

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – OCTOBER 4, 2011**

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

Others present during portions of the meeting were: Craig Kubas, Pat Rummel, Dave Jurgens

Thompson moved to approve the minutes from the September 6, 2011 regular meeting. Kasian seconded. All voted aye.

The board received a letter from the City of Medora noting that the city ordinance has a provision that if the county cannot find a suitable candidate within the extraterritorial district to sit on the city zoning board, the city can appoint a zoning member until an appropriate member is appointed by the county commission. Arthaud moved to appoint Marcia O'Brien as the county representative on the City Zoning Board. Kasian seconded. All voted aye.

Stark County requested that Billings County contribute 22% of the annual extension service budget, instead of the 16% that has been the contribution in prior years. Thompson moved to approve the request. Kasian seconded. All voted aye.

The board received the resignation of Sharleen Stigen from the Council on Aging board. Anita Kessel has indicated that she will fill the position. Thompson moved to appoint Anita to the board. Kasian seconded. All voted aye.

The contract to conduct the 2011 independent audit was received from James J. Wosepka, CPA. Thompson moved to accept the contract. Kasian seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Continental Resources Inc. – Section 35, Township 143, Range 99 along 128<sup>th</sup> Ave SW
- Continental Resources Inc – Section 26, Township 141, Range 99 along 127<sup>th</sup> Ave
- Continental Resources Inc – Sections 9 & 10, Township 141, Range 99 along South Ash Coulee Road

The board reviewed a request by Mark Kasian to change a 3 acre parcel in SW1/4SW1/4 35-141-98 from agricultural. The zoning board approved the request. Thompson moved to uphold the zoning board recommendation and approve the request. Arthaud seconded. Commissioner Kasian abstained.

The board reviewed a request by Wesley Hecker to rezone .21 acres in NW1/4 9-139-10 from agricultural to residential, a setback variance, and construct a modular home. The zoning board approved the request. Kasian moved to uphold the zoning board recommendation and approve the requests. Thompson seconded. All voted aye.

Thompson moved to raise the zoning member per meeting salary from \$35 to \$45. Arthaud seconded. All voted aye.

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

12:00 Noon – 1:00 P.M. The board recessed.

Kasian moved to approve the Fire Emergency Order Resolution #12. Thompson seconded. All voted aye.

**RESOLUTION NO: 2011-12**

**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. Building, maintaining, attending or using a fire or campfire except within a developed recreation site equipped with metal fire rings or with elevated charcoal or propane grills is prohibited. Developed recreation site is a cleared area specifically designated for camping/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 4<sup>th</sup> day of October, 2011  
Billings County, North Dakota

By: \_\_\_\_\_  
Jim Arthaud, Board Chairman

Attest: \_\_\_\_\_  
Joan Jurgens, County Auditor

The 2012 Budget Hearing was held at 1:30 PM as advertised. Nobody appeared either for or against any portion of the budget. Thompson moved to approve the budget. Arthaud seconded. All voted aye.

The board approved the revenue vouchers for the month of September: Zoning Inspector \$1,125.00 permits; County Recorder \$22,284.14 Sept. collections; Clerk of Court \$135.00 Sept. collections.

Revenues for materials and/or services rendered in September: Thomas Grosulak \$84.00 insurance reimbursement; Leonard Kordonowy \$192.60 gravel & trucking; Don Majeres \$226.20 scoria & trucking; Blue Cross/Blue Shield \$7,707.98 ambulance services; Ted Tescher \$132.00 gravel & trucking; public \$479.00 hunting/fishing licenses; Dept. of Transportation \$72,198.75 oil impact reimbursement; SW Water Authority \$720.00 riprap; Noridian \$1,315.30 ambulance services; public \$69.88 maps; USFS \$225.00 road blading; Jon Ness \$16.13 map; William Langlois \$16.13 map; Joey Kessel \$675.00 blading; Flying Y Ranch \$617.40 scoria, culvert, trucking; Dept. of Human Services \$617.77 ambulance services; Shannon Fritz \$21.50 map; Geoff Obrigewitsch \$1,283.40 scoria & trucking; Scott Rakness \$10.75 map; Belfield Ambulance \$7,849.84 expenditure reimbursement; TRMF \$16.13 map

Revenues for the month of September: BLM Minerals \$257,191.36; Highway Tax Distribution \$12,007.27; Oil & Gas Production Tax \$450,181.50; Interest \$8,352.76; Royalties \$89,441.86; Permits \$8,810.00

The following claims were approved for payment:

Adams, Donna	Recorder – Clerk’s Conference	000870	\$	485.97	
Advanced Business Methods	Recorder – Copier Rental	000871	\$	404.55	
Advantage Drillings Fluids	Dust Control	000872	\$	25,893.26	3
Alert-All Corporation	D.E.M. – Fire District Expense	000873	\$	147.04	
Alliance Ag South Heart	Weed – Chemicals	000874	\$	553.25	
Alternative Sanitation	Garbage Removal	000875	\$	150.00	1, 2, 3
Americinn of Medora	Flood Emergency – Expense	000876	\$	1,398.70	
Ameripride Linen Service	Mat Rental	000877	\$	38.22	2
Baranko Bros., Inc.	Build Roads & Reclaim	000878	\$	27,294.00	2
Billings County Auditor	Gravel – C. Obrigewitch Pit	000879	\$	49,569.00	2
Billings County Rural Fire District	Taxes	000880	\$	9.43	
Billings County Pioneer	Subscription	000881	\$	34.00	
Billings County Pioneer	Publishing	000882	\$	427.68	
Billings County School District	Taxes	000883	\$	345,364.02	
Beicelgel Station	Gas	000884	\$	127.68	1
Belfield Automotive Supply, Inc.	Parts & Supplies	000885	\$	1,194.02	1, 2, 3, W, G
Best Energy	Propane	000886	\$	5,002.74	2, 3
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	000887	\$	2,299.80	1, 2, 3, W, G
Booke, Travis	Ambulance – Uniforms	000888	\$	144.00	
Boots Bar & Grill	Flood Emergency – Expense	000889	\$	195.25	
Bosch Lumber Co.	Shop Supplies	000890	\$	21.35	2
Bound Tree Medical, LLC	Ambulance – Medical Supplies	000891	\$	414.79	
Brooks & Associates, C. E.	Land Use Plan – F.O.I.A.	000892	\$	32,203.10	
Butler Machinery Co.	Parts & Supplies	000893	\$	1,106.82	1, 2
Canad Inn Destination Center	Recorder – Clerk’s Conference	000894	\$	138.60	
Cass County Treasurer	Document Preservation Fund	000895	\$	358.00	
Cedar Fencing	Build Fence	000896	\$	4,135.00	3
Cerkoney, Cathy	Zoning Meeting – Mileage	000897	\$	70.70	
Chesak Seed House	Seed	000898	\$	32.00	3
Comfort Inn – Bismarck	Tax Director & D.E.M. – Travel	000899	\$	325.00	
Computer Software Associates	Recorder – Docupro Support	000900	\$	2,795.00	
Creative Energy	Diesel Fuel	000901	\$	10,003.56	1
Dakota Farm Equipment, Inc.	Parts & Supplies	000902	\$	5,520.34	1, 2, 3, W
Dakota Territory Search Dogs	S. O. – K9 Search Dogs	000903	\$	432.85	
Dakota Water Treatment	Water System Rental	000904	\$	50.00	1
Dan’s Interstate Conoco	S. O. – Gas	000905	\$	906.63	
Dickinson, City of...	Waste Disposal	000906	\$	155.93	W, G
Dickinson Public Library	Library Services	000907	\$	4,243.12	
Electronic Communications	S. O. – Radio Programming	000908	\$	195.00	
Elsevier	Ambulance – Subscription	000909	\$	99.00	
Four Corners Cafe	S. O. & D.E.M. – Training Expenses	000910	\$	742.80	
General Equipment & Supplies	Terex Repair	000911	\$	1,103.05	1, 2, 3
George’s Tire, Ltd.	Service Call & Tire Repair	000912	\$	444.00	1, 2
Golden Valley County	Social Services	000913	\$	6,378.36	
Goldsberry, Ron	Build Fence	000914	\$	1,200.00	1
Hartman, Connie M.	Auditor – Travel Expenses	000915	\$	352.62	
Heartland Engineering	Road Drainage & Hydraulic Analysis	000916	\$	4,749.15	2
Hedahls Auto Plus	Parts & Supplies	000917	\$	5.87	1
Heiman, Inc.	Fire District – Rescue Truck	000918	\$	227,661.00	
Heiser Electric, Don	Electrical Service	000919	\$	3,343.52	3, W, G
Heiser, Don	Zoning Meeting – Mileage	000920	\$	51.32	
Hlebechuk Construction	Haul Scoria & Blade Roads	000921	\$	132,811.50	1, 2, 3
Information Technology Dept.	S. O. – Computer Support	000922	\$	259.25	
Interstate Power Systems	Sentinel Butte Tower Repair	000923	\$	1,679.64	
J P Steel & Supply	Iron Supplies	000924	\$	73.72	1
Jurgens, Dave	S. O. – Travel Expense	000925	\$	39.00	
Jurgens, Joan	Land Use Plan – Travel Expense	000926	\$	27.54	
Kadrmas, Lee, & Jackson, Inc.	Engineering	000927	\$	46,282.85	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	000928	\$	65.60	
Kasian, Michael E.	Commissioner – Mileage	000929	\$	258.06	2
Kessel, Anita	Zoning Meeting – Mileage	000930	\$	75.80	
Klang, Keri	Ambulance – Travel Expense	000931	\$	299.10	
Krush, Paul	Zoning & Council on Aging – Mileage	000932	\$	897.92	
Mid-American Research Chemical	Courthouse – Maintenance Supplies	000933	\$	427.29	
Martin Construction	Magpie Road Slide Repair	000934	\$	87,815.50	1
Martin Construction	Gravel Treatment	000935	\$	130,223.74	1
Matthew Bender & Company	S. O. – Traffic Law Updates	000936	\$	181.12	
Medora Convenience Store	S. O. – Search Expense	000937	\$	402.21	
Medora, City of...	Taxes	000938	\$	1,487.06	
Menards	Courthouse – Maintenance Supplies	000939	\$	152.11	
Meyer Aggregate, Inc.	Oyhus Pit – Crushing	000940	\$	151,250.00	2
Midstate Telephone Company	911 Changes	000941	\$	2.00	
Midstate Telephone Company	Courthouse – Telephone Service	000942	\$	940.74	
Mid West Crane Service	Courthouse – Move Rocks	000943	\$	390.00	
Mobile Binders	Courthouse – Recording Binders	000944	\$	1,538.31	

Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel Fuel	000945	\$	26,639.08	2, 3, G
National Association of Counties	Membership Dues	000946	\$	400.00	
N.D. Association of Counties	Taxes	000947	\$	113.24	
N.D. Association of Counties	D & A Testing	000948	\$	53.00	1
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	000949	\$	200.00	
N.D. Assoc. of Oil & Gas Producing	Commissioner – Registration Fees	000950	\$	55.00	
N.D.P.E.R.S.	Health Insurance Premium	000951	\$	34,719.42	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	000952	\$	176.30	
Nelson Bros. Fencing	Build Fence	000953	\$	3,868.43	3
Newby's Ace Hardware	Ambulance – Supplies	000954	\$	20.33	
Newman Signs	Road Signs	000955	\$	1,414.70	1
Northern Improvement Co.	Omega Mix	000956	\$	6,184.26	1, 2
Northern Improvement Co.	Cold Mix	000957	\$	2,697.42	1
Northwest Tire, Inc.	Tires	000958	\$	1,205.20	1
O'Brien Welding	Floor Drain – New Shop	000959	\$	477.55	3
O'Day Equipment, Inc.	Shop Supplies	000960	\$	74.08	1
Off Road Software, Inc.	G.I.S. Software	000961	\$	1,400.00	
OK Tire Stores	Tire Repair	000962	\$	30.00	3
Parkway Ford Lincoln Mercury	Parts & Supplies	000963	\$	1,414.07	1
Performance Truck Center	Parts & Repairs	000964	\$	1,012.77	2
Pitney Bowes – Reserve Account	Courthouse – Replenish Postage	000965	\$	1,200.00	
Porter Motors, Dan	Ambulance – Oil -X & Service	000966	\$	82.18	
Pro Tint	S. O. – Parts & Repairs	000967	\$	485.00	
Professional Printing	S. O. – Printing Services	000968	\$	334.00	
Quality Quik Print	Ambulance – Printing Services	000969	\$	128.00	
RAM General Contracting, Inc.	Building – Construction	000970	\$	305,625.10	2, 3
Ramkota Hotel – Bismarck	S. O. – Travel Expense	000971	\$	138.00	
Ray's Auto Electric, Inc.	Parts & Supplies	000972	\$	263.80	3
RDO Equipment Co.	Parts & Supplies	000973	\$	1,324.76	2
Roosevelt-Custer Regional Council	Mitigation Plan Grant	000974	\$	5,255.79	
Roughrider Electric Cooperative	Electricity	000975	\$	2,305.05	1, 2, 3, W, G
Rummel Auto Wrecking	Ambulance – Oxygen Refills	000976	\$	54.40	
Rummel, Patrick	D.E.M. – Travel Expense	000977	\$	215.40	
Runnings Farm & Fleet, Inc.	Parts & Supplies	000978	\$	460.68	1, 2, W, G
Sanitation Products, Inc.	Expressway Plow	000979	\$	11,341.00	1
Sax Motor Company	S. O. – Parts & Repairs	000980	\$	606.05	
Southwest Business Machines	Office Supplies	000981	\$	785.90	
Share Corporation	Courthouse – Maintenance Supplies	000982	\$	167.10	
Simnioniw, Les	Weed – Safety Meetings	000983	\$	107.14	
Slope County Auditor	S. O. – Medical Share/Care	000984	\$	500.75	
Smart Computers & Consulting	Computer Technical Support	000985	\$	4,200.48	
Spectra Associates, Inc.	Recorder – Office Supplies	000986	\$	54.20	
St. Joseph's Hospital	S. O. – Blood Test	000987	\$	93.00	
Steffan Feeds	Seed	000988	\$	255.00	1
Steffan Saw & Bike	Shop Supplies	000989	\$	66.00	3
Stein's, Inc.	Courthouse – Maintenance Supplies	000990	\$	198.10	
Superpumper, Inc.	S. O. – Gas	000991	\$	223.01	
Southwestern District Health Unit	Taxes	000992	\$	132.88	
Southwest Water Authority	Taxes	000993	\$	36.30	
Southwest Water Authority	Water Usage	000994	\$	357.20	1, 2, 3
Swanson, Stacey	Tax Director – Travel Expense	000995	\$	412.65	
Tczap, John	Zoning Meeting – Mileage	000996	\$	35.00	
Thompson, Allan T.	Commissioner – Mileage	000997	\$	165.75	1
Thrifty White Drug	S. O. – Photo Process	000998	\$	8.47	
Tom's Service Center	Parts & Service	000999	\$	1,053.50	1, 3, G
Total Safety, Inc.	Parts & Supplies	001000	\$	336.68	1
Tractor & Equipment Co.	Motorgraders	001001	\$	293,086.00	1
University of North Dakota	Tax Director – Registration Fees	001002	\$	50.00	
Verizon Wireless	Cellular Service	001003	\$	1,009.45	2, 3, G
Wal-Mart	Courthouse – Maintenance Supplies	001004	\$	85.54	2, W, G
Wanner Western Wear	S. O. - Uniforms	001005	\$	173.88	
West Plains, Inc.	Parts & Supplies	001006	\$	63.71	1
Westlie Truck Center	Parts & Supplies	001007	\$	136.24	3
Wosepka Auto Service	Parts & Repairs	001008	\$	114.00	1
American Family Life Assurance	Premium	001068	\$	837.53	
A T & T	Cellular Service	001069	\$	69.69	1
Century Link	Telephone Service	001070	\$	373.75	1, 3, G
Consolidated	Internet Service	001071	\$	238.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	001072	\$	94.50	
Discovery Benefits, Inc.	Premium	001073	\$	1,753.35	
Information Technology Dept.	S. O. – T-1 Line	001074	\$	444.00	
Job Service North Dakota	Unemployment Taxes	001075	\$	3,716.84	1, 2, 3, W, G
Medora, City of...	Courthouse – Utilities	001076	\$	268.42	
State Dispersment Unit	Garnishment	001077	\$	412.00	
N.D.P.E.R.S.	Deferred Comp. Premium	001078	\$	4,964.00	
N.D.P.E.R.S	Retirement	001079	\$	12,333.86	1, 2, 3, W, G
N.D. State Tax Commissioner	State Tax Withholding Taxes	001080	\$	7,088.65	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	001081	\$	54.35	1, 2, 3, G
Visa	D.E.M. Equipment & Training Fees	001082	\$	278.83	

Payroll in the following amounts were approved for September: General Fund \$85,592.23; Road and Bridge Fund \$84,771.60; Weed Fund \$7,759.91

With there being no further business, Thompson moved to adjourn the meeting 2:45 P.M. Arthaud seconded. All voted aye.

---

James Arthaud, Chairman

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

Joan Jurgens, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – OCTOBER 13, 2011**

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

Others present during portions of the meeting were: Lauren Donovan, Lisa Call, Margie Lindbo, Pat Hedstrup, Mark Trechock, Laura Grzanic, Kelly Anderson, Ron Bock, Bill Reis, Duane Helms, Richard Volesky, Steve Griesser, Valerie Naylor, Scott Lange, Neal Messer, Lee Johnson, Perry Redmond, Cary Hutchings, Don Gordon, Cindi Gordon, Pat Rummel, Dave Jurgens, Keri Klang, Mitch Gilseth, Jay Brovold, Chris Caruci, Jan Swenson, Travis Booke, Joe Schmidt

The purpose of the special meeting was to meet with Great Northern Midstream, LLC concerning their proposal to construct and operate a railroad crude oil leadout facility in section 10-139-100 near Fryburg.

Great Northern Midstream representatives gave a presentation on the proposed project. Representatives from BNSF were also present.

Commissioner Arthaud explained the options to be considered, and public discussion ensued. Emergency management issues were addressed and questions answered. It was stated that a plan was in the works to handle any possible emergency situation. The plan has to be filed with EPA and the company will have trained personnel on site at all times.

Dave Jurgens and Pat Rummel gave a report on their tour of a similar facility in Stanley.

The public requested additional meetings and progress reports from the company. Great Northern Midstream will make those arrangements.

Thompson moved to approve the project. Kasian seconded. All voted aye.

With there being no further business, Thompson moved to adjourn the meeting 11:20 A.M. Kasian seconded. All voted aye.

---

James Arthaud, Chairman

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

Joan Jurgens, Auditor/Treasurer

