

BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

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RESOLUTION NO.2021-10

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

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CARBON COUNTY, MONTANA, as follows:

WHEREAS, Carbon 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 planning process of designing, constructing, equipping, furnishing, and financing a new detention center 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 (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 constructed, 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 bond election, to establish a permanent annual detention center operation and maintenance levy, pursuant to Section 15-10-425, MCA, in order to pay the costs of maintenance and operation of the Facility, including staff, services, and programs; and

WHEREAS, the County is conducting a general obligation bond election to authorize the issuance of up to \$19,000,000 in aggregate principal amount of bonds with a term of 20 years to fund the design, equipping, furnishing, and financing of its proposed construction of the Facility; and

WHEREAS, the County has determined that if the general obligation bond election is successful, that an annual mill levy 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 38.5 mills to raise approximately \$1,831,132 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 (2020) assessment for the state and county taxes, is \$47,561.87; and

WHEREAS, the County estimates the tax increase for the levy for a home in the County valued at an assessed value for tax purposes at \$100,000 would be an annual increase of \$51.98 and for a home so valued at \$200,000 would be an annual increase of \$103.95.

NOW THEREFORE, it is hereby Resolved as follows:

1. Calling of the Election. The Board of County Commissioners of Carbon County, Montana, hereby calls and directs a County mill levy election to be held on August 3, 2021, in conjunction with the general obligation bond 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 of 38.5 mills to raise approximately \$1,831,132 annually for the operation and maintenance of the County's proposed new detention center facility, including staff, services and programs, where the new levy of 38.5 mills to raise approximately \$1,831,132 annually will be subject to Section 15-10-420(1)(a), MCA, 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 \$51.98 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$103.95.

The imposition of the annual levy for maintenance and operation of the proposed new detention center facility is contingent on the voter approval of the \$19,000,000 general obligation bonds of the County for such construction of the facility.

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

a week for the three consecutive weeks 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 ELECTION
TO ESTABLISH AN ANNUAL LEVY FOR
OPERATION AND MAINTENANCE OF THE COUNTY'S
PROPOSED DETENTION CENTER
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 the regular meeting of the Board on May 11, 2021, a mill levy election of the registered voters of the County will be held on August 3, 2021, in conjunction with the general obligation bond 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 38.5 mills to raise approximately \$1,831,132 annually for the operation and maintenance of the County's proposed new detention center facility, including staff, services, and programs, where the new levy of 38.5 mills to raise approximately \$1,831,132 annually will be subject to Section 15-10-420(1)(a), MCA, 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 \$51.98 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$103.95.

The imposition of the annual levy for maintenance and operation of the proposed new detention center facility is contingent on the voter approval of the \$19,000,000 general obligation bonds of the County for such construction of the facility.

The mill levy election shall be conducted by Carbon County Election Administrator, Red Lodge, Montana on August 3, 2021.

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
CARBON COUNTY, MONTANA
ELECTION TO ESTABLISH AN ANNUAL LEVY FOR
OPERATION AND MAINTENANCE OF THE COUNTY'S
PROPOSED DETENTION CENTER
August 3, 2021

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 of 38.5 mills to raise approximately \$1,831,132 annually for the operation and maintenance of the County's proposed new detention center facility, including additional staff, services and programs, where the new levy of 38.5 mills to raise approximately \$1,831,132 annually will be subject to Section 15-10-420(1)(a), MCA 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 \$51.98 and for a home valued at \$200,000, taxes would be increased annually by the levy in the amount of \$103.95.

The imposition of the annual levy for maintenance and operation of the proposed new detention center facility is contingent on the voter approval of the \$19,000,000 general obligation bonds of the County for such construction of the facility.


- 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 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 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