

RESOLUTION

NO. 22-33

WHEREAS, MCA 7-4-2503 provides for a County Compensation Board to be established by the Board of County Commissioners; and

WHEREAS, the County Compensation Board was established by the Board of County Commissioners and such board did hold public hearings regarding the elected official compensation proposal for fiscal year 2022-2023; and

WHEREAS, the Board of County Commissioners are required to fix the salaries of the elected officials annually as required by MCA 7-4-2504; and

WHEREAS, the County Compensation Board and the Board of County Commissioners heard testimony both for and against such proposal; and

WHEREAS, the proposal brought forth before the Board of County Commissioners is deemed to be equitable and in compliance with MCA 7-4-2503; and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Yellowstone County, Montana pursuant to MCA 7-4-2504 establish the compensation for the elected officials in accordance with attachments (A), (B), (C), and (D) to this resolution effective July 1, 2022.

IT IS FURTHER RESOLVED, that pursuant to the provisions of Section 3-10-208 MCA whereby in the resolution providing for salary, the Board of County Commissioners shall designate office hours of each Justice of the Peace of Yellowstone County, Montana, to be from 9:00 o'clock a.m. until 12:00 noon and 1:00 o'clock p.m. until 5:00 o'clock p.m. every working day, Monday through Friday.

IT IS FURTHER RESOLVED that the Board of County Commissioners accept and appoint David Carter to the Compensation Board of Yellowstone County.

All such provisions of this Resolution shall be controlled and limited by Montana state law. Should any provisions of this resolution conflict with Montana state law, the applicable law shall control.

PASSED AND ADOPTED by the Board of County Commissioners of Yellowstone County, Montana this 21st day of June 2022.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald W. Jones, Chair

(SEAL)

John Ostlund, Member

Denis Pitman, Member

ATTEST:

Jeff Martin
Clerk and Recorder

ATTACHMENT A
RECOMMENDATION FROM ELECTED OFFICIAL
COUNTY COMPENSATION BOARD

In accordance with MCA 7-4-2503, the Yellowstone County Compensation Board has examined the compensation levels for County officials and recommends the implementation of the following FY 2022-2023 salary plan for Yellowstone County elected officials:

a) Base Salary, exclusive of additional compensation, will be increased 4.00% over the FY22 level Base Salary, as shown in Attachment B.

b) Total compensation for the Justice of the Peace positions will be adjusted as provided by MCA 7-4-2503(2) (g). Those positions will have a total compensation of 80.00% of the FY23 compensation level of a district court judge. The Justice of the Peace position will receive no longevity. The difference in the amount of compensation provided as a Base Salary for elected officials and this 80.00% level shall be considered "Other Compensation" as shown in Attachment C.

c) The County Attorney's total compensation will be equal to the FY23 compensation level of a district court judge. The County Attorney will receive no longevity. The County Attorney's salary is reflected in Attachment C.

d) Longevity will increase at the same percentage rate as the Base Salary. The longevity will be determined as shown in Attachment D, exclusive of the sheriff who will receive statutory longevity as determined by MCA 7-4-2503(2)(c).

Compensation as determined by the above criteria will be earned and paid in equal semi-monthly installments. Elected officials vacating the office before completion of a semi-monthly pay cycle will receive a prorated portion of their compensation. An elected or appointed official taking office after the first day of a semi-monthly pay cycle will receive a prorated portion of their semi-monthly compensation.

MCA 7-4-2503 requires the Compensation Board to hold public hearings, and MCA 7-4-2504 requires the Board of County Commissioners to fix the salaries for elected officials by resolution annually.

ATTACHMENT B - ELECTED OFFICIALS COMPENSATION SCHEDULE FOR FY23
SHERIFF ON STATUTORY LONGEVITY METHOD
4.0% Increase to Base Salary and in Longevity value

POSITION	COMPENSATION FOR FY22				COMPENSATION FOR FY23			
	BASE SALARY @ 6/30/2022	OTHER PAY FY22	LONGEVITY FY22	TOTAL Compensation @ 6/30/2022	BASE SALARY @ 7/01/2022	OTHER PAY FY23	LONGEVITY @ 7/01/2022	TOTAL Compensation @ 7/01/2022
AUDITOR - TURNER	75,081.50			94,166.46	78,084.76		19,848.36	97,933.12
			NOTE (5)				NOTE (5)	
CLERK OF DISTRICT COURT - HALPIN	75,081.50			98,937.70	78,084.76		24,810.45	102,895.21
			NOTE (5)				NOTE (5)	
CLERK & RECORDER / SURVEYOR - MARTIN	75,081.50	7,508.15	23,856.20	106,445.85	78,084.76	7,808.48	24,810.45	110,703.69
		NOTE (2)				NOTE (2,8)		
COMMISSIONERS - JONES	75,081.50	2,000.00	14,313.72	91,395.22	78,084.76	2,000.00	14,886.27	94,971.03
		NOTE (3)	NOTE (6)			NOTE (3)	NOTE (6)	
COMMISSIONERS - PITMAN	75,081.50	2,000.00	23,856.20	100,937.70	78,084.76	2,000.00	24,810.45	104,895.21
		NOTE (3)				NOTE (3)		
COMMISSIONERS - OSTLUND	75,081.50	2,000.00	23,856.20	100,937.70	78,084.76	2,000.00	24,810.45	104,895.21
		NOTE (3)				NOTE (3)		
SHERIFF - LINDER	75,081.50	2,000.00	24,026.08	101,107.58	78,084.76	2,000.00	24,987.12	105,071.88
		NOTE (3)	NOTES (1,7)			NOTE (3)	NOTES (1,7)	
TREASURER / ASSESS / SUPT. OF SCH. LONG	75,081.50	7,908.15	23,856.20	106,845.85	78,084.76	8,208.48	24,810.45	111,103.69
		NOTE (4)				NOTE (4)		
TOTALS	600,652.00	23,416.30	176,705.76	800,774.06	624,678.08	24,016.95	183,774.00	832,469.04
				800,774.06				832,469.04
								31,694.98

BASE SALARY - FY22
FY23 PERCENT INCREASE TO BASE SALARY
BASE SALARY - FY23
CURRENT LONGEVITY MAXIMUM
ANNUAL LONGEVITY INCREMENT (5 YR MAX)

\$ 75,081.50
4.00%
\$ 78,084.76
\$ 24,810.45
\$ 4,962.09

After longevity increments thru 6/30/23 860,982.54 6.27%
Less Estimated 6 months of Auditor's Office position (48,966.56)
Adjusted after longevity increments thru 6/30/23 802,015.98

LONGEVITY BASED ON YEARS OF SERVICE WITHIN OFFICE EITHER ELECTED OR APPOINTED.

NOTE (1): The sheriff will receive statutory longevity equal to 1% of base pay for each year of service (MCA 7-4-2503(2)(d)).
NOTE (2): Combined offices of Clerk & Recorder and Surveyor, receives additional 10% of base pay per Resolution 03-64. Combined offices of Clerk & Recorder/Surveyor and Auditor receives additional 10% of base pay per Resolution 22-04, effective 1/1/23.
NOTE (3): Commissioners (MCA 7-4-2107) and Sheriff (MCA 7-4-2503 (2)(b)) receive statutory pay in addition to base salary in sum of \$2,000 a year.
NOTE (4): Combined offices of Treasurer and Supt of Schools + \$400 per 7-4-2503(2)(a). Receive additional 10% of base pay per Resolution 03-65. Office combined with Supt of Schools effective 1/1/11.
NOTE (5): December 1 anniversary date for longevity increase of \$4,962.09 to be added to total compensation \$97,933.12 to total \$102,895.21 (Position is eliminated effective 1/1/23, however, salary reflects a full year).
NOTE (6): January 1 anniversary date for longevity increase of \$4,962.09 to be added to total compensation \$94,971.03 to total \$99,933.12 (9.34% increase on a June 30 to June 30 basis).
NOTE (7): Sheriff Linder receives additional year for longevity in October 2022 bringing total compensation to \$105,852.73 (4.69% increase on a June 30 to June 30 basis).
NOTE (8): On January 1, Clerk & Recorder / Surveyor's Office will be combined with Auditor's Office, total compensation will go from \$110,703.69 to \$118,512.16 (7.13% increase on a June 30 to June 30 basis).

ATTACHMENT C - ELECTED OFFICIALS-CO ATTY AND JUSTICE OF PEACE POSITIONS FOR FY23 **4.0% Increase to Base Salary and % of District Court Method**

POSITION	COMPENSATION FOR FY22					COMPENSATION FOR FY23					\$ Increase	% Incr
	BASE SALARY	OTHER PAY	LONGEVITY	Compensation	TOTAL	BASE SALARY	OTHER PAY	LONGEVITY	Compensation	TOTAL		
ATTORNEY - TWITO	@ 6/30/22 142,683.00	@ 6/30/22	NOTE (1) @ 6/30/22	@ 6/30/22	142,683.00	@ 7/01/22 142,683.00	@ 7/01/22	NOTE (1) @ 7/01/22	@ 7/01/22	142,683.00	-	0.00%
JUSTICE OF THE PEACE - CARTER	75,081.50	35,497.83	NOTE (2)	110,579.33	76,084.76	36,061.64	NOTE (2)	114,146.40	3,567.07	3,567.07	3.23%	
JUSTICE OF THE PEACE -WALKER	75,081.50	35,497.83	NOTE (2)	110,579.33	76,084.76	36,061.64	NOTE (2)	114,146.40	3,567.07	3,567.07	3.23%	
TOTALS	292,846.00	70,995.66	-	363,841.66	296,852.52	72,123.28	-	370,975.80	7,134.14	7,134.14	4.96%	

BASE SALARY - FY22-JP Only
 FY22 PERCENT INCREASE TO BASE SALARY -JP Only
 BASE SALARY - FY23-JP Only
 FY23 % of Dist Court Salary-JP Only

\$	75,081.50
	4.00%
\$	78,084.76
	80.00%

NOTE (3)

NOTE (1): As of FY10, salary set at 100% of District Court Judge salary. No longevity component. State reimburses a portion of County Attorney salary and benefits.
 NOTE (2): Salary set at a % of District Court Judge salary. No longevity component. Per County Atty, must keep elected official base as component, with remaining total compensation difference being "Other Pay", not longevity related.
 NOTE (3): FY17 % to District Court raised from 75% to 76.25%. FY19 % to District Court raised from 76.25% to 77.5%. FY21 and FY22 % to District Court was not raised. FY23 % to District Court raised from 77.5% to 80.0%.
 New base salary verified at the following link - 5/16/22
<https://hr.mt.gov/HR-Portal/Pay-Plans>

ATTACHMENT D

LONGEVITY COMPUTATION FOR ELECTED OFFICIALS FOR FY23

These provisions apply to elected officials other than County Attorney, Justices of the Peace and Sheriff.

- 1) Longevity means continuous service in office as either elected or appointed official.
- 2) Maximum longevity value is \$24,810.45.
- 3) The maximum longevity value will be divided by 5 years for determining the annual longevity value.
- 4) Longevity will increment 1 year on the anniversary of the month the official took office for those elected officials who have not attained maximum longevity.