

COMMISSIONER OF POLITICAL PRACTICES  
1205 Eighth Avenue  
Post Office Box 202401  
Helena, MT 59620-2401  
TELEPHONE: 406-444-2942  
FAX NUMBER: 406-444-1643  
WEBSITE: www.politicalpractices.mt.gov

POSTMARKED

DEC 03 2014

FOR OFFICE USE ONLY

RECEIVED

2014 DEC -5 A 9:13

HAND DELIVERED

CERTIFIED MAIL

SIGNED/NOTARIZED

## CAMPAIGN FINANCE AND PRACTICES

### COMPLAINT FORM (11/02)

**TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR VERIFICATION SIGNATURE**

#### PERSON BRINGING COMPLAINT (COMPLAINANT):

COMPLETE NAME Billy W. Juve  
COMPLETE MAILING ADDRESS 428 Custer Street  
Wolf Point, Montana 59201  
TELEPHONE NUMBERS: WORK Cell: 406-650-0341 HOME 406-653-3369

#### PERSON OR ORGANIZATION AGAINST WHOM COMPLAINT IS BROUGHT (RESPONDENT):

COMPLETE NAME Roosevelt County Commission, Duane Nygaard, Presiding Officer  
COMPLETE MAILING ADDRESS Roosevelt County Commission  
400 2<sup>nd</sup> Ave South, Wolf Point, Montana 59201  
TELEPHONE NUMBERS: WORK 406-653-6246 HOME 406-392-5518

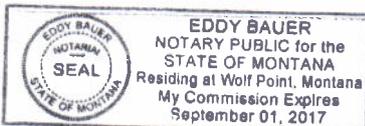
**PLEASE COMPLETE THE SECOND PAGE OF THIS FORM AND DESCRIBE IN  
DETAIL THE FACTS OF THE ALLEGED VIOLATION.**

### VERIFICATION BY OATH OR AFFIRMATION

STATE OF MONTANA, COUNTY OF Roosevelt

I, Billy W. Juve, being duly sworn, state that the information in this  
Complaint is complete, true, and correct, to the best of my knowledge and belief.

(SEAL)



Billy W. Juve  
Signature of Complainant

Subscribed and sworn to before me this 3 day of  
Dec, 2014.  
Eddy Bauer  
Notary Public

My Commission Expires:

**STATEMENT OF FACTS:**

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

MCA 2-2-121 has a legal opinion by Attorney General Mike McGrath dated January 31, 2005 that states; "A public officer or public employee may engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds." This also falls under MCA Title 13, Chapter 35.

The Roosevelt County Commissioners proposed a jail bond issuance to be voted on for the second time on the general election ballot. They advertised in the newspaper that there would be five (5) informational meeting at various locations in the county. They hired a consultant, D. Kimme, with public funds to support their position to get the jail bond passed.

Per the newspaper article dated October 23, 2014 they publicly requested voter support for the bond issue. This request was never denied by the county employees or had an Editor's note stating that this was a misquote. These were not only informational meeting, they were lobbying for voter approval of the bond using many public resources.

In the same newspaper there is a Letter to the Editor from Sheriff Jason Frederich, Melvin Clark and the Roosevelt County Commissioner asking for support for the jail bond. This letter and an inserted jail pamphlet about the jail bond were paid for through the County Commissioners, a direct violation of the Attorney General opinion.

Prior to the day of voting, an aggressive radio advertising campaign was presented. The radio ads used the same context as the paid letter to the editor and was recorded by a deputy of the Sheriff's office. If any of this took place on paid time or was written at a county facility it violates the opinion and MCA Title 13, Chapter 35. I have no way of finding out when, where and by whom the letter and radio ads were written or who paid for the radio time.

The numerous violations in the use of county resources over time show a multitude of violations. You cannot unring a bell. The 1149 taxpayers that voted against the jail bond could have been many more if they had the unlimited use of public resources to present other solutions. Therefore I am requesting your office declare this Jail Bond resolution vote invalid and direct the Roosevelt County Commissioners to cease and desist from proceeding with obtaining any bond money for the jail construction.

**Enclosed news articles and paid invoices.**

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**TYPE OR PRINT IN INK ALL INFORMATION ON THIS FORM EXCEPT FOR  
VERIFICATION SIGNATURE**

**COMPLAINTS MUST BE:**

- **SIGNED**
- **NOTARIZED**
- **DELIVERED IN PERSON OR BY CERTIFIED MAIL**

PUBLIC EMPLOYEES - Right to exercise political speech;  
PUBLIC OFFICERS - Right to exercise political speech;  
STATUTORY CONSTRUCTION - Construing plain meaning of words of statute;  
MONTANA CODE ANNOTATED - Section 2-2-121, (3), (a), (b), (c).

HELD: A public officer or public employee may engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds.

January 31, 2005

Mr. Mathew J. Johnson  
Jefferson County Attorney  
P.O. Box H  
Boulder, MT 59632

Dear Mr. Johnson:

You have requested my opinion on a number of questions concerning public officers and political speech. I have rephrased your questions as follows:

Does Mont. Code Ann. § 2-2-121 limit a public officer's or employee's right to support or oppose a political candidate or passage of a ballot issue?

Mont. Code Ann. § 2-2-121 sets forth the rules of conduct for public officers and employees. Subsection (3) includes a prohibition against the use of public time and resources for political speech, as well as a provision protecting a public officer or employee's freedom to express personal political beliefs. It provides:

(3)(a) A public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:

(i) authorized by law; or

(ii) properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties.

(b) As used in subsection (3), "properly incidental to another activity required or authorized by law" does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to the activities of a public officer, the public officer's staff, or legislative staff related to determining the impact of passage or failure of a ballot issue on state or local government operations.

**(c) This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political beliefs.**

(Emphasis added.)

It is not personal political speech that is prohibited by subsection (3)(a); rather, it is the use of public time or resources in the presentation or furtherance of political speech. While a public officer or employee is not required to shed his public persona in order to exercise his right to free speech, he may not use public resources when expressing personal political beliefs.

Your questions pose scenarios involving elected officers, like county commissioners and sheriffs, whose unique positions require them to work a schedule outside of the typical 8 to 5 schedule of most public employees. You ask, for instance, what of the county commissioner who receives phone calls at home in the evenings, or the sheriff who is on call 24 hours a day?

In Keyishian v. Board of Regents of Univ. of State of N.Y., 385 U.S. 589, 605-606 (1967), the Supreme Court stated, "a government employee does not relinquish all First Amendment rights otherwise enjoyed by citizens just by reason of his or her employment." Likewise, a county commissioner or sheriff (or any other public employees or officers) does not relinquish her First Amendment rights by the mere fact that she may be a public official. Pursuant to the plain language of Mont. Code Ann. § 2-2-121(3)(a), so long as a public officer or employee is not using "public time, facilities, equipment, supplies, personnel, or funds" she may engage in political speech. See Dahl v. Uninsured Employers' Fund, 1999 MT 168, ¶ 16, 295 Mont. 173, 983 P.2d 363.

Although "public time" is not defined, a reasonable construction would be those hours for which an employee receives payment from a public employer. Elected officials, of

Mr. Mathew J. Johnson  
January 31, 2005  
Page 3

course, do not have specific hours of employment nor do they receive vacation leave or other time off duty. They receive annual salaries rather than hourly wages. Thus, they could be considered to be on "public time" at all times. However, as long as public facilities, equipment, supplies, or funds are not involved, elected officials are not restricted in the exercise of political speech by the provisions of Montana law.

You also ask if subsection (3) prohibits a public employee or officer from signing a letter to the editor with his official title or prevents a law enforcement officer from wearing a uniform to campaign for a political issue or candidate. I conclude that, for the reasons stated above, subsection (3)(c) allows a public official to sign a letter to the editor, expressing personal political beliefs, with his official title, so long as public resources were not used to create the letter. Moreover, a sheriff would not be prohibited from wearing a uniform while campaigning for a political issue or candidate. In my opinion, neither activity would be prohibited by subsection (3).

Again, subsection (3)(a) only prevents use of "public time, facilities, equipment, supplies, personnel, or funds" in the furtherance of personal political speech. A title or a uniform is simply an accouterment of a public employee's or officer's position. A sheriff is not required to shed all associations, including his uniform, with his official position in order to exercise his protected right to express personal political beliefs.

The presumption is that free speech rights are protected and only the very specific restrictions in Mont. Code Ann. § 2-2-121 can be invoked to limit a public officer's or public employee's right to political speech.

THEREFORE, IT IS MY OPINION:

A public officer or public employee may engage in political speech so long as his or her speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds.

Very truly yours,

MIKE McGRATH  
Attorney General

mm/anb/jym

COMMISSIONERS  
APPROVED CLAIMS  
NOV. 25, 2014  
11:02 AM AT  
THEIR REGULAR  
MEETING

# The Herald-News

PO Box 639  
 Wolf Point, MT 59201-0639  
 406-653-2222

## INVOICE

DATE
10/31/14

TO:
R.C. Sheriff Box 280 400 2nd Ave. S. Wolf Point, MT 59201

AMOUNT DUE	AMOUNT ENC.
\$489.00	

DATE	TRANSACTION	AMOUNT	BALANCE
09/30/14	Balance forward		339.00
10/02/14	INV #2014004425. help wanted	35.00	374.00
10/09/14	INV #2014004426. help wanted - countywide deputy	35.00	409.00
10/09/14	INV #2014004430. WPVFD Special Section Thank You	40.00	449.00
10/09/14	INV #2014004431. WPHS Sports Schedule	40.00	489.00
10/12/14	PMT #101621.	-180.00	309.00
10/16/14	INV #2014004427. help wanted - east end	35.00	344.00
10/23/14	INV #2014004428. letter to the editor	133.00	477.00
10/28/14	PMT #101722.	-159.00	318.00
10/30/14	INV #2014004429. jail inserts	171.00	489.00

OFFICIAL USE ONLY  
 DATE 11-19-14  
 FUND No 2300-420100  
 DEPT No 525  
 OBJECT No 300  
 COUNTY Deer Lodge

AMOUNT DUE
\$489.00

ROOSEVELT COUNTY  
 Office of the Clerk & Recorder  
 400 2nd Ave. South  
 Wolf Point, Mt 59201

11/19/14  
 13:19:35

Claimant: HERALD NEWS  
 Address: PO BOX 639  
 WOLF POINT, MT 59201

Date	Invoice/PO #	Description	Amount	Fund	Org	Acct.	Obj	Proj
10/02/14	2014004420	ARLIE RAUCH/LIB	77.00	2220	350	460100	300	
10/09/14	2014004421	ARLIE RAUCH/LIB	77.00	2220	350	460100	300	
10/09/14	2014004422	MTG/LIB	24.50	2220	350	460100	300	
10/16/14	2014004423	MTG/LIB	22.75	2220	350	460100	300	
10/30/14	2014004424	MTG/LIB	17.50	2220	350	460100	300	
10/14/14	2014003350	OUTREACH HELP WANTED/SR CITZ	77.00	2280	510	450321	300	
10/21/14	2014003384	OUTREACH HELP WANTED/SR CITZ	73.50	2280	510	450321	300	
10/11/14	2014004023	OUTREACH HELP WANTED/SR CITZ	73.50	2280	510	450321	300	
10/18/14	2014004024	OUTREACH HELP WANTED/SR CITZ	73.50	2280	510	450321	300	
10/25/14	2014004025	OUTREACH HELP WANTED/SR CITZ	73.50	2280	510	450321	300	
10/02/14	2014004425	DEPUTY WANTED/SHERIFF	35.00	2300	525	420100	300	
10/09/14	2014004426	DEPUTY WANTED/SHERIFF	35.00	2300	525	420100	300	
10/09/14	2014004430	WPVFD THANK YOU/SHERIFF	40.00	2300	525	420100	300	
10/09/14	2014004431	WPHS SPORTS SCHEDULE/SHERIFF	40.00	2300	525	420100	300	
10/16/14	2014004427	DEPUTY WANTED/SHERIFF	35.00	2300	525	420100	300	
10/23/14	2014004428	LETTER TO EDITOR/JAIL	133.00	2300	530	420200	300	
10/30/14	2014004429	JAIL INSERTS	171.00	2300	530	420200	300	

COUNTY DEPARTMENT APPROVAL

COUNTY DEPARTMENT APPROVAL

*Charles A. Hansen*  
 CLERK & RECORDER

*Duane Nygaard*  
 DUANE NYGAARD,  
 PRESIDING OFFICER

*Jim Shanks*  
 JIM SHANKS, COMMISSIONER

GARY MACDONALD, COMMISSIONER

Total: 1,078.75

# Letters To The Editor

**Dear friends and neighbors of Roosevelt County:**

Our jail is in dire need of replacement and we have the opportunity on Nov. 4 to make it happen. The importance and urgency of this matter can't be overstated. If we fail to act soon, the financial impact our taxpayers will face in the near future could be enormous and far above the relatively minor cost of replacing the structure now.

Our jail is woefully outdated and has been at capacity or above for a long time. The problem was compounded following a legal action recently brought forward by the American Civil Liberties Union, resulting in our bed capacity being cut nearly in half. Simply put, we don't have the room to accommodate all the offenders we're bringing in. Felony arrests, particularly for narcotics-related offenses, have risen sharply in the last five years and continues to climb.

When we exceed our capacity, overflow Roosevelt County inmates are housed in other facilities, some as far as 400 miles away. The financial burden this puts on our taxpayers is enormous and the costs are only going up. The detention officers and deputies do a commendable

\*\*\*

### Thank You

Thank you to all who helped to put out the fire at our house while we were gone. Your prompt response surely saved our house.

Thank you.  
Frank and Doris Whitmus

job, but there are limits to what can be accomplished with the resources available. Plus, a lot of the costs associated with housing inmates in other facilities are completely out of control.

We are working hard to remain in compliance with federal guidelines, but our jail is old and some issues just can't be corrected without building a new facility. If Roosevelt County lost a lawsuit stemming from the inadequacies of our jail, we would be required to build a new jail on top of paying out to satisfy a judgment against us. We are between a rock and a hard spot here, folks; one way or another, we have to build a new jail.

The projected cost of building a new 60-bed facility is approximately \$11.86 million.

The building would be constructed on property the county already owns, near the existing courthouse in Wolf Point. Estimated cost for a residential taxpayer on your primary house at \$100,000 would be around \$47 per year. The greatest share of the cost of the expanded jail would be born by the 15 largest taxpayers of the county, including utilities, pipelines, oil production equipment and

\*\*\*

American Legion Post 22 will be conducting their meeting on the last Tuesday of every month. These meetings will be held at 7 p.m. in the Homestead Inn conference room.



commercial agriculture entities.

In the event Roosevelt County didn't need all 60 beds, those extra beds would be leased out to neighboring counties, thereby offsetting a large amount of the operating costs of the jail. Several other counties in Montana operate this way and their taxpayers see a huge savings as a result.

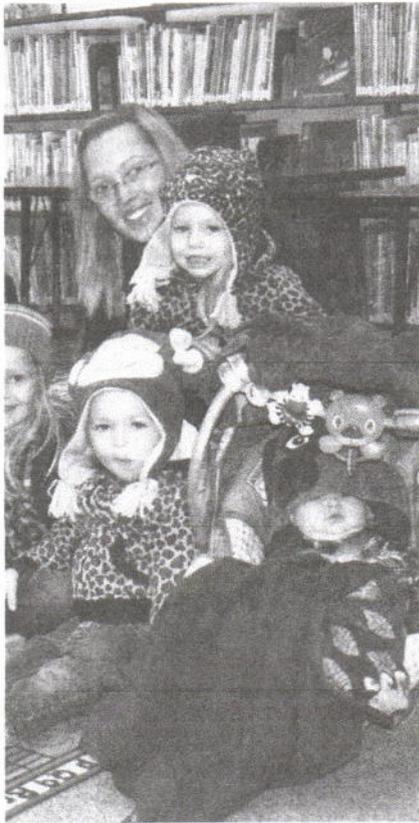
The majority of the voters during the June primary voted in favor of building a new jail, but since the voter turnout was relatively low, a 60 percent majority was required for it to pass. We missed out by only a few percentage points last time, so it won't take much to put us over the edge. I'm asking everyone to please pass the word to your neighbors, family and friends to come out on Nov. 4 and vote in favor of building this new jail.

Thank you,  
Sheriff Jason Frederick,  
jail administrator  
Melvin Clark,  
Roosevelt County  
Commissioners  
*(Paid Letter To The Editor)*

### Thank You

I'd like to give a special thanks to those who made my retirement party possible with the organizing and cleaning and decorating that was done. Also, thanks to everyone for coming, including those who came from Omaha. I had a great time and will always remember this.

Thank you,  
Dave Wemmer



ies

and Brenden, 20 months; librarian Janet Livingston as a witch; and Bethany Hallaina, 5, Adalyn, 4, Alla, 2, and 4 months. *(Photo by John Plestina)*

## bit In Montana

most dents and alumni created the exhibit, "Leading the port- Way — Montana Woman hoc Suffrage & the Struggle for ans-ty of Equal Citizenship," with the support of Humanities Montana, an affiliate of the National Endowment for Humanities. Libraries across the Treasure State are hosting the exhibit and planning events to celebrate the centennial. View the exhibition 8 a.m. to 5 p.m. in the library. The exhibition is free.

For more information, contact Anita Scheetz at 768-6340.

# The Herald-News

is read from Coast to Coast

The city now owns the proper-  
*Thurs. Oct 23, 2014*

opens to Mariene... Rick Isle.

lane divided U.S. Hwy. 2 is needed for safety and economic development during the Highway 2 Association's annual fall meeting in Glasgow, Friday, Oct. 17.

Congress and term fix to transp ey said.

He added the Jon Tester, D-Mc term fix is needed meeting in S

"If we had a bill, we would be six years," Tooley

The federal go 87 cents on each

"Right now, th [MDT] position maintenance," To

"You're not g four-lane from th Glasgow anytime just not the fur Tooley said.

Bruce Houle, a ber of the Culber



## Jail Bond

Sheriff Jason Frederick and Sheriff's Office employee Tina Bets His Medicine field questions on the proposed jail during the public meeting in Wolf Point. *(Photo by John Plestina)*

# Sheriff, Commissioners Tell Why A New Jail Is Needed

By John Plestina

Sheriff Jason Frederick and the Roosevelt County commissioners urged voter support for the jail bond that will be on the upcoming General Election ballot during a public meeting in Wolf Point, Tuesday, Oct. 14. Similar meetings were held last week in Bainville, Culbertson, Froid and Poplar.

County officials say the need to replace the aging jail is critical due to overcrowding and outdated facilities, as well as the county being at risk of being forced to close the facility because of potential liability. If that happens, the cost to taxpayers could be substantially higher than a mill levy increase that would be necessary to fund construction and operational costs.

Frederick said legal action brought by the American Civil Liberties Union forced Roosevelt County to reduce the number of jail beds by nearly one half.

A previous attempt to gain voter approval for a jail bonding measure failed at the polls in June due to a voter turnout that was too low to meet the legal state requirement. That bond-

ing issue received 57.93 percent [986-716] of the votes cast. The voter turnout was 34.88 percent.

The bonding measure will again ask voters to authorize the commissioners to issue and sell \$11.86 million in general obligation bonds to be repaid within 20 years.

The projected mill levy increase would add \$42.68 annually to the taxes on a residence assessed at \$100,000.

At issue is a jail built over 40 years ago that cannot accommodate current needs, does not meet current Montana jail standards, cannot comply with the Americans With Disabilities Act and it is difficult to separate misdemeanor and felony inmates. Recent inmate populations have been about 90 percent felons.

Despite recent upgrades the Sheriff's Office calls band-aid fixes, the jail is said to be unsafe for staff, inmates and the public.

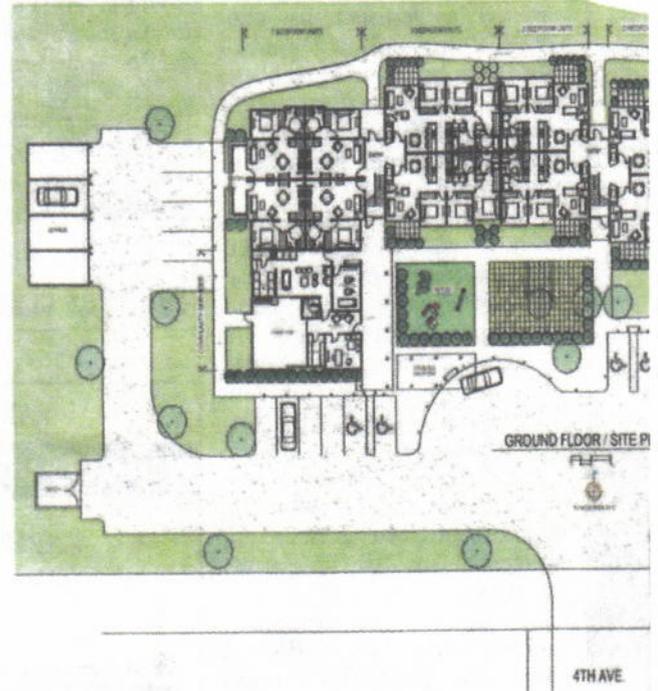
Jail administrator Melvin Clark expressed concern for the safety of misdemeanor offenders that might be serving short jail sentences with a preponderance of felons with violent histories

Continued on page 3

Needs that were cited for a four-lane highway included increased heavy truck traffic due to Bakken Oilfield development in western North Dakota and eastern Montana, including Roosevelt County.

Tooley, of Havre and a former Montana Highway Patrol trooper who was stationed at Wolf Point, said funding is just not in place at the current time.

"The department [MDT] does place a high emphasis on the Highway 2 Corridor," Tooley said. But, "as everybody knows, highway funding is up in the air."



## Wolf Point Village

Plans for the Wolf Point Village housing project are to build four one-bedroom units, 12 two-bedroom units and eight three-bedroom units on the north side of town within walk-

# New Investor Offers Construction Bids For

By John Plestina

Whether or not being on the edge of the oil belt housing crunch has impacted Wolf Point is uncertain, but the developer of the planned 24-unit Wolf Point Village rental complex expressed disappointment last week following a second round of high con-

She said the told that a ground be held soon for proceed on sched

The unnamed Irvine, Calif., wi credits, according

She said Pac struction of Id

# Meeting In Vida Next Week On Wind Farm Proposal

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and, N.C., and Kansas City, Mo., as well as the Fort Peck Tribes. There are currently preliminary conversations with the Standing Rock Reservation in North Dakota for a future development there.

Make It Right Foundation's webpage says homes it will build on the Fort Peck Reservation would be available to tribal members whose income levels are at or below 60 percent of the area median income. Homeownership will be available to tribal members and structured through a low income housing tax credit rent-to-own program with ownership transferring to tenants after 15 years of renting.

The homes will have angular shapes and are built with the "cradle to cradle" method, which means building with safe and reusable construction materials. Renewable energy is utilized and Make It Right says on its website that the houses use 70 percent less energy than conventional homes of the same size.

**Auto Sales**  
RAM Jeep

**PS BUTT!**

**of October**

**ed vehicle**  
**ir name towards**  
**earch**

**ICE TOGETHER**

**Team**  
  
**Terry**

**son Partridge today!**  
**eauto.com** f  
201 • (406)653-1160  
Saturday 8am-12pm

# Senate, Congressional Candidates To Debate October 21

The Sidrber of Comiculture and County Fair announced ate and Hsntative debate at County Fai

*Per News Article dated Oct 23, 2014*

*Net "Informational"*

*Presenters requested*

*Votes for Jail Board*

to a moderator and read to the candidates.

U.S. House of Representatives candidates Democrat John Lewis and Republican Ryan Zinke have been invited to debate Monday, Oct. 20, at 7 p.m. Zinke has confirmed.

## Police

The Wo Department ple to lock following incidents

## Lock Doors

The WPPD is urging the public to call 911 and request the police if they see suspicious individuals near their homes.

## Informational Meetings About Jail Bond Planned

The Roosevelt County Commissioners and the Sheriff's Office will hold five public informational presentations on the public safety addition and remodeling project for the Sheriff's Office and Detention Center in Wolf Point, Poplar, Culbertson, Bainville and Froid, Tuesday, Wednesday and Thursday, Oct. 14-16.

- dates and times are as follows:
- Wolf Point: Roosevelt County Senior Center, Tuesday, Oct. 14, at 6 p.m.
  - Froid: fire hall, Wednesday, Oct. 15, at 1:30 p.m.
  - Bainville: fire hall, Wednesday, Oct. 15, at 6 p.m.
  - Poplar: American Le-

gion, Thursday, Oct. 16, at 2 p.m.  
• Culbertson, Roosevelt County Complex, Thursday, Oct. 16, at 6 p.m.  
For additional information, contact the commissioners at 653-6246 or comm@rooseveltcountry.org or Sheriff Jason Frederick at 653-6216 or jfrederick@rooseveltcountry.org.

Voters will consider the bond issue in the general election, Tuesday, Nov. 4. Questions and comments will be welcome. The meeting locations,

**SUBSCRIBE & SAVE**



**Celebrating**  
**Dave Wemmer's Retirement**  
**Saturday, Oct. 4**  
**Elks Ballroom (Upstairs)**

Family and friends of Dave Wemmer are invited to help him celebrate 46 years of service.

**5:30 p.m. Cocktails**  
**6:00 p.m. Dinner**  
**7:00 p.m. Dance**



ROOSEVELT COUNTY  
Office of the Clerk & Recorder  
400 2nd Ave. South  
Wolf Point, Mt 59201

11/04/14  
09:21:04

Claimant KIMME & ASSOCIATES, INC.  
Address BOX 3338  
CHAMPAIGN IL 61826

Date	Invoice/PO #	Description	Amount	Fund	Org	Acct.	Obj	Proj
10/24/14	1	JAIL PUBLIC INFO ASSISTANCE	3,200.00	4030	530	420200	920	
10/24/14	1	TRAVEL/LODGING/MEALS	1,798.84	4030	530	420200	920	

SEE ATTACHED  
COUNTY DEPARTMENT APPROVAL

COUNTY DEPARTMENT APPROVAL

*Chief A. Hansen*  
CLERK & RECORDER

DUANE NYGAARD,  
PRESIDING OFFICER

JIM SHANKS, COMMISSIONER

*Gary Macdonald*  
GARY MACDONALD, COMMISSIONER

Total: 4,998.84

RECEIVED  
OCT 24 2014  
BY: \_\_\_\_\_

**BILL for Fees & Expenses**  
**KIMME & Associates, Inc.**  
 704 E. South Mahomet Road, Mahomet, IL 61853  
 217-351-7036 dennis@kimmeassociates.com

**Bill #**  
**1**

**Project: ROOSEVELT COUNTY JAIL ISSUE PUBLIC INFO ASSISTANCE** 10/24/14

FEES:	% COMPLETE	FEES	
<b>FEES BUDGET</b>		\$3,200.0	
<b>Total Fees Accrued</b>	100%	\$3,200.00	a.
<b>Fees already Billed =</b>		\$0.00	b.
<b>TOTAL FEES REQUESTED (a. - b.) =</b>		\$3,200.00	c.

**EXPENSES:**

**Miscellaneous:**

Drawing Reproduction/Report Copying	=	\$0.00	
Postage/Courier Services	=	\$0.00	
Long Distance Telephone	=	\$0.00	
Other:	=	\$0.00	
<b>Total Miscellaneous:</b>		\$0.00	

**Travel/Lodging/Meals:**

**D. Kimme 10/13-17/14**

Airfare	=	\$877.20	
Rental Car	=	\$271.28	
Taxi/Limo	=	\$0.00	
Hotel	=	\$557.20	
Parking	=	\$0.00	
Miscellaneous (rental car gas)	=	\$52.85	
Meals	=	\$40.31	
Personal Auto (airport & back)	=	\$0.00	
	<u>0</u> X <u>\$0.55</u>		
	miles per mile		
<b>Trip Total:</b>		\$1,798.84	

**TOTAL EXPENSE REIMBURSEMENT REQUESTED =** \$1,798.84 d.

**TOTAL PAYMENT REQUESTED =** \$4,998.84 c. + d.

Please make checks payable to "Kimme & Associates, Inc."

10/24/14

*Dennis A. Kimme*  
 Dennis A. Kimme  
 President

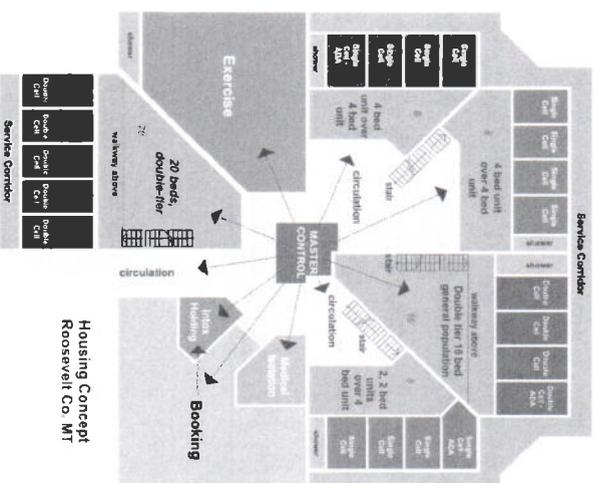
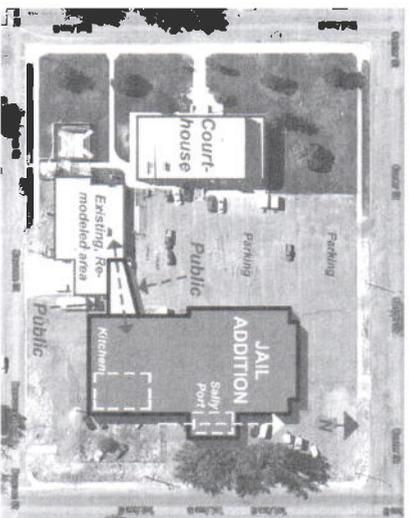
APPROVED 10-28-14  
 BOARD OF COUNTY COMMISSIONERS  
 ROOSEVELT COUNTY MONTANA  
 BY [Signature]  
 PRESIDING OFFICER

## The Proposed Solution

- **Re-model and Add to the existing sheriffs-jail facility instead of building new elsewhere.**
  - Keep it where it is and utilize existing resources.
  - Maintain the relationship to the courthouse to minimize inmate transport requirements.
  - Reduce the overall amount of construction needed plus eliminate site acquisition costs.
- **Build an Addition that provides 60 jail beds, all standards-compliant.**
  - Also build a new **E-911/Communications Center** that can provide convenient 24/7/365 public reception and service.
  - 10 different cell units to provide flexibility to separate men/women, violent/non-violent, healthy/unhealthy, etc.
  - Cells constantly "eyes-on" viewable from a single Master Control post for higher security and maximum staff efficiency.
  - Jail addition includes new kitchen, laundry, vehicle sally port, booking, visiting and sex offender registry areas.
- **Re-model existing antiquated jail area for law enforcement operations expansion.**
  - Current law enforcement space is deficient and needs room to grow as population and crime rates increase.
  - Include some space for **other agencies** to enhance agency cooperation, efficiency and crime-solving ability.
- **To fund the project a mill levy increase is needed.**
  - Taxes on a house valued at **\$100,000** will increase by an estimated **\$42.68 per year.**
  - Taxes on a house valued at **\$200,000** will increase by an estimated **\$85.36 per year.**
  - General Obligation Bonds will be sold; maximum duration = **20 years.**
  - A low estimated interest rate for bonds of only **4.12%.**
  - Estimated Construction Cost: \$9.2 million +/-10% (includes cost escalation to estimated bid date of spring 2015).
  - Estimated Total Project Cost: up to \$11.86 million (includes 10% contingency).
  - Equals Construction Cost *plus* other costs needed to complete the project (fees, equipment, furniture, soil tests, etc.).
  - Jail Staff will increase from 8 to 14.
- **Preliminary Project Schedule.**
  - Design begins in January 2015; construction starts in fall of 2015.
  - Addition open by early 2017; re-modeling complete by fall 2017.

**The Public Safety Facility issue will appear on the November 4, 2014 Ballot.**

**Questions? Please call the Commissioners at 653-6246 or Jail Administrator Melvin Clark at 653-6218**



Proposed concept for an "eyes-on", staff-efficient Master Control view of inmate cells.

### Preliminary Project Schedule.

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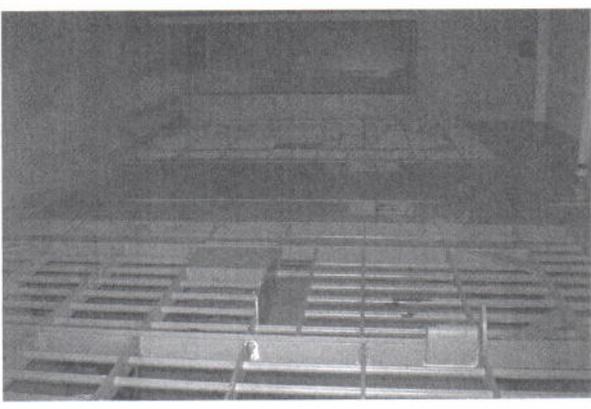
# ROOSEVELT COUNTY - FACT SHEET

## ABOUT THE PROPOSED PUBLIC SAFETY FACILITY ADDITION & RE-MODELING



### What's Wrong with the Existing Jail?

- The existing jail, designed 40 years ago, is **too small** for today's population.
  - The rated bed capacity, per state standards, is only 11 beds. Some beds are from a Navy Brig dating back 100 years ago.
  - The jail averaged 15 inmates per day in 2012 with peaks around 20.
- Despite recent band-aid fixes the existing jail is **not safe for staff, public or inmates**.
  - It was not designed for the higher security risks jail officers now face.
  - Inmates are increasingly from out-of-state and are less accountable (examples: Florida, Colorado & California).
  - Inmate offenses are more serious (90% felonies in a recent jail population snapshot).
  - Inmates cannot be adequately separated by violent from non-violent, and prey from predator to insure inmate & staff safety.
  - Staff safety is jeopardized by poor sightlines, narrow open-barred corridors and more aggressive inmates.
  - Antiquated security equipment limits staff control and precludes rapid egress in emergencies.
- The existing jail cannot meet **Montana Jail Standards**.
- The existing jail cannot comply with the Americans with Disabilities Act (ADA).
- Support, drug counseling and sex offender registry spaces are all **inadequate**.
- For all of the above reasons the risks and potential for lawsuits are unacceptably high.



### Growth Pressures from the Bakken

- Crime in the 4 county primary Bakken region of Montana went up between 2008 & 2012.
  - Source: a Montana Board of Crime Control study of Roosevelt, Daniels, Sheridan and Richland Counties.
  - Total offenses committed are up 218%, arrests are up 173%.
- Nearly half (48.5%) of the crime increases were in Roosevelt County.
  - Total Roosevelt County arrests rose 187% between 2008 & 2012.
  - Between 2008 & 2012 drug/narcotics arrests went from 4 to 28, burglary from 15 to 48, aggravated assault from 24 to 34.
  - Roosevelt County's per capita crime rate went from about 25% below the state average to 56% above.
- More growth is on the way.
  - Due to the Bakken, Roosevelt County is projected to have from 11% to 40% more people in the next 15 years.
  - Rapid growth throughout the 11 county eastern Montana region reduces the ability of other jails to take our overflow.

