

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – DECEMBER 2, 2014**

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

Others present during portions of the meeting were: Chief Deputy Pat Rummel, Deputy John Tczap, Deputy Shawn Thomas, Road Superintendent Jeff Iverson, Recorder Donna Adams, Dean Wyckoff, Sheriff Dave Jurgens, Terrald Bang, Todd Bang, Arvid Hecker, Joe Scott, Joe Marques, Richard Brown, Deb Walworth, Justin Hyndman, Tommy Brown, Kayla Torgerson.

After review, Kasian moved to approve the minutes from the November 6, 2014 regular meeting and the November 13, 2014 special meeting. Kessel seconded. All voted aye.

Auditor Lamb requested permission to make the following budgeted transfers. There is enough in each fund for the transfers:

- Unorganized Township Road Fund to Road & Bridge \$450,000.00
- PILT to Road & Bridge - \$75,000.00
- 911 Wireless to Emergency 911 - \$10,000.00
- Operating & Maintenance Reserve to Weed - \$69,000.00
- Operating & Maintenance Reserve to Extension Service - \$3,000.00

Auditor Lamb also requested permission to make amendments to the transfer schedule to allow for transferring the balance of the Land Utilization funds all to Road & Bridge and to close out the Land Utilization fund in 2014. Funds to be received in 2015 have been budgeted as revenue to Road & Bridge in the 2015 fiscal year.

- BLM to Road & Bridge - \$1,961,963.74
- LU to Road & Bridge - \$140,902.26
- PILT to Road & Bridge - \$73,049.00

She also requested to amend the Southwest District Health Budget by \$12,000.00 to allow for the additional payments, the amount distributed will only be what is collected before the end of year, and amend the Library budget by \$1,200.00 to allow for the payments to cover the school portion. There is enough in the Library fund for the amendment.

Kessel moved to approve the transfers & amendments. Kasian seconded. All voted aye.

The board held elections for the 2015 Chairman and Vice-Chairman positions. Kasian moved to nominate Jim Arthaud as Chairman. Kessel seconded. All voted aye. Kasian moved to nominate Joseph Kessel as the Vice-Chairman. Arthaud seconded. All voted aye.

The board approved a special meeting to be held Wednesday, December 17 at 9:00a.m.

The board reviewed beer and liquor licenses for the Theodore Roosevelt Medora Foundation. Kessel moved to approve the 2015 beer & liquor licenses. Kasian seconded. All voted aye.

Dean Wyckoff from the Theodore Roosevelt National Park was present to discuss TRNP fee increase. He stated that there has not been an increase in 20 years. They are asking for public comment on the proposed increase. The per vehicle rate would be \$20 for 2015&16, \$25 in 2017 and would be good for 7 days. Camping fees will increase to \$14/night. All fees collected are to be used to enhance visitor experience, and would not be used for salaries, etc.

The board reviewed the quarterly Pledge & Investment report.

Terrald Bang was present to discuss a letter that he wrote to the commission regarding the overload fine that he received. States Attorney Jay Brovold was present and stated that since the fine was now a court issue, the board would not have the authority to overturn it.

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

Construction in County Right-of-Way Permits

- Roughrider Electric Coop. – NW1/4NW1/4 Section 19-142-102 crossing Short Road
- Roughrider Electric Coop. – Sections 21&22-141-98 along 123<sup>rd</sup> Ave SW

The board reviewed zoning requests that had been addressed by the zoning board at their November 20, 2014 regular meeting as follows:

Arvid & Mary Hecker – Application for a variance to allow an industrial use in an agricultural district. NW1/4 10-141-98. Tax & Zoning Director Swanson had sent a notice that they would need to request a variance or a request to rezone property to industrial to allow for storage of rigs at this property. Discussion ensued regarding

the number of rigs moving on and off of the property and the road condition. Arvid Hecker was in attendance to answer questions on this request. He stated that there were going to be up to five rigs stored at this property. The zoning board approved the variance for one year. Kasian moved to uphold the zoning board decision contingent upon the keeping the same amount or less rigs on site. Kessel seconded. All voted aye.

Andrew C. Hecker Family Trust – Application for a variance to allow an industrial use in an agricultural district NE1/4 14-142-98. Tax & Zoning Director Swanson had sent a notice that they would need to request a variance or rezone the property to industrial to allow for storage of rigs at this property. There is currently one rig on the site. Discussion ensued regarding the number of rigs moving on and off the property and the road condition. The zoning board approved the variance for one year. Kasian moved to uphold the zoning board decision contingent upon the keeping the same amount or less rigs on site. Kessel seconded. All voted aye.

Pete Ratka: Application for a conditional use permit to place a manufactured home at an existing farmsite in the NW1/4SW1/4 31-142-98 (2380 126th Ave SW). Property is zoned agricultural and owned by Paul Kessel. This site would use existing sewer and water hookups. This is the second manufactured home on the site and will be used for residential use. The zoning board approved the conditional use permit. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Lance Thomas: Application for a minor subdivision tract of 0.51 acres in the SW1/4SW1/4 36-141-99 (12699 30<sup>th</sup> St SW). Property is adjacent to existing 2 acre residential zoned home site to increase the size of this tract to 2.51 acres. The zoning board approved the application. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Road Superintendent Jeff Iverson discussed the open range areas that have been marked out on maps. Open range will be marked with signs stating liability limited by law. Discussion was had regarding speed limit in open range. Kessel moved to approve 35 mph speed limit in open range areas. Kasian seconded. All voted aye.

Joe Marques from Morgan Chase Management was present to discuss the possibility of acquiring the weed board property in exchange for building the county weed board a new building. Joe also requested to be on special meeting agenda. The special meeting will be held prior to the zoning board meeting, so they would not be able to discuss the request at that meeting.

Justin Hyndman was present with KLJ for the monthly engineers report.

Kayla Torgerson was present to discuss the Little Missouri River Project. New project updates will be added to the website in the next few days.

Road Superintendent Jeff Iverson was present to discuss various road projects that are being completed.

Chief Deputy Rummel discussed truck regulatory issues with the board. Billings County does not currently permit restricted roads. Some counties are and charging \$5/ton/mile charge. The board stated that they do not want to permit restricted roads.

Rummel also presented a request to place another trailer in district 3 next to the current ambulance crew quarters. This housing would be for law enforcement. An application will be made through the City of Medora zoning board. Kessel moved to approve the housing. Kasian seconded. All voted aye. Rummel also requested permission to hire for a truck regulatory position. The board stated that they would approve hiring for this position January 2, 2015.

Discussion ensued regarding Sheriff Jurgen's time in service to the county. The board agreed that Sheriff Jurgens should keep his service pistol in thanks for his time with the county.

The following claims were approved for payment:

<u>PAYEE</u>	<u>CHECK #</u>	<u>AMOUNT</u>
Blue Cross Blue Shield of N.D.	008535	\$ 2,708.50
N.D. P.E.R.S.	008536	\$ 41,221.04
Advanced Business Methods	008537	\$ 35.84
Alternative Sanitation	008538	\$ 220.00
AmeriPride Linen Service	008539	\$ 54.85
A T & T Mobility	008540	\$ 71.90
Belfield Automotive Supply, Inc.	008541	\$ 1,835.46
Belfield Sportsmen Club	008542	\$ 200.00
Best Energy	008543	\$ 8,121.00
Billings County Historical Society	008544	\$ 813.23
Billings County Pioneer	008545	\$ 1,433.13
Billings County School District	008546	\$ 22.68
Boespflug Trailers & Feed	008547	\$ 3,650.00
Brooks & Associates, C. E.	008548	\$ 5,978.78
Butler Machinery Co.	008549	\$ 6,090.53
Care, Inc.	008550	\$ 78.88

Cellular Communications	008551	\$ 49.95
Cerberus Security	008552	\$ 1,772.00
Cerkoney, Cathy	008553	\$ 84.20
Comfort Inn – Bismarck	008554	\$ 370.00
Contech Engineered Solutions	008555	\$ 33,484.69
Creative Energy	008556	\$ 356.35
Dacotah Lock & Key	008557	\$ 1,250.00
Dakota Farm Equipment, Inc.	008558	\$ 327.30
Dakota Insurance	008559	\$ 1,145.00
Dakota Rubber Stamp	008560	\$ 19.95
Dan’s Interstate Conoco	008561	\$ 119.55
DF Lighting Company	008562	\$ 268.83
Dickinson Public Library	008563	\$ 5,082.19
Fed Ex	008564	\$ 56.01
First State Bank of Golva	008565	\$ 12.00
Fisher Industries	008566	\$ 4,155.00
Gall’s, Inc.	008567	\$ 103.90
Golden Valley County	008568	\$ 12,226.31
Helena Chemical Company	008569	\$ 5,858.55
Hidden Springs Java	008570	\$ 82.00
Hlebechuk Construction	008571	\$ 26,050.97
Intergraph Corp SGI Division	008572	\$ 960.00
J P Steel & Supply, Inc.	008573	\$ 165.58
James Oil Well Service, Inc.	008574	\$ 3,575.06
Jeff’s Towing	008575	\$ 91.56
Johnson, Christine	008576	\$ 10.75
Johnson, Larry D.	008577	\$ 95.00
Kadrmass, Lee, & Jackson, Inc.	008578	\$ 87,780.59
Kasian, Connie	008579	\$ 78.60
Kasian, Michael E.	008580	\$ 110.88
Kessel, Joseph L.	008581	\$ 196.76
Kohler Communications	008582	\$ 200.00
Krush, Paul	008583	\$ 92.04
Lyle Signs, Inc.	008584	\$ 959.64
Mac’s, Inc.	008585	\$ 39.00
Martin Construction	008586	\$ 651,190.18
Menards – Dickinson	008587	\$ 359.62
Midstate Telephone Company	008588	\$ 942.42
MJ Plumbing, Inc.	008589	\$ 470.00
Mobile Binders	008590	\$ 557.85
N.D. Association of Counties	008591	\$ 146.92
N.D. Attorney General’s Office	008592	\$ 165.00
N.D. County Commissioners Assoc.	008593	\$ 1,190.00
N.D. Cowboy Hall of Fame	008594	\$ 200.00
N.D. Department of Transportation	008595	\$ 6.50
N.D. Department of Transportation	008596	\$ 10.00
N.D. P.E.R.S.	008597	\$ 3,957.02
NDACO Resources Group, Inc.	008598	\$ 1,770.56
Nelson International	008599	\$ 64.14
Newby’s Ace Hardware	008600	\$ 460.12
O’Brien Oilfield Service, LLC	008601	\$ 185.95
Off Road Software, Inc.	008602	\$ 695.00
Pemberton, Juliana	008603	\$ 291.20
Pharmchem, Inc.	008604	\$ 364.80
Pitney Bowes Global	008605	\$ 378.27
Pitney Bowes, Inc.	008606	\$ 130.88
Prairie Implement & Equipment	008607	\$ 578.33
Professional Printing	008608	\$ 286.00
Pump Systems, Inc.	008609	\$ 12.78
Putnam, Karen	008610	\$ 46.12
Rask, Scott	008611	\$ 650.22
Ray’s Auto Electric, Inc.	008612	\$ 53.95
RDO Equipment Co.	008613	\$ 880.56
Rummel Auto Wrecking	008614	\$ 15.10
Runnings Farm & Fleet, Inc.	008615	\$ 564.83
Southwest Business Machines	008616	\$ 946.15
Southwest Multi-Co. Correction Ctr.	008617	\$ 2,130.00
Southwest Water Authority	008618	\$ 598.74
Stein’s, Inc.	008619	\$ 113.25
Tczap, John	008620	\$ 45.00
Team Laboratory Chemical Corp.	008621	\$ 102.50
Thorsteinson & Sons Construction Co.	008622	\$ 5,180.00
Tom’s Heating Service	008623	\$ 560.37
Tom’s Service Center	008624	\$ 965.40
Total Safety US, Inc.	008625	\$ 60.60
Tri-State Binders	008626	\$ 122.00
Tyler Technologies, Inc.	008627	\$ 6,603.45
Uniform Center	008628	\$ 122.97
U.S.D.A. Forest Service	008629	\$ 89.65
Valley Med Flight	008630	\$ 4,700.00
Van Horn, Carmen	008631	\$ 300.00
Vanguard Appraisals, Inc.	008632	\$ 2,375.00
Verizon Wireless	008633	\$ 2,044.66
Wal-Mart	008634	\$ 415.94
Warne Chemical & Equipment Co.	008635	\$ 6,700.00
West Dakota Oil, Inc.	008636	\$ 42,331.26
N.D. P.E.R.S.	008640	\$ 28,353.37
24/7 Contracting Services, LLC	008644	\$ 261,675.36
AmeriPride Linen Service	008645	\$ 192.95
Atco International	008646	\$ 175.00

B & B Hot Oil Service, Inc.	008647	\$	950.00
Belfield Automotive Supply, Inc.	008648	\$	382.85
Billings County Auditor	008649	\$	99.26
Bound Tree Medical, LLC	008650	\$	778.03
Bowman Sales & Service, Inc.	008651	\$	32,200.00
Butler Machinery Co.	008652	\$	3,634.34
Carquest Auto Parts	008653	\$	60.46
Cedar Fencing	008654	\$	9,695.00
Century Link	008655	\$	519.97
Charbonneau Car Center	008656	\$	272.64
Comfort Inn – Bismarck	008657	\$	148.00
Consolidated	008658	\$	230.19
Creative Energy	008659	\$	215.41
Dakota Farm Equipment, Inc.	008660	\$	122.12
Dakota Filter Supply	008661	\$	123.40
Dakota Insurance	008662	\$	506.00
DF Lighting Company	008663	\$	69.21
Dickinson Public Library	008664	\$	5,128.43
Discovery Benefits, Inc.	008665	\$	83.00
Election Systems & Software	008666	\$	2,790.64
Fisher Industries	008667	\$	1,963.34
Fleck's Furniture & Appliances	008668	\$	105.00
Gall's, Inc.	008669	\$	103.90
George's Tire, LTD	008670	\$	2,112.00
Gilseth, Mitchel	008671	\$	35.00
Golden Valley County	008672	\$	1,182.78
Goldenwest Electric Cooperative, Inc.	008673	\$	409.00
Information Technology Dept.	008674	\$	526.25
Intergraphy Corp., SGI Division	008675	\$	264.00
J and J Operating, LLC	008676	\$	94.48
Jamestown Communications, Inc.	008677	\$	980.00
JB's Window Cleaning Service	008678	\$	750.00
Johnson, Doug & Judy	008679	\$	45,966.94
Johnson, Janice	008680	\$	15,322.31
Kadmas, Lee, & Jackson, Inc.	008681	\$	14,989.85
Kohler Communications, Inc.	008682	\$	668.95
Mainstay Suites – Bismarck	008683	\$	332.00
Medora, City of....	008684	\$	211.07
Menards	008685	\$	131.48
Mid-American Research Chemical	008686	\$	120.32
N.D. Department of Transportation	008687	\$	11.50
N.D. Department of Transportation	008688	\$	11.50
N.D. Newspaper Association	008689	\$	181.80
N.D. Secretary of State	008690	\$	2,245.18
N.D. Sheriff's & Deputies Association	008691	\$	120.00
N.D. Weed Control Association	008692	\$	515.00
Nelson International	008693	\$	78.92
Newby's Ace Hardware	008694	\$	212.49
OK Tire Stores	008695	\$	96.94
Parkway Ford Lincoln	008696	\$	178.22
Raddison Hotel – Bismarck	008697	\$	74.70
RDO Trust 80-5800	008698	\$	13,139.69
Reservation Telephone Cooperative	008699	\$	43.66
Roughrider Electric Cooperative, Inc.	008700	\$	3,203.29
Roughrider Speed Center, Inc.	008701	\$	239.98
Rummel, Patrick	008702	\$	105.00
Runnings Farm & Fleet	008703	\$	569.36
SM Fencing & Energy Services, Inc.	008704	\$	14,405.40
Southwest Business Machines	008705	\$	1,328.64
St. Joseph's Hospital	008706	\$	111.78
Stein's, Inc.	008707	\$	87.66
Swanson, Stacey	008708	\$	221.20
Total Safety US, Inc.	008709	\$	245.16
Tyler Technologies, Inc.	008710	\$	4,642.75
Uniform Center	008711	\$	185.95
Visa	008712	\$	5,355.52
Visa	008713	\$	384.39
Wal-Mart	008714	\$	674.49
Westlie Truck Center	008715	\$	2,852.86
Zoll Medical Corp.	008716	\$	451.40
Zuercher Technologies, LLC	008717	\$	<u>2,362.50</u>

The board approved the revenue vouchers for the month of November: Recorder \$5,653.75; Zoning \$1,000.00; Court \$45.00.

Revenues for materials and/or services rendered in November: Tom Grosulak \$235.40 gravel & hauling; Jennifer Runyan \$211.05 bridge plank; WEED SPRAYING – Albert Kessel \$260.14, Loren Kordonowy \$410.69, Kevin Volesky \$112.96, Medora Grazing Association \$2,087.40, Billings County District 1 \$4,335.75, Billings County District 2 \$3,722.68, Billings County District 3 \$3,280.00, David Armbrust \$272.58.

Revenues for the month of November: Highway Tax Distribution \$15,215.38; Unorganized Township Oil & Gas Distribution \$96,734.67; Oil & Gas Production Tax \$806,158.26; Interest \$2,203.17; Sheriff \$15,781.25 permits \$2,550.00 overload fees; Royalties \$54,990.41; City of Medora \$115,000.00; ND Dept of Agriculture \$12,665.88; Beer & Liquor License \$800.00; Maps/Copies \$30.88.

Payroll in the following amounts were approved for November: General Fund \$163,237.70; Road and Bridge Fund \$131,179.90; Weed Fund \$11,301.56.

With there being no further business, Kasian moved to adjourn the meeting at 1:30P.M. Kessel seconded. All voted aye.

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James Arthaud, Chairman

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

Marcia Lamb, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – DECEMBER 17, 2014**

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

A 2015 beer and liquor license was reviewed for Club 85 in Fairfield. Kessel moved to approve the beer and liquor license. Kasian seconded. All voted aye.

Auditor Lamb informed the board that three board appointments would expire at the end of the year. The first was for the county representative to the city of Medora zoning board. Mike Beaudoin is currently serving and stated that he would continue with another 5 year term. The next was for the Southwest District Health board. Emergency Medical Services Director Keri Rummel stated that she would serve a 3 year term. Kessel moved to appoint these individuals to their respective boards. Kasian seconded. All voted aye.

The board approved the bills to be paid with the December 23<sup>rd</sup> payroll.

With there being no further business on the Special Meeting agenda, Kessel moved to adjourn the meeting at 10:20A.M. Kasian seconded. All voted aye.

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Joseph Kessel, Vice-Chairman

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

Marcia Lamb, Auditor/Treasurer