B.O.C.C. Regular **Agenda Item 1. a.**

Meeting Date: 03/31/2026

Title: Public Hearing- Yellowstone County Public Safety Jail Bond and Mill Levy

Submitted For: Melissa Williams, Deputy County Attorney

Submitted By: Melissa Williams, Deputy County Attorney

TOPIC:

Resolution 26-41 to Hold Election to Issue Bonds for Yellowstone County Detention Facility

BACKGROUND:

On March 10, 2026, the Yellowstone County Board of County Commissioners passed a resolution of intent to issue bonds to renovate and expand the Yellowstone County Detention Facility conditioned on voter approval and set a public hearing on the bonds for March 31, 2026. On March 10, 2026, the Yellowstone County Board of County Commissioners passed a resolution of intent to approve a public safety mill levy to operate the Yellowstone County Sheriff's Office and the Yellowstone County Attorney's Office conditioned on voter approval and set a public hearing on the mill levy for March 31, 2026. Prior to passing the resolution of intent, the County studied the criminal justice system and the need for expansion in Yellowstone County. Attached as a file item is the jail needs assessment. The jail needs assessment was developed by a national team including HDR, Justice Planners and A&E, along with local stakeholders in the criminal justice system.

RECOMMENDED ACTION:

Agenda Item

Attachments

2026 Jail Expansion Resolution

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 26-41

Resolution to Hold Election to Issue Bonds for Yellowstone County Detention Facility

WHEREAS, pursuant to Section 7-7-2201 of the Montana Code Annotated (2025), a county has the authority to issue bonds. Pursuant to Sections 7-7-2203 and 7-7-2101 of the Montana Code Annotated (2025), the aggregate amount of all bonds issued by a county cannot exceed 2.5% of the total assessed value of the taxable property in the county. Pursuant to Section 7-7-2206 of the Montana Code Annotated (2025), the term of a bond is limited to 20 years. Pursuant to Section 7-7-2223 of the Montana Code Annotated (2025), to issue bonds a board of county commissioners has to unanimously pass a resolution to issue the bonds and the voters have to approve the issuance of the bonds. Pursuant to Section 7-7-2237 of the Montana Code Annotated (2025), the percentile of votes to approve the issuance of bonds depends on the percentile of the voters who voted. When 40% of the voters vote, a majority of votes is needed to approve the issuance of the bonds. When more than 30% but less then 40% of the voters vote, 60% of the votes is needed to approve the issuance of the bonds. When less than 30% vote, the bond issuance is considered rejected. Pursuant to Section 7-7-2238 of the Montana Code Annotated (2025), if the voters approve the issuance of the bonds, the board of county commissioners passes a resolution to issue the bonds.

WHEREAS, the process for a county to issue bonds is the board of county commissioners passes a resolution of intent to issue bonds, sets a public hearing, provides notice of the public hearing, holds a public hearing, receives public comment, considers the public comment, passes a resolution to hold an election, holds an election and passes a resolution to issue the bonds.

WHEREAS, Yellowstone County is a political subdivision of the State of Montana. The County has the authority to issue bonds. The total assessed market value less tax increment value received from the State of Montana in August, 2025, in Yellowstone County is $33,954,966,417. The total aggregate amount of bonds the County can issue is $848,874,160, 2.5% of $33,954,466,417. As of March 1, 2026, the total aggregate amount of bonds the County has outstanding is $5,500,000. The County has the ability to issue additional bonds in the amount of $843,374,160.

WHEREAS, Yellowstone County through the Yellowstone County Sheriff's Office operates the Yellowstone County Detention Facility. The Facility detains men and women charged with or convicted of crimes. The number of inmates in the Facility has increased. Yellowstone County needs to renovate and expand the Facility to accommodate the increased number of inmates. To renovate and expand the Facility, the County needs to obtain $175,000,000.00. To obtain the $175,000,000.00 to renovate and expand the Facility, the County would like to issue $175,000,000.00 in general obligation amortization bonds that will retire in 20 years.

Purpose:	Renovate and Expand the Yellowstone County Detention Facility
Amount:	$175,000,000.00
Mills:	32 Mills approximately
Duration:	20 years
Impact:	Fair Market Value $100,000.00 Home = $ 23.00
	Fair Market Value $300,000.00 Home = $ 70.00
	Fair Market Value $600,000.00 Home = $ 165.00

WHEREAS, on March 10, 2026, the Yellowstone County Board of County Commissioners passed a resolution of intent to issue bonds to renovate and expand the Yellowstone County Detention Facility conditioned on voter approval and set a public hearing on the bonds for March 31, 2026. On March 13, 2026, March 20, 2026 and March 27, 2026, the Yellowstone County Clerk and Recorder published notice of the public hearing in the *Yellowstone County News, Billings Gazette and Laurel Outlook.* On March 31, 2026, the Board held a public hearing. The Board heard comments on the bonds and considered the bonds and the comments. The Board determined that it would be in the best interest of the public to issue the bonds conditioned on an election.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners approves the issuance of $175,000,000.00 in general obligation amortization bonds that will retire in 20 years for the renovation and expansion of the Yellowstone County Detention Facility conditioned on an election in which the voters approve the bonds.

The Board orders the Yellowstone County Election Administrator to make appropriate arrangements to place the question of whether the County shall be authorized to issue and sell the bonds on the official ballot for the general election to be held on November 3, 2026. If the voters approve the bonds, the Board will pass a resolution to issue the bonds. If the voters do not approve the bonds, the Board will pass a resolution not to issue the bonds.

Passed and Adopted on the 31st day of March, 2026.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Mark Morse, Chair

Michael J. Waters, Member

Chris White, Member

ATTEST:

Jeff Martin, Clerk and Recorder

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Affidavit of Notice of Public Hearing

STATE OF MONTANA)
: ss.
County of Yellowstone)

Jeff Martin, being first duly sworn, deposes and says:

I am the Yellowstone County Clerk and Recorder. I am the Secretary for the Yellowstone County Board of County Commissioners.

On March 10, 2026, the Board passed a resolution of intent to issue bonds for the renovation and expansion of the Yellowstone County Detention Facility conditioned on voter approval and set a public hearing for March 31, 2026. It ordered me to publish notice of the hearing, receive written comments and provide the comments to the Board before the hearing.

In compliance with the order, on March 13, 2026, March 20, 2026, and March 27, 2026, I published notice of the public hearing in the *Yellowstone County News, Billings Gazette and Laurel Outlook.* Attached is a copy of the notice I published. From March 10, 2026, through March 30, 2026, I received comments. I received no comments.

Jeff Martin
Yellowstone County Clerk and Recorder

SUBSCRIBED AND SWORN to before me this (NUMBER) day of (MONTH) (YEAR).

Notary Public for the State of Montana
Residing at Billings, Montana.
My commission expires ____________

(Notarial Seal)

TERI REITZ
NOTARIAL
SEAL
STATE OF MONTANA

TERI REITZ
NOTARY PUBLIC
for the State of Montana
Residing at Billings, Montana
My Commission Expires
February 27, 2030

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Notice of Public Hearing on a Public Safety Mill Levy

On March 31, 2026, at 9:00 a.m., in Room 309 of the John V. Ostlund Building at 2825 3rd Avenue North in Billings, Montana, the Yellowstone County Board of County Commissioners shall hold a public hearing on a public safety mill levy. At the public hearing, the Board shall receive public comment on the mill levy.

After the hearing, if the Board believes that it is in the best interest of the public to approve the mill levy, it will pass a resolution to approve the mill levy conditioned on an election. Conversely, if the Board believes that it is not in the best interest of the public to approve the mill levy, it will pass a resolution not to approve the mill levy.

If you would like to submit a written comment on the mill levy, please send it to the Yellowstone County Clerk and Recorder, Attn: Public Comment on Public Safety Mill Levy 2026, P.O. Box 35001, Billings, Montana 59107. If you would like more information about the mill levy, please contact Scott Twito, County Attorney, 217 N. 27th Street, 406-256-2870 and stwito@yellowstonecountymt.gov.

Done by order of the Board of County Commissioners, Yellowstone County, Montana this 10th day of March 2026.

Board of County Commissioners
Yellowstone County, Montana

/s/ Mark Morse, Chair

ATTEST:

/s/ Jeff Martin, Clerk and Recorder

Department: County Attorney
Advertise: 03/13 & 03/20
(TR)

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Notice of Public Hearing on Issuance of Bonds for Yellowstone County Detention Facility

On March 31, 2026, at 9:00 a.m., in Room 309 of the John V. Ostlund Building at 2825 3rd Avenue North in Billings, Montana, the Yellowstone County Board of County Commissioners shall hold a public hearing on the issuance of bonds for the renovation and expansion of the Yellowstone County Detention Facility. At the public hearing, the Board shall receive public comment on the bonds.

After the hearing, if the Board believes that it is in the best interest of the public to issue the bonds, it will pass a resolution to issue the bonds conditioned on an election. Conversely, if the Board believes that it is not in the best interest of the public to issue the bonds, it will pass a resolution not to issue the bonds.

If you would like to submit a written comment on the bonds, please send it to the Yellowstone County Clerk and Recorder, Attn: Public Comment on Bonds for Yellowstone County Detention Facility 2026, P.O. Box 35001, Billings, Montana 59107. If you would like more information about the bonds, please contact Scott Twito, County Attorney, 217 N. 27th Street, 406-256-2870 and stwito@yellowstonecountymt.gov.

Done by order of the Board of County Commissioners, Yellowstone County, Montana this 10th day of March 2026.

Board of County Commissioners
Yellowstone County, Montana

/s/ Mark Morse, Chair

ATTEST:

/s/ Jeff Martin, Clerk and Recorder

Department: County Attorney
Advertise: 03/13 & 03/20
(TR)