

RESOLUTION NO. 2015-110

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LEWIS AND CLARK COUNTY, MONTANA, SUBMITTING TO THE QUALIFIED ELECTORS OF LEWIS AND CLARK COUNTY through a special mail ballot election, THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS IN ONE OR MORE SERIES IN THE aggregate principal AMOUNT OF UP TO forty million nine hundred forty five thousand and three hundred and eighty nine dollars (\$40,945,389) FOR THE PURPOSE OF FUNDING THE DESIGN, CONSTRUCTION, EQUIPPING, FURNISHING AND FINANCING OF A NEW COUNTY DETENTION CENTER and public safety facility HAVING A HOLDING CAPACITY FOR APPROXIMATELY 244 INMATES AND INCLUDING AREAS FOR ADMINISTRATIVE ACTIVITIES, SECURITY AND SURVEILLANCE SYSTEMS, FOOD PREPARATION AND LAUNDRY FACILITIES, a new sheriff's office, administrative offices and meeting rooms TO BE LOCATED on the i-15 frontage road one mile north of custer avenue, HELENA, MONTANA AND PROVIDING THAT THE NUMBER OF YEARS THROUGH WHICH THE BONDS ARE TO BE PAID SHALL BE 20 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 design; constructing 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 the recommendation of the County's Criminal Justice Coordinating Council adopting 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, constructing, equipping, furnishing and financing a new county detention center and public safety facility having a holding capacity for approximately 244 inmates and including areas for administrative activities, security and surveillance systems, food preparation and laundry facilities, a new Sheriff's office, administrative offices and meeting rooms, and related improvements, to be located on the I-15 frontage road one mile north of Custer Avenue in Helena, Montana; and



WHEREAS, the design and construction consultants to the County have estimated the costs of the design, equipping and financing a new county detention center and public safety facility to be \$40,945,389; and

WHEREAS, the Board has determined that the issuance of general obligation bonds in the amount of up to \$40,945,389 in bonds will not cause the County to exceed its indebtedness limitation, which, as currently calculated, is \$106,394,540 (total assessed value of taxable property in the County of \$4,255,781,588 x 2.50%); and

WHEREAS, the County's existing general obligation indebtedness is \$7,763,550; and

WHEREAS, it is the judgment of the Board that the sum of up to forty million nine hundred forty five thousand and three hundred and eighty nine dollars (\$40,945,389) 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 twenty (20) 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 special mail ballot election in the County on November 3, 2015 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 forty million nine hundred forty five thousand and three hundred and eighty nine dollars (\$40,945,389), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying the costs of designing, constructing, equipping and furnishing a new county detention center and public safety facility having a holding capacity for approximately 244 inmates and includes areas for administrative activities, security and surveillance systems, food preparation and laundry facilities, a new Sheriff's office, administrative offices and meeting rooms, and related improvements, to be located on the I-15 frontage road one mile north of Custer Avenue in Helena, Montana; and paying costs associated with the sale and issuance of the bonds?

If this bond issue is approved, based on the estimated costs of the proposed project of \$40,945,389, 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 20 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 \$33.46 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$66.92.

The County will not issue the bonds or build the new detention center and public safety facility 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 and public safety facility by imposition of a detention center and public safety facility permanent mill levy.

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 and to work with the Montana Secretary of State in the conduct of the mail ballot election.

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
MAIL BALLOT ELECTION
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 a regular meeting of the Board on August 4th, 2015, a special mail ballot general obligation bond election of the registered voters of the County will be held on November 3, 2015, in conjunction with the special permanent operation and maintenance mill levy election, for the purpose of voting on the following question:

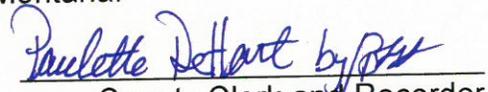
Shall the Board of County Commissioners (the "Board") of Lewis and Clark County, Montana (the "County") be authorized to issue and sell general obligation bonds of the County, in one or more series in the aggregate principal amount of up to forty million nine hundred forty five thousand and three hundred and eighty nine dollars (\$40,945,389), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying the costs of designing, constructing, equipping and furnishing a new county detention center and public safety facility having a holding capacity for approximately 244 inmates and includes areas for administrative activities, security and surveillance systems, food preparation and laundry facilities, a new Sheriff's office, administrative offices and

meeting rooms, and related improvements, to be located on the I-15 frontage road one mile north of Custer Avenue in Helena, Montana ; and paying costs associated with the sale and issuance of the bonds?

If this bond issue is approved, based on the estimated costs of the proposed project of \$40,945,389, 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 20 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 \$33.46 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$66.92.

The County will not issue the bonds or build the new detention center and public safety facility 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 and public safety facility by a detention center and public safety facility permanent mill levy.

The special election shall be by mail ballot 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 MAIL BALLOT ELECTION
November 3, 2015

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 forty million nine hundred forty five thousand and three hundred and eighty nine dollars (\$40,945,389), bearing interest at rates to be determined by the Board, payable semiannually during the term of not to exceed twenty (20) years and redeemable on any date after one-half of their term, for the purpose of paying the costs of designing, constructing, equipping and furnishing a new county detention center and

public safety facility having a holding capacity for approximately 244 inmates and includes areas for administrative activities, security and surveillance systems, food preparation and laundry facilities, a new Sheriff's office, administrative offices and meeting rooms, and related improvements, to be located on the I-15 frontage road one mile north of Custer Avenue in Helena, Montana ; and paying costs associated with the sale and issuance of the bonds?

If this bond issue is approved, based on the estimated costs of the proposed project of \$40,945,389, 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 20 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 \$33.46 and an estimated annual tax increase on a home, with a current assessed value of \$200,000, of \$66.92.

The County will not issue the bonds or build the new detention center and public safety facility 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 and public safety facility by a detention center and public safety facility permanent mill levy.

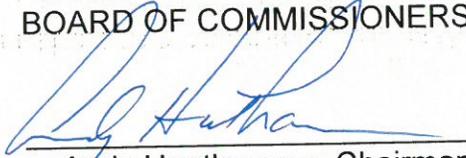
G BONDS - YES

G BONDS - NO

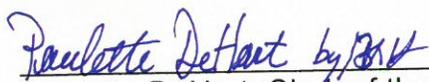
5. That a copy of this resolution will be provided to the County Election Administrator as soon as possible after its adoption and approval in order to inform him/her of the details of the election and the pertinent requests and authorizations as to the conduct of the election.

PASSED, ADOPTED, AND APPROVED this 4th day of August, 2015, by a unanimous vote of the Board of Commissioners.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Andy Hunthausen, Chairman

ATTEST:


Paulette DeHart, Clerk of the Board