

**From:** [Patty Shanley](#)  
**To:** [Council](#)  
**Subject:** [EXTERNAL] Re: Rose Park swimming pool  
**Date:** Sunday, January 25, 2026 4:18:18 PM

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Thank you Mayor Mike Nelson. I appreciate your forwarding these concerns to the necessary committees. I'm very impressed with your work already as the Mayor of Billings and the work you have done on the Northern Hotel. What a great addition to the downtown area and a preservation project that you did. I look forward to seeing you and your works in action in the community of Billings. We are in good hands. Congratulation on being elected.

Patty Reynolds  
Sent from my iPhone

> On Jan 25, 2026, at 12:36 PM, Patty Shanley <[shanley63@icloud.com](mailto:shanley63@icloud.com)> wrote:

>

> Council,

> I want to complicate the Billings Council as they have done an excellent job with Rose Park pool area. It is a beautiful addition to Billings and it's always fun to go there and swim and see the young folks enjoying the waterslides, the shallow area and the original pool that was set aside by the forefathers of Billings.

>

> Saying that, I do have a big concern as I am a senior citizen and I enjoy going to the pool area. In the original pool, the ladders to get out of the pool, the ladders are very difficult for seniors to get out of. I took my husband there a few years ago, and I honestly didn't know if I was going to be able to get him out of the pool as we didn't know that getting out of the pool would be so difficult. The ladders, if you have never gone there and swam, the first step of the ladder and the arms to raise yourself out of the pool are very high from the bottom of the pool. It makes it extremely difficult for a senior person and I'm only 69 to get out of the water. I hope that this concern will be raised with the parks and recreation department, and that will be looked into as swimming is such a great sport and should be enjoyed by all age groups, but it seems to be an issue at Rose Park.

>

> Thank you for listening to me and I hope that some improvements will be made to the Rose Park ladder systems getting in and out of the water.

>

> I know this is a small issue for all the issues that you do have, but it is a great concern for seniors.

>

> Thank you for listening to my concerns

>

> Patty Reynolds

> 5319 N Iron Mountain Road

> Billings Mt. 59106

>

> 406-598-5569.

> Sent from my iPhone

**From:** [Patty Shanley](#)  
**To:** [Council](#)  
**Subject:** [EXTERNAL] Rose Park swimming pool  
**Date:** Sunday, January 25, 2026 12:45:37 PM

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Patty Reynolds  
5319 N Iron Mountain Road  
Billings Mt. 59106

406-598-5569.  
Sent from my iPhone

**From:** [Neese, Roy](#)  
**To:** [Woltjer, Gavin](#)  
**Cc:** [Iffland, Kevin](#); [Zoeller, Andy](#); [Kukulski, Chris](#); [MayorAndCouncil](#)  
**Subject:** Item 1H - Amend Park Development Council (APDC) Budget  
**Date:** Sunday, January 25, 2026 5:42:33 PM

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Gavin,

How involved is someone from the parks department or parks board in advice and the creation of this budget?

As I understand the City has a non-voting seat on the APDC. Can you please confirm and find out who from the city is serving in this role?

The 2023 resolution states that there was \$1.56M spent on mowing, irrigation and trash removal from 1992 to 2023 or about \$50,000 per year. What is the current amount the city is spending on Amend Park per the agreement under section 8.1?

Per the agreement between the City and APDC in section 14 the priority of excess revenue (after funding ADPC Administrative and Maintenance responsibilities) is to fund (14.3) the synthetic field replacement fund, (14.5 (there is no 14.4)) the city's cost of maintenance under section 8.1 and (14.6) any remaining funds "shall" be provided to the city for future operation and maintenance cost of Amend Park.

After reviewing the financial statements and cash flows reports I was unable to determine or (I may have missed it) where APDC is budgeting to fund the city under the agreement in section 14.3, 5 and 6.

I do see there is a \$140,000 Restricted Turf Field fund which I assume is the replacement fund, but I did not see the amount in the budget reports. Do we know how much is projected to be contributed to the Turf replacement fund?

Do we know the amount in the budget that is projected to come back to the Parks department for work performed in section 8.1?

Has the parks department provided them this amount to target?

Do we know the amount that is projected to be provided to the city per section 14.6?

Since 2023 agreement what is the amount that APDC has provided to the city under section 14.3, 5 and 6?

Thank you.

**Roy Neese** | City of Billings Councilman Ward 2 |  
Office: 406-794-3318 | Email: [Neeser@billingsmt.gov](mailto:Neeser@billingsmt.gov) |

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**From:** [Dahl, Gina](#)  
**To:** [Council](#)  
**Subject:** federal 287(g) agreements  
**Date:** Sunday, January 25, 2026 8:13:23 PM  
**Attachments:** [1357 Powers of immigration officers and employees.doc](#)  
[IF11898.1 \(1\).pdf](#)

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Mayor and Council,

I was asked to provide a brief overview of what a federal 287(g) agreement is, along with any applicable Montana statutory references. This email is only intended to provide basic information about those agreements.

Section 287(g) of the Immigration and Nationality Act (INA), codified in 8 U.S.C. §1357(g), allows the federal government to delegate certain immigration enforcement functions to state and local law enforcement agencies. Any negotiated agreement must define the scope of authority, training requirements, supervision requirements, and duration. These “287(g) agreements” enable specially trained state or local officers to perform specific functions relating to the investigation, apprehension, or detention of noncitizens during a predetermined time frame and under federal oversight by the Department of Homeland Security's (DHS's) Immigration and Customs Enforcement (ICE). These actions are carried out at the expense of the state or political subdivision. See highlighted portion in first attachment.

I've also included an article from the [Congressional Research Service](#) written in 2021 which provides a nonpartisan/objective overview of the 287(g) program. The discontinued task force model mentioned in the article was discontinued by the Obama administration but was reinstated by the Trump administration in 2025 by [Executive Order 14159](#). Templates of the different 287(g) agreements can be found on the [US Immigration and Customs Enforcement](#) website.

Montana law prohibits a local government from enacting a policy that restricts sending, receiving, exchanging, or maintaining information about citizenship or immigration status with other governmental entities. It also prohibits local governments from enacting a policy that restricts compliance with lawful immigration detainers or notification requests concerning the release of an individual. MCA Section [2-1-602](#). The Attorney General may monitor compliance with these provisions and institute civil actions resulting in fines or certain grant funding limitations against a local government for violations. See MCA [2-1-605](#).

Montana code section [7-5-138](#) provides a local government “may not enact, adopt, implement, enforce, or refer to the electorate a policy described in [2-1-602](#).”


Montana code section [27-16-801](#) provides authority for a law enforcement officer to arrest a person subject to an immigration detainer when the person is already in custody. Additionally, a law enforcement officer who has lawfully stopped a person or vehicle may make a reasonable attempt to determine the immigration status of the person when the officer has reasonable suspicion. The officer is required to report the immigration status of a person illegally present to a federal immigration agency. MCA

[46-5-401.](#)

The 2025 legislature also passed HB 214, now codified at MCA 46-1-104, which requires a prosecutor to notify the attorney general prior to making a decision to decline a criminal prosecution in order to allow the attorney general to initiate a case.

Please let me know if you have any questions about any of these provisions.

Gina

	<i>Gina Dahl</i> City Attorney <a href="mailto:dahlg@billingsmt.gov">dahlg@billingsmt.gov</a>
<a href="http://billingsmt.gov">billingsmt.gov</a>	P.O. Box 1178 Billings, MT 59103 P 406.657.8202

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United States Code Annotated

Title 8. Aliens and Nationality (Refs & Annos)

Chapter 12. Immigration and Nationality (Refs & Annos)

Subchapter II. Immigration

Part IX. Miscellaneous

8 U.S.C.A. § 1357

§ 1357. Powers of immigration officers and employees

Effective: August 12, 2006

[Currentness](#)

**(a) Powers without warrant**

Any officer or employee of the Service authorized under regulations prescribed by the Attorney General shall have power without warrant--

(1) to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States;

(2) to arrest any alien who in his presence or view is entering or attempting to enter the United States in violation of any law or regulation made in pursuance of law regulating the admission, exclusion, expulsion, or removal of aliens, or to arrest any alien in the United States, if he has reason to believe that the alien so arrested is in the United States in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest, but the alien arrested shall be taken without unnecessary delay for examination before an officer of the Service having authority to examine aliens as to their right to enter or remain in the United States;

(3) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of twenty-five miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;

(4) to make arrests for felonies which have been committed and which are cognizable under any law of the United States regulating the admission, exclusion, expulsion, or removal of aliens, if he has reason to believe that the person so arrested is guilty of such felony and if there is likelihood of the person escaping before a warrant can be obtained for his arrest, but the person arrested shall be taken without unnecessary delay before the nearest available officer empowered to commit persons charged with offenses against the laws of the United States; and

(5) to make arrests--

(A) for any offense against the United States, if the offense is committed in the officer's or employee's presence, or

(B) for any felony cognizable under the laws of the United States, if the officer or employee has reasonable grounds to believe that the person to be arrested has committed or is committing such a felony,

if the officer or employee is performing duties relating to the enforcement of the immigration laws at the time of the arrest and if there is a likelihood of the person escaping before a warrant can be obtained for his arrest.

Under regulations prescribed by the Attorney General, an officer or employee of the Service may carry a firearm and may execute and serve any order, warrant, subpoena, summons, or other process issued under the authority of the United States. The authority to make arrests under paragraph (5)(B) shall only be effective on and after the date on which the Attorney General publishes final regulations which (i) prescribe the categories of officers and employees of the Service who may use force (including deadly force) and the circumstances under which such force may be used, (ii) establish standards with respect to enforcement activities of the Service, (iii) require that any officer or employee of the Service is not authorized to make arrests under paragraph (5)(B) unless the officer or employee has received certification as having completed a training program which covers such arrests and standards described in clause (ii), and (iv) establish an expedited, internal review process for violations of such standards, which process is consistent with standard agency procedure regarding confidentiality of matters related to internal investigations.

**(b) Administration of oath; taking of evidence**

Any officer or employee of the Service designated by the Attorney General, whether individually or as one of a class, shall have power and authority to administer oaths and to take and consider evidence concerning the privilege of any person to enter, reenter, pass through, or reside in the United States, or concerning any matter which is material or relevant to the enforcement of this chapter and the administration of the Service; and any person to whom such oath has been administered, (or who has executed an unsworn declaration, certificate, verification, or statement under penalty of perjury as permitted under [section 1746 of Title 28](#)) under the provisions of this chapter, who shall knowingly or willfully give false evidence or swear (or subscribe under penalty of perjury as permitted under [section 1746 of Title 28](#)) to any false statement concerning any matter referred to in this subsection shall be guilty of perjury and shall be punished as provided by [section 1621 of Title 18](#).

**(c) Search without warrant**

Any officer or employee of the Service authorized and designated under regulations prescribed by the Attorney General, whether individually or as one of a class, shall have power to conduct a search, without warrant, of the person, and of the personal effects in the possession of any person seeking admission to the United States, concerning whom such officer or employee may have reasonable cause to suspect that grounds exist for denial of admission to the United States under this chapter which would be disclosed by such search.



**(d) Detainer of aliens for violation of controlled substances laws**

In the case of an alien who is arrested by a Federal, State, or local law enforcement official for a violation of any law relating to controlled substances, if the official (or another official)--

(1) has reason to believe that the alien may not have been lawfully admitted to the United States or otherwise is not lawfully present in the United States,

(2) expeditiously informs an appropriate officer or employee of the Service authorized and designated by the Attorney General of the arrest and of facts concerning the status of the alien, and

(3) requests the Service to determine promptly whether or not to issue a detainer to detain the alien,

the officer or employee of the Service shall promptly determine whether or not to issue such a detainer. If such a detainer is issued and the alien is not otherwise detained by Federal, State, or local officials, the Attorney General shall effectively and expeditiously take custody of the alien.

**(e) Restriction on warrantless entry in case of outdoor agricultural operations**

Notwithstanding any other provision of this section other than paragraph (3) of subsection (a), an officer or employee of the Service may not enter without the consent of the owner (or agent thereof) or a properly executed warrant onto the premises of a farm or other outdoor agricultural operation for the purpose of interrogating a person believed to be an alien as to the person's right to be or to remain in the United States.

**(f) Fingerprinting and photographing of certain aliens**

(1) Under regulations of the Attorney General, the Commissioner shall provide for the fingerprinting and photographing of each alien 14 years of age or older against whom a proceeding is commenced under [section 1229a](#) of this title.

(2) Such fingerprints and photographs shall be made available to Federal, State, and local law enforcement agencies, upon request.

**(g) Performance of immigration officer functions by State officers and employees**

(1) Notwithstanding [section 1342 of Title 31](#), [the Attorney General may enter into a written agreement with a State, or any](#)

political subdivision of a State, pursuant to which an officer or employee of the State or subdivision, who is determined by the Attorney General to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to the extent consistent with State and local law.

(2) An agreement under this subsection shall require that an officer or employee of a State or political subdivision of a State performing a function under the agreement shall have knowledge of, and adhere to, Federal law relating to the function, and shall contain a written certification that the officers or employees performing the function under the agreement have received adequate training regarding the enforcement of relevant Federal immigration laws.

(3) In performing a function under this subsection, an officer or employee of a State or political subdivision of a State shall be subject to the direction and supervision of the Attorney General.

(4) In performing a function under this subsection, an officer or employee of a State or political subdivision of a State may use Federal property or facilities, as provided in a written agreement between the Attorney General and the State or subdivision.

(5) With respect to each officer or employee of a State or political subdivision who is authorized to perform a function under this subsection, the specific powers and duties that may be, or are required to be, exercised or performed by the individual, the duration of the authority of the individual, and the position of the agency of the Attorney General who is required to supervise and direct the individual, shall be set forth in a written agreement between the Attorney General and the State or political subdivision.

(6) The Attorney General may not accept a service under this subsection if the service will be used to displace any Federal employee.

(7) Except as provided in paragraph (8), an officer or employee of a State or political subdivision of a State performing functions under this subsection shall not be treated as a Federal employee for any purpose other than for purposes of chapter 81 of Title 5 (relating to compensation for injury) and sections 2671 through 2680 of Title 28 (relating to tort claims).

(8) An officer or employee of a State or political subdivision of a State acting under color of authority under this subsection, or any agreement entered into under this subsection, shall be considered to be acting under color of Federal authority for purposes of determining the liability, and immunity from suit, of the officer or employee in a civil action brought under Federal or State law.

(9) Nothing in this subsection shall be construed to require any State or political subdivision of a State to enter into an agreement with the Attorney General under this subsection.

(10) Nothing in this subsection shall be construed to require an agreement under this subsection in order for any officer or employee of a State or political subdivision of a State--

(A) to communicate with the Attorney General regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States; or

(B) otherwise to cooperate with the Attorney General in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

**(h) Protecting abused juveniles**

An alien described in [section 1101\(a\)\(27\)\(J\)](#) of this title who has been battered, abused, neglected, or abandoned, shall not be compelled to contact the alleged abuser (or family member of the alleged abuser) at any stage of applying for special immigrant juvenile status, including after a request for the consent of the Secretary of Homeland Security under [section 1101\(a\)\(27\)\(J\)\(iii\)\(I\)](#) of this title.

**CREDIT(S)**

(June 27, 1952, c. 477, Title II, c. 9, § 287, 66 Stat. 233; [Pub.L. 94-550](#), § 7, Oct. 18, 1976, 90 Stat. 2535; [Pub.L. 99-570](#), Title I, § 1751(d), Oct. 27, 1986, 100 Stat. 3207-47; [Pub.L. 99-603](#), Title I, § 116, Nov. 6, 1986, 100 Stat. 3384; [Pub.L. 100-525](#), §§ 2(e), 5, Oct. 24, 1988, 102 Stat. 2610, 2615; [Pub.L. 101-649](#), Title V, § 503(a), (b)(1), Nov. 29, 1990, 104 Stat. 5048, 5049; [Pub.L. 102-232](#), Title III, § 306(a)(3), Dec. 12, 1991, 105 Stat. 1751; [Pub.L. 104-208](#), Div. C, Title I, § 133, Title III, § 308(d)(4)(L), (e)(1)(M), (g)(5)(A)(i), Sept. 30, 1996, 110 Stat. 3009-563, 3009-618, 3009-619, 3009-623; [Pub.L. 109-162](#), Title VIII, § 826, Jan. 5, 2006, 119 Stat. 3065; [Pub.L. 109-271](#), § 6(g), Aug. 12, 2006, 120 Stat. 763.)

8 U.S.C.A. § 1357, 8 USCA § 1357

Current through P.L. 119-59. Some statute sections may be more current, see credits for details.

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End of Document

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**From:** [Nicholson, Mark](#)  
**To:** [Patty Shanley](#); [Council](#)  
**Subject:** Re: [EXTERNAL] Rose Park swimming pool  
**Date:** Sunday, January 25, 2026 3:42:41 PM

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Dear Ms Shanley:

Thank you reaching out with concern about the South Park Pool.

While I would not go so far as to say that you would be disabled, your concern regarding accessibility at the South Park Pool is addressed by the Americans with Disability Act (ADA) which was enacted by the 101st United States Congress and signed by President George W. Bush. Your concern is an example of how the ADA can serve all of us.

Units of government at the state, county, and local levels are subject to the ADA and must comply with the ADA Standards in new construction and alterations. All types of public facilities are covered.

I am including a link to the portion of the US Guide to the ADA Accessibility Standards concerning swimming pools which gives examples of what kind of accessible features the pool will need to include.

<https://www.access-board.gov/ada/guides/chapter-10-swimming-pools-wading-pools-and-spas/>

All the Best,

Mark Nicholson  
Council Member  
Ward 1

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**From:** Patty Shanley <shanley63@icloud.com>  
**Sent:** Sunday, January 25, 2026 12:36 PM  
**To:** Council <council@billingsmt.gov>  
**Subject:** [EXTERNAL] Rose Park swimming pool

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