

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING JANUARY 3, 2023.**

The meeting was called to order by Chairman Lester Iverson at 9:00 A.M. with Commissioners Dean Rodne and Steven Klym in attendance.

Others were present during portions of the meeting: State's Attorney Patrick Weir via Teams, Deputy Auditor Jonna Bertelsen, Maintenance Supervisor Travis Bertelsen, Clerk/ Recorder Juliana Hammerstrom, Tax Director Stacey Swanson, Ambulance Directors Kyle Michels & Mitch Gilseth, Sheriff Dean Wyckoff, Fire Chief Kyle Shockley, Weed Supervisor Katie Dillman, Julie Reis, Pat Rummel, Andrew Krebs, Jim Fuglie, Daniel Schwartz

The Pledge of Allegiance was recited. Klym moved to approve the meeting minutes of the December 6th, 2022 regular commission meeting and December 12th and 21st special commission meetings. Rodne Seconded. All voted aye. Rodne made the motion to approve the October 14th, 2022 special meeting minutes that were missed for approval in November. Klym Seconded. All voted aye.

Iverson added the appointment of Klym to RCRC and SWMCCC boards. Klym moved to approve agenda as amended. Rodne seconded. All voted aye.

Daniel Schwartz from Nexus was present representing Missouri G&T Electric Coop. Daniel provided a packet of information and an email to the commission for a FEMA grant that he is working on. The grant is for a substation south of Medora from 1981 that is being inundated by flooding issues and could cause loss of power. He is here to get an MOU with the county that he sent to States Attorney Weir to have looked at. There needs to be a few changes that Daniel will work on and have back for approval by the end of the meeting.

Clerk/Recorder/Risk Manager Juliana Hammerstrom gave her monthly report. She would like to add at the end of the 2023 resolutions, resolution 2023-12. She presented pictures of the snow falling off the roof in certain areas of the courthouse. She would like for Travis to look into getting snow cleats for the roof. He is already working on this and will have information for the board at the next meeting but due to having a rubber roof, engineers will need to look into other options.

Weed Supervisor Katie Dillman gave her monthly report. The annual convention for the ND Weed Association is this week.

Courthouse Maintenance Travis Bertelsen gave his monthly maintenance report. He thanked the other departments for the help with moving snow we have been having lately.

Sheriff Dean Wyckoff presented his monthly report and year-end report. Calls of service were down this month due to the weather. The new deputy Fred Whittingham will be starting tomorrow. He comes from Dunn county with 17 years of experience. With having another open position, he has another strong candidate that he is working with to bring on by the end of January, beginning of February. He would also like to bring on someone in the office full time as well. Hoping to have all the positions filled by the end of February. Klym asked who he has regulating trucks. Frank Lukowski is in charge of this and the backup sheriff vehicle is equipped with a scale.

Fire Chie Kyle Shockley provided his yearly fire report. With Pat Rummel retiring, he would like permission to appoint Travis Collins to the Coordinated Regional Interoperability Board. Iverson moved to appoint Collins. Klym seconded. All voted aye. The Sentinel Butte tower lease is expiring with Alvin Van Horn and that will be reissued to him and he requested a negotiated price of \$2,500.00/year. Currently he is getting \$1,200.00/year. Last years payment was made late, so he is requesting a one-time \$500.00 late fee as well. Would also like for the lease to be 3 years instead of 5 years. Rodne moved to approve the \$2,500 annual lease and have Shockley negotiate with him on the term of lease. Klym seconded. All voted aye.

Discussion was had regarding EMS/Sheriff's Office/Firehall building. Bob Procive came out to take a look and the infrastructure is just not there for a new building site across from the current building. The options are either to find a new spot or to add on to what we currently have. Shockley presented a handout of a multi-use building that could be an idea. They will get everyone together in the near future to discuss all options.

Ambulance Directors Kyle Michels and Mitch Gilseth presented their monthly and year end report. Looking at hiring an outside grant writer possibly.

Tax & Zoning Director Stacey Swanson gave her monthly report. The question from last meeting regarding Ben Simons ROW access has been resolved. He had a permit through the Medora Grazing Association. Tracy Moore III applied to change 1.59 acres for a home from agricultural to residential. This is located on the Larry Higgen farmstead. We have allowed exceptions in the past due to existing farmsteads. Located on 121st Ave SW. Zoning board approved with no conditions. Klym moved to uphold the zoning board's decision. Rodne seconded. All voted aye. There was a zoning violation for an oil tanker being parked in a residential area. It was tabled at the meeting for further discussion and review of the bylaws.

The Theodore Roosevelt Presidential Library will be on the zoning meeting in January.

Swanson presented four abatement applications. Three are for the national park housing and the other is a property where the deed was transferred this year. Discussed the possessory interest guidelines. Rodne moved to approve all abatements as presented. Klym seconded. All voted aye.

Shockley informed the commission that Mr. VanHorn approved \$2,500/year with a 5 year term with a one – time \$500.00 late payment fee.

Rodne moved to appoint Klym to RCRC & SWMCCC boards. Iverson Seconded. All voted aye.

The commission reviewed the list of portfolio holders. Klym will serve as portfolio holder of the Auditor/Treasurer, Clerk/Recorder and District 2 Road & Bridge. The portfolios for Rodne and Iverson will stay the same as last year. The board began reviewing resolutions

Andrew Krebs from KLJ was present to discuss the monthly report.

Road Superintendent Patrick Redmond gave his monthly report. He would like to add a temporary position for Jeff Iverson to stay on until the end of March. He provided letters of recommendation to the board. It was agreed to by the board to keep Iverson on at his current salary until March 31, 2023.

The board resumed the annual resolutions review. Recorder/Clerk of Court Hammerstrom discussed the risk management position and what she has been doing with the program. She requested a compensation increase for herself and her deputies to be the same as the Auditor's office.

Chairman Iverson stated that he didn't believe the commission should receive the cost of living increase. All commissioners agreed. Klym questioned the Fire Chief/Emergency Manager/Sheriff's Deputy position of Kyle Shockley. Wyckoff stated that they are having him go through the academy and be deputized for his own safety as he responds to calls.

After discussion regarding Resolutions 2023-1 through 2023-12, Rodne moved to approve. Klym seconded. All voted aye. The full text of the resolutions are on file in the Auditor's Office and posted on the public bulletin board in the Billings County Courthouse. Resolutions 2023-01 through 2023-12 are as follows:

Resolution 2023-01 designates the following appointments: State's Attorney– H. Patrick Weir & Criminal Prosecutor Jordan Selinger; Disaster Emergency Coordinator – Kyle Shockley; Magistrate – Juliana Hammerstrom; Tax Director/Zoning Inspector/Land Use Coordinator/911 Coordinator – Stacey Swanson; Superintendent of Schools Designee –Marcia Lamb; Risk Manager/Title VI Coordinator – Juliana Hammerstrom; Courthouse Maintenance – Travis Bertelsen; Veteran Service Officer – Jessica Clifton; Coroner – Jim Ladbury; EMS Director/Paramedic – Mitch Gilseth & Kyle Michels; Paramedic – Eileen Goodijohn; Lead Paramedic – Kali Olin; Senior Paramedic – Krystal Thorndyke; Wellness Coordinators – Patty Thompson & Yelena Gerbig; Consulting Engineers – Kadrmas, Lee & Jackson, P.C., Interstate Engineering, Northern Plains Engineering, Brosz Engineering & Forsgren & Associates; Highlands Engineering; Houston Engineering; Ulteig Engineering.

Resolution 2023-02 sets regular monthly meetings of the Board of County Commissioners for 2023 to begin at 9:00 A.M. on the following dates unless changes are posted and advertised to the official county paper: January 3, February 7, March 7, April 4, May 4 (THURS), June 6, July 6 (THURS), August 3 (THURS), September 5, October 3, November 7, and December 5. Special meetings will be subject to the notice requirement in the Century Code, which is to notify the official newspaper and post the meeting notice in the courthouse.

Resolution 2023-03 designates the following holidays when the courthouse will be closed: January 2 – New Years Day, January 16 – Martin Luther King Day, February 20 – President's Day, April 7 – Good Friday, May 29 – Memorial Day, June 19 – Juneteenth, July 4 - Independence Day, September 4 – Labor Day, November 10 – Veterans' Day, November 23 & 24 – Thanksgiving, December 25– Christmas Day.

Resolution 2023-04 designates the courthouse will be open every Monday through Thursday during the hours of 8:00 A.M. to 4:00 P.M., Friday 8:00 A.M. to 12:00 noon with the exception of holidays and other declared closings. All courthouse employees still work a 40 hour work week.

Resolution 2023-05 designates reimbursement for expenses of county employees and officials in the performance of county duties: mileage 90% of GSA rate, 1st Qtr. 6:00 A.M. to Noon \$7.00, 2nd Qtr. Noon to 6:00 P.M. \$10:50, 3rd Qtr. 6:00 P.M. to Midnight \$17.50, 4th Qtr. Midnight to 6:00 A.M. (Lodging) 100% of GSA rate.

Resolution 2023-06 authorizes the County Auditor/Treasurer to pay certain miscellaneous expenses such as postage, freight, telephone, regular employee payroll and apportionments.

Resolution 2023-07 designates the following depositories for County funds: First State Bank of Golva, Choice Financial of Belfield, Bank of the West/BNP of Beach.

Resolution 2023-08 accepts the following pledges of security from the named depository banks: Choice Financial \$124,000,000.00 (Pooled) plus \$250,000.00 FDIC; Bank of the West \$66,649,479.00 plus \$250,000.00 FDIC; and First State Bank of Golva \$2,090,716.50 plus \$250,000.00 FDIC.

Resolution 2023-09 authorizes the County Auditor/Treasurer to invest, reinvest, and redeem Certificates of Deposit and other investments of the County.

Resolution 2023-10 directs that all legal notices be published in the official elected County newspaper, "Billings County Pioneer," and be posted in the Courthouse.

Resolution 2023-11 sets the salaries for county officials, deputies, clerks and employees as follows: The Board of County Commissioners set the following maximum salaries for the positions listed below, on either an annual or hourly basis, and which salaries are exclusive of that official's or employee's health insurance and/or other benefits:

Commissioners (3)	32,601.50
Sheriff Coordinator	110,242.10
State's Attorney	109,710.00
Auditor/Treasurer	97,618.07
Road Superintendent	95,095.52
Fire Chief/Emergency Manager/Sheriff Deputy Major	92,477.90
Tax Director/Zoning Inspector/911 Coordinator	86,992.33
County Recorder/Clerk of Court Magistrate	85,690.85
EMS Director/Paramedic (2)	85,690.85
Captain	84,593.75
Captain	83,569.38
Weed Control Officer	83,569.38
Road Foremen (3)	82,692.05
Deputy Sheriff	79,685.07
Deputy Sheriff	79,189.61
Deputy Sheriff	79,189.61
Deputy Sheriff	79,189.61
Lead Paramedic	76,232.00
Road Crew	76,192.40
Deputy Auditor/Treasurer/Title VI Assistant 1 (2)	75,642.32
Deputy County Recorder/Wellness Coordinator	74,457.45
Deputy Clerk of Court/Wellness Coordinator	74,457.45
Courthouse Maintenance/Custodian	74,125.57
Senior Paramedic	74,037.80
Deputy Tax Director/Zoning Inspector	73,022.98
Paramedic	71,843.60
EMT 1	47,350.20
EMT 2	46,078.20
EMT 3 & 4	42,000.00
Road Crew (Part-time)	35.00/hr

Resolution 2023-12:

A RESOLUTION OPPOSING LEGISLATION MAKING THE BILLINGS COUNTY CLERK OF COURT OFFICE A STATE OFFICE

WHEREAS, there is legislation being proposed pertaining to the transition of contract county clerk services to state funding and other legislative priorities;

WHEREAS, such legislation would make the Billings County Clerk of Court office a state agency and the employees thereof state employed, which would remove local control and governance of such office and employees;

WHEREAS, the Board of Commissioners for Billings County, North Dakota desires to keep the Billings County Clerk of Court office as a county office.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners for Billings County, North Dakota, that the following resolution be adopted as follows:

That the Board of County Commissioners of Billings County directly opposes the passage of legislation pertaining to the transition of contract county clerk services to state funding and other legislative priorities; and

That the Board of County Commissioners of Billings County resolves to keep the Billings County Clerk of Court office a county office.

The Memorandum of Understanding with Upper Missouri G&T was reviewed after approval by States Attorney Weir. Rodne moved to approve the MOU. Klym Seconded. All voted aye.

The following claims were approved for payment:

Blue Cross Blue Shield of ND	22086	\$	4,136.90
ND Public Employee Retirement Sy	22087	\$	830.34
Polensky Vernon & Glenella	22088	\$	31,602.75
ABC Fencing LLC	22089	\$	6,266.43
Aggregate Construction Inc	22090	\$	238,098.41
Aggregate Construction Inc	22091	\$	39,243.75
All Around Tire & Oil	22092	\$	235.98
Aramark	22093	\$	454.26
Bertelsen, Travis	22094	\$	71.39
Best Western Ramkota Hotel	22095	\$	1,274.00
Big Horn Tire	22096	\$	2,864.00
Billings County Historical Soc	22097	\$	136.45
Billings County Rural Fire Dist	22098	\$	2,446.73
Billings County School Dist	22099	\$	2,686.09
Boespflug Trailers & Feed	22100	\$	99.05
Boss Office Products	22101	\$	2,251.62
Bound Tree Medical LLC	22102	\$	30.18
Braun Distributing Inc	22103	\$	136.25
Capital One	22104	\$	491.62
Cerberus Security	22105	\$	30.00
Charbonneau Car Center	22106	\$	195.05
Code 4 Services	22107	\$	12,230.01
Creative Energy	22108	\$	375.27
Dakota Sports	22109	\$	30.98
Dakota Tool & Machine Inc	22110	\$	568.50
Denny's Electric	22111	\$	1,891.24
Diamond Mowers Inc	22112	\$	2,271.80
Dickinson Public Library	22113	\$	4,866.32
East-Mont Communications	22114	\$	3,595.00
Ecolab Pest Elim Div	22115	\$	354.33
Eide Bailly	22116	\$	39,000.00
Elections Systems & Software	22117	\$	605.37
Electro Watchman Inc	22118	\$	299.40
Energy Equity	22119	\$	3,285.00
Expressway Suites	22120	\$	970.20
Fairfield & Woods, P.C.	22121	\$	48.88
Farmers Union Oil Co - Beach	22122	\$	50,009.43
Forsgren Associates Inc	22123	\$	1,358.22
Four Corners Cafe	22124	\$	240.00
George's Tire LTD	22125	\$	3,580.00
Gooseneck Implement	22126	\$	2,207.03
Hammerstrom Juliana	22127	\$	43.75
Hlebechuk Construction	22128	\$	26,782.75
Jones & Bartlett Learning LLC	22129	\$	2,760.89
Kasian Connie	22130	\$	87.50
Keith Signs	22131	\$	695.00
Kessel Anita F	22132	\$	100.00
Kevin's Auto & Truck Repair	22133	\$	128.37
KLJ Engineering LLC	22134	\$	23,059.00
Klym Steven	22135	\$	68.75
Kohler Communications Inc	22136	\$	183.85
Krebs Machine & Repair	22137	\$	2,098.30
Kubik Bogner Rid! & Selinger PLLP	22138	\$	3,000.00
Linde Gas & Equipment Inc	22139	\$	31.43
Mac's Inc	22140	\$	64.99
Malley's Safety Supply LLC	22141	\$	438.52
Menards Dickinson	22142	\$	1,551.90
Metro-Billing Services	22143	\$	115.00
MGM Rural Sanitation LLC	22144	\$	360.41
Midwest Doors Inc	22145	\$	217.72

Montana Fluid Solutions	22146	\$	16,920.00
Motorola Solutions	22147	\$	213.64
ND Association of Counties	22148	\$	1,023.35
ND Association of Counties	22149	\$	183.24
ND Attorney General's Office	22150	\$	310.00
ND Dept of Transportation	22151	\$	20.00
ND EMSA	22152	\$	3,495.00
ND State Radio Communications	22153	\$	4,983.36
ND State Treasurer	22154	\$	1,018.08
NDACO Resources Group Inc	22155	\$	2,282.99
Nelson International	22156	\$	396.36
Newby's Ace Hardware	22157	\$	70.16
North Dakota One Call	22158	\$	23.40
Nutrien Ag Solutions	22159	\$	1,556.00
O'Brien Oilfield Service LLC	22160	\$	801.93
PB Electric	22161	\$	1,060.00
Penguin Management Inc	22162	\$	2,280.00
Pump Systems Inc	22163	\$	97.30
Putnam Karen	22164	\$	51.25
Quadient Leasing USA, INC	22165	\$	375.00
Radisson Hotel - Bismarck	22166	\$	345.60
RDO Equipment Co	22167	\$	212,225.01
RELX inc	22168	\$	233.40
Rodne Dean	22169	\$	58.75
Romanyshyn Trucking	22170	\$	5,872.50
Roughrider Electric Coop Inc	22171	\$	3,090.52
RPM Auto Repair	22172	\$	2,149.33
Rummel Patrick	22173	\$	181.25
Runnings Supply Inc	22174	\$	380.91
Sax Motor Co	22175	\$	92.12
Seachange Print Innovations	22176	\$	412.53
Southwest Water Authority	22177	\$	560.89
Southwestern Dist Health Unit	22178	\$	2,046.57
St Alexius Medical Center	22179	\$	594.14
Swanson Stacey	22180	\$	436.25
Swanston Equipment Corp	22181	\$	26,590.00
The Badlands Patriot LLC	22182	\$	791.08
Theodore Roosevelt Presidential Library	22183	\$	25,000.00
Thompson Patty	22184	\$	43.75
Thorndike Krystal	22185	\$	11.59
Total Safety US Inc	22186	\$	983.72
Tritech Software Systems	22187	\$	1,367.45
Uniform Center	22188	\$	442.00
Verizon Wireless	22189	\$	2,386.40
Warne Chemical & Equipment	22190	\$	49.00
Weir H Patrick	22191	\$	166.25
West Dakota Oil Inc	22192	\$	1,658.80
West Plains Inc	22193	\$	339.54
Westlie Crossroads Truck Ctr	22194	\$	8,806.87
Wyckoff Dean	22195	\$	156.25
Zuger, Kirmis & Smith PLLP	22196	\$	6,722.50
Belfield Automotive Supply	22197	\$	1,910.13
CenturyLink	22198	\$	940.00
Information Technology Dept	22199	\$	1,214.90
Medora, City of	22200	\$	419.01
Reservation Telephone	22201	\$	40.00
Roughrider Electric Coop Inc	22202	\$	3,104.40
RTC Networks	22203	\$	1,187.94
Verizon Wireless	22204	\$	55.52
Visa	22205	\$	1,769.39
Wex Health Inc	22206	\$	66.50
Visa	22207	\$	1,000.60
ND Public Employee Retirement Sy	22208	\$	10,645.00
ND Public Employee Retirement Sy	22209	\$	44,793.57

NDFOP State Lodge Treasurer	22210	\$	25.00
North Dakota Public Health Ins Trust	22211	\$	74,580.79
Prudential Service Center	22212	\$	14.29
State Dispersment Unit	22213	\$	1,077.00
Wex Health Inc	22214	\$	1,906.27
ND Public Employee Retirement Sy	22215	\$	10,059.75

The board approved the revenue vouchers for the month of December: Recorder \$6,531.40; Zoning \$3,180.37; Court \$35.00; EMS \$929.03; Sheriff \$210.00.

Revenues for materials and/or services rendered in December: Jon Klym \$1,086.75 scoria, Chimney Butte \$553.50 scoria & trucking, Cody Reis \$450.00 scoria & trucking, Larry Hedstrup \$432.00 scoria & trucking, WEED SPRAYING: Kevin Clyde \$33.46, Laurie Kasian \$76.61, Elkhorn Well Service \$20.48, Tina Downing \$973.36, Rhonda King \$39.28, NDDOT \$12,863.05, Billings County \$22, 904.74, USDA \$98,175.

Revenues for the month of December: Road & Bridge permits \$33,254.24; Highway Distribution \$16,883.64; Oil & Gas Production Tax \$554,099.46; Royalties \$37,681.36; Unorganized Oil & Gas Production Tax \$36,939.97; Interest \$9,328.11; State Aid Distribution \$32,476.86; BLM Mineral Royalty \$162,096.61; EMS Grants \$7,404.00.

Payroll including longevity in the following amounts was approved for December: General Fund \$212,455.74; Road and Bridge Fund \$125,234.72; Weed Fund \$12,254.49.

With there being no further business, Klym moved to adjourn the meeting at 12:31 pm. Rodne seconded. All voted aye.

Lester Iverson, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer