

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – APRIL 2, 2019**

The meeting was called to order at 9:00A.M. with Commissioners Arthaud, Kasian and Kessel in attendance.

Others present during portions of the meeting were: Sheriff Pat Rummel, Fire Chief Kyle Shockley, Tax & Zoning Director Stacey Swanson, Deputy Auditor Colleen Lapp, Justin Hyndman, Kris Swenson, Justin Ell, Laura Grzanic, Scott Solem, Daphne Senn

Kessel moved to approve the minutes from the March 5, 2019 regular meeting and the March 25, 2019 special meeting. Kasian seconded. All voted aye.

The quarterly pledge report was reviewed. Kessel moved to approve the report. Kasian seconded. All voted aye.

Justin Ell, Executive Director for the Medora Area Convention and Visitor's Bureau was present to give the board an update on events happening in the area this summer. He went over the wine walk, BBQ and Blues, the NDRA Rodeo, street dance and a number of conferences.

Kris Swenson was present to discuss a road and cement crossing on his property. The cement is breaking up and it is a safety hazard. Easement has never been provided to the county. The county did build up the road in about 1950 as the first portion of it is on a section line. The board discussed the private ownership and county responsibilities. States Attorney Brovold stated if the county built the road and maintained it, it would constitute a county road. Even though it is private land, if it becomes a county road, it cannot be blocked from public travel. The board will review this request and bring it back to the next meeting.

Discussion ensued regarding the Ambulance Director position. Mitch Gilseth and Kyle Michaels have been working together during the transition. Chairman Arthaud has the ambulance portfolio and requested that they be appointed for the interim. Kasian moved to appoint Mitch and Kyle as interim Co-Directors of the ambulance service.

Sheriff & Emergency Manager Pat Rummel was present to discuss the flood declaration and the mitigation meetings that were held. He stated that the individuals from the county, city, national park, TRMF, NDDOT and ND Highway Patrol worked together very well. The declaration was made when the flood stage hit 18' on the 25th. Major Dean Wycoff worked as the Public Information Officer and worked very well with news media etc. There were some issues with private property being eroded by the flood and the private owner needs to work with NRCS and receive an Army Corp of Engineers 404 permit to start the process to contain.

He also discussed a spill of ethyl mercaptan which happened at the rail facility on Sunday night. This is what is put into natural gas to give it an odor like you smell in propane so that a leak can be detected. The spill was roughly 600 gallons and has a terrible odor, however it is not hazardous to health. The health department and Department of Emergency services and Southwest District health were out to determine that it is an irritant, but not a health hazard. The county sent out a reverse 911 to let people in the area know of the issue. Andeavor, the company at the facility did not share information properly and they are now working with the county. We will have a stand down with Andeavor to make sure that they understand that the county is very unhappy with the reporting and the lack of communication early on so that people in the county are notified timely and can be sure that they are safe. A few county residents were present and expressed their dissatisfaction with the response. The board assured them that they felt the same and will be meeting with Andeavor. As of now, the company is making a slurry to suck out the ethyl mercaptan and the air quality will improve as they clean it up.

Scott Solem was present to discuss a letter sent by him regarding elkhorn gravel and royalties. He represents Allan and Jennifer Eberts. They reviewed the Elkhorn gravel lease. Scott will forward a proposal to the commission for future negotiations.

States Attorney Jay Brovold was present to open used equipment bids. 10 bids were received on 4 vehicles as follows:

- 1981 Chevrolet 1 Ton Flatbed: Andrew Scrupey \$1,650.00; John Egly \$1,550.00
- 1982 Chevrolet ¾ Ton 4X4: Ryan O'Brien \$1,850; Russ Lapp \$4,251.00; John Egly \$2,750.00; Tate Miller \$500.00
- 2002 Chevrolet ¾ Ton 4X4: Kasey Malkowski \$1,150.00; Don Decker \$1,550.00
- 1994 International 2554 w/ Angle plow: Ron Decker \$1,505.00; Tate Miller \$500.00
- No bids were received on the 2005 Ford F-350 Crew Cab

Kessel moved to approve the high bids of Andrew Scrupey, Russ Lapp, Don Decker and Ron Decker. Kasian seconded. All voted aye.

Justin Hyndman was present from KLJ to introduce Daphne Senn, who will be taking over working with Billings County. Kasian moved to approve the annual master service agreement with KLJ. Kessel seconded. All voted aye.

Tax & Zoning Director Stacey Swanson went over a contract with Vanguard Appraisal Software. Arthaud signed.

Tax & Zoning Director Stacey Swanson presented the following ARW Permits that were approved with conditions by the Road Superintendent and Weed Control Officer:

- Petro-Hunt LLC – Section 3-144-98 along 6th St SW
- Century Link – Section 22-141-99 along Green River Road
- Burski Excavating, Inc – Section 26-140-102 along East River Road
- Zachary Krivoruchka – Section 14-141-98 along 121st Ave SW

Director Swanson presented Zoning Board terms that are expiring. Kasian moved to reappoint John Tczap and Joe Kessel to the zoning board for a four year term. Arthaud seconded. All voted aye

Rural Fire Chief Kyle Shockley stated that the generators on the fire halls have issues with snow blowing in during the winter months. The commission agreed to have him enclose the generators.

The following claims were approved for payment:

PAYEE	CHECK #	AMOUNT
N.D. P.E.R.S.	016246	\$ 59,858.04
Blue Cross Blue Shield of N.D.	016247	\$ 3,612.10
Acme Tools	016248	\$ 284.97
AmeriPride Linen Service	016249	\$ 855.67
Applied Concepts, Inc.	016250	\$ 225.00
B & B Hot Oil Service, Inc.	016251	\$ 390.00
Beach Veterinary Clinic	016252	\$ 507.40
Belfield Automotive Supply, Inc.	016253	\$ 6,650.09
Best Energy	016254	\$ 6,681.28
Billings County Auditor	016255	\$ 85.00
Billings County Pioneer	016256	\$ 29.26
Billings County Rural Fire District	016257	\$ 2,211.95
Billings County School District	016258	\$ 24,125.14
Bismarck Tribune	016259	\$ 507.00
Bound Tree Medical, LLC	016260	\$ 1,315.67
Braun Intertec	016261	\$ 1,094.50
Bridger, Gina	016262	\$ 269.00
Brooks & Associates, C.E.	016263	\$ 772.20
Brooks & Associates, C.E.	016264	\$ 969.00
Butler Machinery Co.	016265	\$ 8,662.89
Charbonneau Car Center	016266	\$ 33,599.00
Creative Energy	016267	\$ 8.99
Crowell & Moring, LLP	016268	\$ 8,389.16
Dakota Insurance	016269	\$ 118,078.00
Dakota Sports	016270	\$ 269.98
Deans Distributing	016271	\$ 308.70
Dickinson Public Library	016272	\$ 4,870.73
D.T.E., Inc.	016273	\$ 9,516.00
East End Auto & Truck Parts	016274	\$ 400.00
Emergency Medical Products, Inc.	016275	\$ 2,651.35
Farmers Union Oil Co. – Beach	016276	\$ 22,091.33
Ferguson Enterprises	016277	\$ 144.09
Frieze, Brenda	016278	\$ 143.50
Gall's, Inc.	016279	\$ 89.18
GCR Tires & Services	016280	\$ 1,384.84
Golden Valley County	016281	\$ 355.92
Hlebechuk Construction, Inc.	016282	\$ 125.00
Holiday Inn – Fargo	016283	\$ 338.40
Honda West	016284	\$ 80.00
Johnson, Christine	016285	\$ 350.04
Kadrmass, Lee, & Jackson, Inc.	016286	\$ 18,629.41
Kasian, Michael E.	016287	\$ 182.70
Kessel, Joseph L.	016288	\$ 129.92
Kohler Communications, Inc.	016289	\$ 207.50
Lacal Equipment, Inc.	016290	\$ 1,822.02
LaQuinta Inns & Suites	016291	\$ 253.80
Mac's, Inc.	016292	\$ 134.70
Matthew Bender & Co., Inc.	016293	\$ 40.08
Medora, City of....	016294	\$ 347.90
Menards	016295	\$ 293.80
MGM Rural Sanitation, LLC	016296	\$ 224.00
Mid-American Research Chemical	016297	\$ 239.07
Midstate Telephone Company	016298	\$ 1,179.25
National Sheriff's Association	016299	\$ 60.00
N.D. Association of Counties	016300	\$ 116.15
N.D. Association of Counties	016301	\$ 220.00
N.D. County Auditors Association	016302	\$ 100.00
N.D. County Treasurer's Association	016303	\$ 200.00
N.D. Cowboy Hall of Fame	016304	\$ 400.00

N.D. Department of Transportation	016305	\$	5.00
N.D. Department of Transportation	016306	\$	11.50
N.D. Department of Transportation	016307	\$	12,711.50
N.D. State Radio Communications	016308	\$	1,014.25
N.D. State Treasurer	016309	\$	905.10
N.D. A.C.O. Resources Group, Inc.	016310	\$	30,337.82
Newby's Ace Hardware	016311	\$	60.19
O'Brien Oilfield Service, LLC	016312	\$	667.50
Off Road Software, Inc.	016313	\$	6,230.00
Penguin Management, Inc.	016314	\$	162.00
Physio-Control, Inc.	016315	\$	67.00
Porter Motors, Dan	016316	\$	126.71
Prairie Auto Parts, Inc.	016317	\$	166.25
Rauschenberger Consulting, LLC	016318	\$	2,375.00
RDO Equipment Co.	016319	\$	10,247.65
Redmond, Perry & Alicia	016320	\$	1,500.00
Rockmount Research & Alloys	016321	\$	578.12
Rummel Auto Wrecking	016322	\$	127.40
Rummel, Patrick	016323	\$	350.00
Runnings Supply, Inc.	016324	\$	600.30
Sax Motor Co.	016325	\$	636.93
Service Printers	016326	\$	85.00
South Dakota Sheriff's Association	016327	\$	85.00
Southwest Association of Counties	016328	\$	100.00
Southwest Business Machines	016329	\$	221.52
Southwest Multi-Co. Correction Center	016330	\$	7,777.94
Southwest Water Authority	016331	\$	409.39
Southwest Water Authority	016332	\$	333.10
Southwestern District Health Unit	016333	\$	734.19
Stein's, Inc.	016334	\$	166.95
Swanson, Stacey	016335	\$	326.30
Swanston Equipment Corporation	016336	\$	9,485.00
Tab Electronics	016337	\$	162.65
Thomas Y Pickett	016338	\$	16,000.00
Tom's Heating Service	016339	\$	867.00
Uniform Center	016340	\$	23.51
Verizon Network Fleet, Inc.	016341	\$	75.80
Verizon Wireless	016342	\$	1,737.53
Vogel Law Firm	016343	\$	292.95
Wal-Mart	016344	\$	76.91
West Dakota Oil, Inc.	016345	\$	1,266.65
Westlie Crossroad Truck Center	016346	\$	7,282.25
Wyckoff, Dean	016347	\$	98.00
Zoll Medical Corporation	016348	\$	1,217.70
Job Service North Dakota	016349	\$	3,042.74
N.D. P.E.R.S.	016351	\$	38,358.49
Century Link	016359	\$	562.83
DirecTV	016360	\$	116.52
Discovery Benefits, Inc.	016361	\$	94.50
Information Technology Dept.	016362	\$	797.90
Mail Finance	016363	\$	375.00
Medora, City of...	016364	\$	296.91
Reservation Telephone Cooperative	016365	\$	40.24
Roughrider Electric Cooperative	016366	\$	4,206.11
Verizon Wireless	016367	\$	30.06
Visa	016368	\$	5,174.22
Visa	016369	\$	<u>1,452.93</u>

The board approved the revenue vouchers for the month of March: Recorder \$2,920.60; Zoning \$125.00; Court \$102.00; Sheriff \$138.00.

Revenues for materials and/or services rendered in March: Mark Kordon \$15.00 fuel; WEED REVENUE: Roy Krivoruchka \$96.39 bait; Kevin Fugere \$48.20 bait; Pat Frank \$120.49 bait; Don Schmeling \$144.59 bait.

Revenues for the month of March: Sheriff \$11,384.17 permits, Highway Tax Distribution \$12,758.52; Oil & Gas Production Tax \$437,066.14; Interest \$7,759.10; Royalties \$25,195.91; Unorganized Oil & Gas Production Tax \$69,192.19; NDDOH Grant \$30,744.00; Telecommunications Tax \$24,310.85; BLM Mineral Royalty \$246,148.99; Map \$37.63

Payroll in the following amounts were approved for March: General Fund \$150,983.22; Road and Bridge Fund \$121,377.47; Weed Fund \$5,614.30.

With there being no further business, the meeting ended at 12:00P.M.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer