

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – FEBRUARY 4, 2014**

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

Others present during portions of the meeting were: Brian Mager, Mike Dora, Mark Scheele, Brian Rau, Doug Ellison, Jeff Iverson, Laura Grzanic, Kevin Uttech, Tim Kelly, Kayla Torgerson, Craig Kubas, Jeremy Christensen, Bill Manwill, Bunky Lillibridge, Don Gordon, Pat Rummel, Jason Kastrow, Jay Brovold, and Tami Norgard (by phone).

After review, Kasian moved to approve the minutes from the January 7, 2014 regular meeting and the January 14, 2014 special meeting. Kessel seconded. All voted aye.

The board reviewed the annual Bowman Radar Contract. Kessel moved to approve. Kasian seconded. All voted aye.

Doug Ellison, Mayor of Medora was present to discuss a Medora airport feasibility study. Discussion ensued regarding the history of the Buddy Ranch Airport and various issues regarding placement and maintenance. Brian Rau from the Recreational Aviation Foundation was present to lend support to the idea of an airstrip in the Medora area. Discussion ensued regarding the fact that there is still a federal designation for an airport in the Medora area and that there would be federal funds available for construction and maintenance. Mayor Ellison asked the board whether they would support a feasibility study being done. The board stated that they would be open to a study to receive a clear analysis.

Brian Mager and Mike Dora from Ulteig engineering were present to introduce themselves to the board.

The board received and approved the following permits with road superintendent conditions:

Construction in County Right-of-Way Permits

- Whiting Oil & Gas Corporation – Section 15-140-100 along 32nd Street SW.

Jeff Iverson, Road Superintendent and KLJ representatives Tim Kelly and Justin Hyndman were present to discuss the 38th Street road project. Laura Grzanic was present to discuss various concerns she had for her property and livestock prior to construction. States Attorney Brovold was present to answer questions regarding the zoning of her property remaining agricultural.

Discussion continued on 38th Street project including the construction bid date and land sales in the area.

The board reviewed a gravel lease agreement in the N1/2NW1/4 of Section 16-141-104. Commissioner Arthaud signed the agreement.

Road superintendent Jeff Iverson presented the monthly road report.

The board reviewed the Motor grader bids from the January 3, 2014 meeting. Kasian moved to accept the bid from RDO Equipment. Kessel seconded. All voted aye.

States Attorney Brovold was present for the 11:00AM bid opening. One bid was received in the amount of \$110,000.00 from Dakota Farm Equipment. Kessel moved to accept the bid. Kasian seconded. All voted aye.

Justin Hyndman and Tim Kelly with KLJ were present for the monthly engineers report. Kayla Torgerson from KLJ was present to update the board on the Environmental Impact Study for the Little Missouri River Crossing.

Craig Kubas from KLJ joined the meeting to discuss the airport feasibility study from earlier in the meeting.

The board recessed from 12:00 to 1:00 P.M.

Jeremy Christensen and Bill Manwell from Forsgren Associates were in attendance to present a proposal for building inspections in the county. The focus would be on larger commercial or industrial projects but would be available to do smaller scale inspections as wanted and needed. They will work with Stacey Swanson, Tax & Zoning director on the potential set up.

The board reviewed zoning requests that had been addressed by the zoning board at their January 16, 2014 meeting as follows:

Municipal Shale, LLC/AT&T: Conditional use permit to construct a cell tower in the NW1/4 26-138-100 (4610 134th Ave SW). Property is zoned agricultural and owned by Robert & Debra Hewson. The zoning board approved this conditional use permit. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Velocitel/AT&T Mobility: Conditional use permit to construct a cell tower equipment shelter on a .863 acre tract in the N1/2N1/2 5-139-100 (13664 36th St SW). Property is zoned agricultural and owned by Antelope Fryburg, LLC. The zoning board approved this conditional use permit. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Nabors: Request renewal of their conditional use permit in Fairfield. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Bunky Lillibridge and Don Gordon were present to discuss the rezoning of Fryburg areas. Tax & Zoning Director Stacey Swanson informed the board of the reasons for the zoning changes and that it will not affect the taxes on those properties. After review of the zoning changes, Kessel moved to uphold the changes. Kasian seconded. All voted aye.

Stacy discussed Laura Grzanic's request from the zoning board. The zoning approved a variance for her property to remain agricultural. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Pat Rummel addressed the board regarding Spirit Life/Air Medical Care membership and a proposal from them to cover all households in the county for \$4,752.00 annually. This would ensure that there would be no bills to any Billings County resident for an emergency air medical flight out of Billings County. Kessel moved to approve the coverage of the residents as long as there is no liability to the county and that it is proper to use county funds for this purpose. Kasian seconded. All voted aye.

Discussion ensued regarding workers compensation and injury reporting. The board stressed the importance of employees reporting accidents and injuries and supervisors stressing to the county employees that their employment could be terminated if they do not comply with correct reporting procedures.

Kessel moved to designate Marcia Lamb and Pat Rummel as Co-Coordiators of Billings County Human Resources. Kasian seconded. All voted aye.

At 3:15PM, Commissioner Arthaud asked for a motion to enter executive session to discuss legal issues regarding a road project as allowed under N.D.C.C. §44-04-19.1. Kessel moved and Kasian seconded to enter executive session and have the proceedings tape recorded. The persons who remained in the meeting were Jeff Iverson, Road Superintendent, Stacey Swanson, Tax & Zoning Director, Jay Brovold, States Attorney, Attorney Tami Norgard (by phone), and Marcia Lamb, Auditor. Executive session adjourned at 3:55PM. No decisions were made in the executive session. The public was invited back into the meeting room for open session.

The board approved the revenue vouchers for the month of January: Recorder \$8,031.05; Zoning \$500.00; Court \$199.00; Sheriff \$139.50 .

Revenues for materials and/or services rendered in January: NDDOT \$8,039.81; Curt Buckman \$21.43 water; Community Ambulance Beach \$16,318.23 paramedic services; Ram Excavating \$97.62 water; Kasey Malkowski \$272.85 scoria, gravel & hauling;

Revenues for the month of January: Ambulance Services \$1,293.58; Highway Tax Distribution \$27,690.89; Oil & Gas Production Tax \$250,822.07; Unorganized Township Distribution \$25,245.98; Interest \$3,540.93; Sheriff \$33,230.00 permits/fees; Royalties \$66,481.36; State Aid \$87,757.27.

The following claims were approved for payment:

Advanced Business Methods	Copier Contracts	006973	\$	1,772.53	
Alternative Sanitation	Waste Removal	006974	\$	220.00	1, 2, 3, W
AmeriPride Linen Service	Mat Rental	006975	\$	269.85	2, 3
Andvik, Cory	Ambulance – Training	006976	\$	70.00	
Anita F. Kessel	Zoning Meeting – Mileage	006977	\$	90.20	
Appraisal Institute	Tax Director – Appraisal Literature	006978	\$	233.00	
A T & T Mobility	Cellular Service	006979	\$	71.63	1
Balco Uniform Co., Inc.	Sheriff – Uniforms	006980	\$	169.93	
Belfield Automotive Supply, Inc.	Parts & Supplies	006981	\$	4,458.43	1, 2, 3
Best Energy	Propane	006982	\$	14,161.00	1, 2, 3, G
Billings County Rural Fire District	Taxes	006983	\$	17,614.58	
Billings County Auditor	Courthouse – Maintenance Supplies	006984	\$	88.90	
Billings County Clerk of Court	Harland Checks	006985	\$	143.05	
Billings County Historical Society	Taxes	006986	\$	1,048.10	
Billings County Pioneer	Publishing	006987	\$	802.30	3, G
Billings County School District	Taxes	006988	\$	151,106.47	
Billings County Sheriff	Sheriff – Training Expenses	006989	\$	278.30	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	006990	\$	2,562.80	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	006991	\$	114.11	2
Bound Tree Medical	Medical Supplies	006992	\$	808.20	
Brenda Frieze	D.E.M. – Acer Laptop Computer	006993	\$	1,108.05	
Butler Machinery Co.	Parts & Repairs	006994	\$	1,516.21	1, 2

Brooks & Associates, C. E.	Land Use Plan	006995	\$	2,000.26	
Brooks & Associates, C. E.	Land Use Plan	006996	\$	3,257.74	
Care, Inc.	Ambulance – Oil-x & Service	006997	\$	49.93	
Cerkoney, Cathy	Zoning Meeting – Mileage	006998	\$	84.55	
CDW Government	Sheriff – Radio Equipment	006999	\$	913.14	
Certified Power, Inc.	Parts & Repairs	007000	\$	2,690.11	2
Challenger Industries, Inc.	Parts & Supplies	007001	\$	56.94	3
Christine Johnson	Risk Mgmt. – Wellness Program	007002	\$	250.00	
City of Medora	Taxes	007003	\$	7,745.13	
Clara J. Kessel	Risk Mgmt. – Wellness Program	007004	\$	250.00	
Connie J. Kasian	Zoning Meeting – Mileage	007005	\$	78.90	
Creative Energy	Diesel Fuel & Supplies	007006	\$	34,916.02	1, 2, 3, G
Dacotah Lock & Key	Auditor – Security Door Repair	007007	\$	75.00	
Dakota Farm Equipment, Inc.	Parts & Supplies	007008	\$	926.40	1, 3, G
Dakota Filter Supply	Parts & Supplies	007009	\$	81.56	3
Dan Porter Motors	Toyota Tundra – Running Boards	007010	\$	750.00	
Dan’s Interstate Conoco	Sheriff – Gas	007011	\$	205.92	
David A. Jurgens	Sheriff – Travel Expense	007012	\$	186.75	
David T. & Donna J. Adams	2014 Scoria Lease Agreement	007013	\$	500.00	3
Dennis E. Wolf, M.D.	Sheriff - Autopsies	007014	\$	1,300.00	
Diamond Truck Equipment	Cutting Edges & Repairs	007015	\$	2,482.85	1, 3
Dickinson Parks & Recreation	Risk Mgmt. – Wellness Program	007016	\$	200.00	
Dickinson Public Library	Library Service	007017	\$	2,986.97	
DJ’s Tesoro	Ambulance & Sheriff – Gas	007018	\$	94.65	
Doug & Judy Johnson	2014 Gravel Lease Agreement	007019	\$	500.00	3
Electric Sales & Service	Shop Supplies	007020	\$	44.95	2
Electronic Communications	Sheriff – Radio Expenses	007021	\$	733.46	
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	007022	\$	712.95	
Emil’s Repair	Parts & Repairs	007023	\$	160.12	3
Fastenal Company	Shop Supplies	007024	\$	454.33	2
Fisher Industries	Washed Sand	007025	\$	2,695.50	3
Gall’s, Inc.	Sheriff – Supplies	007026	\$	190.64	
General Steel & Supply Co.	Shop Supplies	007027	\$	404.30	2, 3
George’s Tire, LTD	Tires & Repair	007028	\$	1,030.00	1, 3
Golden Valley County	Social Services & Bldg. Remodel	007029	\$	20,929.87	
Hedahl’s Parts Plus	Shop Supplies	007030	\$	154.70	1, 2
Hlebechuk Construction, Inc.	Snow Removal & Dozer Work	007031	\$	2,720.00	2, 3
J and J Operating, LLC	Parts & Repairs	007032	\$	236.70	1, 3
J P Steel & Supply, Inc.	Iron Supplies	007033	\$	730.01	1, 2
Jamestown Communications	Ambulance – Radio Expenses	007034	\$	270.00	
Jason Kastrow	Risk Mgmt. – Wellness Program	007035	\$	250.00	
Jeff’s Towing	Sheriff – Oil-x & Service	007036	\$	87.93	
Jennifer Runyan	Tax Refund	007037	\$	459.14	
John Tczap	Zoning Meeting – Mileage	007038	\$	45.00	
Joseph L. Kessel	Zoning & Commissioner – Mileage	007039	\$	209.42	1, G
Just-In Glass	Parts & Supplies	007040	\$	352.21	1
Kadrmars, Lee, & Jackson, Inc.	Engineering	007041	\$	100,965.07	1, 2, 3
Karen Putnam	Zoning Meeting – Mileage	007042	\$	46.13	
Kevin & Kelli Kessel	Tax Refund	007043	\$	825.75	
Kirkwood Scheels	Sheriff – Uniforms	007044	\$	139.99	
Kohler Communications, Inc.	Gorham Tower Rent	007045	\$	200.00	
Larry D. Johnson	Risk Mgmt. – Wellness Program	007046	\$	250.00	
Les Simmioniw	Weed – Cellular Service	007047	\$	581.30	
Mac’s, Inc.	Shop Supplies	007048	\$	18.08	2
Mainstay Suites	Sheriff – Travel Expenses	007049	\$	166.00	
Medora Convenience	Ambulance – Training Expenses	007050	\$	51.21	
Michael E. Kasian	Commissioner – Mileage	007051	\$	125.43	2
Midstate Telephone Company	Courthouse – Telephone Service	007052	\$	915.09	
Midwest Doors, Inc.	Shop Supplies	007053	\$	26.95	2
Missouri Valley Petroleum, Inc.	Medora Keytrol – Gas Fill	007054	\$	5,480.06	
Mitchel A. Gilseth	Risk Mgmt. – Wellness Program	007055	\$	250.00	
Motorola Solutions	Ambulance – Radio Expenses	007056	\$	476.00	
National Sheriff’s Association	Sheriff – Membership Dues	007057	\$	54.00	
N.D. Association of Counties	Sheriff – Special Operations Fund	007058	\$	200.00	
N.D. Association of Counties	Taxes	007059	\$	83.22	
N.D. Association of Counties	Public Administrator Support Services	007060	\$	1,286.26	
N.D. Association of Counties	Clerk of Court – Marriage License	007061	\$	15.00	
N.D. Attorney General’s Office	Sheriff – Scram Program Fees	007062	\$	245.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	007063	\$	200.00	
N.D. Department of Transportation	Courthouse – Title 2014 Toyota	007064	\$	6.50	
N.D. Planning Association	Zoning – Membership Dues	007065	\$	50.00	
N.D.P.E.R.S.	Health Insurance Premium	007066	\$	43,452.22	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	007067	\$	2,668.29	
NDACO Resources Group, Inc.	Courthouse – Tech. Mgmt. Contract	007068	\$	1,392.63	
NDACO Resources Group, Inc.	Sheriff – Pocketjet Printer	007069	\$	1,175.70	
NDACO Resources Group, Inc.	Shipping	007070	\$	83.99	
NDACO Resources Group, Inc.	Courthouse – New Server Set-up	007071	\$	6,500.00	
Nelson International	Parts & Repairs	007072	\$	1,430.06	1, 2, 3
Newby’s Ace Hardware	Shop Supplies	007073	\$	784.65	1, 2, 3, G
O’Brien Oilfield Service, LLC	Parts & Supplies	007074	\$	45.00	2
Obrigewitch, Patrick	Sheriff – Scram Program Refund	007075	\$	20.00	
Off Road Software, Inc.	Tax Director – Software Support	007076	\$	695.00	
O K Tire Stores	Tires	007077	\$	1,161.00	3
Pakor, Inc.	Clerk of Court – Passport Film	007078	\$	99.58	
Parent Family Resource Center	Budget	007079	\$	90.00	
Parkway Ford	Parts & Supplies	007080	\$	133.00	1
Patrick Rummel	Sheriff – Travel Expenses	007081	\$	198.05	
Paul Krush	Zoning Meeting – Mileage	007082	\$	92.46	
Pitney Bowes Global	Postage Meter Contract	007083	\$	349.08	
Pizza Ranch	Ambulance – Training Expenses	007084	\$	73.94	

Praxair	Shop Supplies	007085	\$	14.04	3
Probuild	Shop Supplies	007086	\$	39.58	2
Pump Systems, Inc.	Courthouse – Pressure Washer	007087	\$	3,304.46	1, 2, G
RDO Equipment Co.	Parts & Repairs	007088	\$	4,010.26	2, 3
Respond Systems	Shop Supplies	007089	\$	598.14	1, 2
Roosevelt-Custer Regional Council	Mitigation Plan	007090	\$	8,958.25	
Roughrider RV's	Shop Supplies	007091	\$	330.34	2
Rummel Auto Wrecking	Ambulance – Oxygen Refills	007092	\$	207.20	
Runnings Farm & Fleet, Inc.	Parts & Supplies	007093	\$	972.75	1, 2, G
Sax Motor Co.	Ambulance – Oil-x & Service	007094	\$	68.18	
Share Corporation	Courthouse – Maintenance Supplies	007095	\$	171.64	
Southwest Business Machines	Office Supplies	007096	\$	738.46	1, W, G
Southwest Narcotics Task Force	Sheriff – Contribution	007097	\$	5,000.00	
Southwest Water Authority	Water Usage	007098	\$	285.71	1, 3, W
Southwest Water Authority	Taxes	007099	\$	3,845.03	
Southwestern District Health Unit	Taxes	007100	\$	12,535.72	
Stein's, Inc.	Courthouse – Maintenance Supplies	007101	\$	209.14	
Stevenson Funeral Homes, LLC	Sheriff – Transfer of Remains	007102	\$	100.00	
Southwest Multi-Co. Correction Ctr.	Sheriff – Prisoner Care	007103	\$	1,940.00	
Tab Electronics	Ambulance – Light & Siren Program	007104	\$	7,449.15	
Team Laboratory Chemical Corp.	Shop Supplies	007105	\$	563.00	2, 3
The Donut Hole	Ambulance – Training Expenses	007106	\$	12.00	
The UPS Store	Ambulance – Postage	007107	\$	79.08	
Tom's Service Center	Battery & Tire Repair	007108	\$	107.95	2, 3
Tractor & Equipment Co.	Parts & Repairs	007109	\$	3,474.43	1
Underground Vaults, Inc.	Recorder – Microfilm Storage	007110	\$	3.00	
Uniform Center	Sheriff – Uniforms	007111	\$	65.94	
Vanguard Appraisals, Inc.	Tax Director – Software License	007112	\$	8,375.00	
Verizon Wireless	Cellular Service	007113	\$	1,415.59	2, 3, G
Wal-Mart	Courthouse – Maintenance Supplies	007114	\$	65.05	
Watchguard Video	Sheriff – Computer Supplies	007115	\$	114.00	
West Dakota Oil, Inc.	Shop Supplies	007116	\$	1,059.90	1
West Plains, Inc.	Parts & Supplies	007117	\$	1,179.34	1
Westlie Truck Center	Parts & Repairs	007118	\$	10,452.20	2, 3
Zuercher Technologies, LLC	Bulberry Software Maintenance	007119	\$	3,262.50	
N.D.P.E.R.S	Retirement	007126	\$	28,368.23	1, 2, 3, W, G
Century Link	Telephone Service	007127	\$	526.15	1, 2, 3, W, G
Consolidated	Internet Service	007128	\$	232.19	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	007129	\$	84.00	
Information Technology Dept.	S. O. – T-1 Line	007130	\$	479.60	
Medora, City of....	Courthouse – Utilities	007131	\$	195.89	
Missouri Valley Petroleum, Inc.	Drum Oil	007132	\$	1,023.13	2
Reservation Telephone Cooperative	Telephone Service	007133	\$	42.16	2, 3, G
Roughrider Electric Cooperative	Electricity	007134	\$	3,822.54	1, 2, 3, W, G
Visa	Ambulance – Supplies, etc.	007135	\$	895.55	
Visa	Ambulance – Gas	007136	\$	377.48	

Payroll in the following amounts were approved for January: General Fund \$120,999.17; Road and Bridge Fund \$88,010.98; Weed Fund \$4,986.45.

With there being no further business, Kasian moved to adjourn the meeting 4:30 P.M. Kessel seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer