New County Detention center to provide holding capacity for approximately 53 inmates at County-owned property located at 9520 Highway 212 in Joliet, Montana, legally described as; Tract 1-C-1, Section 14, Township 4 South, Range 22 East, as shown on Certificate of Survey 982 RB, filed in the office of the Clerk and Recorder of Carbon County, Montana as Document No. 380619 and paying costs associated with the sale and issuance of the bonds (the "Project")?

If approved, based on the most recent assessed values of taxable property in the County, the bonds issued in their maximum authorized amount would result in an estimated annual tax on a home with an assessed value of \$100,000 of \$28.73 and on a home with an assessed value of \$200,000 of \$57.46.

The County will not issue the bonds or construct 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.

The special election shall be by mail ballot and shall be conducted by the office of the County Election Administrator, Carbon County, 17 West 11th Street, Red Lodge, Montana, 59068.


County Clerk and Recorder

Publish: July 29, 2021
 July 22, 2021
 July 15, 2021

4. Ballots. The Election Administrator is hereby requested to prepare suitable ballots for use at the election at the polling places, together with the precinct lists.

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

OFFICIAL BALLOT
CARBON COUNTY, MONTANA
GENERAL OBLIGATION BOND ELECTION
August 3, 2021

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 Carbon 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 Nineteen Million and No/100 Dollars (\$19,000,000), bearing market interest rates to be determined by the Board, payable semiannually during a term not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying a portion of the costs of designing, constructing, equipping and furnishing a New County Detention center to provide holding capacity for approximately 53 inmates at County-owned property located at 9520 Highway 212 in Joliet, Montana, legally described as Tract 1-C-1, Section 14, Township 4 South, Range 22 East, as shown on Certificate of Survey 982 RB, filed in the office of the Clerk and Recorder of Carbon County, Montana as Document No. 380619; and paying costs associated with the sale and issuance of the bonds (the “Project”)?

If approved, based on the most recent assessed values of taxable property in the County, the bonds issued in their maximum authorized amount would result in an estimated annual tax on a home with an assessed value of \$100,000 of \$28.73 and on a home with an assessed value of \$200,000 of \$57.46.

The County will not issue the bonds or construct 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.

BONDS -- YES

BONDS -- NO

6. Notice to County Election Administrator. A copy of this resolution will be provided to the Election Administrator as soon as possible after its adoption and approval, and no later than May 25, 2021, in order to inform her of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

PASSED AND ADOPTED by the Board of County Commissioners of Carbon County, Montana, this 11th day of May, 2021.

BOARD OF COUNTY COMMISSIONERS
Carbon County, Montana

By: 
Presiding Officer

By: 
Member

By: 
Member

Attested


County Clerk and Recorder