

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – SEPTEMBER 6, 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: Matthew Remyse, Russ Schank, Tom Wycoff, Jason Krebsbach, Marv Miller, Craig Kubas, Janell Gunderson, Dave Jurgens, Pat Rummel, Dave Jurgens, Stacy Swanson, Charles & Lynn Safford, Kathy Cash, Doug Fischer, Margie Lindbo, Pat Hedstrup, Bill Whitworth, Perry Redmond, William Reis, Neal Messer, Rich Voss, Jim Flourhoy, Richard Volesky, Greg Burbach, Ted Bland, Gary Mathiera, Jay Brovold, Roger Cymbaluk, Marc Mouton

Thompson moved to approve the minutes from the August 2, 2011 regular meeting and the August 12, 2011 special meeting. Kasian seconded. All voted aye.

Matthew Remyse with Dickinson Airport met with the board concerning funding for a hangar. He presented the board with the plans and a request for financial assistance from Billings County in the amount of \$79,000. Arthaud moved to approve a 5 year contract at \$15,800 per year provided it meets State's Attorney Brovold's approval. Kasian seconded. All voted aye.

Janell Gunderson met with the board concerning the river crossing and access for emergency services. The board explained that the county doesn't maintain private roads and this particular road involves the corps of engineers since it crosses the river, but the county will work with them as much as possible. Janell also addressed reverse 911 and the sheriff's department stated that reverse 911 implementation is in the works.

Jason Krebsbach with JPL Architects and Marv Miller with Twin City Roofing met with the board concerning the repairs to be done to the courthouse roof, which has been leaking enough the past several years to cause damage to the interior of the building. The total estimate to repair the roof and damage is \$249,029.00 and will take approximately six weeks to complete. Because of the uniqueness of the repairs and the fact that it's an emergency since winter is approaching, State's Attorney Brovold advised the board that they can forego the bidding process. Thompson moved to declare the project an emergency with winter approaching. Arthaud seconded. All voted aye. Kasian moved to accept the proposal. Thompson seconded. All voted aye. Arthaud moved to amend the general fund budget by \$300,000. Kasian seconded. All voted aye.

Russ Schank and Tom Wycoff from American State Bank presented the board with some investment options that will get the county a little better interest rate than certificates of deposit. US Treasury yields a better return on long term investments than certificates of deposit. The State Auditor's Office has stated that this type of investment is acceptable for county government.

Auditor Jurgens requested that the following 2011 budgeted transfers be authorized:

- BLM Minerals to Road and Bridge - \$1,335,000.00
- PILT to Road and Bridge - \$150,000.00
- Highway Distribution to Road and Bridge- \$120,000.00
- Unorganized Township Road to Road and Bridge - \$240,000.00
- Operating and Maintenance Reserve to Weed Board - \$90,000.00
- Operating and Maintenance Reserve to Extension Service - \$6,000.00

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

The following 2011 budgets need to be amended because the revenue received was more than anticipated:

- SW District Health Unit \$2,800.00
- Land Utilization - \$1,500,000.00

Kasian moved to approve the budget amendments. Thompson seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- John Hild – Section 8, Township 139, Range 101

- BNSF – Section 11, Township 139, Range 101
 - Whiting Oil and Gas – Sections 10, 11, Township 140, Range 100
 - Eclipse Energy Services – Section 34, Township 137, Range 100
 - Consolidated Telcom – Section 35, Township 141, Range 98
 - Paige Burian – Section 13, Township 144, Range 98
 - Dustin Richard – Section 15, Township 137, Range 100
 - James Odermann – Section 22, Township 141, Range 99
 - Dustin Richard – Section 32, Township 141, Range 99
- Pipeline Permits
- Hess Corporation – Sections 16, 17 & 20, Township 139, Range 101

Jeremy Wood with Northern Plains Engineering updated the board on the bid opening for concrete replacement around the 1st district county shop. There were no bids received for the project.

The board received a letter of resignation from Tax Director Dana Wanner. Arthaud moved to appoint Deputy Tax Director Stacy Swanson to the Tax Director position. Kasian seconded. All voted aye.

The board acknowledged receipt of a letter from the City of Medora concerning the county representative to the city zoning board. Commissioner Arthaud will seek a replacement.

The board reviewed past-due bills for scoria, mowing and blade work.

The board received a listing of gravel and scoria pit lease expirations. State's Attorney Brovold will follow up on these.

The advertised bid opening for scoria crushing started at 11 A.M. The county proposes to crush and stockpile 20,000 cubic yards of scoria in 7-141-100. One bid was received from Meyer Aggregate at \$2.75/yard for a total of \$55,000. Kasian moved to accept the bid. Thompson seconded. All voted aye.

The advertised bid opening for a compact track loader with attachments started at 11:15 A.M. as advertised. One bid in the amount of \$67,460 was received from RDO Equipment. Kasian moved to accept the bid. Thompson seconded. All voted aye.

Craig Kubas with Kadrmas, Lee & Jackson, gave the board the monthly engineer's report. Craig also introduced Doug Fischer, who recently joined KLJ as an engineer.

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

The board reviewed applications the zoning board addressed at their August 25th meeting.

- Donald & Andrew Majeres – Application to rezone Lot 2, 6-142-100 and construct a cabin. The zoning board approved. Thompson moved to approve the request. Kasian seconded. All voted aye.
- Charles & Lynn Safford – application to construct an addition to an existing building. The zoning board approved. Thompson moved to approve the request. Arthaud seconded. All voted aye.
- James Haag – application for a manufactured home in SE1/4SE1/4 23-144-99. The zoning board approved. Thompson moved to approve the request. Kasian seconded. All voted aye.
- Larry & Olga Heiser – application for a variance to allow RVs as temporary housing in NW1/4NE1/4 1-139-100. The zoning board approved. Kasian moved to approve the request. Thompson seconded. All voted aye.
- Great Northern Midstream, LLC – rezone approximately 270 acres for a crude oil rail loading terminal in 10-139-100. The zoning board approved. Discussion about truck traffic, road maintenance, railroad crossings, lights and noise ensued. Great Northern would work with the county on those issues to lessen the impact on the county and residents. Thompson moved to table the request until an agreement on road routes and maintenance is made between Great Northern and Billings County. Kasian seconded. All voted aye.

- Nabors Trucking – request a conditional use permit for a 24 person temporary (less than one year) crew housing facility in NW1/4NW1/4 14-142-99. The zoning board approved. Thompson moved to approve the request. Kasian seconded. All voted aye.
- MBC Properties – requested a larger building than what was previously approved. The zoning board approved contingent upon it falling within the setback requirements. Kasian moved to approve the request. Thompson seconded. All voted aye.

The board worked on the 2012 budget and prepared a preliminary budget for publication prior to the October 4, 2011 final budget hearing.

The board revisited the per hour salary increase previously given to Deputy Sheriff/Emergency Manager Pat Rummel. Thompson moved to change the per hour increase from \$1 per hour to \$2 per hour. Arthaud seconded. All voted aye.

The board approved the revenue vouchers for the month of August: Zoning Inspector \$825.00 permits; County Recorder \$22,630.38 July collections; Sheriff \$57.00 civil fees, Clerk of Court \$202.50 July collections.

Revenues for materials and/or services rendered in August: TRMP \$3,768.00 scoria & trucking; George Hoffman \$61.13 gravel & trucking; Mike Klatt \$188.40 scoria & trucking; Gayda Oil \$16.13 county map; Scott Burian \$628.20 scoria & trucking; David Reis \$402.00 scoria & trucking; Glenn Redmond \$426.60 scoria & trucking; Stoppleworth & Sons \$585.00 scoria; Medora Grazing Association \$1,149.92 chemical; Alliance Ag Coop \$28.78 map and postage; Ted Tescher \$1,071.90 gravel & trucking; Steve Hartman \$55.14 road sign; Eagle Oil Field Services \$18.03 county map; Steve Tachenko \$60.00 culvert

Revenues for the month of August: Oil & Gas Production Tax (July) \$221,011.81; Adjutant General \$7,950.00 ambulance radios; Adjutant General \$3,167.37 DES reimbursement; Thomas Grosulak \$42.00 insurance; City of Medora \$15,000.00 housing loan payment; State Aid \$53,481.98; Highway Distribution \$8,755.35; Oil & Gas Production Tax (August) \$219,656.43; Permits \$10,540.00; Royalties \$81,531.79; Interest \$8,829.68

The following claims were approved for payment:

Advanced Business Methods	Recorder – Copy Paper, etc.	000660	\$	1,229.97	
Advantage Drillings Fluids	Dust Control	000661	\$	25,893.26	3
Alternative Sanitation	Garbage Removal	000662	\$	150.00	1, 2, 3
American Insurance Center	Courthouse – Boiler Insurance	000663	\$	994.00	
Americinn of Medora	Recorder – Training Expense	000664	\$	40.00	
Ameripride Linen Service	Mat Rental	000665	\$	81.15	2, 3
Aspen Mills	Ambulance – Uniforms	000666	\$	112.07	
A T & T	Cellular Service	000667	\$	68.83	1
ATCO International	Courthouse – Maintenance Supplies	000668	\$	990.00	
Baranko Bros., Inc.	Build Roads	000669	\$	36,858.00	2
Billings County Rural Fire District	Taxes	000670	\$	157.31	
Billings County Pioneer	Publishing	000671	\$	1,104.18	2, G
Billings County School District	Taxes	000672	\$	82,872.50	
Billings County Sheriff	S. O. – Travel Expenses	000673	\$	108.55	
Belfield Automotive Supply, Inc.	Parts & Supplies	000674	\$	1,119.26	1, 2, 3, W, G
Belfield Plumbing & Heating	Courthouse – A/C Repairs	000675	\$	5,281.65	
Best Energy	Propane	000676	\$	742.50	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	000677	\$	2,595.00	1, 2, 3, W, G
Bosch Lumber Co.	Shop Supplies	000678	\$	71.67	2
Bound Tree Medical, LLC	Ambulance – Medical Supplies	000679	\$	2,831.63	
Brooks & Associates, C. E.	Land Use Plan – Roadless	000680	\$	207.04	
Brooks & Associates, C. E.	Land Use Plan – F.O.I.A.	000681	\$	667.00	
Cass County Treasurer	Document Preservation Fund	000682	\$	291.00	
Cellular Communications	S. O. – Cellular Accessories	000683	\$	99.98	
Cerkoney, Cathy	Zoning Meeting – Mileage	000684	\$	70.70	
Chemsearch	Shop Supplies	000685	\$	678.24	1, 2
Comfort Inn – Bismarck	Tax Director – Travel Expense	000686	\$	130.00	
Cowboy Café	R.E.A.P. Meeting	000687	\$	75.90	
Creative Energy	Diesel Fuel	000688	\$	7,690.95	1
Daddy’s Diner	D.E.M. – Ambulance Training	000689	\$	189.00	
Dakota Farm Equipment, Inc.	Parts & Supplies	000690	\$	759.80	2
Dakota Filter Supply	Filters	000691	\$	123.18	3
Dakota Rubber Stamp	Tax Director – Notary Stamp	000692	\$	24.95	
Dan’s Interstate Conoco	S. O. – Gas	000693	\$	260.65	
Dash Medical Gloves	Ambulance – Medical Supplies	000694	\$	53.91	
Dickinson, City of...	Weed – Waste Disposal	000695	\$	1.24	
Dickinson Public Library	Library Services	000696	\$	4,792.65	
D.T.E., Inc.	Parts & Supplies	000697	\$	408.50	2

Electronic Communications	Radio Parts, Repairs, & Programming	000698	\$	11,020.90	1, G
Elkhorn Cafe	S. O. – Search Expense	000699	\$	48.94	
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	000700	\$	165.47	
Environmental Dust Control SD	Stabilock Dust Control	000701	\$	25,340.56	2
Expressway Suites – Bismarck	S. O. – Travel Expense	000702	\$	69.30	
Four Season Trophies	Commissioners – Name Plaques	000703	\$	117.50	
G & G Garbage, Inc.	Flood Emergency – Container Rental	000704	\$	414.30	
George’s Tire, Ltd.	Service Call & Tire Repair	000705	\$	532.00	1, 3
Golden Valley County	Social Services	000706	\$	6,633.25	
Golden Valley County	S.B. Tower Road Maintenance	000707	\$	1,000.00	
Great Plains Towers	S.B. Tower Lightning Strike Repair	000708	\$	2,612.10	
Heartland Engineering	Stake Section Line	000709	\$	743.13	2
Heiser Electric, Don	Courthouse – Electrical Service	000710	\$	477.00	
Heiser, Don	Zoning Meeting – Mileage	000711	\$	51.32	
Hidden Springs Java	D.E.M. – Multi-Hazard Meeting	000712	\$	44.00	
Hlebechuk Construction	Haul Scoria & Blade Roads	000713	\$	93,333.00	2
Johnston Fargo Culvert, Inc.	Culverts	000714	\$	28,529.32	2
Jurgens, Dave	S. O. – Travel Expense	000715	\$	192.50	
Kadmas, Lee, & Jackson, Inc.	Engineering	000716	\$	80,762.73	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	000717	\$	65.60	
Kasian, Michael E.	Commissioner – Mileage	000718	\$	274.38	2
Kessel, Anita	Zoning Meeting – Mileage	000719	\$	119.66	
Krebs Machine & Repair	Machine Work	000720	\$	31.00	3
Krush, Paul	Zoning Meeting – Mileage	000721	\$	77.84	
Larrivee Architects, Inc., J. P.	Courthouse – Roof Evaluation	000722	\$	1,045.00	
Martin Construction	Road Construction	000723	\$	1,314,223.38	1
Matthew Bender & Company	Court Rules Updates	000724	\$	33.71	
McJunkin Redman Corp.	Parts & Supplies	000725	\$	8.29	3
Medora Convenience Store	Ambulance – Diesel Fuel	000726	\$	182.17	
Medora, City of...	Taxes	000727	\$	985.79	
Menards	Courthouse – Maintenance Supplies	000728	\$	237.96	
Midstate Telephone Company	911 Changes	000729	\$	2.00	
Midstate Telephone Company	Courthouse – Telephone Service	000730	\$	946.79	
Mobile Binders	Recorder – Index Books	000731	\$	2,022.09	
Missouri Valley Petroleum, Inc.	Gas & Diesel Fuel	000732	\$	55,727.78	2, 3, G
N.A.C.R.C.	Recorder – Membership Dues	000733	\$	55.00	
Naze, Dale W.	Land Use Plan – Ecological Study	000734	\$	900.00	
N.D. Association of Counties	Taxes	000735	\$	76.94	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	000736	\$	200.00	
N.D.P.E.R.S.	Health Insurance Premium	000737	\$	34,727.56	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	000738	\$	45.19	
N.D.E.M.S.A.	Ambulance – Membership Dues	000739	\$	451.25	
Nelson International	Parts & Supplies	000740	\$	1,325.01	2
Newby’s Ace Hardware	Ambulance – Supplies	000741	\$	7.49	
Northern Improvement Co.	Omega Mixes	000742	\$	8,723.44	1
Northern Plains Engineering	Shop Expense	000743	\$	5,000.00	1
Northwest Tire, Inc.	Tires, Repair, & Alignment	000744	\$	2,170.05	1, 3, G
O’Brien Welding	Iron Supplies	000745	\$	153.12	3
Obrigewitch, Clifford	2011/12 Grave Lease	000746	\$	500.00	3
Odermann, James A. & Leona M.	Zoning – Application Refund	000747	\$	200.00	
Off Road Software, Inc.	G.I.S. Software	000748	\$	1,400.00	
OK Tire Stores	Tires	000749	\$	3,848.24	3
Performance Truck Center	Parts & Repairs	000750	\$	875.94	2
Praxair	Parts & Repairs	000751	\$	73.25	3
Pump Systems, Inc.	Weed – Parts & Supplies	000752	\$	3.47	
Quality Quik Print	S. O. – Door Decals	000753	\$	120.00	
Radisson Hotel – Bismarck	S. O. – Travel Expense	000754	\$	415.80	
RAM General Contracting, Inc.	Building – Construction	000755	\$	425,040.60	2, 3
Ray’s Auto Electric, Inc.	Parts & Supplies	000756	\$	359.85	1
RDO Equipment Co.	Parts & Repairs	000757	\$	1,369.62	2
Roosevelt-Custer Regional Council	Infrastructure Grant	000758	\$	6,000.00	
Roughrider Electric Cooperative	Electricity	000759	\$	2,776.62	1, 2, 3, W, G
Rough Rider Industries	Parts & Supplies	000760	\$	53.05	2
Roughrider Speed Center, Inc.	S. O. – Parts & Supplies	000761	\$	409.99	
Rummel Auto Wrecking	Ambulance – Oxygen Refills	000762	\$	15.30	
Rummel, Patrick	S. O. – Travel Expense	000763	\$	167.40	
Runnings Farm & Fleet, Inc.	Parts & Supplies	000764	\$	554.12	2, 3, W
Sax Motor Company	Ambulance – Oil-X & Service	000765	\$	129.59	
Southwest Business Machines	Office Supplies	000766	\$	950.19	
Service Printers	Ambulance – Printing	000767	\$	727.80	
South Heart Auto Service	Weed – Parts & Repairs	000768	\$	1,945.93	
Smart Computers & Consulting	Computer Technical Support	000769	\$	328.75	
Snyder Repair & Service	Weed – Tires	000770	\$	1,246.14	
St. Joseph’s Hospital	Ambulance – Medical Supplies	000771	\$	18.83	
Stein’s, Inc.	Courthouse – Maintenance Supplies	000772	\$	177.28	
Superpumper, Inc.	S. O. – Gas	000773	\$	311.01	
Southwestern District Health Unit	Taxes	000774	\$	75.99	
SW Multi-County Correction Center	S. O. – Prisoner Care	000775	\$	2,905.00	
Southwest Water Authority	Taxes	000776	\$	20.77	
Southwest Water Authority	Water Usage	000777	\$	536.38	1, 2, 3
Swanson, Stacey	Tax Director – Travel Expense	000778	\$	234.90	
Tczap, John	Zoning Meeting – Mileage	000779	\$	35.00	
Team Laboratory Chemical Corp.	Road Patch	000780	\$	1,763.50	3

Thompson, Allan T.	Commissioner – Mileage	000781	\$	298.05	1
Tom's Service Center	Parts & Service	000782	\$	144.10	1, G
Tractor & Equipment Co.	Parts & Repairs	000783	\$	1,253.61	1
U.S.D.A. – N. F. C.	Goldsberry Riverbank Stabilization	000784	\$	10835.89	1
Verizon Wireless	Cellular Service	000785	\$	935.05	2, 3, G
Vogel Law Firm	Land Use Plan – E.I.S. Issues	000786	\$	80.00	
Wal-Mart	Supplies	000787	\$	413.77	2, W, G
Wanner, Dana	Tax Director – Travel Expense	000788	\$	152.40	
Warne Chemical & Equipment Co.	Weed – Parts & Supplies	000789	\$	43.87	
Watchguard Video	S. O. – Radio Equipment Repair	000790	\$	887.00	
Western Fire & Safety	Weed – Safety Gear	000791	\$	383.75	
Westlie Truck Center	Parts & Supplies	000792	\$	1,356.49	3
Wolf, M.D., Dennis E	S. O. – Autopsies	000793	\$	450.00	
American Family Life Assurance	Premium	000855	\$	671.59	
A T & T	Cellular Service	000856	\$	68.79	1
Century Link	Telephone Service	000857	\$	366.23	1, 3, G
Consolidated	Internet Service	000858	\$	238.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	000859	\$	84.00	
Discovery Benefits, Inc.	Premium	000860	\$	1,708.15	
Information Technology Dept.	S. O. – T-1 Line	000861	\$	444.00	
Medora, City of...	Courthouse – Utilities	000862	\$	289.07	
State Dispersement Unit	Garnishment	000863	\$	412.00	
N.D.P.E.R.S.	Deferred Comp. Premium	000864	\$	4,964.00	
N.D.P.E.R.S.	Retirement	000865	\$	12,783.27	1, 2, 3, W, G
Prudential	Deferred Comp. Premium	000866	\$	50.00	
Reservation Telephone Cooperative	Telephone Service	000867	\$	76.83	1, 2, 3, G
Visa	Courthouse – Security Equipment, etc.	000868	\$	505.96	

Payroll in the following amounts were approved for August: General Fund \$80,239.03; Road and Bridge Fund \$76,512.61; Weed Fund \$24,048.35

With there being no further business, Thompson moved to adjourn the meeting 3:45 P.M. Kasian seconded. All voted aye.

James Arthaud, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer