

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING OCTOBER 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, Major Dean Wyckoff, Sheriff Pat Rummel, Fire Chief Kyle Shockley, Joey Vesey, John Hild, Wes Obrigewitch, Misty Hays, Steven Klym, Amy McCann, Andrew Krebs, Allan Richard, Randy Mosser, Debbie Rodne, Sandy Baertsch.

The Pledge of Allegiance was recited and the board reviewed the commission minutes from the September 6, 2022 regular meeting. Rodne moved to approve the minutes. Kasian seconded. All voted aye.

Iverson asked if there were any additions to the agenda. Randy Mosser would like to be added to the agenda at 1:30 to discuss gravel royalties. A letter from Kevin Fugere will be discussed during USFS report. Kasian would like to discuss if Auditor Lamb can be on the canvassing board and thought it was a conflict since she is on the ballot. North Dakota State Law requires the Auditor to serve on the Canvassing Board as well as the Chairman of the board, the Recorder and the State's Attorney along with a representative of the Dem-NPL and Republican parties. Kasian moved to approve the agenda with the additions. Rodne seconded. All voted aye.

Joey Vesey was present to discuss a crossing that the county also uses that needs to be repaired. A letter has been received from the forest service in support of repairing the culvert. The county will replace it with a 72 in culvert. The fire board gives full support as it gives access.

Misty Hayes was present from the USFS to give updates. Tyler Sherman is back with law enforcement and Dan Smiley is finishing training in Georgia. They are working on coordination with the Maah Daah Hey races and how to hold them responsible for issues that come up. Commissioner Iverson brought up the letter from Kevin Fugere whose fence was cut during the race for emergency services to enter. The fence was not repaired and later his cows got out of the pasture. The forest service was not aware of the fence being cut until a later date so they will not cover the costs. Misty stated the bill should be sent directly to the event organizer from the grazing association. It was requested to let the event organizers know that they need to do a sweep of the trail after the race to pick-up left-over trash and close gates that are left open.

The board discussed the Road Superintendent Position. Commissioner Rodne sat in on the interviews and there were two candidates that were forwarded onto the board for consideration. The board would like to interview the two applicants in a special meeting They will submit questions to Pat Rummel for him to write up for the interviews. The special meeting was set for October 14, 2022 at 1:00 pm.

Tax & Zoning Director Swanson presented 2 ARW applications.

1. 2022-14 Alan Richard – improve an existing ag/residential approach off Sully Creek Rd. 15-139-101.
2. 2022-15 RTC Networks – fiber optic line. 14 crossings in 138-102, 139-102, & 140-102

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

Swanson presented 3 zoning applications.

1. Performance Development group is putting in a tower in Fryburg. This will be used for companies to lease antenna space. No one called with concerns. Rodne moved to approve the application. Kasian Seconded. All voted aye.
2. Jerett and Hannah Freiboth are purchasing land on West River Road from Dean Rodne. The survey came back and it is roughly 6 acres. Application was submitted to rezone the area from agricultural to residential. Iverson made the motion to approve the application. Kasian Seconded. All voted aye.
3. Giles Radke is purchasing land from Terry Logan to extend his commercial property. Submitted the application to rezone from agricultural to commercial. No one had concerns. Kasian moved to approve the application. Rodne Seconded. All voted aye.

Swanson gave updates from the Medora Area Planning committee. Southwest water will be present at the next zoning meeting. There is a steel building that was built up on River Drive that didn't apply through city or county zoning. It is in the extraterritorial area and needs to comply with both.

States Attorney Pat Weir gave his monthly report. Weir spoke with Governor Burgum and there is federal grant money available for infrastructure outside of communities. The library would like the county to apply for the money for an underpass or overpass to the library. Auditor Lamb stated that the grazing association has brought this to attention and there are concerns of losing a large portion of grazing acreage by building an additional road.

Bryan Personne, CEO for consolidated was present to update the board on the USDA Grant. The USDA announced that consolidated received the Reconnect Grant for their \$18M project. This is for the Belfield exchange which is made up of 75% Billings County residents. 423 residences, served out of central office in Belfield. Billings County has 284 homes and 73 businesses included. 284 miles of fiber specifically. They are starting to work on obtaining easements and environmental studies. Project will start in the south and move its way north. Goal is to complete the project by December of 2024.

No Bids were received for the Fairfield tower.

The bid opening for 133rd were opened at 11:00am as advertised. 6 bids were received. Wilson Construction, Inc.- \$752,439.92, Baranko Bros Inc. \$989,269.40, Schwartz Construction \$936,308.03, Martin Const \$711,061.31, Hlebechuk Const. \$712,078.33, Onecor Services \$767,391.85. Rodne moved to approve the low bid of Martin Const. contingent upon engineer review of the bids. Kasian seconded. All voted aye.

Andrew Krebs from KLJ gave his monthly report.

The road superintendent written report was reviewed. After review of the Thomas and Krueger leases, Chairman Iverson signed.

Commissioner Rodne discussed the Roughrider North Human Services Zone bonus plan. Billings County is the host county for the Roughrider North HS Zone. The zone is requesting a 1-2% increase for each employee of the zone split between the five counties using the county ARPA funds. Billings County has already distributed our ARPA funds to the water resource district for grants to county landowners. Auditor Lamb questioned the legality of spending county funds on human service expenses. She will discuss with the State DHS and Eide Bailley.

Auditor Lamb gave her monthly report. She informed the board of the Election inspectors for the upcoming general election, Yelena Gerbig, Glenella Polensky and Deanna Baranko. She also stated that a local quilting group requested to use the emergency building training room once a month. Emergency Manager Kyle Shockley and EMS Director Kyle Michels didn't have an issue with it. Lamb then presented the quarterly pledge report. Rodne moved to approve the pledge report. Kasian Seconded. All voted aye.

The meeting recessed for lunch at 12:00pm and reconvened at 1:00pm.

At 1:00pm, the 2023 Billings County Budget hearing was opened. Auditor Lamb presented all fund details and levies to the board. No one appeared for or against the budget. Rodne moved to approve the 2023 budget as presented. Kasian seconded. All voted aye.

Randy Mosser was present to request an increase in the royalty payment on gravel per yard for the second crushing. He requested \$6/cu. Yd. due to inflation. There is roughly 30,000 cubic yards left. The board reviewed the lease. After discussion, Rodne moved to pay \$4/cu. Yd. Kasian seconded. All voted aye.

Human Resources Attorney Nathan Svihovek was present to give a report regarding employee grievances and his findings. After he reviewed the report with the board, he advised the board to make a motion to disavow any acts of Commissioner Rodne done in his individual capacity and not as a Commissioner to formally distinguish its official acts from those of Commissioner Rodne done without Commission approval. Kasian moved to make that motion. Iverson seconded. Kasian and Iverson voted aye. He also recommended the commission take no further action regarding the existing grievances filed by the individuals in this matter.

Ambulance Director Kyle Michels gave his monthly report. They will begin an advanced EMT training course. Chairman Iverson and Michels met with South Heart at their last city council meeting and they agreed to pay \$5,000 for the ambulance merger in 2023.

Human Resources Attorney Nathan Svihovek returned to the meeting and made a statement that there was nothing in his report findings corroborating that Sheriff Pat Rummel had done anything improperly.

The following claims were approved for payment:

Blue Cross Blue Shield of ND	21814	\$	4,252.00
ND Public Employee Retirement Sy	21815	\$	830.34
ABC Fencing LLC	21816	\$	19,229.90
Advanced Business Methods	21817	\$	381.05
AF Services LLC	21818	\$	390.00
All Around Tire & Oil	21819	\$	63.00
Allied Electronics & Automation	21820	\$	86.66
Amerian Welding & Gas	21821	\$	399.00
Aramark	21822	\$	586.40
B Seamless Exteriors	21823	\$	5,255.00

Be Mobile Dickinson South	21824	\$	30.95
Big Horn Tire	21825	\$	389.00
Big T Lawn Sprinklers	21826	\$	320.00
Billings County Historical Soc.	21827	\$	123.86
Billings County Rural Fire Dist.	21828	\$	2,262.21
Billings County School Dist.	21829	\$	4,851.33
Blue Sky Dumpsters LLC	21830	\$	572.00
Bock Ronald & Judy	21831	\$	63,060.00
Boespflug Trailers & Feed	21832	\$	7,608.60
Boss Office Products	21833	\$	644.82
Bound Tree Medical LLC	21834	\$	1,073.46
Braun Distributing Inc	21835	\$	136.25
Bravera Insurance	21836	\$	1,936.89
Butler Machinery Co	21837	\$	577.86
Capital One	21838	\$	214.55
Cetnral Mechanical Inc	21839	\$	29,452.33
Cerberus Security	21840	\$	30.00
Cerkoney Cathy	21841	\$	93.75
Charbonneau Car Center	21842	\$	371.95
CAN Surety	21843	\$	50.00
Code 4 Services	21844	\$	6,152.70
Dakota Insurance	21845	\$	236.00
Deans Distributing	21846	\$	3,264.15
DF Lighting Company	21847	\$	436.00
Diamond Truck Equipment	21848	\$	1,205.00
Dickinson Public Library	21849	\$	5,331.46
E Services LLC	21850	\$	792.00
East-Mont Communications	21851	\$	1,430.00
Ecolab Pest Elim Div	21852	\$	354.33
Eide Bailly	21853	\$	27,170.00
ERE Trucking LLC	21854	\$	2,975.00
Farmers Union Oil Co-Beach	21855	\$	7,849.07
Forsgren Associates Inc	21856	\$	1,049.75
Froelich Donald & Sarah	21857	\$	1,500.00
George's Tire LTD	21858	\$	4,576.00
Gooseneck Implement	21859	\$	3,493.10
Hammerstrom Construction	21860	\$	40,080.00
Hlebechuk Construction Inc	21861	\$	40,305.00
J and J Operating LLC	21862	\$	868.43
Jamestown Communications Inc	21863	\$	8,203.06
Just-In Glass	21864	\$	428.38
Kasian Connie	21865	\$	87.50
Kessel Anita F	21866	\$	100.00
KLJ Engineering LLC	21867	\$	5,217.26
Klym Steve	21868	\$	68.75
Knopik Pit Management	21869	\$	6,460.00
Kohler Communications Inc	21870	\$	200.00
Kubik Bogner Ridl Selinger PLLP	21871	\$	3,000.00
Linde Gas & Equipment Inc	21872	\$	31.97
Little Missouri Restaurant & Saloon	21873	\$	111.81
Logo Magic	21874	\$	838.00
Mac's Inc	21875	\$	237.23
Malkowski Kasey	21876	\$	122.00
Malley's Safety Supply Inc	21877	\$	1,288.72
Menards Dickinson	21878	\$	239.38
Metro-Billing Services	21879	\$	161.00
MGM Rural Sanitation LLC	21880	\$	358.39
Mid-American Research Chemical	21881	\$	137.15
Motorola Solutions	21882	\$	15,736.37
ND Association of Counties	21883	\$	170.33
ND Attorney General's Office	21884	\$	310.00
ND Dept of Transportation	21885	\$	429.08

ND Dept of Transportation	21886	\$	10.00
ND Dept of Transportation	21887	\$	10.00
ND State Treasurer	21888	\$	1,029.87
Nelson International	21889	\$	143.79
Nutrien Ag Solutions	21890	\$	915.00
O'Reilly	21891	\$	173.64
Prairie Lumber Company	21892	\$	18.99
Pump Systems Inc	21893	\$	895.65
Putnam Karen	21894	\$	51.25
Radisson Hotel - Bismarck	21895	\$	172.80
Ramkota Hotel	21896	\$	86.40
RDO Equipment Co	21897	\$	9,144.06
RELX	21898	\$	233.40
Rodne, Dean	21899	\$	128.75
Romanyshyn Trucking	21900	\$	17,415.00
RPM Auto Repair	21901	\$	476.23
Rummel Patrick	21902	\$	226.75
Runnings Supply Inc	21903	\$	500.96
Sanford Health Occ Med	21904	\$	100.00
Sanford Inpt Pharmacy	21905	\$	1,009.00
Sax Custom LLC	21906	\$	1,850.00
Sax Motor Co	21907	\$	184.24
Share Corporation	21908	\$	803.47
Sheyenne Tooling & MFG	21909	\$	77.00
Sign Solutions	21910	\$	2,565.31
Soutwest Multi-County Correct. Center	21911	\$	3,575.00
Southwest Water Authority	21912	\$	7,657.24
Southwest Water Authority	21913	\$	7.56
Southwestern Dist Health Unit	21914	\$	1,858.37
Swanson Stacey	21915	\$	77.50
Target Solutions Learning LLC	21916	\$	1,311.70
Team Laboratory Chemical LLC	21917	\$	853.00
The Badlands Patriot LLC	21918	\$	1,240.82
Thomas, Lance & Stephanie	21919	\$	1,500.00
Uniform Center	21920	\$	1,338.96
Vanguard Appraisals Inc	21921	\$	6,825.00
Verizon Wireless	21922	\$	2,379.18
Warne Chemical & Equipment	21923	\$	776.18
West Dakota Oil Inc	21924	\$	22,813.32
Western Dakota Energy Association	21925	\$	4,750.00
Westlie Crossroads Truck Ctr	21926	\$	13,990.13
Wyckoff, Dean	21927	\$	21.00
Belfield Automotive Supply Inc	21928	\$	2,481.00
ND Public Employee Retirement Sy	21929	\$	10,645.00
ND Public Employee Retirement Sy	21930	\$	43,855.76
NDFOP State Lodge Treasurer	21931	\$	25.00
ND Public Health Ins Trust	21932	\$	72,780.16
Prudential Service Center	21933	\$	14.29
State Dispersement Unit	21934	\$	1,077.00
Wex Health, INC	21935	\$	3,010.09
CenturyLink	21936	\$	956.59
Information Technology Dept	21937	\$	1,191.05
Kasian Michael	21938	\$	205.63
Medora, City of	21939	\$	742.83
Reservation Telephone	21940	\$	1,141.50
Roughrider Electric Coop	21941	\$	4,056.61
Verizon Wireless	21942	\$	55.52
Visa	21943	\$	2,615.50
Visa	21944	\$	849.46
Wex Health, INC	21945	\$	59.50

The board approved the revenue vouchers for the month of September: Recorder \$5,132.20; Zoning \$125.00; Court \$80.00; EMS \$8,489.77; Sheriff \$80.00.

Revenues for materials and/or services rendered in September: Kasey Malkowski \$346.50 scoria; Owen Makelky \$236.25 gravel; Rick Stevens \$346.50 scoria. WEED SPRAYING: TRMF \$70.72, Trell Shypkoski \$245.70, Don Schmeling \$40.95, Devon Kessel \$562.35, Ray Thompson \$141.91, Arvid Hecker \$1,196.88, Cory Smith \$33.14, Von Johnson \$61.43, Andrew Prociw \$76.65, Donald Schmeling \$61.43, Steven Klym \$160.49, Jonathan Klym \$160.48, Ron Buckman \$438.02, Nathan Schaper \$702.46, Arnold Rodakowski \$53.40.

Revenues for the month of September: Road & Bridge permits \$6,082.97; Highway Distribution \$13,268.34; Oil & Gas Production Tax \$761,525.62; Royalties \$38,307.85; Unorganized Oil & Gas Production Tax \$50,768.38; Interest \$8,937.91; State Aid Distribution \$38,427.14; ARPA Federal Funding \$90,126.50; Wilmington Trust Opioid Settlement \$117.39; BLM Mineral Royalty \$168,034.35.

Payroll in the following amounts was approved for September: General Fund \$198,288.53; Road and Bridge Fund \$112,983.94; Weed Fund \$23,015.49.

With there being no further business, Rodne moved to adjourn the meeting at 2:55pm. Kasian seconded. All voted aye.

Lester Iverson, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer