

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MARCH 7, 2022.**

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

Others were present during portions of the meeting: State's Attorney Patrick Weir via phone, Deputy Auditor Jonna Bertelsen, Maintenance Supervisor Travis Bertelsen, Clerk/ Recorder Juliana Hammerstrom, Tax Director Stacey Swanson, Weed Director Katie Dillman, Andrew Krebs KLJ, Ambulance Director Mitch Gilseth, Ambulance Director Kyle Michels, Road Superintendent Jeff Iverson, Jeremy Wood Northern Plains, Cody Reis, Julie Reis, Mindy Richard, Nathan Richard, Steven Klym.

The Pledge of Allegiance was recited.

The board reviewed the commission minutes from the February 3rd regular and February 23rd, 2022 special meetings. Kasian noted a name correction. Rodne moved to approve the minutes with the correction. Kasian seconded. All voted aye.

Kasian moved to approve the agenda. Rodne seconded. All voted aye.

Weed Supervisor Katie Dillman presented maps of the weed board member's districts that they observe and the proposed changes to the map areas. Kasian moved to approve the changes. Rodne seconded. All voted aye. Gordon Gerbig's term ends on March 31st and Cory Smith stated his interest in serving on the board. Rodne moved to appoint Cory Smith to the board for a 4-year term. Kasian seconded. All voted aye.

A county tax payer requested a discount for a payment made after the discount due date. The commission denied the request.

The Theodore Roosevelt Expressway requested a letter of support for the application of the NDDOT for a federal RAISE grant. Kasian moved to approve the letter. Rodne seconded. All voted aye.

Maintenance Supervisor Travis Bertelsen gave his monthly report. The museum board brought a concern regarding the second floor beginning to cave above the jail cells. This is a safety issue; the board would like quotes before going forward with a decision. The firehall needs gutters replaced and the courthouse will soon as well. He will get a few more quotes from local companies and present at the next meeting.

Ambulance Directors Mitch Gilseth and Kyle Michels gave their monthly reports. EMR classes are done and EMT classes are ¼ of the way done. There is a request to do advanced EMT classes. Cardiac ready courses in the county are going to be starting soon.

States Attorney Pat Weir gave a report regarding the Development Agreement being worked on with the City and Presidential Library and County. He stated they had a meeting about the comprehensive plan and discussion regarding the study. City made it very plain that they were interested in the plan but do not want to contribute to any expenses involved in the study. The board wants to be sure that the study is of practical use to the city and county. Weir has not received a return call from the Short Attorney Braaten, but will let the board know when he does.

Tax & Zoning Director Stacey Swanson gave her monthly report. She is working on city assessments and gave an update on the comprehensive plan. Connie Kasian, Anita Kessel and Cathy Cerkoney's terms are up for reappointment. All three would like to continue on the board. Rodne moved to reappoint Kasian, Kessel and Cerkoney to another 4 year term. Kasian seconded. All voted aye. Swanson received a quote for \$16,675.00 from Marco for a new video/speaker system in the commission room. There is money appropriated in the courthouse technology budget for this.

Road Superintendent Jeff Iverson was present to give his monthly report. Northern Plains representative Jeremy Wood was present to give updates to the 25th St Project. KLJ representative Andrew Krebs was present to give his monthly report. The board discussed the Master Service Agreement with KLJ. States Attorney has reviewed and worked with their attorney to make corrections. The board approved the MSA.

Discussion ensued regarding the potential Belfield Ambulance Merger. A Joint Powers Agreement was presented to Stark County in January of 2022 and it was approved by them, sharing 20% of costs for the ambulance service annually. Currently, Stark County and City of Belfield are only contributing to 1/3 of one paramedic wage/benefits. In the JPA, if either party wants to renegotiate or end the agreement they must give one year's notice. The JPA has not yet been signed by Billings County. The agreement will not require any operational changes to the services currently provided and supplies could be shared. States Attorney Weir will draft a JPA with the City of Belfield and the board will discuss it in April.

The meeting was recessed for lunch at 12:27pm and reconvened at 1:27pm.

Resolutions 2022-13, 2022-15, and 2022-16 were reviewed. Resolution 2022-14 "Opposition of 30x30" was tabled until the April meeting. Rodne moved to approve 2022-13. Kasian seconded. All voted aye. Kasian moved to approve 2022-15. Rodne seconded. All voted aye. Kasian moved to approve 2022-16. Rodne seconded. All voted aye. The resolutions approved read as follows:

RESOLUTION NO: 2022-13

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 North Dakota Fire Danger Rating is in the High, Very High or Extreme and/or a Red Flag Warning has been issued for Billings County.*

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/OR A \$1500.00 FINE.), and restitution of fire suppression costs may be sought from the court.

RESOLUTION NO: 2022-15

OBSTRUCTIONS ON COUNTY ROADS

This Resolution of the Billings County Commission is adopted this 7TH day of March, 2022;

Whereas, The Commissioners of Billings County are charged by North Dakota law with the general superintendence of all County roads within Billings County pursuant to ND law and with particular reference Chapter 24, NDCC;. and

Whereas, it has come to the attention of the Commissioners that hay bales have been placed within the rights of way of County roads; and

Whereas North Dakota law makes mandatory the removal of any obstructions on the county's rights of way, including, specifically hay bales; and

Whereas, the Commissioners are obligated to keep county roads free of encroachments on roads, ditches and approaches;

NOW, THEREFORE, the Billings County Commission adopts the following Resolution

1. Upon discovery of any encroachment, the Country Road Superintendent is directed to provide written notice to the landowner who has placed or caused to be placed, or to remain in place, any encumbrance, including hay bales. The landowner shall be notified of the encroachment within 20 days of the discovery thereof.
2. The notice is to contain a demand that the hay bales be removed by 1 November.
3. In the case of an encroachment other than hay bales which, in the opinion of the Road Superintendent constitutes a public danger, the obstruction may be removed immediately or as soon as reasonably possible.
4. If any hay bales remain on or in the public right of way, after notice has been given as referenced above, after 1 November, the County Road Superintendent shall remove the bales, offer them for sale by publication in the official newspaper of Billings County and remit the proceeds to the County Auditor for deposit with the County Treasurer.

RESOLUTION 2022-16

COUNTY ROAD DISTRICTS

WHEREAS, Billings County has, pursuant to federal and state election requirements, appointed a board to consider redistricting based upon the last federal census; and

WHEREAS, the Redistricting Board so appointed has made its report to the Billings County Commission; and

WHEREAS, The Commission has accepted that report and has amended the boundaries of the three districts for purposes of election of Billings County Commissioners; and

WHEREAS, The Billings County Commission has the legal authority to set the boundaries for the Billings County Road authority; and

WHEREAS, previously the boundaries of the road crews, shops and working areas coincided with the Commission Districts; and

WHEREAS, the Billings County Commission, having considered the matter of changing the boundaries of the road crews, shops and working areas to coincide exactly with the new Commission Districts;
NOW, THEREFORE, it is the considered Resolution of the Billings County Commissioners to maintain the boundaries of the Billings County Road Department and all its shops, crews and working areas exactly as they were in existence prior to the redistricting of the election districts for the election of Billings County Commissioners. The Commission finds no good and valid reason to change the boundaries of the Road Department to conform to the newly adopted districts for election of commissioners.

The following claims were approved for payment:

| PAYEE | CHECK # | AMOUNT |
|---------------------------------|---------|---------------|
| Adams David T & Donna J | 20924 | \$ 500.00 |
| Advanced Business Methods Inc | 20925 | \$ 1,173.91 |
| All Around Tire & Oil | 20926 | \$ 83.17 |
| American Welding & Gas | 20927 | \$ 115.72 |
| Andreas Rose Marie | 20928 | \$ 250.00 |
| Aramark | 20929 | \$ 531.34 |
| Armstrong Trust, Dean & Fran | 20930 | \$ 34,263.00 |
| Belfield Automotive Supply | 20931 | \$ 3,715.92 |
| Belfield Sportsmen Club | 20932 | \$ 360.00 |
| Billings County Hist Society | 20933 | \$ 1,778.15 |
| Billings County Rural Fire Dist | 20934 | \$ 33,473.63 |
| Billings County School Dist | 20935 | \$ 385,211.63 |
| Blue Sky Dumpsters LLC | 20936 | \$ 743.76 |
| Boltz Jory L & Tonya | 20937 | \$ 43,182.00 |
| Boss Office Products | 20938 | \$ 1,442.69 |
| Bound Tree Medical LLC | 20939 | \$ 436.41 |
| Braun Distributing Inc | 20940 | \$ 189.00 |
| Brooks & Associates, C.E. | 20941 | \$ 1,287.65 |
| Brosz Engineering Inc | 20942 | \$ 18,130.00 |
| Burian Trevor | 20943 | \$ 1,500.00 |
| Capital One | 20944 | \$ 614.39 |
| Center for Education | 20945 | \$ 278.00 |
| Central Mechanical Inc | 20946 | \$ 25,897.50 |
| Cerberus Security | 20947 | \$ 30.00 |
| Collins Travis | 20948 | \$ 87.50 |
| Corneil Todd | 20949 | \$ 50.00 |
| Creative Energy | 20950 | \$ 368.60 |
| Dakota Insurance | 20951 | \$ 29.00 |
| Ecolab Pest Elim Div | 20952 | \$ 338.00 |
| Eide Bailly | 20953 | \$ 6,000.00 |
| Fairfield & Woods, P.C. | 20954 | \$ 91.66 |
| Farmers Union Oil Co. Beach | 20955 | \$ 14,741.36 |
| First Intitial Respond Systems | 20956 | \$ 124.00 |
| Four Corners Café | 20957 | \$ 202.50 |
| Fouts Gypsy | 20958 | \$ 160.00 |
| George's Tire LTD | 20959 | \$ 13,071.00 |
| Gerbig Brian | 20960 | \$ 1,500.00 |
| Gooseneck Implement | 20961 | \$ 40.15 |
| Hild John | 20962 | \$ 1,000.00 |
| Hintz Kadon | 20963 | \$ 15,000.00 |
| J and J Operating LLC | 20964 | \$ 1,553.65 |
| J P Steel & Supply Inc | 20965 | \$ 263.46 |
| Jacobs Kelly | 20966 | \$ 7,850.00 |
| JB's Window Cleaning Service | 20967 | \$ 250.00 |
| Jones & Bartlett Learning LLC | 20968 | \$ 3,254.62 |
| Just-In Glass | 20969 | \$ 402.40 |
| Kasian Connie | 20970 | \$ 85.10 |
| Kasian Michael E | 20971 | \$ 91.26 |
| Kessel Anita F | 20972 | \$ 50.00 |
| Kevin's Auto & Truck Repair | 20973 | \$ 136.00 |
| Klang Kathryn | 20974 | \$ 50.00 |
| KLJ Engineering LLC | 20975 | \$ 9,929.05 |
| Klym Steven | 20976 | \$ 67.55 |

| | | | |
|--------------------------------------|-------|----|-----------|
| Kohler Communications Inc | 20977 | \$ | 200.00 |
| Krebs Machine & Repair | 20978 | \$ | 3,777.17 |
| Kubik Bogner Ridl & Selinger PLLP | 20979 | \$ | 6,000.00 |
| Lindbo Ashley | 20980 | \$ | 350.00 |
| Linde Gas & Equipment Inc | 20981 | \$ | 63.40 |
| Logan Terry | 20982 | \$ | 1,000.00 |
| Mac's Inc | 20983 | \$ | 970.54 |
| Medora, City of | 20984 | \$ | 9,592.60 |
| Menards Dickinson | 20985 | \$ | 1,084.92 |
| Metro-Billing Services | 20986 | \$ | 23.00 |
| MGM Rural Sanitation LLC | 20987 | \$ | 313.00 |
| Mid-American Research Chemical | 20988 | \$ | 433.28 |
| Mid-States Organized Crime | 20989 | \$ | 100.00 |
| Mosser Randall & Susan | 20990 | \$ | 1,000.00 |
| Motorola Solutions | 20991 | \$ | 279.48 |
| ND Association of Counties | 20992 | \$ | 661.50 |
| ND Association of Counties | 20993 | \$ | 200.00 |
| ND Association of Counties | 20994 | \$ | 17.00 |
| ND Association of Counties | 20995 | \$ | 252.00 |
| ND Association of Counties | 20996 | \$ | 96.64 |
| ND Association of Counties Engineers | 20997 | \$ | 275.00 |
| ND County Auditors Association | 20998 | \$ | 100.00 |
| ND County Recorders Association | 20999 | \$ | 200.00 |
| ND County Treasurers Association | 21000 | \$ | 100.00 |
| ND Sheriff's & Deputies Association | 21001 | \$ | 400.00 |
| ND State Radio Communications | 21002 | \$ | 5,232.24 |
| ND State Treasurer | 21003 | \$ | 7,265.11 |
| NDACO Resources Group Inc | 21004 | \$ | 130.00 |
| NDLTAP - UGPTI | 21005 | \$ | 100.00 |
| Nelson International | 21006 | \$ | 131.13 |
| North Dakota One Call | 21007 | \$ | 21.25 |
| O'Reilly | 21008 | \$ | 990.23 |
| Obrigewitch Shawn | 21009 | \$ | 1,000.00 |
| Oyhus Land Company | 21010 | \$ | 1,500.00 |
| Pump Systems Inc | 21011 | \$ | 1,453.28 |
| Putnam Karen | 21012 | \$ | 51.17 |
| Quadient Leasing USA Inc | 21013 | \$ | 375.00 |
| Quality Quick Print | 21014 | \$ | 30.00 |
| RDO Equipment Co | 21015 | \$ | 1,165.43 |
| Remond Perry & Alicia | 21016 | \$ | 1,500.00 |
| Reis Julie | 21017 | \$ | 141.12 |
| Reiter Welding Inc | 21018 | \$ | 607.50 |
| RELX | 21019 | \$ | 233.40 |
| Rodne Dean | 21020 | \$ | 90.95 |
| Runnings Supply Inc | 21021 | \$ | 801.39 |
| Sanford Inpt Pharmacy | 21022 | \$ | 35.00 |
| Sax Customs LLC | 21023 | \$ | 500.00 |
| Service Printers | 21024 | \$ | 361.00 |
| Share Corporation | 21025 | \$ | 785.81 |
| Southwest Business Machines | 21026 | \$ | 29.34 |
| Southwest Crime Conference | 21027 | \$ | 60.00 |
| Southwest Water Authority | 21028 | \$ | 445.24 |
| Southwest Water Authority | 21029 | \$ | 57.91 |
| Southwestern Dist Health Unit | 21030 | \$ | 26,686.48 |
| St Alexius Medical Center | 21031 | \$ | 594.14 |
| Stein's Inc | 21032 | \$ | 290.30 |
| Swanston Equipment Corp | 21033 | \$ | 1,249.78 |
| Tachenko Terry & Terri | 21034 | \$ | 1,500.00 |
| The Badlands Patriot, LLC | 21035 | \$ | 1,049.10 |
| Theodore Roosevelt Expressway | 21036 | \$ | 8,000.00 |
| US Postal Service | 21037 | \$ | 70.00 |
| Verizon Wireless | 21038 | \$ | 2,226.85 |

| | | | |
|--------------------------------------|-------|----|-----------|
| Viking Glass | 21039 | \$ | 19,485.00 |
| Vogel Law Firm | 21040 | \$ | 128.00 |
| Wallwork Truck Center | 21041 | \$ | 72.25 |
| Western Choice Cooperative | 21042 | \$ | 26,731.01 |
| Westlie Crossroads Truck Center | 21043 | \$ | 5,014.54 |
| Belfield Automotive Supply | 21044 | \$ | 9,189.81 |
| West Dakota Oil Company | 21045 | \$ | 649.25 |
| Blue Cross Blue Shield of ND | 21046 | \$ | 3,672.00 |
| ND Public Employee Retirement Sy | 21047 | \$ | 858.12 |
| NDFOP State Lodge Treasurer | 21048 | \$ | 25.00 |
| North Dakota Public Health Ins Trust | 21049 | \$ | 70,080.40 |
| Prudential Service Center | 21050 | \$ | 14.29 |
| State Dispersement Unit | 21051 | \$ | 717.00 |
| Wex Health, Inc | 21052 | \$ | 3,010.45 |
| CenturyLink | 21053 | \$ | 930.25 |
| Information Technology Dept | 21054 | \$ | 1,170.45 |
| Medora, City of | 21055 | \$ | 432.49 |
| Reservation Telephone | 21056 | \$ | 40.00 |
| Roughrider Electric Coop | 21057 | \$ | 5,170.59 |
| RTC Networks | 21058 | \$ | 1,332.77 |
| Verizon Wireless | 21059 | \$ | 43.20 |
| Visa | 21060 | \$ | 1,792.89 |
| Wex Health, Inc | 21061 | \$ | 66.50 |
| Visa | 21062 | \$ | 1,936.07 |
| ND Public Employee Retirement Sy | 21063 | \$ | 10,520.00 |
| ND Public Employee Retirement Sy | 21064 | \$ | 43,391.66 |
| ND Public Employee Retirement Sy | 21065 | \$ | 650.00 |

The board approved the revenue vouchers for the month of February: Recorder \$3,657.00; Zoning \$0; Court \$60.00; EMS \$4,463.36, Sheriff \$310.00.

Revenues for materials and/or services rendered in February: Allan Richard \$61.60 water; Mike Klatt \$277.50 scoria & hauling; Brandon Richard \$198.80 water; Beach Community Ambulance \$1,500.00. WEED SPRAYING: Mary Anderson \$5.89, BJ O'Brien \$51.90, Owen & Rachel Makelky \$9.98.

Revenues for the month of February: Sheriff \$2,656.75 permits; Highway Distribution \$13,504.01; Oil & Gas Production Tax \$179,596.38; Royalties \$30,760.70; Unorganized Oil & Gas Production Tax \$11,793.10; Interest \$21,246.86; State Aid Distribution \$33,426.24; NDRIN \$6,561.13.

Payroll in the following amounts was approved for February: General Fund \$182,670.34; Road and Bridge Fund \$114,025.65; Weed Fund \$12,254.52.

With there being no further business, the meeting ended at 1:45PM.

Lester Iverson, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer