

# Yellowstone County



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January 30, 2024

Billings City Council  
Attn: Bill Cole, Mayor/Chair  
210 N. 27<sup>th</sup> Street  
Billings, MT 59101

RE: Temporary Detention Facility

Mayor Cole & Members of the City Council:

In your letter dated November 7, 2023 concerning a Short-Term Detention Facility (STDF), you expressed the desire to partner with Yellowstone County and enter into an interlocal agreement to develop and operate a STDF. Your letter stated there are individuals committing crimes, often multiple infractions in short periods of time, who flagrantly defy the criminal justice system. They disrespect law enforcement, fail to appear in court, avoid warrants and continue to walk free in the community without consequence. A STDF will give law enforcement a powerful tool in making sure individuals are held accountable for their first offense, before criminal behaviors escalate into violent felony offenses. An additional benefit will be the boost in morale for law enforcement by assuring that they can arrest an individual at first contact, as appropriate.

Upon receipt of your letter, Yellowstone County engaged Schutz Foss Architects, P.C. (SFA) to review your proposal of a Sprung Instant Structures temporary facility. SFA determined this type of structure is deemed uninsurable by our carrier and presented us with security issues that could not be resolved as submitted. With these developments, Yellowstone County asked SFA to conceptually design an appropriate building according to your requests, while complying with applicable laws, security needs and guaranteeing insurability.

On January 21, 2024, SFA presented a draft concept for a two-floor addition to the existing YCDF structure. The cost estimate to complete the first floor providing up to 48 beds for male inmates, was estimated at \$4.7 million, including professional services and contingency estimates. The cost to complete the second floor with 48 beds is estimated at an additional \$1.3-1.5 million. In sum, the total project cost is approximately \$6 million.

We view this project as a partnership with the City of Billings, providing significant benefits to the City, its police staff and legal department, along with the County and its citizens. An equal share in this construction would yield an obligation to the City of \$3 million. Keep in mind that this will present a material and unilateral obligation to the County for operating this facility. Aside from an estimated staffing requirement of an additional six FTEs at the facility, the County will likely look at operational costs of almost \$100 per bed per night. This is a challenging funding consideration for us.

Yellowstone County accepts your previous offer of \$500,000 in FY24 and request a future payment of \$2.5 million to cover half the cost of this project. This project will reduce crime, hold offenders accountable for their actions and increase the morale of law enforcement officers. It is exactly what the citizens of the City of Billings and Yellowstone County want to see – collaboration by the City and County to solve some of the criminal justice issues plaguing our citizens. The community will view this positively if we are able to construct this project using reserves, and not incur debt or request a tax increase. This will help taxpayers understand our frugal approach, given how we approached this project and the previous 148-bed expansion which didn't involve a tax increase either. When we request a bond and a mill levy increase for extensive jail expansion, a future project to solve lack of inmate capacity at YCDF, we can honestly and openly demonstrate to them that we have always looked for ways to avoid additional debt and a property tax increase, but the overall expansion will be of such scale as to give us no other choice.

Finally, we offer to draft an interlocal agreement to confirm our partnership. In it, we will clearly define Yellowstone County's obligation to cover all operational costs associated with this facility now and into the future. We hope to finalize our agreement promptly in order that we can finalize plans and initiate activities to get construction in place.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

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John Ostlund, Chair

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Mark Morse, Member

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Donald W. Jones, Member