

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – FEBRUARY 7, 2012**

The meeting was called to order at 10:00 A.M. with Commissioners Kasian and Thompson in attendance. Commissioner Arthaud was absent.

Others present during portions of the meeting were: Jay Brovold, Roy Krivoruchka

The purpose of the meeting was to open bids on the three one thousand gallon fuel tanks offered for sale. State's Attorney Jay Brovold opened the bids and read the bid amounts per tank out loud. There were three bids for tank #1, two bids for tank #2, and three bids for tank #3. Kasian moved to accept the highest bid for each tank. Thompson seconded. All voted aye. Jay then gave the names of the winning bidders, which are as follows:

Tank #1 - \$1,050.00 – J.I. Services

Tank #2 - \$1,050.00 – J.I. Services

Tank #3 - \$1,075.00 – Roy Krivoruchka

With there being no further business on the special meeting agenda, Kasian moved to adjourn the meeting 10:15A.M. Thompson seconded.

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James Arthaud, Chairman

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

Joan Jurgens, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – FEBRUARY 8, 2012**

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

Others present during portions of the meeting were: Craig Kubas, Donna Adams, Steve Burns, John McCain, Anita Kessel, Albert Kessel, Al Knutson, James Odermann, Pat Rummel, Patrick Kessel, Shirley Kessel, Dave Jurgens, Darlene Mitchell, Jay Brovold,

Thompson moved to approve the minutes from the January 3, 2012 regular meeting. Kasian seconded. All voted aye.

Craig Kubas with Kadrmas, Lee, & Jackson met with the board for the monthly engineer's report.

Thompson moved to appoint Jon Odermann to the County Weed Board to fill Clint Schneider's unexpired term. Arthaud seconded. All voted aye.

The board reviewed a funding request from Elder Care. Thompson moved to table the request until further notice from them is received with their specific needs outlined. Arthaud seconded. All voted aye.

The board reviewed zoning requests that had been addressed by the zoning board at their February 2, 2012 meeting as follows:

Chimney Butte Land Company LLC applied for a conditional use permit for an 80-100 acre solid waste disposal facility/special waste landfill in portions of W1/2 4-143-99, NE1/4 5-143-99 & SE1/4 32-144-99. The zoning board approved the permit. Representatives from Carlson McCain, the company proposing to build and operate the landfill, were on hand to answer questions. The state has a 30 day comment period requirement prior to their approval. The county will receive notification and any issues can be addressed at that point. Arthaud moved to approve the project contingent upon health department approval. Kasian seconded. Upon roll call vote, Arthaud and Kasian voted aye. Thompson abstained due to his interest in the Chimney Butte Land Company LLC. Motion passed.

Al Schaeffer requested conditional use and construction permits for a 16'x24' cabin in the SE1/4 3-138-102. The property is zoned agricultural and he is also requesting a conditional use permit to allow the cabin on agricultural zoning. The zoning board approved the permits. Thompson moved to approve the permits. Arthaud seconded. All voted aye.

Philip Lura applied for conditional use and construction permits for a horse shelter/tractor storage building in Lot 1, Block 1 of Tetley subdivision in the NE1/4NE1/4 33-139-102. He also requested a variance to have 3 horses on the 23.95 acre tract. The zoning board approved the permits and variance. Kasian moved to approve the permits and variance. Thompson seconded. All voted aye.

Qwain Malkowski applied for a conditional use permit and submitted an application for a 50'x100' commercial shop in the NW1/4NW1/4 22-143-99. The property is currently zoned agricultural. Roger Malkowski applied for a conditional use permit and submitted an application for a 50'x100' commercial shop in the SW1/4NW1/4 22-143-99. The property is currently zoned agricultural. This is an alternate location for the shop Qwain proposed in section 26-143-99. They are requesting approval for both sites, but one will become null and void when the construction site is chosen. The zoning board approved the permits. Thompson moved to approve the requests. Kasian seconded. All voted aye.

Tim Wilhelmi submitted an application for the construction of a 50'x100' shop building with living quarters in the S1/2SE1/4, SE1/4SW1/4 14-139-102. The zoning board approved the application. Kasian moved to approve the application. Thompson seconded. All voted aye.

James Odermann submitted a conditional use application to allow scoria mining in NW1/4 21-141-99. The zoning board approved the application. Kasian moved to approve the application and requested that Hexco (contractor) attend the March meeting with his plan. Arthaud seconded. All voted aye. Jim also submitted a request to rezone approximately 5 acres in SE1/4 21-141-99 from agricultural to recreational and to allow 2 guest cabins on the site. Thompson moved to approve the request. Kasian seconded. All voted aye.

Bob Chruszch submitted an application for a conditional use permit for the proposed placement of a second manufactured home on his farm site at 2222 130<sup>th</sup> Ave. SW in W1/2NW1/4 28-142-99. The zoning board approved the request. Thompson moved to approve. Kasian seconded. All voted aye.

Myron Yourk & Tim Yourk submitted an application for the new construction of a 60'x100' shop on a 2.8 acre tract in the NW1/4 14-142-99 east of Four Corners Café. They also requested a conditional use permit to allow truck parking and a 16'x80' mobile home on the site to house employees of Liquid Connection. The zoning board approved the request. Thompson moved to deny the request until Yourks prove clear title to the property. Arthaud seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Whiting – Section 13-140-100 along 32<sup>nd</sup> St. to Pronghorn Federal 21-13 TFA.
- Whiting – Section 13-140-100 along 32<sup>nd</sup> St. to Pronghorn Federal 11-13 TFA
- Whiting – Section 13-139-100 along 38<sup>th</sup> St to Jurgens 14-12 PH
- Whiting – Section 16-140-100 along 32<sup>nd</sup> St to Roxane 21-16H
- Whiting – Section 24-140-100 along 34<sup>th</sup> St to DRS Federal 24-24 TFA
- Whiting – Section 8-143-101 along 13<sup>th</sup> St to Kordon 11-8 TFA
- Diamond Resources/Continental Resources – Section 7-141-99 along 26<sup>th</sup> St to Proch 1-7H
- Diamond Resources/Continental Resources – Section 36-141-99 along 30<sup>th</sup> St to Repetowski 1-36H
- Diamond Resources/Continental Resources – Section 22-141-98 along 28<sup>th</sup> St to Kubas 1-22H

Pipeline Permits

- Whiting – Section 26-27 139-100 boring on 134<sup>th</sup> Ave SW
- Whiting – Section 25-26 139-100 boring on 133<sup>rd</sup> Ave SW
- Whiting – Section 13-14 139-100 boring on 133<sup>rd</sup> Ave SW

ND Association of Oil & Gas Producing Counties is forming a Consortium Board consisting of western county representatives. The Association's Executive Committee recommended Commissioner Jim Arthaud as Billings County's representative on the Consortium Board. The SW REAP Board submitted a letter requesting that Dee Ann Baertsch be appointed to the position. Darlene Mitchell, Billings County's REAP board representative, was in attendance to answer any questions. Thompson moved to appoint Dee Ann Baertsch to the position. Arthaud seconded. All voted aye.

The board discussed the history books that the Billings County Historical Society has stored in the basement of the courthouse. The board requested that a letter be sent requesting that the books be removed.

The board approved the revenue vouchers for the month of January: Recorder \$31,258.86; Zoning \$1,277.00; Court \$209.76

Revenues for materials and/or services rendered in January: Al Stude \$102.87 weed spraying; Mary Colling \$12.80 map; Workforce Safety \$1,061.72 ambulance services; \$2,703.44; NDDOT \$8,093.88 weed spraying; Myron Polensky \$181.74 weed spraying; Jesse Duckwitz \$125.60 scoria & trucking

Revenues for the month of January: Highway Distribution Tax \$17,892.65; Township Road Distribution \$23,409.21; Oil & Gas Production Tax \$270,778.75; EMPG Grant \$3,317.35; State Aid \$73,042.52; Royalties \$75,725.21; Interest \$8,071.67

The following claims were approved for payment:

Advanced Business Methods	Copier, Contracts, & Paper	001723	\$	5,704.52	
Alternative Sanitation	Garbage Removal	001724	\$	165.00	1, 2, 3
American Welding & Gas	Welding Supplies	001725	\$	64.53	1
Ameripride Linen Service	Mat Rental	001726	\$	83.10	2, 3
Armbrust Revocable Trust, Emilia	Fill Sand	001727	\$	1,832.00	2
A T & T Mobility	Cellular Service	001728	\$	71.49	1
Barker, Gary	Museum – Attic Insulation	001729	\$	519.55	
Billings County Auditor	SW Association of Counties	001730	\$	74.88	
Billings County Rural Fire District	Taxes	001731	\$	25,674.75	
Billings County Historical Society	Taxes	001732	\$	1,476.53	
Billings County Pioneer	Publishing	001733	\$	1,141.80	2, G
Billings County School District	Taxes	001734	\$	198,444.24	
Billings County Sheriff	S. O. – Travel Expenses	001735	\$	168.53	
Belfield Automotive Supply, Inc.	Parts & Supplies	001736	\$	1,850.48	1, 2, 3, G
Belfield Plumbing & Heating	Courthouse – Boiler Repair	001737	\$	155.00	
Best Energy	Propane	001738	\$	9,584.00	1, 2, 3, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	001739	\$	2,386.80	1, 2, 3, W, G
Boesflug Trailers & Feed	School – ABU Trailer	001740	\$	4,100.00	3
Bound Tree Medical, LLC	Ambulance – Medical Supplies	001741	\$	4,542.43	
Branson, Anita	Franks Creek Road R.O.W.	001742	\$	216.04	2
Butler Machinery Co.	Parts & Supplies	001743	\$	47.51	3
Cash, Kathy	SW Association of Counties	001744	\$	29.07	
Cass County Treasurer	Document Preservation Fund	001745	\$	349.00	
Cerkoney, Cathy	Zoning Meetings – Mileage	001746	\$	161.40	
Challenger Industries, Inc.	Parts & Supplies	001747	\$	812.44	3
Channing Bete Co.	Ambulance – C.R.P. Equipment	001748	\$	2,714.10	
Charbonneau Car Center	Ambulance – Service	001749	\$	171.13	
Comfort Inn – Bismarck	S. O. & D.E.M. – Travel Expenses	001750	\$	260.00	
Comfort Suites – Bismarck	Tax Director – Travel Expense	001751	\$	345.00	
Creative Energy	Fuel & Shop Supplies	001752	\$	206.26	2, 3
Dakota Farm Equipment, Inc.	Parts & Supplies	001753	\$	572.74	3
Dakota Filter Supply	Parts & Supplies	001754	\$	352.44	1, 3
Dakota Insurance	Property Insurance	001755	\$	113.00	1
Dakota Rubber Stamp	D. E. M. – Equipment	001756	\$	167.29	
Dakota Water Treatment	Water System Rental	001757	\$	25.00	1
Dan's Interstate Conoco	S. O. & Ambulance – Gas	001758	\$	1,153.33	
Diamond Truck Equipment	IH Truck Accessories	001759	\$	812.00	1
Dickinson Public Library	Library Services	001760	\$	3,040.93	
Dickinson Tire	S. O. – Tires	001761	\$	1,661.20	
Electronic Communications	S. O. & D.E.M. – Radio Expenses	001762	\$	11,143.00	
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	001763	\$	673.59	
Energy Systems Industrial	Shop Supplies	001764	\$	521.33	3
Fastenal Company	Shop Supplies	001765	\$	100.83	1
Ferguson Enterprises, Inc.	Parts & Supplies	001766	\$	6.26	2
Fisher Industries	Washed Sand	001767	\$	534.00	1
Four Corners Cafe	Ambulance – Training	001768	\$	170.00	
Gall's, Inc.	S. O. – Uniforms	001769	\$	23.73	
General Steel & Supply Company	Parts & Supplies	001770	\$	134.18	1
George's Tire, Ltd.	Tires	001771	\$	13,832.00	2
Gilseth, Mitchel	Ambulance – Travel Expense	001772	\$	133.70	
Golden Valley County	Social Services	001773	\$	5,830.83	
Heiser, Don	Zoning Meetings – Mileage	001774	\$	122.64	
Hlebechuk Construction	Government Creek Road	001775	\$	1,827.54	2
Holiday Inn – Fargo	D. E. M. – Travel Expense	001776	\$	207.90	
Information Technology Dept.	S. O. – Computer Support	001777	\$	9.25	
JM Welding, LLC	Packer Repair	001778	\$	1,823.56	3
Johnson, Christine	Risk Mgmt. – Wellness Program	001779	\$	200.00	
Johnson, Larry D.	Risk Mgmt. – Wellness Program	001780	\$	200.00	
J P Steel & Supply	Iron Supplies	001781	\$	2,154.94	1, 2, 3
Jurgens, Joan	SW Association of Counties	001782	\$	33.66	
Just-In Glass	S. O. – Windshield Replacement	001783	\$	306.41	
Kadmas, Lee, & Jackson, Inc.	Engineering	001784	\$	84,790.75	1, 2, 3
Kasian, Connie	Zoning Meetings – Mileage	001785	\$	151.20	
Kasian, Kim	Weed – Pesticide Training	001786	\$	65.00	
Kasian, Michael E.	Commissioner – Mileage	001787	\$	198.39	2
Kastrow, Jason	Risk Mgmt. – Wellness Program	001788	\$	200.00	
Kessel, Anita	Zoning Meetings – Mileage	001789	\$	171.60	
Klang, Keri	D. E. M. – Travel Expense	001790	\$	90.00	
Krebs Machine & Repair	Machine Work	001791	\$	1,076.85	1, 2
Krush, Paul	Zoning Meetings – Mileage	001792	\$	175.68	
Lindbo Welding Service	Courthouse – Buggy Repair	001793	\$	500.00	
Lyle Signs, Inc.	Road Signs	001794	\$	1,636.67	2
Mac's, Inc.	Shop Supplies	001795	\$	677.22	2, G
Mid-American Research Chemical	Courthouse – Maintenance Supplies	001796	\$	169.30	
Mathison Company	Tax Director – Copy Paper	001797	\$	40.52	
Matthew Bender & Co.	Century Code Updates	001798	\$	24.00	
Maus & Nordsven PC	States Attorney – Hearing	001799	\$	192.00	
MedCenter One, Inc.	Ambulance – Training Fees	001800	\$	200.00	
Medora, City of...	Taxes	001801	\$	10,592.35	
Midstate Telephone Company	Courthouse – Telephone Service	001802	\$	948.26	
Mobile Binders	Recorder – Binders	001803	\$	816.41	
MP Drywall	Shop Expense	001804	\$	1,828.54	3
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel	001805	\$	29,117.14	2, 3, G

National Sheriff's Association	Membership Dues	001806	\$	50.00	
N.D. Association of Counties	S. O. – Special Operation Fund	001807	\$	200.00	
N.D. Association of Counties	Clerk – Marriage License Program	001808	\$	16.00	
N.D. Association of Counties	Taxes	001809	\$	115.51	
N.D. Clerk of Court Association	Membership Dues	001810	\$	60.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	001811	\$	200.00	
N.D. Department of Transportation	S. O. – License & Title Fees	001812	\$	6.50	
N.D. Department of Transportation	Ambulance – Transfer Title Fees	001813	\$	10.00	
N.D. Envelope Company	Recorder – Envelopes	001814	\$	72.10	
N.D. 911 Association	Membership Dues	001815	\$	100.00	
N.D.P.E.R.S.	Health Insurance Premium	001816	\$	34,825.94	1, 2, 3, W, G
N.D. States' Attorney Association	Membership Dues	001817	\$	250.00	
N.D. State Land Department	Franks Creek Road R.O.W.	001818	\$	5,665.64	2
N.D. State Radio Communications	911 Service, etc.	001819	\$	1,609.23	
N.D. State Treasurer	Clerk of Court Fees	001820	\$	2,865.57	
N.D.S.U. Pesticide Program	Pesticide Training	001821	\$	70.00	1
Nelson International	Parts & Supplies	001822	\$	4,268.84	2
Newby's Ace Hardware	Shop Supplies	001823	\$	317.32	1, 3, G
Newman Signs	Road Signs	001824	\$	1,026.80	1
Nova Fire Protection	Courthouse – Fire Sprinklers	001825	\$	789.00	
O'Brien Oilfield Service, Inc.	Iron Supplies	001826	\$	66.72	3
Off Road Software, Inc.	Off Road GIS Software	001827	\$	1,400.00	
OK Tire Stores	Tires	001828	\$	4,893.22	3
Parkway Ford	Parts & Supplies	001829	\$	92.22	1
PCSINet	Website E-Mail Host	001830	\$	352.00	
Performance Truck Center	Parts & Repairs	001831	\$	2,915.33	2
Pitney Bowes	Postage Meter Expense	001832	\$	349.08	
Pitney Bowes Reserve	Postage Meter Replenished	001833	\$	1,200.00	
Pizza Ranch	Ambulance – Training	001834	\$	113.49	
Porter Motors, Dan	County Vehicle – Service	001835	\$	78.57	
Postmaster	Ambulance – P. O. Box Rental	001836	\$	44.00	
Prairie Lumber Company	Weed & Museum – Bldg. Repairs	001837	\$	8,525.59	
Praxair	Shop Supplies	001838	\$	113.94	1
Professional Printing	S. O. – Printed Forms	001839	\$	566.00	
Quality Quick Print	S. O. – Vehicle Decals	001840	\$	180.00	
RDO Equipment Co.	Parts & Supplies	001841	\$	3,504.30	3
Reiter Welding, Inc.	Shop Expense	001842	\$	1,400.00	3
Ron's Extinguisher Service	Service Fire Extinguishers	001843	\$	130.00	1
Roth, David	Franks Creek Road R.O.W.	001844	\$	216.04	2
Roth Estate, Florence	Franks Creek Road R.O.W.	001845	\$	5,401.00	2
Roth, Neal	Franks Creek Road R.O.W.	001846	\$	216.04	2
Roth, Paul	Franks Creek Road R.O.W.	001847	\$	216.04	2
Roughrider Electric Cooperative	Electricity	001848	\$	2,825.80	1, 2, 3, W, G
Roughrider Speed Center, Inc.	S. O. – Parts & Supplies	001849	\$	829.98	
Rudy's Lock & Key	Padlocks	001850	\$	200.00	3
Rummel Auto Wrecking	Ambulance – Oxygen Refills	001851	\$	61.00	
Rummel, Patrick	D. E. M. – Travel Expense	001852	\$	129.00	
Runnings Farm & Fleet, Inc.	Parts & Supplies	001853	\$	704.81	1, 2, W, G
Sax Motor Company	S. O. – 2012 Chevrolet Truck	001854	\$	30,516.00	
Southwest Business Machines	Weed – Computer & Office Supplies	001855	\$	2,178.36	
Service Printers	Weed – Publish Newsletter	001856	\$	750.24	
Seven Seas – Mandan	Weed – Convention	001857	\$	138.60	
Share Corporation	Courthouse – Maintenance Supplies	001858	\$	354.90	
Simnioniw, Les	Weed – Cellular Service	001859	\$	298.19	
Smart Computers & Consulting	Computer Technical Support	001860	\$	448.75	
Stein's, Inc.	Courthouse – Maintenance Supplies	001861	\$	899.76	
SuperPumper	S. O. – Gas	001862	\$	175.00	
Sutton, June	Franks Creek Road R.O.W.	001863	\$	9,721.80	2
Southwestern District Health Unit	Taxes	001864	\$	12,955.08	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	001865	\$	1,050.00	
Southwest Narcotics Task Force	S. O. – Contribution	001866	\$	5,000.00	
Southwest Water Authority	Taxes	001867	\$	17,229.46	
Southwest Water Authority	Water Usage	001868	\$	369.40	1, 2, 3
Swanston Equipment Corporation	Parts & Supplies	001869	\$	452.84	1, 3
Swanston Equipment Corporation	2008 Volvo DD29 Roller	001870	\$	26,000.00	1
Tczap, John	Zoning Meetings – Mileage	001871	\$	90.00	
Thompson, Allan T.	Commissioner – Mileage	001872	\$	237.66	1
Thompson, Ray & Kathleen	Franks Creek Road R.O.W.	001873	\$	20,620.92	2
Tom's Service Center	Service, Tire Repair & Gas	001874	\$	617.10	3, W, G
Total Safety US, Inc.	Safety Equipment	001875	\$	103.70	1, 2
Verizon Wireless	Cellular Service	001876	\$	1,018.81	2, 3, G
Vogel Law Firm	Land Use Plan – Ebert Ranch	001877	\$	647.50	
Volesky Construction	Weed – Shop Construction	001878	\$	6,000.00	
Wal-Mart	Courthouse – Maintenance Supplies	001879	\$	299.36	
Warne Chemical & Equipment Co.	Weed – Parts & Supplies	001880	\$	86.50	
Watchguard Video	S. O. – Recording Equipment	001881	\$	114.00	
Westlie Truck Center	Parts & Supplies	001882	\$	992.64	1, 3
Yrchota, Lori	Franks Creek Road R.O.W.	001883	\$	216.04	2
Zoll Medical Corporation	Ambulance – Medical Supplies	001884	\$	266.60	
American Family Life Assurance	Premium	001939	\$	933.60	
Century Link	Telephone Service	001940	\$	580.14	1, 2, 3, W, G
Consolidated	Internet Service & 911 Changes	001941	\$	242.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	001942	\$	83.00	
Discovery Benefits, Inc.	Premium	001943	\$	1,753.35	
Information Technology Dept.	S. O. – T-1 Line	001944	\$	453.25	
Medora, City of...	Courthouse – Utilities	001945	\$	284.00	
State Dispersement Unit	Garnishment	001946	\$	946.00	
N.D.P.E.R.S.	Deferred Comp. Premium	001947	\$	4,989.00	
N.D.P.E.R.S.	Retirement	001948	\$	16,955.00	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	001949	\$	49.66	1, 2, 3, G

Visa

Terex Repair, etc.

001950 \$ 7,314.81 1, 2, 3, G

Payroll in the following amounts were approved for January: General Fund \$91,081.16; Road and Bridge Fund \$72,870.55; Weed Fund \$6,890.91

With there being no further business, Thompson moved to adjourn the meeting 1:25 P.M. Kasian seconded. All voted aye.

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James Arthaud, Chairman

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

Joan Jurgens, Auditor/Treasurer