

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – MAY 7, 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, Laura Grzanic, EMS Directors Mitch Gilseth & Kyle Michels, Justin Hyndman, Tom Koth, Dustin Miller, Marco Pelton, Steve Meyer.

Kasian moved to approve the minutes from the April 2, 2019 regular meeting. Kessel seconded. All voted aye.

H. Patrick Weir was present to discuss the State's Attorney position with the board. He is a qualified attorney living in Billings County. He discussed the potential for separation of the criminal and civil portions of the position. The board authorized Sheriff Rummel, Auditor Lamb and Pat Weir to be on a committee to interview interested applicants for the criminal portion of the position.

The board then discussed a request from States Attorney Jay Brovold to use the County Courthouse office after his retirement at the end of June. Chairman Arthaud stated that he spoke with the Attorney General's office and they advised against allowing a private business to rent space in the courthouse. Kessel moved to not allow the request from Brovold. Kasian seconded. All voted aye.

The board reviewed a Burn Ban Resolution 2019-13 which follows the daily fire index. Kessel moved to approve the resolution. Kasian seconded. All voted aye. Resolution 2019-13 reads as follows:

**WHEREAS**, the Billings County Board of County Commissioners recognizes that current conditions have created an extreme risk to the citizens and property within Billings County, ND, of unnecessary loss by fire; and

**WHEREAS**, the Board wishes to regulate activities within the County which pose a potential hazard for such loss, should the present weather conditions continue.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BILLINGS COUNTY IS DECLARED UNDER A FIRE EMERGENCY ORDER AND A BURN BAN IS IN FORCE.**

1. No travel is to be allowed off of surfaced roadways normally used for vehicular traffic except as necessary for normal farmer/rancher or industry operations.
2. Industrial operating crews and farmer/rancher operations shall have fire extinguishers and normal fire-fighting equipment at hand, and industrial personnel shall remain at the job site for one-half hour after daily operations are completed.
3. Smoking is restricted to inside of vehicles or buildings.
4. Burn ban to include any open burning which includes a ban on the ignition of fireworks, garbage or pit burning and campfires.
5. This burn ban is in effect for Billings County when the North Dakota Fire Danger Rating is in the High, Very High or Extreme and/or a Red Flag Warning has been issued for Billings County.

Pursuant to NDCC 37-17.1-10, any person who willfully violates the burning ban established by this resolution is guilty of a Class B Misdemeanor (UP TO 30 DAYS IN JAIL AND/OR A \$1500.00 FINE.), and restitution of fire suppression costs may be sought from the court.

Dated at Medora, ND, this 7<sup>th</sup> day of May 2019  
Billings County, North Dakota

By: \_\_\_\_\_  
James Arthaud, Chairman

Attest: \_\_\_\_\_  
Marcia Lamb, Auditor

The board reviewed the Van Horn Lease agreement for the Sentinel Butte Tower. Kessel moved to approve the lease. Kasian seconded. All voted aye.

Auditor Lamb presented a request to move the Golden Valley/Billings County Social Service employees to Billings County payroll and benefits. The state now is covering social service costs and the move will make it more likely to be able to hire a social worker for the area prior to the upcoming transition to a zone. This is a short term change as the decision will be made to have a hub county for the zone administration by January 2020. Kessel moved to allow the transfer of employees. Kasian seconded. All voted aye.

Sheriff Pat Rummel was present to give his monthly report. He stated that Jasmin Teigen resigned April 30 and he will be filling the position soon. He also requested to replace the alarm system at the courthouse and museum. Laura Grzanic was present to discuss the mercapton spill at the rail facility last month. It is 100% cleaned up and they cut out the faulty valve and sealed it. The mercapton was shipped to an incinerator in Kimball Nebraska.

Ambulance Directors Mitch Gilseth and Kyle Michels gave their monthly report.

The Tax & Zoning Director Stacey Swanson was present to review the following applications from the April ((, 2019 Zoning meeting:

Zachary Krivoruchka: Application for a minor subdivision for a 5 acre tract in the NW1/4SE1/4 14-141-98 (2655 121<sup>st</sup> AVE SW). Request to rezone the proposed tract from agricultural to residential for a single-family home to be constructed at a later date. Property is currently owned by Roy & Cheryl Krivoruchka. The zoning board approved the minor subdivision and rezoning to residential. The setbacks are in line. A building permit will be required and an easement will need to be recorded across Volesky's property for access to the residence. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye. Arthaud amended the approach permit and the county will build the approach to the residence. Discussion ensued regarding the commercial meat shop approach which was built prior to it being commercial. Kessel moved to approve Roy Krivoruchka to move the approach 400' to the west for access to field and commercial shop at Roy's expense. Kasian seconded. All voted aye.

Justin Hyndman was present from KLJ to give the engineers report.

Road Superintendent Jeff Iverson gave his monthly report.

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

- Roughrider Electric Co-op – Sections 11, 14-141-98 along 26<sup>th</sup> St SW
- Tesoro High Plains Pipeline Co. – Section 16-142-100 along 21<sup>st</sup> St SW for a crude pipeline

One application for abatement of property taxes was received. Director Swanson went over the reasons that their application for farm home exemption had been denied. Kasian moved to deny the request for abatement. Kessel seconded. All voted aye.

Kessel moved to officially appoint Mitch Gilseth and Kyle Michaels as Co-Directors of the Billings County Emergency Medical Service. Kasian seconded. All voted aye.

States Attorney Brovold was present to open the bids at 11:00am as advertised. Two spray unit bids were opened. Perry Redmond \$310.00 and Kasey Malkowski \$150.00. Perry will get first pick of unit and Kasey second. Kasian moved to accept the bids. Kessel seconded. All voted aye.

Two Wheel Loader bids were received: T&E \$317,297.00, RDO \$252,156.00. Kessel moved to accept RDO's low bid. Kasian seconded. All voted aye.

Two Belly Dump bids were received: Westlie \$52,743.00 (five year warranty and greaseless pins), RDO \$51,954.00 (1 year warranty and no greasless pins). Kasian moved to accept Westlie's bid due to the 5 year warranty and greaseless pins. Kessel seconded. All voted aye.

Two bids were received for the Semi-Tractor: Nelson International \$117,800.00, Westlie \$128,255.00. The board will hold these bids for review for 30 days and discuss at the next commission meeting.

The following claims were approved for payment:

<u>PAYEE</u>	<u>CHECK #</u>	<u>AMOUNT</u>
N.D. P.E.R.S.	016370	\$ 59,858.04
Blue Cross Blue Shield of N.D.	016371	\$ 3,612.10
Acme Tools	016372	\$ 1,260.00
Advanced Business Methods, Inc.	016373	\$ 143.75
Allegiant Emergency Services, Inc.	016374	\$ 19,990.13
AmeriPride Linen Service	016375	\$ 865.67
Belfield Automotive Supply, Inc.	016376	\$ 1,403.99
Best Energy	016377	\$ 95.97
Billings County Pioneer	016378	\$ 1,168.74
Billings County Rural Fire District	016379	\$ 9,016.24

Billings County School District	016380	\$	43,555.85
Bound Tree Medical, LLC	016381	\$	820.12
Brooks & Associates, C.E.	016382	\$	1,408.00
Burly's Roughrider Bar & Steakhouse	016383	\$	440.00
Butler Machinery Co.	016384	\$	393.95
Cerkoney, Cathy	016385	\$	90.60
Charbonneau Car Center	016386	\$	475.00
Choice Financial	016387	\$	38.00
Creative Energy	016388	\$	74.48
Crowell & Moring, LLP	016389	\$	39,681.51
D & K Services, LLC	016390	\$	1,790.00
Dacotah Paper Co.	016391	\$	326.90
DF Lighting Company	016392	\$	247.81
Diamond Bar Photography	016393	\$	1,410.00
Diamond Truck Equipment	016394	\$	7,162.00
Dickinson Public Library	016395	\$	8,836.26
Display Sales	016396	\$	238.00
DWS, LLC	016397	\$	395.00
Electro Watchman, Inc.	016398	\$	8,501.26
EMS Educators	016399	\$	150.00
Environmental Systems Research Int.	016400	\$	2,200.00
Expressway Suites – Bismarck	016401	\$	1,539.30
Farmers Union Oil Co. – Beach	016402	\$	23,443.36
Forsgren Associates, Inc.	016403	\$	4,552.16
Four Corners Café	016404	\$	487.50
GCR Tires & Services	016405	\$	2,062.08
George's Tire, LTD	016406	\$	1,966.00
Golden Valley County	016407	\$	711.84
Gooseneck Implement	016408	\$	21,450.00
Gooseneck Implement	016409	\$	2,020.13
Hammerstrom, Juliana	016410	\$	65.54
Hlebechuk Construction, Inc.	016411	\$	22,230.00
Iverson, Jeff	016412	\$	549.00
J P Steel & Supply, Inc.	016413	\$	465.73
JB's Window Cleaning Service	016414	\$	375.00
Johnson Controls Fire Protection, LP	016415	\$	2,231.45
Just-In Glass	016416	\$	408.92
Kadrmass, Lee, & Jackson, Inc.	016417	\$	29,688.31
Kasian, Connie	016418	\$	84.80
Kasian, Michael E.	016419	\$	120.64
Kastrow, Jason	016420	\$	218.30
Kessel, Anita F.	016421	\$	96.40
Kessel, Joseph L.	016422	\$	212.40
Kevin's Auto & Truck Repair	016423	\$	476.85
Klym, Steve	016424	\$	67.40
Kohler Communications, Inc.	016425	\$	200.00
Krebs Machine & Repair	016426	\$	227.00
Kruger, Darlene	016427	\$	60.00
Lamb, Marcia	016428	\$	309.82
Liberty Doors, LLC	016429	\$	470.00
Lindbo Welding Service	016430	\$	100.00
Little Missouri Restaurant & Saloon	016431	\$	1,133.00
Logo Magic	016432	\$	2,089.00
Lyle Signs, Inc.	016433	\$	47.01
Mac's, Inc.	016434	\$	362.60
Medora, City of....	016435	\$	1,036.67
Menards	016436	\$	1,276.48
Metro-Billing Services	016437	\$	110.00
MGM Rural Sanitation, LLC	016438	\$	222.00
Michels, Kyle	016439	\$	105.00
Midstate Telephone Company	016440	\$	963.76
Midwest Doors, Inc.	016441	\$	122.76
Miller Machine & Welding	016442	\$	288.06
Mobile Binders	016443	\$	692.44
N.D. Association of Counties	016444	\$	35.00
N.D. Association of Counties	016445	\$	116.22
N.D. Association of Counties	016446	\$	897.10
N.D. Cowboy Hall of Fame	016447	\$	200.00
N.D. Department of Transportation	016448	\$	10.00
N.D. Peace Officers' Association	016449	\$	200.00
N.D. State Radio Communications	016450	\$	1,967.04
N.D. State Treasurer	016451	\$	1,329.98
N.D. A.C.O. Resources Group, Inc.	016452	\$	458.09
NDLTAP – UGPTI/ND SU	016453	\$	250.00
Nelson International	016454	\$	512.11
Newby's Ace Hardware	016455	\$	57.57
Northwest Tire, Inc.	016456	\$	193.16
O'Brien Oilfield Service, LLC	016457	\$	600.00
PCSinet	016458	\$	388.00
Physio-Control, Inc.	016459	\$	67.00
Proserve Electrical	016460	\$	221.00
Pump Systems, Inc.	016461	\$	42.00
Putnam, Karen	016462	\$	51.16
Quality Quick Print	016463	\$	1,224.95
Ramada Hotel – Bismarck	016464	\$	188.00
Ramkota Hotel – Bismarck	016465	\$	338.40
Rauschenberger Consulting, LLC	016466	\$	1,275.00
Ray's Auto Electric	016467	\$	58.15
RDO Equipment Co.	016468	\$	13,893.36
Rechlin, Alexander	016469	\$	110.00

Riehl, Sandra	016470	\$	60.00
Riverside Marine & Cycle	016471	\$	2,500.00
Rockmount Research & Alloys	016472	\$	618.24
Runnings Supply, Inc.	016473	\$	536.00
Sax Motor Co.	016474	\$	136.40
Southwest Business Machines	016475	\$	153.12
Southwest Multi-Co. Correction Center	016476	\$	4,240.38
Southwest Water Authority	016477	\$	598.78
Southwest Water Authority	016478	\$	1,721.47
Southwestern District Health Unit	016479	\$	6,452.67
St. Alexius Medical Center	016480	\$	477.75
Swanston Equipment Corporation	016481	\$	700.00
Tczap, John	016482	\$	319.65
Thomas Y Pickett	016483	\$	16,000.00
Thyssen Krupp Elevator	016484	\$	529.67
Tyler Technologies, Inc.	016485	\$	505.00
Underground Vaults, Inc.	016486	\$	212.00
Verizon Network Fleet, Inc.	016487	\$	75.80
Verizon Wireless	016488	\$	1,885.38
Wal-Mart	016489	\$	340.82
Wallwork Truck Center	016490	\$	21.20
West Dakota Oil, Inc.	016491	\$	4,554.60
Westlie Crossroad Truck Center	016492	\$	881.29
Zoll Medical Corporation	016493	\$	1,020.00
N.D. P.E.R.S.	016495	\$	36,600.59
Century Link	016502	\$	562.89
DirecTV	016503	\$	116.52
Discovery Benefits, Inc.	016504	\$	89.25
Information Technology Dept.	016505	\$	866.31
Medora, City of...	016506	\$	323.41
Reservation Telephone Cooperative	016507	\$	42.00
Roughrider Electric Cooperative	016508	\$	3,123.84
Verizon Wireless	016509	\$	30.06
Visa	016510	\$	1,015.81
Visa	016511	\$	<u>591.89</u>

The board approved the revenue vouchers for the month of April: Recorder \$5,100.90; Zoning \$6,469.54; Court \$85.00; Sheriff \$0.00.

Revenues for materials and/or services rendered in April: Dale Baranko \$220.50 scoria; Cody Reis \$36.75 sign; Belfield Sportsman Club \$680.40 gravel; Joey Kessel \$301.13 scoria & hauling; WEED REVENUE: Jessie Jilek \$44.38.

Revenues for the month of April: City of Medora \$1,509.34 Shared Use Path; City of Medora \$163,512.62 EMS & Assessor Services; Sheriff \$5,818.70 permits, Sheriff \$5,657.60 overload fees; Highway Tax Distribution \$14,144.20; State Oil Impact \$42,112.19; Oil & Gas Production Tax \$265,883.56; Interest \$99,497.31; Royalties \$23,571.89; Unorganized Oil & Gas Production Tax \$59,527.78; State PILT \$5,554.57; Township Distribution \$19,515.71; State Aid Distribution \$71,249.20; EMS \$1,289.95, Fireworks permits \$200.00; Cash Bar permits \$100.00; Plat Book \$62.35

Payroll in the following amounts were approved for April: General Fund \$154,019.65; Road and Bridge Fund \$120,436.85; Weed Fund \$5,614.30.

With there being no further business, the meeting ended at 1:20P.M.

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James Arthaud, Chairman

Attest: \_\_\_\_\_

Marcia Lamb, Auditor/Treasurer