

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

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: Jon Cameron, Stacey Swanson, Dave Jurgens, Pat Rummel, Brenda Frieze, Keri Klang, Shawn Thomas, Craig Kubas, Justin Hyndman, Kayla Torgerson.

Kasian moved to approve the minutes from the October 1, 2013 regular meeting. Arthaud seconded. All voted aye.

Jon Cameron, from Sen. Hoeven's office was in attendance to discuss western North Dakota issues with the board.

The board reviewed the monthly road report from Road Superintendent, Jeff Iverson.

Auditor Lamb presented a waiver of conflicts letter from the Association of Oil & Gas Producing Counties and the law firm Moss & Barnett. Discussion ensued regarding the work they would be undertaking with the Association. After review, Chairman Arthaud signed.

Auditor Lamb presented Resolution 2013-14 to the board. After review and discussion, Kessel moved to approve the resolution. Kasian seconded. All voted aye. Resolution 2013-14 reads as follows:

**RESOLUTION NO: 2013-14  
RESOLUTION SUPPORTING THE NORTH DAKOTA DEPARTMENT  
OF TRANSPORTATION TO PROCEED WITH PLANS TO FOUR-LANE  
U.S. HIGHWAY 85 BETWEEN WATFORD CITY AND BELFIELD, ND.**

**WHEREAS**, the accident and fatality rate on U.S. Highway 85 between Watford City and Belfield is significantly increasing; and

**WHEREAS**, the North Dakota Legislature has budgeted \$1.5 billion in this biennium for transportation improvements in Western North Dakota; and

**WHEREAS**, the North Dakota Legislature has allocated \$590 million oil in and gas revenue as the source of funding for these transportation improvements; and

**WHEREAS**, the North Dakota Department of Transportation has indicated that safely moving people and goods is its major priority; and

**WHEREAS**, North Dakota experiences an annual construction inflation of 12-20 percent annually; and

**WHEREAS**, we support the North Dakota Department of Transportation in their current construction improvements to U.S. Highway 85 from Watford City to Williston, including bypass routes; and

**WHEREAS**, an Environmental assessment will determine impacts and mitigation of the highway expansion through Theodore Roosevelt National Park.

**NOW THEREFORE BE IT RESOLVED BY BILLINGS COUNTY THAT:**

1. Safety of the traveling public is of paramount importance and currently U.S. Highway 85 conditions are resulting in significant accidents and fatalities.
2. The current status of U.S. Highway 85 from Watford City to Belfield is impeding the very industry from which the revenue budgeted by the North Dakota Legislature is being collected for infrastructure improvements statewide.
3. The current status of U.S. Highway 85 from Watford City to Belfield is also limiting the interest of the labor force needed to serve the energy industry in western North Dakota.
4. The current status of U.S. Highway 85 from Watford City to Belfield is also creating a dangerous situation for visitors to western North Dakota, especially those visiting Theodore Roosevelt National Park and other public available Federal lands.
5. Delaying the planning and construction of this project will result in additional unnecessary cost to the taxpayers in North Dakota.
6. The proposed improvements would affect only existing roadway within the Theodore Roosevelt National Park.
7. I/We join with others to urge the North Dakota Department of Transportation to proceed with plans to expand the existing U.S. Highway 85 from Watford City to Belfield to a four lane highway including the portion traversing the Theodore Roosevelt National Park and other Federal Lands.

**ADOPTED AND APPROVED ON NOVEMBER 5, 2013**

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James Arthaud, Billings County Chairman

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Marcia Lamb, Billings County Auditor

Discussion was had by the board regarding a vacancy on the Billings County Weed Board. No decision was made at this time.

A division order from Continental Resources was reviewed and signed by Commissioner Arthaud.

Auditor Lamb presented an application from the Tax Director, Stacey Swanson for an Abatement of mobile home tax on an Alpha Oil & Gas skid shack in the NW1/4NW1/4 Section 14-142-99. Skid shacks are classified as personal property and not as mobile homes. Kessel moved to abate this tax. Kasian seconded. All voted aye.

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

Construction in County Right-of-Way Permits

- Whiting Oil & Gas Corporation – Section 1-141-100 along South Ash Coulee Rd.
- Continental Resources, Inc – Section 21-141-98 along 28<sup>th</sup> Street
- Continental Resources, Inc – Section 23-141-98 along 28<sup>th</sup> Street
- Roughrider Electric Coop. – Section 33-140-100 crossing 35 ½ Street SW
- Petro-Hunt, LLC – Section 14-144-98 along 8<sup>th</sup> Street SW
- Ken Obrigewitch – Section 34-141-98 along 24<sup>th</sup> Street SW

Pipeline Permits

- Petro-Hunt, LLC – Section 1-143-99 to Section 6-143-98 for gas gathering
- OneOK Rockies Midstream, LLC – Sections 27 & 28-141-99 for gas gathering
- Hiland Operating – Sections 22, 23 & 24-141-98 for gas gathering

Stacey presented a contract with Vanguard Software and a module to update property records in real time for in the field. After review, Chairman Arthaud signed.

Chairman Arthaud opened the Public Hearing for the Billings County Zoning Resolution No. 1 at 10:00AM as published. Stacey Swanson went over the changes and an email from a Billings County landowner. Kasian moved to adopt the resolution. Kessel seconded. All voted aye. The amendments will be published in the Billings County Pioneer and the public comment period will be open for 30 days.

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

Dean & Debbie Rodne: Application to construct a home on a 17.3 acre tract in the NW1/4 6-139-102 (3603 West River Rd). Also requested is a variance from the section line setback requirement. Property is zoned residential and currently owned by David & Sharon Humphrey. Home will be in NW corner of property. Variance request was due to the fact that no building or road would be possible on section line due to a large valley. The zoning board approved both the variance and the buildings. Kessel moved to approve the variance and the buildings. Kasian seconded. All voted aye.

Pat Rummel addressed the board regarding risk management and wellness program duties. Kessel moved to allow Kathy Dosch and Chris Johnson to assume backup duties for Pat Rummel with a salary increase of \$200/mo. for each of them. Kasian seconded. All voted aye.

Dave Jurgens introduced Shawn Thomas as the newly hired Billings County Sheriff Deputy.

Craig Kubas, Kayla Torgerson, & Justin Hyndman with Kadrmas Lee & Jackson met with the board for the monthly engineers report and update on the Little Missouri River Crossing EIS.

Dave Jurgens and Pat Rummel discussed the procedure for transferring deceased individuals out of the county with the board.

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

Brenda Frieze, Pat Rummel, & Keri Klang were present to discuss the Multi-County Hazard Mitigation Plan that Roosevelt-Custer is putting together. This will be addressed at the December 3, 2013 commission meeting.

The board approved the revenue vouchers for the month of October: Recorder \$18,156.45; Zoning \$1,500.00; Court \$96.00; Sheriff \$40.00 .

Revenues for materials and/or services rendered in October: Von Johnson \$1,313.55 gravel & scoria; Rick Baranko \$425.25 gravel; Larry Cymbaluk \$463.05 gravel; WEED SPRAYING (Mike Kasian \$85.93; Pat Weir \$72.45; Larry Hagen \$57.46; Cody Reis \$116.51; Cody Cerkoney \$339.49; Terry Tachenko \$1,036.85; Arvid Hecker \$483.13; Jerry Wagner \$248.86; Tony Obrigewich \$245.46; Kwirt Johnson \$82.40; Delry Sabroski \$124.64; Greg Kessel \$68.71; Belfield Sportsman Club \$180.92; Kevin Volesky \$352.25; Raymond Kessel \$27.54; Albert Kessel \$528.96; Kurt Kordon \$106.22; TRMF \$1,874.60; Michael Klym \$205.12; Larry Ridl \$242.58; James Adams \$38.90; James Braun \$112.34; Edwin Cerkoney \$126.66; Ralph Froehlich \$267.34; Leonard Kordonowy \$232.83; Geoff Obrigewitsch \$241.48; Kasper Family Trust \$388.65; Medora Grazing Assn \$6,087.67; Kevin Kirsch \$435.82; Department of Agriculture \$5,937.03; William Palanuk \$170.96)

Revenues for the month of October: Highway Tax Distribution \$22,617.19; Oil & Gas Production Tax \$1,097,593.84; Interest \$2,266.24; Sheriff \$47,170.00 permits/fees; Royalties \$89,509.42; State Aid \$90,630.49; Misc Copies/fax/maps \$43.38.

The following claims were approved for payment:

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
3D Specialties, Inc.	Parts & Supplies	006291	\$ 930.00	3
Acme Electric	Sheriff – Safety Gear	006292	\$ 15.99	
Adams, Donna	Recorder – NDACO Convention	006293	\$ 425.48	
Advanced Business Methods	Courthouse – Copier Contracts	006294	\$ 1,289.16	
Alternative Sanitation	Garbage Removal	006295	\$ 220.00	1, 2, 3, W
Ameripride Linen Service	Mat Rental	006296	\$ 51.05	2
AR Engh Heating & Air Conditioning	Boiler Pump Repair	006297	\$ 2099.00	3
A T & T	Cellular Service	006298	\$ 71.58	1
Baranko Bros., Inc.	Franks Creek Road – Project	006299	\$ 130,715.58	2
Billings County Rural Fire District	Taxes	006300	\$ 7,050.57	
Billings County Pioneer	Publishing	006301	\$ 1,265.93	
Billings County School District	Taxes	006302	\$ 740.99	
Billings County Sheriff	Sheriff – Travel Expenses	006303	\$ 282.36	
Billings County Weed Board	Noxious Weed Spraying	006304	\$ 8,697.03	1, 2, 3
Belfield Automotive Supply, Inc.	Parts & Supplies	006305	\$ 1,386.19	1, 2, 3, W
Belfield Plumbing & Heating	Museum – Furnace Repair, etc.	006306	\$ 554.90	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	006307	\$ 2,463.90	1, 2, 3, W, G
Bob's Photo	Sheriff – Camera	006308	\$ 965.11	
Booke, Travis	Ambulance – Travel Expense	006309	\$ 45.00	
Bound Tree Medical, LLC	Ambulance – Medical Supplies	006310	\$ 180.02	
Brooks & Associates, C. E.	Land Use Plan – Roadless	006311	\$ 1,727.41	
Buckman Plumbing & Heating	Shop Expense	006312	\$ 198.10	1
Buffalo Gap, Inc.	Sheriff – Uniforms	006313	\$ 30.00	
Butler Machinery Co.	Parts & Supplies	006314	\$ 590.48	3
Canad Inn Destination Center	Tax Director – Travel Expense	006315	\$ 186.00	
Cerkoney, Cathy	Zoning Meeting – Mileage	006316	\$ 84.55	
Creative Energy	Gas & Diesel Fuel	006317	\$ 12,782.02	2, W
D & D Sprinkler Systems	Courthouse – Winterize Sprinklers	006318	\$ 225.00	
Dakota Farm Equipment, Inc.	Parts & Supplies	006319	\$ 1,046.52	1, 2, 3, W
Dakota Insurance	Sheriff – Property Insurance	006320	\$ 128.00	
Dakota Rubber Stamp	D.E.M. – Office Supplies	006321	\$ 145.58	
Dakota Tool & Machine	Parts & Repairs	006322	\$ 164.00	3
Dan's Interstate Conoco	Sheriff – Gas	006323	\$ 463.50	
Deans Distributing	Oil Tank & Drum Oil	006324	\$ 4,387.30	2, 3
Dell Marketing, Inc.	Courthouse – Server Software	006325	\$ 564.80	
Dickinson Public Library	Library Services	006326	\$ 4,583.50	
Dickinson Ready Mix Company	Concrete	006327	\$ 319.10	3
Dickinson Tire, Inc.	Ambulance – Tires	006328	\$ 847.40	
DJ's Tesoro	Sheriff & Ambulance – Gas	006329	\$ 185.15	
Donut Hole	Ambulance – Training Expense	006330	\$ 84.00	
East End Auto & Truck Parts	Sheriff – Side Mirror	006331	\$ 235.00	
Electro Watchman, Inc.	Courthouse – Security Contract	006332	\$ 331.95	
Energy Systems Industrial	Air Compressor	006333	\$ 3,301.25	2
Fastenal Company	Shop Supplies	006334	\$ 309.06	1, 3
Fisher Industries	Courthouse – Rock & Washed Sand	006335	\$ 2,773.46	3, G
Four Seasons Trophies	Courthouse – Signs	006336	\$ 192.50	
General Steel & Supply Co.	Shop Supplies	006337	\$ 155.83	1
George's Tire Shop	Tires & Supplies	006338	\$ 200.00	3
Gilseth, Mitchel	Ambulance – Travel Expense	006339	\$ 45.00	
Golden Valley County	Social Service & Building Remodel	006340	\$ 11,261.02	
Haag, James M.	Travel Expense	006341	\$ 258.40	1
Hedahls Parts Plus	Parts & Supplies	006342	\$ 123.38	1
Heiser Electric, Don	Electrical Service & Repair	006343	\$ 1,513.70	3, G
Hewlett Packard Company	Courthouse – Server Hard Drive	006344	\$ 470.00	
Hlebechuk Construction, Inc.	Gas Plant Road	006345	\$ 140,914.23	1
Hlebechuk Construction, Inc.	Blade Roads	006346	\$ 2,485.00	2
Hlebechuk, James N.	Gravel Royalties	006347	\$ 22,161.33	1
Hlebechuk, John	Gravel Royalties	006348	\$ 22,161.33	1
Hlebechuk, Martha	Gravel Royalties	006349	\$ 22,161.34	1
Jamestown Communications, Inc.	Radio Repair	006350	\$ 72.50	1
Johnson, Joshua	Courthouse – Custodial Help	006351	\$ 2,337.50	
J P Steel & Supply, Inc.	Shop Supplies	006352	\$ 30.50	3
Just-In Glass	Ambulance – Windshield Repair	006353	\$ 40.00	
Kadmas, Lee, & Jackson, Inc.	Engineering	006354	\$ 117,367.28	1, 2, 3

Kasian, Connie J.	Zoning Meeting – Mileage	006355	\$	78.90	
Kasian, Michael E.	Commissioner – Mileage	006356	\$	387.03	2
Kessel, Anita	Zoning Meeting – Mileage	006357	\$	90.20	
Kessel, Joseph L.	Commissioner & Zoning – Mileage	006358	\$	337.87	1, G
Kevin's Auto & Truck Repair	Parts & Supplies	006359	\$	305.90	3
Klang, Keri	Ambulance – Travel Expense	006360	\$	30.00	
Kohler Communications, Inc.	Gorham Tower Rental	006361	\$	200.00	
Krush, Paul	Zoning Meeting – Mileage	006362	\$	92.46	
Kulish, Randy	Travel Expense	006363	\$	393.50	1
Lamb, Marcia	Auditor – Travel Expense	006364	\$	258.22	
Lapp, Colleen	Deputy Auditor – Travel Expense	006365	\$	176.90	
Lyle Signs, Inc.	Road Signs	006366	\$	1,570.21	2
Mainstay Suites – Bismarck	Tax Director & Ambulance – Travel	006367	\$	320.00	
Medora Convenience	D.E.M. – Supplies	006368	\$	48.44	
Midstate Telephone Company	Courthouse – Telephone Service	006369	\$	1,011.32	
Midwest Doors, Inc.	Shop Supplies	006370	\$	53.90	2
Mobile Binders	Recorder – Docket Binders	006371	\$	755.61	
Motorola Solutions	D.E.M. – Radio Equipment	006372	\$	287.00	
Mulligan's Catering	D.E.M. – Safety Meeting Expense	006373	\$	848.13	
Missouri Valley Petroleum, Inc.	Gas & Diesel Fuel	006374	\$	38,208.96	1, 2, 3, G
National Association of Counties	Membership Dues	006375	\$	450.00	
N.D. Association of Counties	N.D.A.C.O. – Convention Fees	006376	\$	1,485.00	
N.D. Association of Counties	Taxes	006377	\$	28.36	
N.D. Assoc. of Assessing Officers	Tax Director – Registration Fees	006378	\$	115.00	
N.D. Attorney General	Sheriff – Scram Program Fees	006379	\$	290.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	006380	\$	200.00	
N.D. Department of Transportation	Sheriff – Title 2014 Chevrolet Truck	006381	\$	11.50	
N.D.P.E.R.S.	Health Insurance Premium	006382	\$	42,193.49	1, 2, 3, W, G
N.D. County Recordors Association	Membership Dues	006383	\$	100.00	
N.D. State Radio Communications	911 Service & Sheriff – T-1 Line	006384	\$	1,557.66	
N.D. State Treasurer	Taxes	006385	\$	56.81	
N.D.A.C.O. Resources Group	Courthouse – Tech. Mgmt. Contract	006386	\$	953.00	
N.D. E.M.S.A.	Ambulance – Membership Dues	006387	\$	40.00	
Nelson International	Parts & Repairs	006388	\$	2,714.36	1, 2
Newby's Ace Hardware	Parts & Supplies	006389	\$	83.31	2, 3, G
Northern Improvement Co.	West River Road	006390	\$	601,535.86	3
Northern Plains Engineering	Engineering	006391	\$	6,725.00	3
Northwest Tire, Inc.	Tires	006392	\$	1,642.75	1
O'Brien Oilfield Service, Inc.	Machine Work	006393	\$	45.00	3
Off Road Software, Inc.	Off Road GIS Software	006394	\$	1,400.00	
O K Tire Stores	Tires	006395	\$	15,300.31	2, 3
Peace Officer Standards	Sheriff – Evaluation Services	006396	\$	110.00	
Pemberton, Juliana	Deputy Tax Director – Travel Expense	006397	\$	206.20	
Penguin Management, Inc.	911 Voice Notifications	006398	\$	2,268.00	
Pitney Bowes	Courthouse – Postal Machine Contract	006399	\$	349.08	
Pizza Ranch	Ambulance – Training Expense	006400	\$	183.14	
Pro Tint	Ambulance – AutoStart	006401	\$	490.00	
Professional Printing	Sheriff – Office Supplies	006402	\$	499.00	
Pump Systems, Inc.	Parts & Supplies	006403	\$	91.28	2
Putnam, Karen	Zoning Meeting – Mileage	006404	\$	46.13	
Quality Xterminators	D.E.M. – Pest Control	006405	\$	160.00	
Radisson Hotel – Bismarck	Sheriff – Travel Expense	006406	\$	415.80	
Ramada Hotel – Bismarck	D.E.M. – Travel Expense	006407	\$	207.90	
Ramkota Hotel – Bismarck	N.D.A.C.O. – Convention	006408	\$	1,315.20	
Rau Designs, Inc.	Ambulance – Graphic Design	006409	\$	1,788.00	
RDO Equipment Co.	Parts & Supplies	006410	\$	930.00	2
Roosevelt-Custer Regional Council	Mitigation Plan	006411	\$	10,655.64	
Rummel, Patrick	D.E.M. – Travel Expenses	006412	\$	152.55	
Runnings Farm & Fleet	Shop Supplies	006413	\$	483.11	2, G
Sax Motor Co. and Ally	Sheriff – 2014 Chevrolet Truck	006414	\$	15,441.00	
Sax Motor Co.	Ambulance – Install Mud Flaps	006415	\$	144.10	
Southwest Business Machines	Office Supplies	006416	\$	624.56	2, G
St. Alexius Medical Center	Employee Assistance Program	006417	\$	250.00	
Stan's Communications	D.E.M. – Programming Cable	006418	\$	175.00	
Stark County Auditor	S.W. Association of Counties	006419	\$	34.43	
Steffan's Saw & Bike	Shop Supplies	006420	\$	19.98	3
Stein's, Inc.	Courthouse – Maintenance Supplies	006421	\$	1,006.37	
Stoppeworth & Sons, Inc.	Blade Roads	006422	\$	395.50	2
Southwestern District Health Unit	Taxes	006423	\$	3,170.88	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	006424	\$	643.38	
Southwest Water Authority	Taxes	006425	\$	970.06	
Southwest Water Authority	Water Usage	006426	\$	2,460.82	1, 2, 3, W
Swanson, Stacey	Tax Director – Travel Expenses	006427	\$	220.35	
Swanston Equipment Corp.	Parts & Supplies	006428	\$	409.10	1
Tab Electronics	Ambulance – Pager Programming	006429	\$	113.75	
Tezap, John	Zoning Meeting & Training Expense	006430	\$	87.00	
Thomas, Shawn	Sheriff – Special Deputy	006431	\$	1,409.85	
Tom's Service Center	Sheriff – Oil-x, Service, Tires, & Gas	006432	\$	1,221.70	
Total Safety US, Inc.	Shop Supplies	006433	\$	156.38	1, 2
Tyler Technologies, Inc.	Courthouse – Software License Fee	006434	\$	17,098.48	
Uniform Center	Sheriff – Uniforms	006435	\$	394.96	
UPS Store	Ambulance – Shipping Service	006436	\$	9.30	
Verizon Wireless	Cellular Services	006437	\$	547.69	2, 3, G
Wal-Mart	Courthouse & D.E.M. – Supplies	006438	\$	410.08	
Watchguard Video	Sheriff – Radio Antenna	006439	\$	36.00	
Western Edge Bookstore	Zoning – Billings County Plat Books	006440	\$	308.70	
Westlie Crossroads Truck Center	Parts & Supplies	006441	\$	1,131.81	3
Martin Construction	Blacktail Road	006442	\$	26,991.24	1
Centurylink	Telephone Service	006511	\$	520.53	1, 2, 3, W, G
Consolidated	911 Changes & Internet Service	006512	\$	236.19	2, 3, W, G

Discovery Benefits, Inc.	Flex Plan – Administrative Fee	006513	\$	84.00	
Information Technology Dept.	Sheriff – T-1 Line	006515	\$	1,020.35	
Johnson, Joshua	Courthouse – Custodial Help	006516	\$	3,125.00	
Medora, City of...	Courthouse – Utilities	006517	\$	198.67	
N.D.P.E.R.S.	Retirement Contributions	006520	\$	29,821.49	1, 2, 3, W, G
Reservation Telephone	Telephone Service	006523	\$	42.88	1, 2, 3, G
Roughrider Electric Cooperative	Electricity	006524	\$	2,317.50	1, 2, 3, W, G
Visa	Ambulance – Supplies, etc.	006525	\$	1,214.02	W, G
Visa	Ambulance – Gas	006526	\$	379.52	

Payroll in the following amounts were approved for October: General Fund \$113,839.09; Road and Bridge Fund \$93,146.76; Weed Fund \$10,163.47.

With there being no further business, Kasian moved to adjourn the meeting 1:30 P.M. Kessel seconded. All voted aye.

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James Arthaud, Chairman

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

Marcia Lamb, Auditor/Treasurer

