

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – MAY 7, 2013**

The meeting was called to order at 9:05 A.M. with Commissioners Arthaud, Kasian and Kessel in attendance.

Others present during portions of the meeting were: Wes Schuhrke, Jim Haag, Roy Krivoruchka, Chelsey Skachenko, Kevin Holten, Craig Kubas, Gordon Gerbig, Jon Cameron, Dave Jurgens, Donna Adams, Keri Klang, Pat Rummel, Tim Solberg,

Kasian moved to approve the minutes from the April 2, 2013 regular meeting. Kessel seconded. All voted aye.

The annual payment for the Bankhead Jones Farm Tenant Act was received in the amount of \$5,993,570.74. Arthaud moved to approve amending the Land Utilization budget by \$1,718,570.74 to account for the amount received over the budgeted projection. Kessel seconded. All voted aye. Arthaud moved to forward the \$350,000.00 budgeted amount to the Billings County School District and transfer the budgeted amount to the three road district funds. Kasian seconded. All voted aye.

After review of the special event alcoholic beverage permit from Boots Bar & Grill for the NDRA Rodeo at Ranchorama, Kasian moved to approve the permit. Arthaud seconded. All voted aye.

Paul Krush has stepped down from the Golden Valley/Billings County Council on Aging. Margaret Krogh has agreed to fill his unexpired term. Kessel moved to appoint Margaret to the board. Kasian seconded. All voted aye.

The board discussed the District 2 used equipment bid on a Dura Patcher and Dura Tank. Kasian moved to reject the one bid received at the April 2, 2013 meeting. Kessel seconded. All voted aye.

Wes Schuhrke addressed the board regarding various county issues.

The board reviewed zoning requests that had been addressed by the zoning board at their April 18, 2013 meeting as follows:

Richard & Karlene Chruszch: Conditional Use permit requested to place a 2004 16'x80' manufactured home for their daughter at an existing farmsite on a 20 acre tract in the S1/2 20-142-99 (13047 22nd St SW). Property is zoned agricultural. Water and sewer permits have been approved. The zoning board approved the conditional use permit. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Terry Dwelle: Application to construct additions connecting the existing structures on a 69.03 acre tract in the NW1/4 6-139-102 (3628 West River Rd). Property is zoned agricultural. This application would connect three structures that currently exist on site. Setbacks are in line. Application stated that the current zoning was residential, commercial, & agricultural. It was determined that the commercial box on the application was incorrectly checked. The zoning board approved the application conditional upon the "commercial" checkbox being removed from the application. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

Roger Dieterle: Application to construct a 30'x 24' detached garage with loft on Lot 2, Section 6-139-102 (3606 West River Rd). Property is zoned agricultural. The zoning board approved this application. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

ADB Development, LLC: Requesting a one year extension for their Variance and Conditional Use Permit, allowing them to use up to two RV's during the planning, constructing, and development of the subdivision. As the use will be different from what the original application was, the zoning board denied their request. The commissioners upheld the zoning board decision.

Discussion ensued regarding various zoning violations and prices of scoria and gravel crushing & hauling in the county.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Richard & Karlene Chruszch – Section 20-142-99 along 22nd Street SW
- Whiting Oil & Gas – Section 16-140-100 along 31st Street & 136th Ave.

Pat Rummel addressed the board regarding the 2013 Burn Ban. The Fire Chief as well as the Sheriff's Department felt that it was best to align with the fire index. A link to the fire index can be found on the Billings County Website; or by calling the Sheriff's Office or the Fire Chief. After review, the commissioners

unanimously approved Resolution 2013-13 which is on file in the Auditor's office and posted on the bulletin board at the courthouse, and reads as follows:

RESOLUTION NO: 2013-13

Fire Emergency Order

WHEREAS, the Billings County Board of County Commissioners recognizes that current conditions have created an extreme risk to the citizens and property within Billings County, ND, of unnecessary loss by fire; and

WHEREAS, the Board wishes to regulate activities within the County which pose a potential hazard for such loss, should the present weather conditions continue.

NOW, THEREFORE, BE IT HEREBY RESOLVED BILLINGS COUNTY IS DECLARED UNDER A FIRE EMERGENCY ORDER AND A BURN BAN IS IN FORCE.

1. No travel is to be allowed off of surfaced roadways normally used for vehicular traffic except as necessary for normal farmer/rancher or industry operations.
2. Industrial operating crews and farmer/rancher operations shall have fire extinguishers and normal fire-fighting equipment at hand, and industrial personnel shall remain at the job site for one-half hour after daily operations are completed.
3. Smoking is restricted to inside of vehicles or buildings.
4. Burn ban to include any open burning which includes a ban on the ignition of fireworks, garbage or pit burning and campfires.
5. This burn ban is in effect for Billings County when the Fire Index is in the High, Very High or Extreme category until further notice.

Pursuant to NDCC 37-17.1-10, any person who willfully violates the burning ban established by this resolution is guilty of a Class B Misdemeanor (UP TO 30 DAYS IN JAIL AND A \$1000.00 FINE.), and restitution of fire suppression costs may be sought from the court.

Dated at Medora, ND, this 7th day of May, 2013
Billings County, North Dakota

By: _____
Jim Arthaud, Board Chairman

Attest: _____
Marcia Lamb, County Auditor

Tim Solberg addressed the board and informed them that he will be stepping down as Fire Chief and that he will let the board know when the vote for his replacement will be. Tim will be staying on as a fireman, and as Chief until a replacement is found. The commissioners thanked him for his service to Billings County.

Discussion ensued regarding the emergency services building project.

Keri Klang addressed the board regarding a shared paramedic with Beach Ambulance Service. She informed the board that she had met with Beach Ambulance and they would be willing to cost share 50% of a full time paramedic. Keri was given permission by the commissioners to hire a full time paramedic and to use our quick response unit until Beach Ambulance can purchase one, and we receive the memorandum of understanding.

Craig Kubas with Kadrmas Lee & Jackson met with the board for the monthly engineers report.

After review of the annual agreement with KLJ, Kessel moved to approve, Kasian seconded. All voted aye.

The board recessed from 12:00 to 1:00 P.M.

Gordon Gerbig met with the commissioners on behalf of the Billings County Weed Board regarding a vehicle they would like to purchase through private sale for the sprayers. The vehicle will cost \$15,000. Kessel moved to approve. Kasian seconded. All voted aye.

Donna Adams addressed the board regarding billing questions and the board informed her that in the future she would be notified prior to approval of bills paid out of her budget.

Sheriff Dave Jurgens addressed the board regarding Legislative Senate Bill 2025 that was passed relating to overweight fines going to jurisdiction that oversees the roadway. He requested the purchase of scales and a truck so that the county can assess overweight fees as opposed to the Highway Department doing the weighing. Commissioners directed the sheriff's office to purchase the necessary equipment if it was under \$100,000. Kessel moved to amend the sheriff's office vehicle budget by \$100,000 to make this purchase. Kasian seconded. All voted aye. The Sheriff's Department is part of the general fund and there is enough in the general fund for this amendment.

Jon Cameron, Field Representative for Senator John Hoeven, approached the board and discussed the Oil & Gas funding and updates on various county projects.

Due to a scheduling difficulty, the next meeting of the County Commission as well as the County Board of Equalization will be on June 14, 2013.

The board approved the revenue vouchers for the month of April: Recorder \$9,358.80; Zoning \$1,350.00; Court \$122.49; Sheriff \$48.00.

Revenues for materials and/or services rendered in April: Jon Klym \$150.00 snow removal; Joey & Rene' Berger 150.00 scoria; Ambulance Services \$5,355.08.

Revenues for the month of April: Highway Tax Distribution \$20,301.31; Unorganized Township Road Distribution \$20,297.67; State Aid Distribution \$73,336.77; Oil & Gas Production Tax \$253,063.66; PILT \$4,999.77; Interest \$1,991.66; Sheriff \$197.55 March Collections; Sheriff \$19,440.00 permits; Billings County Fire Protection District \$16,044.62 grant reimbursement from Adjutant General; ND Insurance Reserve Fund \$12,621.00 insurance conferment; Royalties \$77,205.97.

The following claims were approved for payment:

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
Gaulrapp, Jerome	Weed - 2005 Dodge Ram	004926	\$ 15,000.00	
3D Specialties, Inc.	Road Signs	004927	\$ 8,656.00	3, G
Acme Electric Tool Crib	Shop Tools	004928	\$ 866.55	3
Adams, Donna	Recorder - Travel Expense	004929	\$ 194.59	
Advanced Business Methods	Copier Contracts	004930	\$ 818.89	
Advanced Technology Products	Shop Supplies	004931	\$ 710.70	2
Alternative Sanitation	Garbage Removal	004932	\$ 220.00	1, 2, 3, W
American Welding & Gas	Shop Supplies	004933	\$ 131.71	1
Ameripride Linen Service	Mat Rental	004934	\$ 127.28	2, 3
Art Direct	Recorder - Picture Frame	004935	\$ 125.00	
Aspen Mills	Ambulance - Uniforms	004936	\$ 573.84	
Asphalt Surface Technologies	Blacktail Road	004937	\$ 30,626.97	1
A T & T	Cellular Service	004938	\$ 71.69	1
Atlas Windshield Repair	Chip Repair & Replace Windshield	004939	\$ 775.00	1, G
Billings County Auditor	Auditor - Travel Expense	004940	\$ 28.50	
Billings County Rural Fire District	Taxes	004941	\$ 6,085.27	
Billings County Historical Society	Taxes	004942	\$ 316.62	
Billings County Pioneer	Publishing	004943	\$ 699.72	2, G
Billings County School District	Taxes	004944	\$ 3,840.03	
Billings County School District	Land Utilization Payment	004945	\$ 350,000.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	004946	\$ 2,226.02	2, 3, W
Best Energy	Propane	004947	\$ 3,828.72	1, 2, 3
Bismarck Tribune	Publishing	004948	\$ 453.00	2
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	004949	\$ 2,546.00	1, 2, 3, W, G
Butler Machinery Co.	Parts & Supplies	004950	\$ 1,444.69	2, 3
Cassidy, MD, Dr. Michael	Ambulance - Medical Direction	004951	\$ 1,000.00	
CDW Government	Sheriff - Supplies	004952	\$ 188.02	
Challenger Industries, Inc.	Parts & Supplies	004953	\$ 486.54	3
Chemsearch	Shop Supplies	004954	\$ 290.56	2
Chesak Seed House	Seed	004955	\$ 755.00	3
Consolidated	Shop Supplies	004956	\$ 59.00	3
Creative Energy	Gas & Shop Supplies	004957	\$ 96.33	2, 3
Dakota Farm Equipment, Inc.	Parts & Supplies	004958	\$ 232.33	1, 3
Dakota Farm Equipment, Inc.	2 - J.D. CX-15 Mowers	004959	\$ 16,900.00	2
Dakota Water Treatment	Shop Supplies	004960	\$ 25.00	1
Dan's Interstate Conoco	Sheriff & Ambulance - Gas	004961	\$ 245.03	
Denny's Electric	Shop Supplies	004962	\$ 423.50	1
Diamond Truck Equipment	Parts & Repairs	004963	\$ 1,020.00	1
Dickinson Public Library	Library Services	004964	\$ 3,708.98	
Dickinson Supply, Inc.	Parts & Supplies	004965	\$ 187.84	3
DJ's Tesoro	Ambulance - Gas	004966	\$ 219.96	

Environmental Systems	GIS – License Renewal	004967	\$	2,200.00	
Fastenal Company	Parts & Supplies	004968	\$	388.47	3
Fisher Industries	Washed Sand	004969	\$	281.52	3
Gall's, Inc.	Sheriff – Supplies	004970	\$	142.46	
George's Tire, LTD.	Tires	004971	\$	992.00	3
Gilseth, Mitchel	Ambulance – Travel Expense	004972	\$	105.00	
Golden Valley County	Social Service	004973	\$	6,803.26	
Great Plains National Bank	Recorder – Safe Deposit Box	004974	\$	35.00	
Hedahl's Auto Plus	Parts & Supplies	004975	\$	150.32	3
Hewlett Packard Company	Clerk of Court – Computer Monitor	004976	\$	216.00	
Hlebechuk Construction, Inc.	Snow Removal	004977	\$	2,805.00	1, 2
Interstate Engineering, Inc.	Engineering	004978	\$	2,223.00	2
Jamestown Communications	D.E.M. – Equipment	004979	\$	57.00	
Jay R's Auto Body	Sandblast Water Truck	004980	\$	5,592.50	3
JM Welding, LLC	Weld Water Tanks	004981	\$	555.55	3
Johnson, Christine	Clerk of Court – Travel Expense	004982	\$	171.25	
J P Steel & Supply, Inc.	Iron Supplies	004983	\$	156.22	1, 2
Kadrmaz, Lee, & Jackson, Inc.	Engineering	004984	\$	12,931.29	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	004985	\$	78.90	
Kasian, Michael E.	Commissioner – Mileage	004986	\$	239.56	2
Kessel, Anita	Zoning Meeting – Mileage	004987	\$	90.20	
Kessel, Joseph L.	Commissioner – Mileage	004988	\$	136.17	1
Klang, Keri	Ambulance – Training Expenses	004989	\$	197.55	
Kohler Communications, Inc.	Gorham Tower Rental	004990	\$	200.00	
Krebs Machine & Repair	Welding Repair	004991	\$	42.50	2
Krush, Paul	Zoning Meeting – Mileage	004992	\$	92.46	
Lamb, Marcia	Auditor – Travel Expense	004993	\$	76.84	
Little Missouri Badlands Co.	Ambulance – Training Expense	004994	\$	130.00	
Logan, Terry	2011/2016 Lease Agreement	004995	\$	125.00	3
Lyle Signs, Inc.	Road & Street Signs	004996	\$	1,496.75	3, G
Mac's, Inc.	Shop Supplies	004997	\$	346.08	2, 3
Medora, City of...	Taxes	004998	\$	23,614.80	
Meyer Aggregate, LLC	Gravel Crushing	004999	\$	132,000.00	2
Meyer Industries	Parts & Supplies	005000	\$	1,180.75	2
Mid-Dakota Wheel Alignment	Parts & Repairs	005001	\$	1,839.88	1
Midstate Telephone Company	Courthouse – Telephone Service	005002	\$	944.23	
Midwest Elevator & Drilling, Inc.	Courthouse – Elevator Repair	005003	\$	9,600.00	
Motorola Solutions	Ambulance – Radio Equipment	005004	\$	6,677.50	
Missouri Valley Petroleum, Inc.	Medora Keytrol Fill – Gas	005005	\$	2,848.37	
N.D. Association of Counties	Taxes	005006	\$	81.65	
N.D. Association of Counties	Auditor – ILG Class Fee	005007	\$	40.00	
N.D. Association of Counties	Workers Comp.	005008	\$	5,725.85	
N.D. A.A.O.	Tax Director – Class Fee	005009	\$	185.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	005010	\$	200.00	
N.D. Department of Transportation	Title Fee	005011	\$	5.00	3
N.D.P.E.R.S.	Health Insurance Premium	005012	\$	38,793.29	1, 2, 3, W, G
N.D. State Radio Communications	Sheriff – T-1 Line & 911 Service	005013	\$	1,417.53	
N.D. State Treasurer	Taxes	005014	\$	127.05	
N.D.A.C.O. Resources Group	Courthouse – Technical Support	005015	\$	5,495.25	
NDLTAP – UGPTI	Conference Fees	005016	\$	100.00	3
Nelson International	Parts & Repairs	005017	\$	1,300.48	1, 2, 3
Newby's Ace Hardware	Parts & Supplies	005018	\$	251.98	1, 3, G
Off Road Software, Inc.	Off Road GIS Software	005019	\$	1,400.00	
OK Tire Stores	Tires	005020	\$	4,665.49	3
Parkway Ford	Parts & Supplies	005021	\$	439.40	1
PCSI.net	Website E-mail Host	005022	\$	352.00	
Penguin Management, Inc.	Emergency Voice Notification	005023	\$	1,074.00	
Performance Truck Center	Parts & Supplies	005024	\$	16.89	2
Pitney Bowes	Postage Machine – Contract	005025	\$	349.08	
Pizza Ranch	Ambulance – Training Expense	005026	\$	224.85	
Postmaster	Auditor – Postage Stamps	005027	\$	230.00	
Postmaster	Postage Stamps	005028	\$	46.00	1
Prairie Implement & Equipment	Parts & Supplies	005029	\$	85.10	1
Pro Tint	Sheriff – Supplies	005030	\$	125.00	
Probuild	Shop Supplies	005031	\$	68.28	3
Professional Printing	Sheriff – Office Supplies	005032	\$	68.00	
Pump Systems, Inc.	Parts & Supplies	005033	\$	40.16	2, 3
Putnam, Karen	Zoning Meeting – Mileage	005034	\$	46.13	
Quality Quick Print	Sheriff – Supplies	005035	\$	180.00	
Queen City Motors, Inc.	Sheriff – Parts & Repairs	005036	\$	206.95	
Ramada Hotel – Bismarck	Road Conference – Expense	005037	\$	89.00	3
Ramkota Hotel – Bismarck	Ambulance – Travel Expenses	005038	\$	801.00	
Ray's Auto Electric, Inc.	Parts & Supplies	005039	\$	145.90	2
RDO Equipment Co.	Parts & Repairs	005040	\$	2,694.57	2, 3
RDO Equipment Co.	Motor Grader Rental	005041	\$	9,000.00	3
Respond Systems	Courthouse – Maintenance Supplies	005042	\$	138.33	
Rockmount Research & Alloys	Parts & Supplies	005043	\$	846.03	2
Roosevelt-Custer Regional Council	Mitigation Plan	005044	\$	4,225.00	
Roughrider Electric Cooperative	Electricity	005045	\$	2,427.10	1, 2, 3, W, G
RPM Auto Repair	Weed – Parts & Repairs	005046	\$	1,621.70	
Rudy's Lock & Key	Shop Supplies	005047	\$	171.60	2, 3
Runnings Supply, Inc.	Parts & Supplies	005048	\$	382.67	1, 2, G
Sax Motor Co.	Sheriff – Parts & Repairs	005049	\$	340.59	
Southwest Business Machines	Tax Binder, Laptop Computer, etc.	005050	\$	2,725.97	3, G
Service Printers	Weed – Newsletter Postage	005051	\$	171.39	
Share Corporation	Courthouse – Maintenance Supplies	005052	\$	165.66	
SimplexGrinnell	Courthouse – Alarm System Contract	005053	\$	1,554.00	
St. Joseph's Hospital	Sheriff – Testing	005054	\$	99.00	
Stark County Auditor	Road Oil	005055	\$	5,175.00	2, 3
Steffan Feeds	Seed	005056	\$	230.00	2

Steffan's Saw & Bike	Shop Supplies	005057	\$	239.98	3
Stein's, Inc.	Courthouse – Maintenance Supplies	005058	\$	294.98	
SuperPumper, Inc.	Ambulance & Sheriff – Gas	005059	\$	417.57	
Southwestern District Health Unit	Taxes	005060	\$	2,896.79	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	005061	\$	414.04	
Southwest Water Authority	Taxes	005062	\$	886.14	
Southwest Water Authority	Water Usage	005063	\$	345.28	1, 2, 3, W
Swanson, Stacey	Tax Director – Travel Expense	005064	\$	117.52	
Swanston Equipment Corp.	Parts & Supplies	005065	\$	151.51	3
Tab Electronics	Ambulance – Radio Equipment	005066	\$	2,050.00	
Tezap, John	Zoning Meeting – Mileage	005067	\$	45.00	
Thompson, Philip M.	Ambulance – Travel Expense	005068	\$	218.20	
Thos. Y. Pickett & Co., Inc.	Tax Director – Appraisal Contract	005069	\$	10,000.00	
Tom's Service Center	Sheriff – Oil-X & Service	005070	\$	43.40	
Tooz Construction	Shop Expense – Concrete	005071	\$	16,421.98	1
Total Safety US, Inc.	Safety Supplies	005072	\$	1,614.66	2, 3
UltraMax	Sheriff – Supplies	005073	\$	802.00	
Underground Vaults, Inc.	Recorder – Microfilm Storage	005074	\$	212.00	
Verizon Wireless	Cellular Services	005075	\$	885.00	2, 3, G
Wal-Mart	Courthouse & Ambulance – Supplies	005076	\$	448.37	1, G
Warne Chemical & Equipment Co.	Weed – Parts & Supplies	005077	\$	625.70	
West Dakota Oil, Inc.	Oil, Gas, Diesel, & Shop Supplies	005078	\$	27,841.48	1, 3
West Plains, Inc.	Bobcat V-Blade	005079	\$	2,300.00	1
Westlie Crossroads Truck Center	Parts & Supplies	005080	\$	2,218.91	3
Centurylink	Telephone Service	005147	\$	536.68	1, 2, 3, W, G
Consolidated	911 Changes & Internet Service	005148	\$	231.21	2, 3, W, G
Discovery Benefits, Inc.	Flex Plan – Administrative Fee	005150	\$	83.00	
Information Technology Dept.	Sheriff – T-1 Line	005152	\$	469.00	
Medora, City of...	Courthouse – Utilities	005153	\$	194.71	
N.D.P.E.R.S.	Retirement Contributions	005156	\$	22,802.81	1, 2, 3, W, G
Reservation Telephone	Telephone Service	005159	\$	42.88	2, 3, G
Verizon	Ambulance – Cellular Service	005160	\$	30.06	
Visa	Shop Expenses, Training, etc.	005161	\$	8,527.70	1, 3, W, G

Payroll in the following amounts were approved for April: General Fund \$105,897.43; Road and Bridge Fund \$89,895.43; Weed Fund \$4,523.95.

With there being no further business, Kasian moved to adjourn the meeting 2:20 P.M. Kessel seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer