



Cascade County Compensation Board Members

March 27, 2023 Compensation Board Meeting for FY23

Board of Cascade County Commissioners

County Commissioner, Rae Grulkowski (Chairman)
County Commissioner, Jim Larson
County Commissioner, Joe Briggs

Other Elected Officials Appointed by the Board of County Commissioners

Josh Racki, County Attorney
Diane Heikkila, Treasurer
Tina Henry, Clerk of District Court
Jerry Boland, Public Administrator

Resident Taxpayer Board Members Appointed by the County Commissioners

Evelyn Forsyth, Senior VP/Director of Operations, DA Davidson (term expires on June 30, 2023)
Ted Lewis, First Interstate Bank (term expires on June 30, 2024)

Excerpts from Montana Code Annotated Regarding the Compensation Board (yellow highlighting added)

7-4-2503. Salary schedule for certain county officers -- county compensation board.

(1) (a) The salary paid to the county treasurer, county clerk and recorder, clerk of the district court, county assessor, county superintendent of schools, county sheriff, county surveyor in counties where county surveyors receive salaries as provided in 7-4-2812, justice of the peace, county coroner, and county auditor in all counties in which the office is authorized must be established by the county governing body based upon the recommendations of the county compensation board provided for in subsection (4).

(b) Except as provided in subsection (2), the annual salary established pursuant to subsection (1)(a) must be uniform for all county officers referred to in subsection (1)(a).

(2) (a) An elected county superintendent of schools must receive, in addition to the salary based upon subsection (1), the sum of \$400 a year, except that an elected county superintendent of schools who holds a master-of-arts degree or a master's degree in education, with an endorsement in school administration, from a unit of the Montana university system or an equivalent institution may, at the discretion of the county commissioners, receive, in addition to the salary based upon subsection (1), up to \$2,000 a year.

(b) The county sheriff must receive, in addition to the salary based upon subsection (1), the sum of \$2,000 a year. *The additional salary provided in this subsection (2)(b) must be included as salary for the purposes of computing the compensation for undersheriffs and deputy sheriffs as provided in 7-4-2508.*

(c) *In addition to the salary provided for in subsections (1) and (2)(b), the county sheriff may receive any additional salary as determined by the board of county commissioners. The additional salary provided in this subsection (2)(c) must be included as salary for the purposes of computing the compensation for undersheriffs and deputy sheriffs as provided in 7-4-2508.*

(d) The county sheriff must receive a longevity payment amounting to 1% of the salary determined under subsection (1) and (2)(b) for each year of service with the sheriff's office. *The payment, nonpayment, increase, lack of increase, or decrease of the discretionary salary under subsection (2)(c) has no impact on the longevity payment. The additional salary amount provided for this subsection may not be included in the salary for purposes of computing the compensation for undersheriffs and deputy sheriffs as provided in 7-4-2508.*

(e) *If the clerk and recorder is also the county election administrator, the clerk and recorder may receive, in addition to the base salary provided in subsection (1)(a), up to \$2,000 a year. The additional salary provided for in this subsection (2)(e) may not be included as salary for the purposes of computing the compensation of any other county officers or employees.*

(f) The county treasurer, clerk of district court, and justice of the peace may each receive, in addition to the base salary provided in subsection (1)(a), up to \$2,000 a year. The additional salary provided for in this subsection (2)(e) may not be included as salary for the purposes of computing the compensation of any other county officers or employees.

(g) The county coroner may be a part-time position, and the salary may be set accordingly.

(h) The justice of the peace for a justice's court of record may receive, in addition to the base salary provided in subsection (1)(a), compensation up to an amount allowed by 3-10-207.

(3) (a) Subject to subsection (3)(b), the salary for the county attorney must be set as provided in subsection (4).

(b) If the uniform base salary set for county officials pursuant to subsection (1) is increased, then the county attorney is entitled to at least the same increase unless the increase would cause the county attorney's salary to exceed the salary of a district court judge.

(c) (i) After completing 4 years of service as deputy county attorney, each deputy county attorney is entitled to an increase in salary of \$1,000 on the anniversary date of employment as deputy county attorney. After completing 5 years of service as deputy county attorney, each deputy county attorney is entitled to an additional increase in salary of \$1,500 on the anniversary date of employment. After completing 6 years of service as deputy county attorney and for each year of additional service up to completion of the 11th year of service, each deputy county attorney is entitled to an additional annual longevity salary increase of \$500 or a greater amount based on the schedule developed and recommended by the county compensation board as provided in subsection (4). Any additional annual longevity salary increase provided for in this section after the 11th year of service may not exceed the amount provided in the schedule developed and recommended by the county compensation board.

(ii) The years of service accumulated after the 11th year of service as a deputy county attorney prior to July 1, 2015, may not be included in the calculation of the longevity increases by the county compensation board under this section.

(iii) The years of service as a deputy county attorney accumulated prior to July 1, 1985, must be included in the calculation of the longevity increase.

(4) (a) There is a county compensation board consisting of: (i) the county commissioners;

(ii) three of the county officials described in subsection (1) appointed by the board of county commissioners;

(iii) the county attorney;

(iv) two to four resident taxpayers appointed initially by the board of county commissioners to staggered terms of 3 years, with the initial appointments of one or two taxpayer members for a 2-year term and one or two taxpayer members for a 3-year term; and

(v) (A) subject to subsection (4)(a)(v)(B), one resident taxpayer appointed by each of the three county officials described in subsection (4)(a)(ii).

(B) The appointments in subsection (4)(a)(v)(A) are not mandatory.

(b) The county compensation board shall hold hearings annually for the purpose of reviewing the compensation paid to county officers. The county compensation board may consider the compensation paid to comparable officials in other Montana counties, other states, state government, federal government, and private enterprise.

(c) The county compensation board shall prepare a compensation schedule for the elected county officials, including the county attorney, for the succeeding fiscal year. The schedule must take into consideration county variations, including population, the number of residents living in unincorporated areas, assessed valuation, motor vehicle registrations, building permits, and other factors considered necessary to reflect the variations in the workloads and responsibilities of county officials as well as the tax resources of the county.

(d) A recommended compensation schedule requires a majority vote of the county compensation board, and at least two county commissioners must be included in the majority. A recommended compensation schedule may not reduce the salary of a county officer that was in effect on May 1, 2001.

7-4-2508. Compensation of undersheriff and deputy sheriff – definitions. (1) The sheriff shall fix the compensation of the undersheriff at 98% of the salary of that sheriff.

(2) (a) The sheriff shall fix the compensation of the deputy sheriff based upon a percentage of the salary of that sheriff according to the following schedule:

In counties with population of:

Below 15,000	85% to 95%
15,000 to 29,999	76% to 95%
30,000 to 74,999	74% to 95%
75,000 and over	72% to 95%

(b) The sheriff shall adjust the compensation of the deputy sheriff within the range prescribed in subsection (2)(a) according to a ranch structure in the office

(3) For purposed of this section, the following definitions apply:

(a) “Compensation means the base rate of pay and does not mean longevity payments or payments for hour worked overtime.

(b) “Salary of that sheriff” means the total salary provided for in 7-4-2503 (1), (2)(b), and (2)(c).

3-10-207. Salaries. (1) Subject to subsections (2) through (4), the board of county commissioners shall set salaries for justices of the peace by resolution and in conjunction with setting salaries for other officers as provided in 7-4-2504.

(2) The salary of the justice of the peace may not be less than the salary for the district clerk of the court in that county.

(3) If the justice's court is not open for business full time, the justice's salary must be commensurate to the workload and office hours of the court. The salary of a justice of the peace may not be reduced during the justice's term of office.

(4) The salary of the justice of the peace for a justice's court of record may not exceed 90% of the salary of a district court judge determined as provided in 3-5-211.

Previous Decisions by the Compensation Board

Fiscal Year <i>(Decisions are made in Spring of the previous year, as FY begins on July 1)</i>	Compensation Board Recommendation	Compensation Board Members
FY 2023 <i>(meeting held on June 9, 2022)</i>	4.5% COLA Increase 4.7% CPI	Joe Briggs, (Commission Chair), Jim Larson, Don Ryan, Josh Racki, Diane Heikkila, Tina Henry, Dave Phillips, Ted Lewis, Jason Holden, Evelyn Forsyth
FY 2022 <i>(meeting held on June 10, 2021)</i>	2.0% COLA Increase 1.2% CPI	Jim Larson (Commission Chair), Jane Weber, Joe Briggs, Josh Racki, Mary Jolley, Jesse Slaughter, Diane Heikkila, Ted Lewis, Jason Holden, Evelyn Forsyth
FY 2021 <i>(meeting held on May 28, 2020)</i>	1.0% COLA Increase 1.8% CPI	Jim Larson (Commission Chair), Jane Weber, Joe Briggs, Josh Racki, Mary Jolley, Jesse Slaughter, Diane Heikkila, Ted Lewis, Jason Holden, Anne Martinez
FY 2020 <i>(meeting held on May 29, 2019)</i>	2.4% COLA Increase 2.4% CPI	Joe Briggs (Commission Chair), Jane Weber, Jim Larson, Josh Racki, Faye McWilliams, Jesse Slaughter, Diane Heikkila, Ted Lewis, Jean Faure, Anne Martinez
FY 2019 <i>(meeting held on May 21, 2018)</i>	2.1% COLA Increase 2.1% CPI	Jane Weber (Commission Chair), Jim Larson, Joe Briggs, Carey Ann Haight for Josh Racki, Bob Edwards, Jamie Bailey, Faye McWilliams, Ted Lewis, Anne Martinez, Jean Faure

FY 2018 <i>(meeting held on May 31, 2017)</i>	1.3% COLA Increase 1.3% CPI	Jim Larson (Commission Chair), Jane Weber, Joe Briggs, Josh Racki, Bob Edwards, Rina Fontana-Moore, Faye McWilliams, Ted Lewis, Anne Martinez
FY 2017 <i>(meeting held on May 18, 2016)</i>	2.0% COLA Increase .1% CPI	Joe Briggs (Commission Chair), Jane Weber, Jim Larson, John Parker, Bob Edwards, Rina Fontana-Moore, Mary Jolley, Ted Lewis, Jean Faure, Anne Martinez
FY 2016 <i>(meeting held on May 29, 2015)</i>	1.8% COLA Increase 1.6% CPI (2.8%) Cas. Co. Prvt.	Jane Weber (Commission Chair), Joe Briggs, Jim Larson, John Parker, Bob Edwards, Faye McWilliams, Jamie Bailey, Jean Faure, Anne Martinez, Ted Lewis
FY 2015 <i>(meeting held on June 19, 2014)</i>	1.5% COLA Increase 1.5 % CPI (3.42%) Cas. Co. Prvt.	Bill Salina (Commission Chair), Joe Briggs, Jane Weber, John Parker, Bob Edwards, Steve Fagenstrom, Rina Fontana Moore, Brett Weber, Nancy Zadick
FY 2014 <i>(meeting held on August 21, 2013)</i>	2.1% COLA Increase 2.1% CPI (5.72%) Cas. Co. Prvt.	Joe Briggs (Commission Chair), Bill Salina, Jane Weber, John Parker, Rina Fontana Moore, Faye McWilliams, Jamie Bailey, Brett Weber, Nancy Zadick, Jean Faure

Key Points for consideration

1. MACo COLA for the 23-24 fiscal year is **8.0%**.
2. The county's ability to generate additional tax revenue remains constrained to ½ of the average rate of inflation for the last three years. The official number for this year has not yet been released by the state but it is expected to be **2.56%**.
3. Any appreciable growth in the county's tax revenue will come from newly taxable enhancements to properties that are not within a TIF district. In FY 2018 approximately \$583,745 was added to the County revenue; in FY 2019 approximately \$682,860 was added; in FY 2020 approximately \$548,476 was added; in FY2021 approximately \$461,952 was added; in FY2022 approximately \$593,464 was added and in FY2023 the newly taxable amount was artificially large due to the sunseting of the two County TIF districts. That abnormally large newly taxable increase was approximately \$ 1.4 million. This upcoming year's newly taxable is expected to be back in the \$500,000 to \$600,000 range. Historically, it is the newly taxable property that has allowed the county to keep current with the rising cost of doing business.
4. The legislature is current considering several new laws that will prevent counties from utilizing the newly taxable property taxation as we have in the past. At this point it is impossible to tell which of the proposals will pass but depending on which is implemented, our newly taxable property tax revenue will be reduced by 25% to 75% . Given this, the expected \$500,00 to \$600,000 in additional tax revenue will fall to between \$125,000 and \$450,000.
5. The employment market is extremely competitive, and the county is having significant difficulties recruiting and in some cases, retaining workers.
6. In November of 2022, the voters of Cascade County passed a public safety levy of 14 mills to fund a variety of public safety programs but in particular, the proponents called out the compensation of the Deputy Sheriffs and the Deputy County Attorneys as issues that required passage of the levies. It is expected that this new levy will be used to cover the increase in employment cost for these two sets of deputies. The precise amount of money that will be generated by the 14 mill levy is not known until the value certification is completed by DOR in August.
7. The new Public Safety Levy cannot be put on the tax bills until November of 2023 so no funds will be available from the Levy until the 1st half of those taxes are due and are being paid.