

July 29, 2022

Agenda #1

**Agenda Action Report**  
Prepared for the  
**Cascade County Commission**

**ITEM:**

**Resolution 22-51:**

**A Resolution of Intent to Implement a Public Safety  
Mill Levy and Submit the Levy to a Vote of the Public**

**PRESENTED BY:**

**Josh Racki, County Attorney**

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**GENERAL INFORMATION**

Currently, monies dedicated to the Cascade County Attorney's Office are not sufficient to maintain necessary services of the Sheriff's Office and County Attorney's Office. As Cascade County continues to grow in population, so do the demands on Sheriff and County Attorney services.

Additionally, the Cascade County Sheriff's Deputies starting salary is approximately 26% less than the starting salary of the Great Falls Police Department and other competing law enforcement agencies. Similarly, the current starting salary for Deputy Cascade County Attorneys is 18% less than the starting salary of attorneys hired by the Office of Public Defender and are 17% below the market compensation-rate for a new prosecuting attorney in the State of Montana. Accordingly, both the Cascade County Sheriff's Office and the Cascade County Attorney's Office are currently having difficulty hiring and maintaining qualified and skilled deputy sheriffs and deputy attorneys to the extent that both offices are currently understaffed by approximately 20% in sworn personnel. Limited resources and personnel also limit the Sheriff's Office's ability to devote resources and personnel for additional school safety initiatives needed to protect county schools.

Further, Cascade County does not currently have a pretrial services/supervision program. Pretrial services and supervision programs provide a beneficial increase to public safety and provide rehabilitation services to pretrial offenders and have been shown to increase public safety.

Based on the foregoing, and pursuant to MCA §15-10-420 (2), the Cascade County Sheriff and County Attorney request the Board authorize the implementation of a perpetual Public Safety Mill levy at 20 mills and submit such for voter approval as authorized by MCA § 7-6-2513. The revenue raised would be approximately \$3.25 million annually. They request that the revenue raised by a Public Safety Mill levy be a dedicated source of revenue to fund Sheriff and County Attorney services for recruitment and retention services; school safety; and pre-trial services.

**Two Motions Provided for Consideration:**

**MOTION TO APPROVE:**

"I move the Cascade County Board of Commission **approve** Resolution #22-51: A Resoltuion of Intent to Implement a Public Safety Mill Levy and Submit the Levy to a Vote of the Public."

**MOTION TO DISAPPROVE:**

"I move the Cascade County Board of Commission **disapprove** Resolution #22-51".

**BOARD OF COUNTY COMMISSIONERS  
CASCADE COUNTY, MONTANA**

**RESOLUTION NO. 22-51**

**RESOLUTION OF INTENT TO IMPLEMENT A PUBLIC SAFETY  
MILL LEVY AND SUBMIT THE LEVY TO A VOTE OF THE PUBLIC**

WHEREAS, MCA §15-10-420 (2) provides authority to the Board of County Commissioners to submit for voter approval an increase in the tax liability of the County Public Safety Mill Levy as authorized in MCA §7-6-2513, and

WHEREAS, the monies dedicated to the Cascade County Attorney's Office are not sufficient to maintain necessary services of the Sheriff's Office and County Attorney's Office,

WHEREAS, Cascade County continues to grow in population and accordingly the demands on Sheriff and County Attorney services continue to grow at an accelerated rate;

WHEREAS, the Cascade County Sheriff's Deputies starting salary is approximately 26% less than the starting salary of the Great Falls Police Department and other competing law enforcement agencies:

WHEREAS, the Cascade County Attorney's Deputies current starting salary is 18% less than the starting salary of the Office of Public Defender and 17% below the market compensation-rate for a new prosecuting attorney in the state of Montana;

WHEREAS, both the Cascade County Sheriff's Office and the Cascade County Attorney's Office are currently having difficulty hiring and maintaining qualified and skilled deputy sheriffs and deputy attorneys to the extent that both offices are currently understaffed by approximately 20% in sworn personnel;

WHEREAS, Cascade County does not currently have a pretrial services/supervision program and such a program would provide a beneficial increase to public safety and provide rehabilitation services to pretrial offenders and such programs have been shown to increase public safety;

WHEREAS, Cascade County currently lacks adequate resources and personnel for additional school safety initiatives needed to protect county schools:

WHEREAS, the Board of County Commissioners has received a request from the Cascade County Sheriff and County Attorney to implement a Public Safety Mill levy at 20 mills;

WHEREAS, revenue raised by a Public Safety Mill levy will be a dedicated source of revenue to fund Sheriff and County Attorney services;

Purpose:	Provide funding for the following under the Sheriff's Office and County Attorney's Office: recruitment and retention services; school safety; and pre-trial services.
Amount:	Approximately \$3.52 million annually
Mills:	20 mills
Duration:	Perpetual
Impact:	Fair Market Value \$100,000 home = \$27.00 per year (approximate) Fair Market Value \$200,000 home = \$54.00 per year (approximate)

NOW, THEREFORE BE IT RESOLVED, that Cascade County must implement a County Public Safety Mill Levy to continue to provide its necessary services by asking the voters of Cascade County to approve 20 mills for the County Public Safety Mill Levy as authorized under MCA §7-6-2513.

BE IT FURTHER RESOLVED that the Cascade County Board of Commissioners intends to pass a mill levy that will implement 20 mills for the support of the Cascade County Sheriff's Office and Attorney's Office operations. That it is hereby ordered that a public hearing is set for [date], at [time] in the Cascade County Commissioners Board Room, 325 2nd Avenue N, Great Falls, MT 59401 to determine whether to implement the Sheriff and County Attorney Public Safety Mill Levy for 20 mills for support of public safety. The mill levy would be perpetual. The mill levy would be subject to the approval of the voters of Cascade County. At the hearing, the Commission would take comment on whether to place the mill levy on the November 8, 2022 ballot. The Board orders the Cascade County Clerk and Recorder to provide notice of the hearing, make copies of the proposed resolution available to the public and accept public comments on the proposed levy. After the hearing, should the Board of County Commissioners find that it is in the best interests of the public, it will pass a resolution to impose the mill levy subject to the approval of the voters in an election held on November 8, 2022.

BE IT FINALLY RESOLVED that the Board of County Commissioners hereby makes the request of the Cascade County Election Administrator to conduct the Sheriff and County Attorney Public Safety Mill Levy on the ballot during the November general election.

Passed and adopted this 29<sup>th</sup> day of July, 2022.

BOARD OF COUNTY COMMISSIONERS  
CASCADE COUNTY, MONTANA

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Joe Briggs, Chairman

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James L. Larson, Commissioner

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Don Ryan, Commissioner

Attest

On this \_\_\_\_\_ day of \_\_\_\_\_ 2022, I hereby attest the above-written signatures of the Board of Cascade County Commissioners.

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Rina Fontana Moore, Cascade County Clerk and Recorder

\* APPROVED AS TO FORM:

Josh Racki, County Attorney

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DEPUTY COUNTY ATTORNEY

\* THE COUNTY ATTORNEY HAS PROVIDED ADVICE AND APPROVAL OF THE FOREGOING DOCUMENT LANGUAGE ON BEHALF OF THE BOARD OF CASCADE COUNTY COMMISSIONERS, AND NOT ON BEHALF OF OTHER PARTIES OR ENTITIES. REVIEW AND APPROVAL OF THIS DOCUMENT BY THE COUNTY ATTORNEY WAS CONDUCTED SOLELY FROM A LEGAL PERSPECTIVE AND FOR THE EXCLUSIVE BENEFIT OF CASCADE COUNTY. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE COUNSEL.