

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING SEPTEMBER 6, 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, Deputy Auditor Jonna Bertelsen, Maintenance Supervisor Travis Bertelsen, Clerk/ Recorder Juliana Hammerstrom, Tax Director Stacey Swanson, Ambulance Director Kyle Michels, Road Superintendent Jeff Iverson, Major Dean Wyckoff, Sheriff Pat Rummel via telephone, Fire Chief Kyle Shockley, Brooks Goodall, Jason O'Day, Human Resources Attorney Nathan Svihovec, Amy McCann, Dan Farstveet, Andrew Krebs, Jon Brosz, Rick Mellmer, Teran Doerr, Brooklyn Engelhart

The Pledge of Allegiance was recited and the board reviewed the commission minutes from the August 2, 2022 regular meeting. Kasian moved to approve the minutes. Rodne seconded. All voted aye.

Iverson asked if there were any additions to the agenda. Kasian asked to add the interview of road superintendent candidates. A committee was selected to interview and decide the top candidates and Kasian stated we should have all commissioners a part of this committee, discussion ensued regarding public meeting requirements. Rodne moved to add the topic to the agenda. Kasian seconded. All voted aye. Rodne moved to approve the amended agenda. Kasian seconded. All voted aye.

Brooks Goodall was present from Reservation Telephone Coop. He provided an overview of the company history and discussed the products they offer. They have been able to get Wifi into 15 homes in Medora so far. They have done a lot of work with the Medora foundation etc. Midstate was bought out by RTC and they kept all of their employees. Discussion ensued regarding the rural areas that lack service. The Belfield exchange is not within RTC's service area, but Consolidated has an application for USDA's Reconnect program that if approved should provide the service to the areas that are unserved or underserved.

Auditor Lamb reported to the commission that the second funding from the American Rescue Plan Act was received in the amount of \$90,126.50. The first round of funding was given to the Billings County Water Resource District for a grant program for drought relief. Auditor Lamb requested the same with this funding for a second grant round. Rodne moved to approve transferring the funds to the water resource district. Kasian Seconded. All voted aye.

Maintenance Supervisor Travis Bertelsen gave his monthly update. The gutters for the courthouse and firehall are complete. There is a new fire alarm system to be installed in the courthouse. Bertelsen discussed the potential for a new Ranger. The board decided to hold off on a decision at this time.

Human Resource Attorney Nathan Svihovic was present for an HR matter. States Attorney Weir requested that Attorney Svihovic give his input on going into executive session. we should first convene in an open session, which we have, then vote to go into a closed executive session – the portion of a meeting during which confidential or exempt records are concerned. They may talk to legal counsel regarding pending or reasonable threat of legal, confidential, or exempt records and the governing body may discuss legal questions or records. According to N.D.C.C. § 44-04-17.1(1), the meeting must be closed to discuss exempt records of an employee. Kasian moved to go into executive session at 9:37 am. Rodne seconded. All voted aye. The individuals present during the executive session were Commissioners Iverson, Kasian and Rodne, States Attorney Weir, Attorney Nathan Svihovic, Auditor Marcia Lamb, Deputy Auditor Jonna Bertelsen, Sheriff Pat Rummel. The executive session was recorded.

The board adjourned the executive session at 10:26am and resumed in open session. The public was invited back in. States Attorney Weir stated substantive votes must be recorded by roll call. During the executive session, the board met with legal counsel and discussed exempt records. Rodne moved to approve the recommendation of special counsel to have Mitch Gilseth resume his role as co-director of EMS. Kasian seconded. Rodne aye, Kasian aye. Iverson aye. Motion carried.

Dan Farstveet was present to go over insurance updates. The departments will go through their inventory and lists and will come back with recommendations of what needs to be added and removed. He went through claims for the last two years.

The bid opening for the generator was held at 11:00 am as scheduled. One bid was received from Berger Electric in the amount of \$162,841. Rodne moved to approve the bid contingent upon the mathematics in the bid being reviewed. Kasian seconded. All voted aye.

The bid opening for the Thomas Pit was then opened. Four bids were received: Sundre Sand & Gravel Inc \$324,500, Fisher Sand & Gravel Co. \$179,900, Wyrick Construction \$173,500, Knopik Pit Management \$165,500.

The bid opening for the Armstrong Pit was then opened. Wyrick Construction was the only bid at \$294,000. Kasian moved to approve low bids of Knopik Pit Management \$165,500 for the Thomas pit and Wyrick Construction \$294,000 for the Armstrong Pit contingent upon engineer approval. Rodne seconded. All voted aye.

Discussion on the Road Superintendent interviews. Kasian would like all interviews to be conducted in front of the commissioners. Discussion ensued regarding it being an open meeting and tough for on the individual being interviewed. The committee would give the recommendation to the board but the Commission has the final decision and have received all resumes. Road Superintendent Iverson stated that if the board would like to do the interviews, he needs to let the committee know. There is no issue with adding one commissioner to the hiring committee. Rodne is willing to be on the committee. Iverson will provide dates and times.

Taryn Doerr and Brooklyn Engelhart from Roosevelt Custer Regional Council were present to give an annual update. They have just recently taken over the contract and management services for the council.

Tax & Zoning Director Swanson gave her monthly report. She provided updates from the SW REAP Committee meeting. She gave the board a snap shot of development in the county. She also provided updates from TRMF Medora area planning committee. The final input public meeting will be held October 2nd.

Andrew Krebs, KLJ gave his monthly report. KLJ will be at the NDACo Conference and the NDDOT meeting with Billings County will be held Monday October 3rd at 4:30pm Central Time at the Bismarck Event Center. Road Superintendent Jeff Iverson gave his monthly report. Al Heiser, Stark County Road Superintendent will be the chair for the hiring committee. Jon Brosz gave his monthly engineering report. Bid opening for the 133rd project will be September 22nd at 1:00pm. There does not need to be a special meeting to open the bids, but it will be awarded at the October 6, 2022 meeting.

The meeting recessed for lunch at 12:30pm and reconvened at 1:30pm.

Major Dean Wyckoff was present to give the Sheriff's monthly report. The Maah Daah Hey 150 is this weekend as well as the balloon event. In the last 5 out of 7 days, there have been calls out of national park that are heat and/or injury related.

Tax & Zoning Director Swanson presented 8 ARW applications.

1. Medora Grazing Association – Water pipeline renewal of #4428 approved in 2020 & 2021 (Mikes Creek Rd, 29/30-143-101).
2. Medora Grazing Association – Water Pipeline #4446 133rd Ave SW in Sections 25/26-140-100.
3. Medora Grazing Association – Water Pipeline # 4447 139th Ave SW & Gov't Creek Rd 1-140-101, 2-140-101, 6-140-100.
4. Petro-Hunt – Oil and Gas/Water Pipeline #4448 120th Ave SW 13-144-98 county line.
5. Ragnar Exploration - Location Approach #2022-9 off 40th St SW 28-139-100. Conditions to install road signs.
6. Ragnar Exploration – Location Approach #2022-10 off 40th St SW 28-139-100.
7. Ragnar Exploration – Location Approach #2022-11 off 42nd St SW, 35-139-100. Conditions to move approach to the east and install traffic signs.
8. Jerett & Hannah Freiboth – Approach #2022-13 Dutchmans Rd SW, 6-139-102.

Rodne moved to approve all ARWs. with the conditions specified. Kasian Seconded. All voted aye.

Emergency Manager Kyle Shockley gave his monthly report. The fire department is looking into exploring a building south of Medora. Went through a hand drawn plan from him for a fire bay, training room, meeting room, emergency manager office, two extra offices and county records fire proof/water proof room. The commission feels this is a need for the county and would like for his to get with an engineer to get further plans and what it will cost to build. EMS would like to add crew quarters with a breeze way to the ambulance building.

Kyle Michels was present to give the ambulance report.

Auditor Lamb provided a letter to the Upper Great Plains Transportation Institute. Rodne moved to approve the letter of support. Kasian seconded. All voted aye.

Kasian moved to approve letter of support to the congressional delegation regarding the bill for the State Land Commission to work with state lands to swap for federal minerals. The land commissioner met with a group in Billings County and heard the concerns on including the state land in Billings County and agreed to remove the National Grasslands from the proposed law. Rodne seconded. All voted aye.

The Little Missouri Scenic River Commission requested an appointment of a landowner adjacent to the river from Billings County as they will be meeting again in September. Rodne moved to appoint John Hild. Kasian seconded. All voted aye.

Auditor Lamb presented Resolution 2022-13 - Green Light for Veterans to the commission. This is a nationwide initiative leading up to Veteran's Day where local businesses and residences show their support to veterans by lighting their buildings green. This takes place from October through Veteran's day. Kasian moved to approve Resolution 2022-13. Rodne Seconded. All voted aye. The resolution reads as follows:

RESOLUTION NO. 2022-13
Supporting Operation Green Light for Veterans

WHEREAS, the residents of Billings County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Billings County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Billings County Commission and all county employees appreciate the sacrifices of our United States Military Personnel and believe specific recognition should be granted; therefore be it:

RESOLVED, with designation as a Green Light for Veterans County, Billings County hereby declares from October through Veterans Day, November 11th 2022 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, Billings County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

Dated at Medora, ND this 6th day of September, 2022. BILLINGS

COUNTY, NORTH DAKOTA

By _____
Lester Iverson, Board Chairman

Attest: _____
Marcia Lamb, County Auditor/Treasurer

The following claims were approved for payment:

Blue Cross Blue Shield of ND	21695	\$	4,183.90
ND Public Employee Retirement Sy	21696	\$	907.38
All Around Tire & Oil	21697	\$	2,297.91
Aramark	21698	\$	400.84
B Seamless Exteriors	21699	\$	7,475.00
Berger, Rene	21700	\$	17.10
Big Horn Tire	21701	\$	1,356.00

Billings County Historical Soc	21702	\$	107.48
Billings County Rural Fire Dist	21703	\$	1,798.87
Billings County School Dist	21704	\$	2,323.30
Blue Sky Dumpsters	21705	\$	100.00
Boss Office Products	21706	\$	16,038.29
Bound Tree Medical LLC	21707	\$	731.26
Braun Distributing	21708	\$	419.57
Brosz Engineering Inc	21709	\$	17,985.00
Capital One	21710	\$	327.74
Cerberus Security	21711	\$	30.00
Cerkoney Cathy	21712	\$	93.75
Charbonneau Car Center	21713	\$	120.43
Creative Energy	21714	\$	3,986.55
Dakota Dirt Works	21715	\$	24,185.00
Dakota Insurance	21716	\$	10,288.00
Dakota Sports	21717	\$	53.50
Deans Distributing	21718	\$	1,622.75
Dell Marketing	21719	\$	583.60
Dickinson press	21720	\$	161.28
Dickinson Public Library	21721	\$	4,441.42
Dryland Enterprises	21722	\$	24,010.00
DS Solutions	21723	\$	275.00
Ecolab Pest Elim Div	21724	\$	354.33
Elections Systems & Software	21725	\$	3,944.24
ERE Trucking LLC	21726	\$	9,170.00
Fairfield & Woods, P.C.	21727	\$	464.41
George's Tire LTD	21728	\$	1,900.00
Gerry's Plumbing & Heating	21729	\$	711.00
Gilseth Mitchel	21730	\$	30.31
Hlebechuk Construction Inc	21731	\$	16,826.00
J P Steel & Supply	21732	\$	88.00
Jacobs Kelly	21733	\$	6,970.00
Jeff's Towing	21734	\$	145.60
Jones & Bartlett Learning LLC	21735	\$	126.00
Just -in Glass	21736	\$	189.00
Kasian Connie	21737	\$	87.50
Kessel Anita F	21738	\$	100.00
Kevin's Auto & Truck Repair	21739	\$	120.40
KLJ Engineering LLC	21740	\$	465.77
Klym Steve	21741	\$	68.75
Knopik Pit Management LLC	21742	\$	152,528.00
Kohler Communications Inc	21743	\$	200.00
Krebs Machine & Repair	21744	\$	60.00
Kubik Bogner Ridl & Selinger PLLP	21745	\$	3,000.00
Lexipol LLC	21746	\$	3,189.87
Linde Gas & Equipment Inc	21747	\$	113.64
Mac's Inc	21748	\$	29.94
Malkowski Trucking	21749	\$	5,180.00
Medora, City of	21750	\$	670.60
Menards Dickinson	21751	\$	311.90
Metro-Billing Services	21752	\$	23.00
MGM Rural Sanitation LLC	21753	\$	363.05
Motorola Solutions	21754	\$	316.36
ND Association of Counties	21755	\$	315.00
ND Association of Counties	21756	\$	114.40
ND Attorney General's Office	21757	\$	610.00
ND Construction LLC	21758	\$	10,270.00
ND State Radio Communications	21759	\$	4,983.36
ND State Treasurer	21760	\$	741.98
NDACo Resources Group Inc	21761	\$	243.84
Nelson International	21762	\$	91.32
Newby's Ace Hardware	21763	\$	44.96

Nitro-Green Professional Lawn & Tree Care	21764	\$	83.00
North Dakota One Call	21765	\$	13.00
Northern Improvement Co	21766	\$	76.25
Nova Fire Protection	21767	\$	280.00
Nutrien Ag Solutions	21768	\$	4,497.20
Platinum Motorsports Inc	21769	\$	19,012.59
Pump Systems Inc	21770	\$	5,160.16
Putnam Karen	21771	\$	51.25
Quadient Leasing USA Inc	21772	\$	375.00
Qualification Targets Inc	21773	\$	219.36
Quality Quick Print	21774	\$	2,810.00
Range Magazine	21775	\$	19.95
RDO Equipment Co	21776	\$	10,741.86
RELX	21777	\$	233.40
Roberto Garibay Construction	21778	\$	16,648.00
Romanyshyn Trucking	21779	\$	19,237.50
Rummel Patrick	21780	\$	425.00
Runnings Supply Inc	21781	\$	87.45
Sax Motor Co	21782	\$	342.90
Sheyenne Tooling & MFG	21783	\$	416.88
Southwest Water Authority	21784	\$	2,647.93
Southwest Water Authority	21785	\$	6.18
Southwestern Dist Health Unit	21786	\$	1,613.41
St Alexius Medical Center	21787	\$	769.46
The Badlands Patriot, LLC	21788	\$	365.82
Thyssen Krupp Elevator	21789	\$	583.53
Uniform Center	21790	\$	121.55
Verizon Wireless	21791	\$	2,279.33
West Plains Inc	VOID	\$	399.30
Westlie Crossroads Truck Ctr	21793	\$	2,222.03
Belfield Automotive Supply	21794	\$	1,580.89
CenturyLink	21795	\$	957.92
Information Technology Dept	21796	\$	1,191.05
Kasian Michael	21797	\$	141.25
Medora, City of	21798	\$	648.82
Reservation Telephone	21799	\$	40.45
Rodne, Dean	21800	\$	81.66
Roughrider Electric Coop	21801	\$	3,611.65
RTC Networks	21802	\$	1,189.73
Verizon Wireless	21803	\$	55.52
Visa	21804	\$	2,708.02
Visa	21805	\$	1,119.06
Wex Health Inc	21806	\$	63.00
ND Public Employee Retirement Sy	21807	\$	10,595.00
ND Public Employee Retirement Sy	21808	\$	43,855.76
NDFOP State Lodge Treasurer	21809	\$	25.00
North Dakota Public Health Ins Trust	21810	\$	74,553.76
Prudential Service Center	21811	\$	14.29
State Dispersement Unit	21812	\$	1,077.00
Wex Health Inc	21813	\$	3,010.45

The board approved the revenue vouchers for the month of August: Recorder \$9,109.60; Zoning \$1,824.66; Court \$150.00; EMS \$3,499.18; Sheriff \$63.00.

Revenues for materials and/or services rendered in August: Southwest District Health \$147.27 covid testing; Beach Community Ambulance \$2,000.00 Intercepts; Cody Reis \$1,039.50 scoria; Ranchorama Arena Club \$825.00 EMS Coverage; Tim O'Brien \$3,529.00 trucking & blading; Loren Kordonowy \$475.20 gravel & trucking.WEED SPRAYING: Rhonda King \$55.41, Sandy Baertsch \$293.99, Deann Baertsch \$524.17, Lance Thomas \$300.51, Cody Tachenko \$44.73, Owen Makelky \$72.59, Roy Krivoruchka \$40.95, Andrew Prociw \$55.41, Michael Kasian \$202.80, Joseph Kessel \$194.42, Cody Eaton \$322.08, Bravera Wealth \$1,141.87, Rhonda Paluck \$927.53, Ted Renner \$29.26, Tim Loh \$281.93, Dave Adams \$15.03, City of Medora \$240.26, Medora Grazing Assn \$233.27, Marcus Boykin \$87.85, Delry Sabrosky \$111.19, ABC Fencing \$45.08, Arrow K Farms \$133.29, May Farms \$403.10, Diane Weir \$251.32, Rick Dutchak \$900.22, Nell Buckman \$64.58, Jared

Karsky \$95.13, Badlands Ministries \$819.87, Fritz Land \$41.26, Terri Tachenko \$1,658.97, Charles Sivak \$620.34, Edwin Cerkoney \$650.21, David Reis \$40.95, Ray Thompson \$75.13, Don Schmeling \$118.13, Roger Dieterle \$557.17, Delry Sabrosky \$334.02, Loren Kordonowy \$502.29, TRMF \$3,217.15, Ted Tescher \$147.08, Peggy Ridl \$1,370.13.

Revenues for the month of August: Road & Bridge permits \$6,021.55; Highway Distribution \$11,972.09; Oil & Gas Production Tax \$226,098.07; Royalties \$45,019.12; Unorganized Oil & Gas Production Tax \$15,073.20; Interest \$9,113.70; State Aid Distribution \$30,034.99; 24/7 \$1,120.00; Cash Bar Permits \$25.00.

Payroll in the following amounts was approved for August: General Fund \$202,966.72; Road and Bridge Fund \$112,983.94; Weed Fund \$43,066.26.

With there being no further business, Rodne moved to adjourn the meeting at 2:28pm. Kasian seconded. All voted aye.

Lester Iverson, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer