

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – OCTOBER 7, 2014**

The meeting was called to order at 9:20 A.M. with Commissioners Arthaud and Kessel in attendance.

Others present during portions of the meeting were: Kevin Uttech, Maurice Hardy, Nate Bouray, Rick Duval, Road Superintendent Jeff Iverson, Chief Deputy Pat Rummel, Kayla Torgerson, and Justin Hyndman.

After review, Kessel moved to approve the minutes from the September 2, 2014 regular meeting. Arthaud seconded. All voted aye.

Kevin Uttech was present to discuss the 38th street project. Discussion ensued regarding the removal of trees and dust control.

Maurice Hardy presented an agreement for SNAP that Golden Valley/Billings County Social Services will abide by the program rules. Chairman Arthaud signed the agreement.

Commissioner Kasian joined the meeting at 10:00A.M.

Chief Deputy Sheriff Pat Rummel presented a Department of Transportation occupant protection grant. Chairman Arthaud signed the grant application.

Auditor Lamb presented a contract for the 2014 audit to be done by Jim Wosepka's office. Chairman Arthaud signed.

Christmas vacation hours were discussed and Kessel moved to allow 20 hours for the holiday. The road crew will work Monday and Tuesday, with the rest of the week off and the courthouse employees will work Monday, Tuesday, Wednesday until 12:00PM with the rest of the week off. Kasian seconded. All voted aye.

Discussion ensued regarding a letter received by the board requesting a reduction in speed on Highway 85 and a "no engine brakes" sign prior to entering Fairfield. Auditor Lamb and Road Superintendent Iverson will get in touch with the Department of Transportation regarding this issue.

Attorney Nate Bouray was present to represent Energy Resource Group. The survey plat from 2011 showed that Oviatt Street in Fryburg was vacated, but there is nothing in the minutes from the commission ever vacating this street. They had spoken with the surveyor and he could not find anything from that time either. States Attorney Brovold was in attendance and stated that the Petition to Vacate, submitted by Attorney Bouray, had some legal description issues. He also stated that in order to vacate this street a petition would need to be signed by six qualified electors who own interest in Fryburg property. The petition would then need to be presented to the board.

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

Construction in County Right-of-Way Permits

- Edward H. Schwartz Construction – Section 26-143-98 along 16th St SW
- Rick Duval dba WestDak Homes – Section 22-141-99 along Green River Rd. (2715)
- Rick Duval dba WestDak Homes – Section 22-141-99 along Green River Rd. (2719)
- Rick Duval dba WestDak Homes – Section 22-141-99 along Green River Rd. (2737)

The board reviewed zoning requests that had been addressed by the zoning board at their September 18, 2014 regular meeting as follows:

Rick Duval, dba Westdak Homes, LLC: Application to construct a home and garage on the W1/2 of Lot 5 and all of Lot 6, Block 2, Frank's Creek Subdivision 22-141-99 (2741 Green River Dr). Property is zoned residential and owned by ADB Development, LLC. The zoning board approved a variance for the larger lot and the building application. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

Buell Consulting, Inc/Verizon Wireless: Conditional use permit to construct a cell tower in the E1/2 28-142-98 (2293 123rd Ave SW). Property is zoned agricultural and owned by Jeff & Jody Baranko. The zoning board approved the conditional use permit. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Paul Cossette: Application to construct a residence on Tract 5, Merrifield Creek Ranch Estates, section 27-139-102. Property is zoned agricultural. The zoning board approved the application. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Giles Radtke for Great Northern Gathering & Marketing, LLC: Application to construct a 40' x 80' maintenance shop for the Fryburg Rail Terminal at 3726 135th Ave SW (3.5009 acre tract in the S1/2N1/2 10-

139-100). Property is zoned industrial and owned by ND Land Holdings, LLC. The zoning board approved the application. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Road Superintendent Jeff Iverson was present to update the board on various projects in the county. A change order for Gas Plant road was signed by Chairman Arthaud.

Chairman Arthaud opened the 2015 final budget Public Hearing at 11:10AM. Present were EMS Director Keri Rummel, Chief Deputy Pat Rummel, Sheriff Dave Jurgens, Tim Wilhelmi, Kayla Torgerson, Justin Hyndman, and Recorder/Clerk of Court Donna Adams. No individuals had any comments for or against the 2015 budget. Kessel moved to approve the final budget for 2015. Kasian seconded. All voted aye.

Justin Hyndman and Kayla Torgerson from KLJ were present for the monthly engineers report. Discussion ensued regarding federal projects and oil impact projects.

Chief Deputy Sheriff Rummel discussed the FEMA trailers that Billings County has been storing in Medora. They were received in 1997 due to a flood. They cannot be sold, however Billings County can dispose of them or allow another public agency to have them. The Rural Fire Department stated they would be interested in them. Kessel moved to allow them to be transferred to the Rural Fire District. Kasian seconded. All voted aye.

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	008227	\$ 2,708.50	1, 2, 3, W, G
N.D. P.E.R.S.	Health & Life Insurance Premiums	008228	\$ 41,221.04	1, 2, 3, W, G
3D Specialties	Signage Program – Telespar	008229	\$ 3,055.50	1
Acquisign	Signage Program – Software	008230	\$ 2,000.00	1, 2, 3
Adams, Donna	Ag Commission Meeting – Travel	008231	\$ 119.76	
Alternative Sanitation	Waste Removal	008232	\$ 220.00	1, 2, 3, W
American Engineering Testing, Inc.	Richard Pit – Gravel Testing	008233	\$ 2,125.20	1, 2
AmeriPride Linen Service	Mat Rental	008234	\$ 257.30	2, 3
Andreas, George & Rose Marie	2014/2015 Scoria Lease Agreement	008235	\$ 250.00	3
A T & T Mobility	Cellular Service	008236	\$ 71.82	1
Belfield Automotive Supply, Inc.	Parts & Supplies	008237	\$ 1,530.39	1, 2, 3, W, G
Billings County Auditor	D.E.M. – Conference Fees	008238	\$ 60.00	
Billings County Pioneer	Publishing	008239	\$ 566.64	
Billings County Pioneer	Subscription	008240	\$ 34.00	
Boltz Construction	Blade Roads	008241	\$ 1,360.00	2
Boots Bar & Grill	D.E.M. – Fire Food	008242	\$ 400.00	
Boundtree Medical, LLC	Ambulance – Medical Supplies	008243	\$ 123.75	
Brooks & Associates, C. E.	Land Use Plan – Roadless	008244	\$ 1,770.98	
Butler Machinery Co.	Parts & Supplies	008245	\$ 416.82	2, 3
Canad Inn – Grand Forks	Sheriff – NDPOA Conference	008246	\$ 896.40	
Cellular Communications	Radio Expense	008247	\$ 34.99	3
Cerkoney, Cathy	Zoning Meeting – Mileage	008248	\$ 84.20	
Challenger Industries, Inc.	Parts & Supplies	008249	\$ 244.83	3
Comfort Suites – Bismarck	Tax Director – Travel Expenses	008250	\$ 296.00	
Creative Energy	Weed – Gas & Diesel Fuel	008251	\$ 2,063.90	
D & D Sprinkler Systems	Courthouse – Winterize Sprinklers	008252	\$ 225.00	
Dakota Dirt Works	Scraper Rental	008253	\$ 5,500.00	3
Dakota Farm Equipment, Inc.	Parts & Supplies	008254	\$ 2,297.83	1, 2, 3
Dakota Filter Supply	Parts & Supplies	008255	\$ 153.92	1
Dakota Insurance	Property Insurance	008256	\$ 5,817.00	2, 3, G
Dan’s Interstate Conoco	Sheriff – Gas	008257	\$ 86.75	
Darby’s Welding & Machine, Inc.	Machine Work	008258	\$ 1,602.04	2
Dickinson Public Library	Library Services	008259	\$ 5,148.79	
DJ’s Tesoro	Ambulance – Gas	008260	\$ 117.77	
Donut Hole	Ambulance – Training Expense	008261	\$ 132.00	
Dosch, Kathy	Risk Management – Travel Expense	008262	\$ 16.80	
DS Solutions	Election – Test Ballots	008263	\$ 150.00	
DTE, Inc.	Turbo Hoist	008264	\$ 3,444.25	2
Election Systems & Software	General Election – Ballots	008265	\$ 471.71	
Electronic Communications	Sheriff – Radio Repair	008266	\$ 186.00	
Fastenal Company	Shop Supplies	008267	\$ 14.41	3
General Equipment & Supplies	Terex – Parts & Repairs	008268	\$ 581.01	1, 2, 3
George’s Tire, LTD	Tires & Repair	008269	\$ 4,489.00	1, 3
Gilseth, Mitchel	Ambulance – Travel Expenses	008270	\$ 210.00	
Golden Valley County	Social Services	008271	\$ 8,806.07	
Grand International Inn – Minot	Zoning Meeting – Travel Expense	008272	\$ 71.00	
Hartman, Connie M.	Deputy Auditor – Travel Expense	008273	\$ 178.78	
Helena Chemical Company	Weed – Chemicals	008274	\$ 1,430.84	
Hennepin Technical College	Ambulance – Community Grant	008275	\$ 10,284.60	
Hlebechuk Construction	Gas Plant Road	008276	\$ 77,962.85	1
Hlebechuk Construction	131 st Avenue SW	008277	\$ 128,215.03	2
Hlebechuk Construction	Blade Roads, etc.	008278	\$ 57,157.00	1, 2, 3
J and J Operating, LLC	Parts & Supplies	008279	\$ 371.50	1, 3
Jamestown Communications	Mobile Radio’s	008280	\$ 1,956.00	3
Jeff’s Towing	Sheriff – Oil-x & Service	008281	\$ 116.48	
Johnson, Christine	Risk Management – Travel Expense	008282	\$ 33.60	
Just-In Glass	Ambulance – Windshield Repair	008283	\$ 40.00	
Kadrmars, Lee, & Jackson, Inc.	Engineering	008284	\$ 63,847.05	1, 2, 3
Kasian, Connie	Zoning Meeting - Mileage	008285	\$ 78.60	
Kasian, Michael E.	Commissioner – Mileage	008286	\$ 252.52	2
Kessel, Anita F.	Zoning Meeting – Mileage	008287	\$ 89.80	
Kessel, Clara	Ambulance – Travel Expense	008288	\$ 175.00	
Kessel, Joseph L.	Zoning & Commissioner - Mileage	008289	\$ 247.62	1, G

Kohler Communications	Prairie School – Cellular Booster	008290	\$	1,349.56	
Kohler Communications	Gorham Tower – Rent	008291	\$	200.00	
Krush, Paul	Zoning Meeting – Mileage	008292	\$	92.04	
Lyle Signs, Inc.	Road Signs	008293	\$	1,355.67	2
Mac’s, Inc.	Bucket with Grapple Fork	008294	\$	2,787.98	3
Mainstay Suites – Bismarck	D. E. M. – Travel Expense	008295	\$	166.00	
Martin Construction	38 th Street SW – Construction	008296	\$	724,585.35	3
Medora Convenience Store	D. E. M. – Fire Food	008297	\$	30.20	
Menards – Dickinson	Courthouse – Maintenance Supplies	008298	\$	381.02	
Mercedes Benz Financial Services	Lease – Tractor Truck & Belly Dump	008299	\$	34,282.70	2
Mercedes Benz Financial Services	Lease – Tractor Truck	008300	\$	25,642.47	3
Mercedes Benz Financial Services	Lease – Tractor Truck	008301	\$	23,697.92	3
Mercedes Benz Financial Services	Lease – Tractor Truck & Belly Dump	008302	\$	34,282.70	2
Mercedes Benz Financial Services	Lease – Tractor Truck & Belly Dump	008303	\$	34,282.70	2
Mid-American Research Chemical	Courthouse – Maintenance Supplies	008304	\$	580.00	
Midstate Telephone Company	Courthouse – Telephone Service	008305	\$	941.04	
Municipal Emergency Services	Ambulance – Uniforms	008306	\$	26,330.75	
N.D.A.A.O.	Tax Director – Registration Fee	008307	\$	140.00	
National Association of Counties	Membership Dues	008308	\$	450.00	
N.D. Association of Counties	D & A Testing – Mileage	008309	\$	96.04	1, 2, 3, G
N.D. Association of Counties	Taxes	008310	\$	111.29	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	008311	\$	200.00	
N.D. Office of the State Auditor	2013 Fiscal Year Audit	008312	\$	165.00	
N.D. P.E.R.S.	Golden Valley – Health Insurance	008313	\$	3,957.02	
N.D. State Radio Communications	911 Service & S. O. – T-1 Line	008314	\$	1,575.30	
N.D. State Treasurer	Clerk of Court Fees	008315	\$	73.32	
NDACO Resources Group, Inc.	Tax Director – Tech Mgmt. Contract	008316	\$	1,770.56	
Nelson International	Parts & Supplies	008317	\$	99.94	1
Newby’s Ace Hardware	Courthouse – Maintenance Supplies	008318	\$	131.86	
Northern Improvement Co.	Gas Plant Road – Cold Mix	008319	\$	21,349.38	1
Northern Plains Erosion Control	Straw Waddles & Stakes	008320	\$	177.50	3
Off Road Software, Inc.	Tax Director – Software Support	008321	\$	695.00	
OK Tire Stores	Tires & Repair	008322	\$	1,575.50	2, 3
Parkway Ford	Parts & Supplies	008323	\$	611.07	1
Penguin Management, Inc.	911 Wireless – Voice Notification	008324	\$	2,268.00	
Professional Printing	Sheriff – Printing Services	008325	\$	152.00	
Putnam, Karen	Zoning Meeting – Mileage	008326	\$	46.12	
RDO Trust 80-5800	Parts & Supplies	008327	\$	130.10	2
Respond Systems	Courthouse – Replenish 1 st Aid Kit	008328	\$	65.88	
Roughrider Electric Cooperative, Inc.	Electricity	008329	\$	2,881.36	1, 2, 3, W, G
Rummel, Keri	Ambulance – Travel Expense	008330	\$	175.00	
Rummel, Patrick	D. E. M. – Travel Expense	008331	\$	35.00	
Runnings Farm & Fleet, Inc.	Parts & Supplies	008332	\$	180.52	1, 2, W
S & H Grading, Inc.	Blade Roads & Haul Gravel	008333	\$	4,152.50	2
S.D.S.U. – S.D.L.T.A.P.	Road Conference Fees	008334	\$	170.00	3
Share Corporation	Courthouse – Maintenance Supplies	008335	\$	513.84	
Snyder Repair & Service	Weed – Tires & Repair	008336	\$	2,002.02	
Southwest Business Machines	Office Supplies	008337	\$	721.45	
Southwest Multi-Co. Correction Ctr.	Sheriff – Prisoner Care	008338	\$	1,074.93	
Southwest Water Authority	Water Usage	008339	\$	1,400.01	1, 2, 3, W
St. Alexius Medical Center	Employee Assistance Program	008340	\$	250.00	
St. Joseph’s Hospital	Ambulance – Pharmacy Supplies	008341	\$	57.18	
Steffan Feeds	Western Wheat & Oats Seed	008342	\$	767.50	3
Stein’s, Inc.	Courthouse – Maintenance Supplies	008343	\$	1,375.77	
Swanson, Stacey	Tax Director – Travel Expenses	008344	\$	347.20	
Swanston Equipment Corp.	Install Flink Spreader	008345	\$	5,157.62	3
Synter Resources Group, LLC	UPS Shipping Charges	008346	\$	34.25	1
Taser International	Sheriff – Dataport Kit	008347	\$	254.41	
Tczap, John	Zoning Meeting – Mileage	008348	\$	45.00	
Thyssen Krupp Elevator	Courthouse – Upgrade Elevator	008349	\$	16,760.70	
Tom’s Service Center	Tires	008350	\$	772.00	3
Uline	Sheriff – Scale	008351	\$	137.90	
Ultramax	Sheriff – Ammunition	008352	\$	586.00	
Verizon Wireless	Cellular Service	008353	\$	2,673.48	1, 2, 3, G
Vidacare Corporation	Ambulance – Medical Supplies	008354	\$	1,961.86	
Wal-Mart	Courthouse – Maintenance Supplies	008355	\$	49.19	
West Dakota Oil, Inc.	Gas & Diesel Fuel	008356	\$	41,363.83	1, 2, 3 G
Westlie Truck Center	Parts & Repairs	008357	\$	6,178.66	3
Wosepka P.C., James J.	2013 Fiscal Year Audit – Fees	008358	\$	2,000.00	
Job Service North Dakota	Unemployment Taxes	008361	\$	2,201.12	1, 2, 3, W, G
N.D. P.E.R.S.	Retirement	008363	\$	28,934.17	1, 2, 3, W, G
Century Link	Telephone Services	008368	\$	519.34	1, 2, 3, W, G
Consolidated	Internet Service & 911 Changes	008369	\$	240.19	2, 3, W, G
Discovery Benefits, Inc.	Administrative Fees	008370	\$	83.00	
Information Technology Dept.	Sheriff – T-1 Line	008371	\$	503.32	
Medora, City of...	Courthouse – Utilities	008372	\$	231.48	
Mercedes Benz Financial Services	Lease – Western Star Truck	008373	\$	270.00	3
Reservation Telephone Cooperative	911 Trunk Charges, etc.	008374	\$	41.11	3, G
Visa	Ambulance – Training Expense, etc.	008375	\$	2,070.08	2, W, G
Visa	Ambulance & Sheriff – Gas, etc.	008376	\$	<u>885.23</u>	

The board approved the revenue vouchers for the month of September: Recorder \$11,750.60; Zoning \$1,075.00; Court \$142.50; Sheriff \$33.00.

Revenues for materials and/or services rendered in September: Loft Welding LLC \$264.60 bridge plank; Terry Gregory \$189.20 pit run scoria & hauling; Dudley Stuber \$144.50 blading.

Revenues for the month of September: Highway Tax Distribution \$14,483.94; Oil & Gas Production Tax \$1,122,959.40; Interest \$2,358.91; Sheriff \$21,727.10 permits \$13,724.00 overload fees; Royalties \$64,967.99; BLM Mineral Royalties \$236,968.83; Weed Revenue \$6,383.94; ND Dept of Agriculture \$2,226.38; Ambulance services \$7,197.67; Maps/Copies \$16.75.

Payroll in the following amounts were approved for September: General Fund \$131,593.97; Road and Bridge Fund \$98,896.26; Weed Fund \$16,831.35.

With there being no further business, Kasian moved to adjourn the meeting at 3:15P.M. Kessel seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer