

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – FEBRUARY 5, 2013**

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

Others present during portions of the meeting were: Joan Jurgens, Connie Hartman, Mary Massad, James Odermann, Tim & Mary Armbrust, Pat Rummel, Dave Jurgens, Donna Adams, Roy Krivoruchka, Craig Kubas, Jim Haag, Jeff Iverson, Tim Solberg. Also present were representatives from the various companies that submitted bid applications.

Minutes from the January 3, 2013 meeting were reviewed and it was noted that deputy sheriff (4134) was not included in Resolution 2013-11 at a salary of \$54,884.14. Kasian moved to approve the minutes from the January 3, 2013 regular meeting. Kessel seconded. All voted aye.

Resolution 2013-11(Revised) was reviewed. Kasian moved to approve Resolution 2013-11 (Revised). Kessel seconded. All voted aye. The full text of this resolution is on file in the Auditor's Office and posted on the public bulletin board in the Billings County Courthouse.

Sheriff Dave Jurgens and Deputy Pat Rummel met with the commissioners to request credit cards for the sheriff deputies and the ambulance crew for fuel & emergency purchases only. Kasian moved to approve the request for Ambulance and Law Enforcement purposes with a credit limit of \$5,000.00. Kessel seconded. All voted aye.

Mary Massad and James Odermann met with the board to discuss the Southwest Water Pipeline Project.

The board reviewed zoning requests that had been addressed by the zoning board at their January 17, 2013 meeting as follows:

Tim & Mary Armbrust were in attendance to ask questions regarding rezoning of their parcel to residential. After discussion with the zoning director, Armbrusts had no objections to the rezone of their property.

The zoning board approved zoning changes in Township 141-99 and 142-99 contingent upon landowners being notified and commissioner approval. All landowners have received notice of these changes and they are on file with the Billings County Tax & Zoning department. After review with the zoning director of these changes, Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Arnold Rodakowski – submitted an application to allow for the mobile structures on his property in Fairfield. The area is zoned commercial and the buildings are being used as offices. The zoning board approved this application. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

The zoning director went over the findings and conclusions by the Tax and Zoning Department pertaining to commercial uses on property zoned residential in Billings County which is on file in the Tax & Zoning office.

ADB Development – Commercial trucks are being parked on the residential lots in Franks Creek Subdivision (E1/2E1/2NW1/4 22-141-99). During the development of the subdivision the owner was informed that truck parking would not be allowed in the residential subdivision. A warning and notice of the zoning violation was sent on December 7, 2012 to the property owner and a copy given to the State's Attorney. Kasian moved to have States Attorney Brovold write a letter and notice to ADB Development. Kessel seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Roughrider Electric – Section 20&21 -143-98.
- Roughrider Electric – SE1/4SE1/4 Section 23-144-99 and NE1/4NE1/4 Section 26-144-99 along 10<sup>th</sup> Street SW.
- Roughrider Electric – NE1/4NW1/4 Section 26-144-99 and SE1/4SW1/4 Section 23-144-99 crossing 10<sup>th</sup> Street SW.
- Roughrider Electric – NE1/4NE1/4 Section 28-144-99 and NW1/4NW1/4 27-144-99 crossing US Hwy 85.
- Roughrider Electric – SW1/4SW1/4 Section 29-141-99 and NW1/4NW1/4 Section 32-141-99 crossing 29<sup>th</sup> Street SW.
- Continental Resources – Section 28-142-98 along 23<sup>rd</sup> St SW to Baranko 1-28H.
- Edward H. Schwartz Construction – Section 5-143-98 along 126<sup>th</sup> Ave to Oxy Well.
- Petro-Hunt, LLC Section 14-142-100 along 133<sup>rd</sup> Ave SW to Osadchuk Well.

Pipeline Permits:

- OneOK Rockies Midstream – Sections 22,25,& 26 -141-101.

- OneOK Rockies Midstream – Section 31-142-101.

Craig Kubas and Andrew Krebs with KLJ met with the board for the monthly engineers report and road project bid opening.

Discussion ensued regarding the Blacktail Road project. Kasian moved to release the Forest Highway money that has been held for this purpose to NDDOT and to have KLJ send a letter to Astech regarding discontinuing the project. Kessel seconded. All voted aye.

Ten (10) bids were received for project number CP-0418(10)01. States Attorney Brovold reviewed the bid packets and found them to be in order. Kasian requested mathematical calculations of Baranko Brothers low bid in the amount of \$1,189,549.70 be checked by KLJ prior to the bid being awarded.

The board recessed from 12:15 to 1:30 for lunch.

Doug Johnson gravel lease agreement was reviewed. Kessel moved to approve the Johnson gravel lease. Kasian seconded. All voted aye.

Rummel presented an agreement with Blue Cross Blue Shield for a coordinator for their wellness program. Kessel moved to approve the agreement with Rummel as the coordinator. Kasian seconded. All voted aye.

Rummel also requested a merit increase of \$3,000.00 to each of the paramedic’s salaries. Kasian moved to adjust each of the three paramedic’s annual salaries by \$3,000.00 beginning with the February payroll and to amend the ambulance budget to allow for this. Kessel seconded. All voted aye. The ambulance budget is a part of the general fund and there is enough in the fund to allow for the amendment.

The auditor requested an amendment to the sheriff’s office budget to adjust the salary for Deputy Sheriff 4134 to allow for Resolution 2013-11 (Revised). Kessel moved to approve the adjustment and the amendment to the budget. Kasian seconded. All voted aye. The sheriff’s budget is part of the general fund and there is enough in the fund to allow for the amendment.

The board approved the revenue vouchers for the month of January: Recorder \$17,719.26; Zoning \$1,300.00; Clerk of Court \$170.00; Sheriff \$76.00.

Revenues for materials and/or services rendered in January: Weston Obrigewitch \$139.05 water; Rachel Contracting \$500.00 equipment rental; Roughrider Electric \$1551.42 Capital Credits; Sheriff \$12,560.00 Permits; Adjutant General \$1,087.50 LEPC; EMPG Grant \$3,780.17; Sheriff 24/7 Program \$867.00; ND Supreme Court \$1,636.00 Contract Clerk; Ambulance services \$8,999.84.

Revenues for the month of January: Highway Distribution Tax \$25,924.92; Township Road Distribution \$24,020.04; Oil & Gas Production Tax \$270,736.26; State Aid \$88,446.61; Royalties \$69,077.99; Interest \$2,525.80

The following claims were approved for payment:

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
Acme Electric	Shop Supplies	004318	\$ 117.40	2
Adams, David & Donna	2013 Scoria Lease	004319	\$ 500.00	3
Advanced Business Methods	Auditor/Recorder – Copier Contracts	004320	\$ 1,074.63	
Airgas On-Site Safety Service	D.E.M. – Gas Meter	004321	\$ 355.00	
Alternative Sanitation	Garbage Removal	004322	\$ 220.00	1, 2, 3, W
American Welding & Gas	Shop Tools	004323	\$ 777.49	2
Ameripride Linen Service	Mat Rental	004324	\$ 143.28	2, 3
Aspen Mills	Ambulance – Uniforms	004325	\$ 226.45	
A T & T Mobility	Cellular Service	004326	\$ 71.51	1
ATCO International	Courthouse – Maintenance Supplies	004327	\$ 140.00	
Billings County Rural Fire District	Taxes	004328	\$ 25,902.96	
Billings County Historical Society	Taxes	004329	\$ 1,536.68	
Billings County Pioneer	Publishing	004330	\$ 1,262.31	3, G
Billings County School District	Taxes	004331	\$ 219,621.26	
Billings County Sheriff	S. O. – Training Expenses	004332	\$ 92.63	
Belfield Sportsmen Club	S. O. – Membership Dues	004333	\$ 175.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	004334	\$ 2,136.59	1, 2, 3, W, G
Best Energy	Propane	004335	\$ 10,285.00	1, 2, 3, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	004336	\$ 2,326.50	1, 2, 3, W, G
Booke, Travis	Ambulance – Training Expense	004337	\$ 36.00	
Boots Bar & Grill	Ambulance – Training Expense	004338	\$ 58.00	
Bosch Lumber Co.	Shop Supplies	004339	\$ 256.40	2
Brody Chemical Corp.	Diesel Treatment	004340	\$ 437.52	2
Butler Machinery Co.	Parts & Repairs	004341	\$ 4,938.06	1, 3
Carquest Auto Parts	Shop Tools	004342	\$ 322.00	3
Cenex Convenience Store	Ambulance – Diesel Fuel	004343	\$ 75.00	
Cerkoney, Cathy	Zoning Meeting – Mileage	004344	\$ 84.55	

Creative Energy	Diesel Fuel, Gas, & Shop Supplies	004345	\$	8,759.04	2, W
Custom Design	S. O. – Uniforms	004346	\$	70.00	
Dacotah Paper Co.	Recorder – Copy Paper	004347	\$	286.91	
Dakota Farm Equipment, Inc.	Parts & Repairs	004348	\$	849.31	1, G
Dakota Filter Supply	Shop Supplies	004349	\$	88.28	3
Dakota Insurance	Courthouse – Insure Generator	004350	\$	7.00	
Dakota Tool & Machine	Welding Service	004351	\$	80.00	3
Dakota Water Treatment	Water System Rental	004352	\$	50.00	1
Dan’s Interstate Conoco	S. O. & Ambulance – Gas	004353	\$	441.31	
Deans Distributing	Shop Supplies	004354	\$	287.00	3
Denny’s Electric	Shop Supplies	004355	\$	119.00	1
Diamond Truck Equipment	Parts & Supplies	004356	\$	16.00	1
Dickinson Parks & Recreation	Risk Mgmt. – Wellness Program	004357	\$	200.00	
Dickinson Public Library	Library Services	004358	\$	3,074.86	
Dickinson Tire, Inc.	Tires & Alignment	004359	\$	889.52	2, G
DJ’s Tesoro	S. O. & Ambulance – Gas	004360	\$	94.54	
Donut Hole	Ambulance – Training Expense	004361	\$	23.00	
Electronic Communications	Ambulance – Radio Equipment	004362	\$	3,681.00	
EMS Insider	Ambulance – Subscription	004363	\$	120.00	
Expressway Suites – Bismarck	S. O. – Training Expense	004364	\$	207.90	
Fisher Industries	Sanding Material	004365	\$	1,032.75	3
Four Seasons Trophies	Auditor – Name Plaques	004366	\$	73.50	
Gall’s, Inc.	S. O. – Equipment	004367	\$	229.95	
George’s Tire, LTD.	Tires & Balance	004368	\$	4,048.00	2, 3
Golden Valley County	Social Service	004369	\$	18,036.27	
Holiday Inn – Minot	Ambulance – Training Expense	004370	\$	246.90	
J and J Operating, LLC	Mud Flaps	004371	\$	108.91	3
Jamestown Communications	Radio Equipment	004372	\$	3,846.00	1, 2, 3, G
Jeff’s Towing	S. O. – Oil-x & Service	004373	\$	116.88	
Johnson, Christine	Risk Mgmt. – Wellness Program	004374	\$	200.00	
Johnson, Doug & Judy	Gravel Royalties & Lease	004375	\$	75,500.00	3
Johnson, Larry D.	Risk Mgmt. – Wellness Program	004376	\$	200.00	
J P Steel & Supply, Inc.	Iron Supplies	004377	\$	2,321.32	1
Just-In Glass	S. O. – Windshield Repair	004378	\$	40.00	
Kadrmass, Lee, & Jackson, Inc.	Engineering	004379	\$	34,886.04	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	004380	\$	78.90	
Kasian, Michael E.	Commissioner – Mileage	004381	\$	200.58	2
Kastrow, Jason	S. O. – Training Expense	004382	\$	45.00	
Kessel, Anita	Zoning Meeting – Mileage	004383	\$	90.20	
Kessel, Joseph L.	Commissioner – Mileage	004384	\$	113.57	1
Kleinsasser, Kathaleen	2012/2017 Scoria Lease	004385	\$	62.50	3
Kohler Communications	Gorham Tower Lease	004386	\$	400.00	
Krush, Paul	Zoning Meeting – Mileage	004387	\$	92.46	
Mac’s, Inc.	Shop Supplies	004388	\$	304.88	2
Mid-American Research Chemicals	Courthouse – Maintenance Supplies	004389	\$	99.57	
Martin Construction	River Drive	004390	\$	24,564.50	3
Medora Convenience Store	Ambulance – Training Expense	004391	\$	34.14	
Medora, City of...	Taxes	004392	\$	9,349.97	
Midstate Telephone Company	911 Changes	004393	\$	8.00	
Midstate Telephone Company	Courthouse – Telephone Service	004394	\$	968.64	
Miller Machine & Welding	Snow Blower Repair	004395	\$	400.69	1
Mitchell, Darlene	SW REAP Meetings – Mileage	004396	\$	702.63	
Mobile Binders	Recorder – Recording Binders	004397	\$	556.93	
Moser, Fern	S. O. – Travel Expense	004398	\$	36.00	
Motorola Solutions	Fire Department – Radio’s	004399	\$	10,360.00	
Missouri Valley Petroleum, Inc.	Gas & Diesel Fuel	004400	\$	6,808.91	2, G
National Sheriffs’ Association	S. O. – Membership Dues	004401	\$	50.00	
N.D. Association of Counties	Recorder – ILG Class Fee	004402	\$	40.00	
N.D. Association of Counties	S. O. – Special Operations Fund	004403	\$	200.00	
N.D. Association of Counties	Taxes	004404	\$	55.28	
N.D. Clerk’s Association	Clerk of Court – Membership Dues	004405	\$	60.00	
N.D. Chapter ASFMRA	Tax Director – Appraisal Class Fee	004406	\$	225.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	004407	\$	200.00	
N.D. Emergency Mgmt. Association	D.E.M. – Membership Dues	004408	\$	50.00	
N.D. Game & Fish Department	Game Licenses	004409	\$	753.00	
N.D. Insurance Department	Courthouse – Boiler Inspection Fee	004410	\$	160.00	
N.D. 911 Association	D.E.M. – Membership Dues	004411	\$	50.00	
N.D.P.E.R.S.	Health Insurance Premium	004412	\$	37,700.47	1, 2, 3, W, G
N.D. State Radio Communications	S. O. – T-1 Line & 911 Services	004413	\$	1,638.48	
N.D. State Radio Communications	S. O. – T-1 Line License Renewal	004414	\$	156.00	
N.D. State Treasurer	Taxes	004415	\$	3,351.99	
N.D. Surplus Property	S. O. - Equipment	004416	\$	300.00	
Nelson International	Parts & Repairs	004417	\$	490.58	2
Newby’s Ace Hardware	Courthouse – Maintenance Supplies	004418	\$	24.48	
Newman Signs	Road Signs	004419	\$	85.82	1
Northern Improvement Co.	Old Highway 10	004420	\$	6,048.54	3
Off Road Software, Inc.	Off Road GIS Software	004421	\$	1,400.00	
Pitney Bowes	Postage Machine – Contract	004422	\$	349.08	
Porter, Dennis	2012/2017 Scoria Lease	004423	\$	62.50	3
Praxair	Shop Supplies	004424	\$	109.40	1
Pump Systems, Inc.	Parts & Supplies	004425	\$	54.82	3
Putnam, Karen	Zoning Meeting – Mileage	004426	\$	46.13	
RDO Equipment Co.	Parts & Supplies	004427	\$	476.59	2
Respond Systems	Shop Supplies	004428	\$	510.82	3
Rockmount Research & Alloys	Parts & Supplies	004429	\$	431.19	2
Roosevelt-Custer Regional Council	Mitigation Plan	004430	\$	4,600.00	
Roughrider Bar & Steakhouse	D.E.M. – Training Expense	004431	\$	200.00	
Roughrider Electric Cooperative	Electricity	004432	\$	3,430.64	1, 2, 3, W, G
Rummel Auto Wrecking	Ambulance – Oxygen Refill	004433	\$	20.00	
Runnings Supply, Inc.	Parts & Supplies	004434	\$	363.28	1, 2, 3, G

Sanitation Products, Inc.	Falls – 26B Hitch	004435	\$	2,165.00	1
Southwest Business Machines	Office Supplies	004436	\$	619.79	1, W, G
Seven Seas Best Western	Weed – Convention	004437	\$	243.60	W, G
Simnioniw, Les	Weed – Cellular Service	004438	\$	199.07	
Stan's Communications	D.E.M. & Ambulance – Radio Expense	004439	\$	925.42	
SuperPumper, Inc.	S. O. & Ambulance – Gas	004440	\$	122.20	
Southwest Crime Conference	S. O. – Conference Fees	004441	\$	50.00	
Southwestern District Health Unit	Ambulance – Staff Testing	004442	\$	65.00	
Southwestern District Health Unit	Taxes	004443	\$	13,983.39	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	004444	\$	2,655.00	
Southwest Narcotics Task Force	S. O. – Contribution	004445	\$	5,000.00	
Southwest Water Authority	Taxes	004446	\$	4,276.35	
Southwest Water Authority	Water Usage	004447	\$	338.95	1, 2, 3, W
Swanson, Stacey	Tax Director – Travel Expense	004448	\$	201.80	
Tczap, John	S. O. – Training & Zoning Meeting	004449	\$	81.00	
ThyssenKrupp Elevator	Courthouse – Elevator Repairs	004450	\$	3,694.66	
Tom's Service Center	S. O. & Ambulance – Gas, Oil-x, etc.	004451	\$	263.90	W, G
Tractor & Equipment Co.	Parts & Repairs	004452	\$	293.76	1
U.P.S. Store	Shipping Services	004453	\$	76.02	2, G
Verizon Wireless	Cellular Services	004454	\$	1,107.01	2, 3, G
Wal-Mart	Courthouse – Supplies	004455	\$	164.85	
West Dakota Oil, Inc.	Gas & Diesel Fuel	004456	\$	26,459.40	3
Westlie Crossroads Truck Center	Parts & Supplies	004457	\$	1,257.07	3
Centurylink	Telephone Service	004516	\$	527.53	1, 2, 3, G
Consolidated	911 Changes & Internet Service	004517	\$	227.21	2, 3, W, G
Discovery Benefits, Inc.	Flex Plan – Admin. Fee	004518	\$	83.00	
Information Technology Dept.	S. O. – T-1 Line	004520	\$	461.60	
Medora, City of...	Courthouse – Utilities	004521	\$	196.01	
N.D.P.E.R.S.	Retirement Contributions	004524	\$	22,741.57	1, 2, 3, W, G
Reservation Telephone	Telephone Service	004527	\$	46.46	2, 3, G
Visa	Ambulance – Training, etc.	004528	\$	6,030.35	

Payroll in the following amounts were approved for January: General Fund \$101,756.40; Road and Bridge Fund \$85,370.97; Weed Fund \$3,297.25.

With there being no further business, Kasian moved to adjourn the meeting at 4:00 P.M. Kessel seconded. All voted aye.

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James Arthaud, Chairman

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

Marcia Lamb, Acting Secretary

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – FEBRUARY 12, 2013**

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

The purpose of the meeting was to award project #CP-0418(10)01 from bids received and opened during the February 5, 2013 Billings County Commissioners Meeting. Kasian moved to award the bid to Baranko Brothers, Inc. as they were the low bid at \$1,189,549.70. Kessel seconded. All voted aye.

With there being no further business on the special meeting agenda, Kessel moved to adjourn the meeting 10:20 A.M. Kasian seconded.

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James Arthaud, Chairman

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

Marcia Lamb, Acting Secretary