

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – FEBRUARY 3, 2015**

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: Ashley Lindbo, Andrew Brown, Alvin Klem, Ruth Ehrmantraut, Richard Brown, Joe Marques, Derek Hendricks, Tim Hendricks, Allan Richard, Lowell & Margie Lindbo, Ben Procive, Michael Pulfer, Jim Bridger, John Tczap, Pat Hedstrup, Jeff Iverson, Bill & Lana Obrien, Bob Procive, Justin Hyndman, Andrew Krebs, Ashley Ross, Pat Rummel, Donna Adams, Juliana Pemberton, Daniel Moore, Laura Grzanic, Nick Kraus, Jeremy Wood, Keri Rummel.

Kasian moved to approve the minutes from the January 6, 2015 regular meeting. Kessel seconded. All voted aye.

The board reviewed a letter requesting support for Dunn County's application for EIO funding on Vision West North Dakota's behalf. Kasian moved to sign the letter of support. Kessel seconded. All voted aye.

A division order from Legacy Reserves was reviewed. Chairman Arthaud signed.

Sheriff Pat Rummel was present to introduce the new Sheriff Deputy, Daniel Moore. The board welcomed him to the County.

After review, Chairman Arthaud signed an amendment to the Southwest Water Authority contract.

The board reviewed the annual Bowman Radar Service Contract. Auditor Lamb stated that \$315.00 has been refunded due to the radar being moved this year. Chairman Arthaud signed the contract.

The board discussed HB 1345 and an email from Slope County Commissioner Scott Ouradnik.

Auditor Lamb presented information on an employee who should have been on retirement benefits from 2006 until present. An email was discussed from NDPERS that showed that the required back pay amount will be \$34,934.94. The board authorized Auditor Lamb to pay the amount that the county owes out of the county miscellaneous fund. A portion of this amount will be paid by the employee.

The board reviewed zoning requests that had been addressed by the zoning board at their January 15, 2015 meeting as follows:

Morgan Chase Management: Application to construct a 238 unit lodging facility consisting of 2 three-story additional structures on Block 2, Original Fryburg (3749 Main St, former Fryburg School), as well as improvements to the lagoon site & lots 1-6, Block 3, Original Fryburg. Also requested is a Variance to reduce the setback from 50' to 30.5' along the western boundary of Block 2. Property is zoned commercial and currently owned by Morgan Chase Management, LLC. Tax & Zoning Director Stacey Swanson presented the application and an overview of the proposal to the board. Chairman Arthaud asked if Forsgren & Associates would be involved for building permits if approved, and Swanson stated that they would. She also informed the board that State permits would still need to be secured for the wastewater facility and the water well. Swanson recommended that if the application were to be approved, the housing should fall under the temporary crew housing ordinance due to the proposed use of the property. Swanson also went over her concerns with the project which included inadequate public services, incompatible use to the surrounding area, safety concerns and opposition of residents of Billings County and the surrounding impact area, the longevity of the project, and the scale of the facility. A petition was reviewed by the board which was signed by 125 individuals opposing this project. Joe Marques and Richard Brown from Morgan Chase Management, LLC were in attendance and provided a petition to the board which was signed by 22 individuals supporting the project. They also discussed their financing for the project and reiterated that their safety and house rules would be included in the covenants and recorded to follow the chain of ownership if the property were ever sold. Engineer Nick Kraus presented the wastewater treatment portion of the project. Kraus went over how the pretreated water would be discharged and that it must be treated beyond the standard state requirements due to the facility being so close to residential housing. Chairman Arthaud then allowed for public questions regarding the wastewater treatment. Bob Procive and Laura Grzanic questioned Kraus on the discharge plan as well as Grzanic's concerns about possible nitrates in the water causing problems for livestock. Chairman Arthaud then allowed time for public comment for and against the project. The zoning board approved the variance conditional upon Morgan Chase Management maintaining the Southwest Water line. The zoning board also approved the application conditional upon a \$150,000 bond, and recording the safety rules and regulations guidelines and covenants. Chairman Arthaud stated his concerns with the project and moved to deny the application and variance due to the incompatible use to the surrounding area. Kasian seconded. Roll call vote was taken with Arthaud and Kasian voting aye and Kessel voting nay. Motion to deny passed.

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

Pipeline Permits

- Bridger Heart River Crude Pipeline

Jeremy Wood was present from Highland Engineering to discuss the Sully Creek bridge replacement project.

Justin Hyndman, Andrew Krebs and Ashley Ross from KLJ were present for the monthly engineer's report.

The board recessed from 1:00 to 2:00 P.M.

Emergency Medical Services Director Keri Rummel presented a request to the board to hire a temporary (3 year) full time paramedic position. Kasian moved to approve a temporary (3 year) paramedic. Kessel seconded. All voted aye.

Sheriff Rummel addressed issues with the Southwest Multi-County Correction Center board regarding transport of prisoners.

The board discussed the signs that have been changed on Highway 85 near Fairfield. ND Department of Transportation made changes that differed from what the board had requested. Jeff Baranko and Road Superintendent Iverson will look into working with DOT and the costs for hardwiring a blinking speed sign in that area.

Clerk of Court/Recorder Donna Adams was present to discuss the upcoming recorder convention that will be held in Medora in June.

The board discussed school bus routes and turnarounds.

The board approved the revenue vouchers for the month of January: Recorder \$4,214.45; Zoning \$300.00; Court \$80.00; Sheriff \$0.00, EMS \$3,655.28

Revenues for materials and/or services rendered in January: City of Medora \$552.88 sand & hauling; Fran Armstrong \$1,009.75 scoria & hauling; Victor Cymbaluk \$1,421.25 scoria & hauling; City of Belfield \$13,000.00 sand truck.

Revenues for the month of January: Sheriff \$13,583 overload fees; Sheriff \$22,376.55 permits, State Aid \$109,951.28; Highway Tax Distribution \$22,408.93; Oil & Gas Production Tax \$174,699.39; Interest \$4,515.63; Royalties \$37,002.29; Unorganized Oil & Gas Production Tax \$50,925.37; Misc Permits/Revenue \$50.25.

The following claims were approved for payment:

| <u>PAYEE</u> | <u>CHECK #</u> | <u>AMOUNT</u> |
|---------------------------------------|----------------|---------------|
| Blue Cross Blue Shield | 008853 | \$ 2,648.00 |
| N.D. P.E.R.S. | 008854 | \$ 39,847.07 |
| 24/7 Contracting Services, LLC | 008855 | \$ 87,312.82 |
| Acme Tools | 008856 | \$ 181.94 |
| Adams, David T. & Donna J. | 008857 | \$ 500.00 |
| Advanced Business Methods | 008858 | \$ 1,488.76 |
| Alternative Sanitation | 008859 | \$ 220.00 |
| American Welding & Gas | 008860 | \$ 186.18 |
| Ameripride Linen Service | 008861 | \$ 504.30 |
| A T & T Mobility | 008862 | \$ 72.37 |
| Belfield Automotive Supply, Inc. | 008863 | \$ 1,350.14 |
| Best Energy | 008864 | \$ 9,717.15 |
| Billings County Rural Fire District | 008865 | \$ 26,979.07 |
| Billings County Historical Society | 008866 | \$ 1,357.28 |
| Billings County School District | 008867 | \$ 194,940.18 |
| Bound Tree Medical | 008868 | \$ 1,824.57 |
| Brooks & Associates, C. E. | 008869 | \$ 5,627.40 |
| Brownell's Inc. | 008870 | \$ 602.83 |
| Buffalo Gap, Inc. | 008871 | \$ 117.95 |
| Butler Machinery Co. | 008872 | \$ 2,028.64 |
| California Contractors Supplies, Inc. | 008873 | \$ 164.50 |
| Carpenter Law Offices | 008874 | \$ 352.00 |
| Cassidy, Dr. Michael | 008875 | \$ 1,000.00 |
| Cerkoney, Cathy | 008876 | \$ 90.25 |
| Chief Law Enforcement Supply | 008877 | \$ 140.72 |
| Creative Energy | 008878 | \$ 78.48 |
| D & K Services, LLC | 008879 | \$ 49.00 |
| Dakota Farm Equipment, Inc. | 008880 | \$ 4,750.96 |
| Dakota Filter Supply | 008881 | \$ 234.52 |
| Dakota Insurance | 008882 | \$ 179.00 |
| Dan's Interstate Conoco, Inc. | 008883 | \$ 41.73 |
| Dell Marketing, LP | 008884 | \$ 188.03 |
| Diamond Truck Equipment | 008885 | \$ 262.28 |
| Dickinson Parks & Recreation | 008886 | \$ 200.00 |
| Dickinson Tire, Inc. | 008887 | \$ 25.00 |
| Electronic Communications | 008888 | \$ 157.50 |

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|--------------------------------------|--------|----|-----------|
| Fastenal Company | 008889 | \$ | 123.56 |
| Ferguson Enterprises, Inc. | 008890 | \$ | 123.64 |
| Gall's, Inc. | 008891 | \$ | 446.84 |
| George's Tire, LTD | 008892 | \$ | 271.00 |
| Gilseth, Mitch | 008893 | \$ | 278.00 |
| Golden Valley County | 008894 | \$ | 5,665.64 |
| Golden Valley County Extension | 008895 | \$ | 25.00 |
| Griffin-Abrahamson, Mary | 008896 | \$ | 25.00 |
| Heiser Electric, Don | 008897 | \$ | 2,971.26 |
| J P Steel & Supply, Inc. | 008898 | \$ | 140.40 |
| Jamestown Communications, Inc. | 008899 | \$ | 26.80 |
| Johnson, Christine | 008900 | \$ | 250.00 |
| Johnson, Doug & Judy | 008901 | \$ | 500.00 |
| Johnson, Larry D. | 008902 | \$ | 250.00 |
| Kadrmass, Lee, & Jackson, Inc. | 008903 | \$ | 14,064.92 |
| Kasian, Connie | 008904 | \$ | 84.50 |
| Kasian, Michael E. | 008905 | \$ | 119.60 |
| Kessel, Anita F. | 008906 | \$ | 741.62 |
| Kessel, Clara | 008907 | \$ | 278.00 |
| Kessel, Joseph L. | 008908 | \$ | 193.75 |
| Kohler Communications, Inc. | 008909 | \$ | 15.90 |
| Kohler Communications, Inc. | 008910 | \$ | 200.00 |
| Krush, Paul | 008911 | \$ | 98.30 |
| Lacal Equipment, Inc. | 008912 | \$ | 1,505.36 |
| Law, Steven | 008913 | \$ | 60.00 |
| Mac's, Inc. | 008914 | \$ | 206.00 |
| Medora, City of... | 008915 | \$ | 8,177.21 |
| Menards - Dickinson | 008916 | \$ | 20.00 |
| Mid-American Research Chemical | 008917 | \$ | 724.66 |
| Midstate Telephone Company | 008918 | \$ | 937.51 |
| National Sheriff's Association | 008919 | \$ | 56.00 |
| N.D. Association of Counties | 008920 | \$ | 1,529.55 |
| N.D. Association of Counties | 008921 | \$ | 16.00 |
| N.D. Association of Counties | 008922 | \$ | 84.65 |
| N.D. Association of County Engineers | 008923 | \$ | 330.00 |
| N.D. Clerk's Association | 008924 | \$ | 60.00 |
| N.D. Cowboy Hall of Fame | 008925 | \$ | 200.00 |
| N.D. Department of Transportation | 008926 | \$ | 20.00 |
| N.D.P.E.R.S. | 008927 | \$ | 3,949.78 |
| N.D.P.E.R.S. | 008928 | \$ | 34,934.94 |
| N.D. State Radio Communications | 008929 | \$ | 170.00 |
| N.D. State Treasurer | 008930 | \$ | 4,034.12 |
| NDACO Resources Group, Inc. | 008931 | \$ | 2,300.19 |
| NDACO Resources Group, Inc. | 008932 | \$ | 25.32 |
| Newby's Ace Hardware | 008933 | \$ | 70.11 |
| North Dakota One Call | 008934 | \$ | 12.10 |
| Northwest Tire, Inc. | 008935 | \$ | 5,530.44 |
| Off Road Software, Inc. | 008936 | \$ | 695.00 |
| O K Tire Stores | 008937 | \$ | 2,681.36 |
| Pladson | 008938 | \$ | 62,985.00 |
| Prairie Implement & Equipment | 008939 | \$ | 20.63 |
| Ramada Hotel of Bismarck | 008940 | \$ | 184.00 |
| RDO Equipment Co. | 008941 | \$ | 429.23 |
| Rummel, Patrick | 008942 | \$ | 183.25 |
| Runnings Farm & Fleet, Inc. | 008943 | \$ | 2,664.70 |
| Sax Motor Co. | 008944 | \$ | 487.91 |
| Share Corporation | 008945 | \$ | 338.38 |
| Simnioniw, Les | 008946 | \$ | 426.60 |
| Southwest Business Machines | 008947 | \$ | 1,091.02 |
| Southwest Crime Conference | 008948 | \$ | 50.00 |
| Southwest Multi-Co. Correction Ctr. | 008949 | \$ | 3,585.00 |
| Southwest Narcotics Task Force | 008950 | \$ | 5,000.00 |
| Southwest Water Authority | 008951 | \$ | 323.62 |
| Southwest Water Authority | 008952 | \$ | 5,437.16 |
| Southwest Water Authority | 008953 | \$ | 2,900.00 |
| Southwestern District Health Unit | 008954 | \$ | 18,909.31 |
| St. Alexius Medical Center | 008955 | \$ | 492.38 |
| Stein's, Inc. | 008956 | \$ | 273.45 |
| Tczap, John | 008957 | \$ | 100.00 |
| Tom's Service Center | 008958 | \$ | 280.80 |
| Total Safety US, Inc. | 008959 | \$ | 39.14 |
| UPS Store | 008960 | \$ | 24.93 |
| Uniform Center | 008961 | \$ | 1,325.77 |
| Verizon Wireless | 008962 | \$ | 1,498.59 |
| Wal-Mart | 008963 | \$ | 209.65 |
| West Plains, Inc. | 008964 | \$ | 58.67 |
| Westlie Truck Center | 008965 | \$ | 117.58 |
| Zoll Medical Corp. | 008966 | \$ | 139.93 |
| N.D.P.E.R.S. | 008970 | \$ | 29,391.21 |
| Century Link | 008973 | \$ | 521.33 |
| Consolidated | 008974 | \$ | 234.19 |
| Discovery Benefits, Inc. | 008975 | \$ | 83.00 |
| Information Technology Dept. | 008976 | \$ | 503.40 |
| Medora, City of... | 008977 | \$ | 216.65 |
| N.D. Secretary of State | 008978 | \$ | 36.00 |
| Reservation Telephone Cooperative | 008979 | \$ | 40.00 |
| Roughrider Electric Cooperative | 008980 | \$ | 4,014.78 |
| Visa | 008981 | \$ | 4,458.18 |
| Visa | 008982 | \$ | 332.18 |

Payroll in the following amounts were approved for January: General Fund \$147,795.13; Road and Bridge Fund \$96,313.77; Weed Fund \$6,956.65.

With there being no further business, Kasian moved to adjourn the meeting 3:20P.M. Kessel seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer