

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – May 3, 2011**

The meeting was called to order at 9:00 A.M. with Commissioners Thompson and Kasian in attendance. Commissioner Arthaud joined the meeting at 10:30 A.M.

Thompson moved to approve the minutes from the April 5, 2011 regular meeting and the April 15, 2011 Special meeting. Kasian seconded. All voted aye.

Others present during portions of the meeting were: Rod Landblom, Ken Davis, Pat Rummel, Clint Schneider, Mark Shields, Les Simnioniw, Kathy Cash, Jay Brovold, Donna Adams, Craig Kubas, Travis Booke, Steve Dorval, Roy Krivoruchka

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Roger Dieterle – Section 6, Township 139, Range 102 along West River Road

Rod Landblom and Ken Davis with Roosevelt Custer Regional Council discussed the Title VI requirements and implementation. Thompson moved to appoint Pat Rummel as the Title VI and ADA Coordinator, with Kathy Cash and Connie Hartman as assistants. Arthaud seconded. All voted aye.

Les Simnioniw met with the board to discuss the proposed remodeling that needs to be done to make the shop purchased from the school compliant for weed control purposes. Thompson moved to approve the renovations and to amend the weed board budget to accommodate the expenditures. The amended amount of \$58,280 will be transferred from operating and maintenance reserve. Kasian seconded. All voted aye.

The zoning board terms of Jim Arthaud and John Tczap expired April 30, 2011. Both have agreed to another term. Thompson moved to reappoint them to another term. Kasian seconded. All voted aye.

The board received a joint powers agreement from Stark County for the Veteran Service Officer. State's Attorney Brovold reviewed the agreement and found it to be satisfactory. Thompson moved to approve the agreement. Arthaud seconded. All voted aye.

An agreement/contract with Smart Computer was discussed. Thompson moved to accept the contract for them to maintain the firewall and antivirus on all computers. Kasian seconded. All voted aye.

Recent position changes and accompanying salaries were discussed for the Tax Director, Deputy Tax Director and Title VI Coordinators. Kasian moved to compensate Pat Rummel, Kathy Cash and Connie Hartman \$200 per month for the Title VI duties. Thompson seconded. All voted aye. Arthaud moved to keep the Tax Director and Deputy Tax Director salaries the same as they were for the previous employees in those positions. Thompson seconded. All voted aye.

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

Pat Rummel introduced paramedic Travis Booke.

Steve Dorval with Heartland Engineering gave the board an update on South Ash Coulee Road.

Mark Shields with NRCS, and Clint Schneider met with the board concerning the riverbank erosion by Clint's house. The bank eroded beyond the stabilization that was done in 2009. The NRCS program only allows funding to restore the riverbank back to its original state, which is why it wasn't extended in 2009. The program will allow 75% of the cost to restore the current eroded area. The remaining 25% is the responsibility of the landowner. Clint and the board discussed repayment options. Attorney Brovold will research the possibility of adding it as a special assessment to the land taxes. Kasian moved to proceed with estimate #2 in the amount of \$213,900 and work with Clint on repayment methods. Thompson seconded. All voted aye.

The board approved the revenue vouchers for the month of April: Zoning Inspector \$275.00 permits; EMS/Ambulance \$1,780.00 April collections; County Recorder \$11,775.05; Clerk of Court \$53.60 county fees and \$732.27 state fees.

Revenues for materials and/or services rendered in April: Connie Redmond \$300.00 snow removal; Badlands Ministries \$75.00 snow removal; Public \$47.63 map sales and copies; Thomas Grosulak \$43.50 insurance reimbursement; Cory Smith \$150.00 snow removal; Merrifield Creek Ranch \$75.00 snow removal; Louis Lindbo \$96.00 used culvert; Bill Kennedy \$16.13 county map;

Revenues for the month of April: Dept. of Agriculture \$2,191.92 TAG allocation; NDIRF \$15,864.00 insurance conferment; Highway Tax Distribution \$13,628.87; Township Rd Distribution \$16,918.61; Oil & Gas Production Tax \$220,236.57; State Aid Distribution \$52,815.22; Dept. of Health \$2,000.00 EMS training grant; Dept. of Transportation \$1,193.48 impaired driving grant; State Aid for Libraries \$6,243.00 FY 2011; Interest \$2,736.54; Royalties \$75,567.72; Permits \$10,300.00

The following claims were approved for payment:

Adams, Donna	Recorder – Travel Expense	99688	\$	48.96	
Advanced Business Methods	Savin Copier Contract	99689	\$	626.97	
Airon Corporation	Ambulance – CPAP System	99690	\$	2,886.92	
Alternative Sanitation	Garbage Removal	99691	\$	141.00	1, 2, 3
American Welding & Gas	Welding Supplies & Tool Repair	99692	\$	176.31	1, 3
Ameripride Linen Service	Mat Rental	99693	\$	81.15	2, 3
Andreas, George & Rose Marie	Rough Scoria Royalties	99694	\$	110.00	3
APCO International	D.E.M. – FCCA Frequency Fees	99695	\$	210.00	
Applied Concepts, Inc.	S. O. – Radar Equipment	99696	\$	2,312.50	
ATCO International	Courthouse Maintenance Supplies	99697	\$	291.50	
Barker, Gary	Museum Repairs	99698	\$	333.84	
Billings County Rural Fire District	Taxes	99699	\$	4,316.36	
Billings County Historical Society	Taxes	99700	\$	233.58	
Billings County Pioneer	Publishing	99701	\$	326.95	
Billings County School District	Taxes	99702	\$	62,444.76	
Billings County Sheriff	S. O. – Training Expenses	99703	\$	114.23	
Belfield Automotive Supply, Inc.	Parts & Supplies	99704	\$	1,690.51	1, 2, 3, W, G
Best Energy	Propane Tanks	99705	\$	3,800.00	3
Bismarck Tribune	Publishing	99706	\$	145.16	2, 3
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	99707	\$	2,450.80	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	99708	\$	183.00	2
Boots Bar & Grill	D.E.M. – Training Expense	99709	\$	78.50	
Bound Tree Medical, LLC	Ambulance – Medical Supplies	99710	\$	5,025.76	
Brooks & Associates, C. E.	Land Use Plan – Roadless	99711	\$	198.73	
Butler Machinery Co.	Parts & Supplies	99712	\$	861.65	1, 2, 3
Cass County Treasurer	Document Preservation Fund	99713	\$	327.00	
Comfort Inn - Bismarck	S. O. & D.E.M. – Travel Exp.	99714	\$	315.00	
Creative Energy	Diesel Fuel & Propane	99715	\$	5,443.93	1, 2
CW Structural Engineers	Plan Drafting – New Shop	99716	\$	105.00	3
Dakota Farm Equipment, Inc.	Courthouse – J.D. Mower	99717	\$	1,786.57	
Dakota Farm Equipment, Inc.	Parts & Supplies	99718	\$	69.99	1, 2
Dakota Filter Supply	Parts & Supplies	99719	\$	110.48	1
Dakota Water Treatment	Water System	99720	\$	25.00	1
Dan’s Interstate Conoco	S. O. – Gas	99721	\$	353.45	
Diamond Truck Equipment	Parts & Repairs	99722	\$	940.00	1
Dickinson Public Library	Library Services	99723	\$	2,865.10	
Dickinson Ready Mix Company	Tracy Mt. Road – Erosion Control	99724	\$	136.00	3
Dickinson Supply, Inc.	Parts & Supplies	99725	\$	19.17	1, 3
Electronic Communications	S. O. – Watchguard Installation	99726	\$	395.00	
Emergency Medical Supplies	Ambulance – Medical Supplies	99727	\$	1,167.17	
ESRI, Inc.	Software Contract	99728	\$	2,200.00	
Expressway Suites – Bismarck	Ambulance – Travel Expenses	99729	\$	559.65	
Fastenal Company	Shop Supplies	99730	\$	150.12	1, 3
Fisher Industries	Washed Sand	99731	\$	899.41	3
George’s Tire, Ltd.	Tires & Repair	99732	\$	10,613.00	1, 2
Gilseth, Mitchel	Ambulance – Travel Expense	99733	\$	561.30	
Golden Valley County	Social Service	99734	\$	6,103.37	
Heartland Engineering	South Ash Coulee Road	99735	\$	5,691.67	2
Heiser Electric, Don	Electrical Service & Parts	99736	\$	1,362.99	3, W, G
Institute of Local Government	I.L.G. Class Fees	99737	\$	130.00	
Jiran Architects & Planners	File Electronic Plans – New Shop	99738	\$	195.00	3
Johnston Fargo Culvert, Inc.	Culverts	99739	\$	36,502.41	3
JP Steel & Supply, Inc.	Iron Supplies	99740	\$	69.40	2
Kasian, Michael E.	Commissioner – Mileage	99741	\$	215.22	2
Kastrow, Jason	Ambulance – Travel Expense	99742	\$	184.90	
Kevin’s Auto & Truck Repair	Parts & Repairs	99743	\$	642.97	3
Kohler Communications	D.E.M. – Radio Equipment	99744	\$	429.00	
Lawson Products	Shop Supplies	99745	\$	837.51	1
Midstate Telephone Company	911 Changes	99746	\$	10.00	
Midstate Telephone Company	Courthouse – Telephone Service	99747	\$	942.73	

Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel	99748	\$ 22,821.92	2, 3
Myron's Roofing	Overhead Door Repair	99749	\$ 280.00	2
N.D. Association of Counties	Taxes	99750	\$ 110.96	
N.D. Treasurer's Association	Membership Dues	99751	\$ 50.00	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	99752	\$ 200.00	
N.D. Department of Transportation	Title & License 2011 PJ Trailer	99753	\$ 10.00	3
N.D. Envelope Company	Recorder – Envelopes	99754	\$ 72.10	
N.D.P.E.R.S.	Health Insurance Premium	99755	\$ 31,501.02	1, 2, 3, G, W
N.D. State Treasurer	Clerk of Court Fees	99756	\$ 784.35	
Newby's Ace Hardware	Parts & Supplies	99757	\$ 185.83	1, G
Northern Plains Engineering	SWPPP Application – New Shop	99758	\$ 975.00	3
Northwest Tire, Inc.	Tires	99759	\$ 1,161.38	1, 3
Off Road Software, Inc.	G.I.S. Software	99760	\$ 1,400.00	
Parkway Ford	Parts & Repairs	99761	\$ 4,742.67	1
Performance Truck Center	Parts & Repairs	99762	\$ 1,045.24	2
Pitney Bowes	Postage Machine Contract	99763	\$ 349.08	
Professional Computer Service	Printer Maintenance	99764	\$ 1,113.04	
Pump Systems, Inc.	Parts & Supplies	99765	\$ 444.47	1, 2
RAM General Contracting, Inc.	Building – Construction	99766	\$ 118,511.50	3
Ray's Auto Electric, Inc.	Parts & Repairs	99767	\$ 166.94	1
RDO Equipment Co.	Parts & Supplies	99768	\$ 9,880.40	2
Respond Systems	Safety Equipment	99769	\$ 579.36	1, 3, W
Roughrider Steakhouse	Ambulance – Training Expenses	99770	\$ 120.00	
Roughrider Electric Cooperative	Electricity	99771	\$ 1,880.75	1, 2, 3, G
Roughrider Electric Cooperative	New Service – Fairfield Firehall	99772	\$ 23.75	2
Rummel, Patrick	D.E.M. – Travel Expense	99773	\$ 37.50	
Runnings Farm & Fleet, Inc.	Shop Supplies	99774	\$ 950.03	1, 2
S & R Interiors, Inc.	Museum Repairs	99775	\$ 2,258.98	
Southwest Business Machines	Office Supplies	99776	\$ 1,598.63	3, G
Sherwin Williams	Museum Repairs	99777	\$ 22.18	
Smart Computers & Consulting	Sonicwall Contract	99778	\$ 3,600.00	
Smart Computers & Consulting	Computers & Technical Support	99779	\$ 5,026.47	1, G
Spectra Associates, Inc.	Clerk of Court – Office Supplies	99780	\$ 92.20	
Stein's, Inc.	Courthouse Maintenance Supplies	99781	\$ 338.40	
Stopplesworth & Son's, Inc.	Road Repairs	99782	\$ 2,528.00	2
Superior Lamp, Inc.	Shop Supplies	99783	\$ 188.89	2
Southwestern District Health Unit	Taxes	99784	\$ 1,967.78	
Southwest Water Authority	Taxes	99785	\$ 538.96	
Southwest Water Authority	Water Usage	99786	\$ 232.51	1, 2, 3
Swanston Equipment Corp.	DT1000 Dura Tank	99787	\$ 26,300.00	2
Tczap, John	S. O. – Travel Expense	99788	\$ 25.00	
Thompson, Allan T.	Commissioner – Mileage	99789	\$ 137.70	1
Thompson, Philip M.	Ambulance – Training Expense	99790	\$ 205.30	
Tom's Service Center	S. O. – Oil-X, Service, & Gas	99791	\$ 250.30	
Tractor & Equipment Co.	Parts & Repairs	99792	\$ 4,977.09	1, 3
Trapper's Inn, Inc.	Ambulance – Training Expenses	99793	\$ 272.70	
Underground Vaults, Inc.	Recorder – Microfilm Storage	99794	\$ 200.00	
Verizon Wireless	Cellular Service	99795	\$ 192.15	2, G
Vidacare Corporation	Ambulance – Medical Supplies	99796	\$ 681.90	
Vogel Law Office	Land Use Plan – E.I.S. Issues	99797	\$ 100.00	
Wal-Mart	Supplies	99798	\$ 143.40	2, G
Wanner Western Wear	S. O. – Uniforms	99799	\$ 29.99	
West Dakota Oil, Inc.	Drum Oil	99800	\$ 152.50	1
Western Fire & Safety	Safety Gear	99801	\$ 429.84	1, 3
Westlie Truck Center	Parts & Supplies	99802	\$ 3,880.32	3
Zoll Medical Corporation	Ambulance Supplies	99803	\$ 24,519.86	
Alltel	Cellular Service	99855	\$ 480.17	1, 3, G
American Family Life Assurance	Premium	99856	\$ 666.09	
Consolidated	Internet Service	99857	\$ 238.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	99858	\$ 84.00	
Discovery Benefits, Inc.	Premium	99859	\$ 1,816.69	
Information Technology Dept.	S.O. – T-1 Line	99860	\$ 442.80	
Medora, City of...	Courthouse – Utilities	99861	\$ 357.48	
State Dispersment Unit	Garnishment	99862	\$ 412.00	
N.D.P.E.R.S.	Deferred Comp. Premium	99863	\$ 4,564.00	
N.D.P.E.R.S.	Retirement	99864	\$ 11,368.86	1, 2, 3, W, G
Prudential	Deferred Comp. Premium	99865	\$ 50.00	
Qwest	Telephone Service	99866	\$ 371.47	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	99867	\$ 86.97	1, 2, 3, G
Roughrider Electric Cooperative	Weed Shop – Electricity	99868	\$ 131.00	
Visa	Ambulance Expenses	99869	\$ 2,868.39	

Payroll in the following amounts were approved for April: General Fund \$74,441.16; Road and Bridge Fund \$71,983.66; Weed Fund \$3,525.25

With there being no further business, Thompson moved to adjourn the meeting 2:25 P.M. Kasian seconded.

James Arthaud, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
MEDORA CITY COUNCIL
SPECIAL JOINT EMERGENCY MEETING – May 22, 2011**

A special emergency meeting was called at 7:00 PM concerning the flooding of the Little Missouri River. The meeting was advertised on the county website, and a notice posted on the Billings County Courthouse door. The Billings County Pioneer was notified.

Billings County Commissioner Mike Kasian called the meeting to order at 7:00 P.M. Commissioner Allan Thompson was present. Commissioner Arthaud was absent.

Mayor Ellison called the Medora City Council to order. Present for the City of Medora was Mayor Doug Ellison, City Council members Todd Corneil, Denis Joyce, and John Tczap were in attendance.

Others present were Sheriff Dave Jurgens; Deputy Sheriff/Emergency Manager Pat Rummel; TRNP representatives Valorie Naylor, Milo Thompson, Stewart Preston; Mike Tank, City of Medora Maintenance; Doug Koester and John Hild, TRMF representatives; Richard Volesky, Billings County Pioneer; Russ Lapp, City of Medora Police Department, Brent Seaks, Badlands Ministries; Dee Linn, Chateau de Mores; Jeff Iverson, Billings County 3rd District Rd & Brdge; Keri Klang, Billings County EMS; Darrell Dorgan, Kathy Miller, NDCHF; Nick LeTang, Meghan Benson, Elyse Steinman, John Motley, LeeAnne Rafferty, Deb Frank, Pat Rafferty, Ian Fregin, Melissa Bonner, Brad Skachenko, Corinne Davis, Morey Bang, Sandy Baertsch, Wally Owen, Dee Ann Baertsch, Linda Heyd, Bret Morton, Layton Tucker, Andrew Miller, Edward Wright, Norbert Sickler, Carmen Fiesel

Emergency Manager Pat Rummel gave an update on the status of the river. It is rising faster than anticipated, and it can possibly crest at 20 feet on Tuesday. Flood stage is 15 feet, and the river is currently at 16.75 feet.

Construction of a berm on one lane of the park road was discussed. Billings County and the City of Medora will mobilize their resources. Park Superintendent Valorie Naylor stated that the park's biggest concern was the cabins, and the park would have equipment and personnel available to assist where needed.

A mobilization plan was discussed. Jeff Iverson, Billings County 3rd District Road Foreman, and Mike Tank, City of Medora Maintenance will serve as incident commanders. They estimated that it will take a good day to construct the berm, and they will start moving equipment in the morning. DOT will take care of signage alerting traffic that the west entrance into town may be blocked, as the berm will cross Pacific Avenue.

Mayor Ellison asked for a motion to approve an emergency declaration on behalf of the City of Medora. Todd Corneil moved to approve the declaration. John Tczap seconded. All voted aye.

Commissioner Allan Thompson moved to approve an emergency declaration on behalf of Billings County. Commissioner Kasian seconded. All voted aye.

Imminent Flood Emergency Declaration

WHEREAS, Billings County is preparing for abnormally high water releases from Little Missouri due to the high amount of run-off from this seasons heavy snow and spring rains; and

WHEREAS, water levels are expected to equal the same amount seen in Billings County in 1929, in addition to the record amount of runoff into the Little Missouri River in question; and

WHEREAS, the need to prepare Billings County for these releases may be far in excess of the available Billings County resources;

NOW, THEREFORE, BE IT RESOLVED that The Billings County Commission declares a state of emergency exists in Billings County and orders the activation and utilization of the County Emergency Operations Plan, its procedures, attachments to monitor the situation, develop a detailed damage assessment, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of Billings County.

DATED at Medora North Dakota, this 22nd day of May, 2011

James Arthaud, Chairman
Billings County North Dakota

Imminent Flood Emergency Declaration

WHEREAS, the City of Medora is preparing for abnormally high water releases from Little Missouri due to the high amount of run-off from this seasons heavy snow and spring rains; and

WHEREAS, water levels are expected to equal the same amount seen in Billings County in 1929, in addition to the record amount of runoff into the Little Missouri River in question; and

WHEREAS, the need to prepare the City of Medora for these releases may be far in excess of the available city resources;

NOW, THEREFORE, BE IT RESOLVED that The Medora City Council declares a state of emergency exists in city of Medora and orders the activation and utilization of the City Emergency Operations Plan, its procedures, attachments to monitor the situation, develop a detailed damage assessment, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of Medora.

DATED at Medora North Dakota, this 22nd day of May, 2011

Doug Ellison, Chairman

Commissioner Kasian moved to adjourn at 7:50 P.M. Commissioner Thompson seconded. All voted aye.

James Arthaud, Billings County Chairman

Doug Ellison, City of Medora Mayor

Attest: _____

Joan Jurgens, County Auditor/Treasurer