

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – JULY 1, 2014**

The meeting was called to order at 9:00 A.M. with Commissioners Arthaud, Kessel and Kasian in attendance.

Others present during portions of the meeting were: Stacey Kessel, Denise Soehren, Tammy Simnioniw, Julie Reis, Dean Rau, Bill Kessel, Justin Hyndman, Kayla Torgerson, Jeff Iverson, Stacey Swanson, Dave Jurgens, Roger Kessel.

After review, Kasian moved to approve the minutes from the June 3, 2014 regular meeting. Kessel seconded. All voted aye.

Billings County School Principal Denise Soehren and board members Stacey Kessel and Julie Reis were present to discuss a bus turnaround for the school district as well as Bankhead Jones funding and library services for 2015. School Business Manager Tammy Simnioniw presented a bus turnaround request. The school board had discussed a few different sites and determined that a sight on Cody & Julie Reis' land would work well. It is a half-mile off of Highway 85 East of the County Shop. They are requesting that the county build the turnaround. Road Superintendent will review and make sure that sight distance is sufficient and placement is proper. Kasian moved to approve the turnaround be built by Billings County. Kessel seconded. All voted aye. Tammy also presented a request from the school board to budget for \$700,000 of the 2015 Bankhead Jones funds. The school district did not request any funding from this source for 2014. The Bankhead Jones funds may only be used for roads and schools in the county. Kasian moved to approve the budgeting of the funds to the school in 2015. Kessel seconded. All voted aye. Discussion then ensued regarding library services for the school and the county. Auditor Lamb has requested more information from the library and will bring this to budget discussions at the next meeting.

The board discussed cost of living increases for the upcoming 2015 budgets. They stated they would approve of a 5% increase based on the highest salary with the same dollar amount going to each employee of the county. This increase will be placed in the preliminary budget.

Road Superintendent Jeff Iverson was present to update the board on various road projects in the county.

The board received and approved the following permits with road superintendent conditions:

Construction in County Right-of-Way Permits

- Thunderbird Resources – Sections 14 & 23-143-101 along Black Tail Road.
- Whiting Oil & Gas Corp – Section 16-140-100 along 32<sup>nd</sup> St SW.

Pipeline Permits

- Hiland Operating, LLC – Section 24-141-98 for a gas gathering pipeline.

The board reviewed zoning requests that had been addressed by the zoning board at their June 19, 2014 regular meeting as follows:

Roger & Lynette Kessel: Application for a new residence on a 2.875 acre tract in the NW1/4NW1/4SW1/4 22-143-99 (1554 Hwy 85 SW). Variance requested since the existing location of the home on the property is within the 250' setback requirement. Property is zoned residential. Roger Kessel was present to discuss the application. Their current home was built under the prior zoning ordinance. There is a fiberoptic cable on the east side of the home so it would be a hardship to require the home to move the home. The zoning board approved the application. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Jerry Shae: Conditional Use Permit to have 2 rv's as temporary housing in section 2-144-98 (635 121<sup>st</sup> Ave SW). Property is zoned agricultural. Farmstead currently has two homes on it. Campers have been there prior to Shae owning the property. The zoning board approved the conditional use permit contingent upon having sewer and water site drawing prior to commission meeting. Kessel moved to uphold the zoning board decision. Kasian seconded. All voted aye.

Chad Hammerstrom: Application for a minor agricultural subdivision for a 26.31 acre tract in the SE1/4SE1/4 32-139-102. Property is adjacent to existing home site along 148<sup>th</sup> Ave SW. Property is currently owned by Beck & Muhonen, etal. The zoning board approved the application. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye. All voted aye.

Tax & Zoning Director Stacey Swanson presented a contract for Ty Pickett Company to provide assessment services for salt water disposal facilities in the county. After review of the contract, Kessel moved to approve. Kasian seconded. All voted aye. Chairman Arthaud signed.

Auditor Lamb informed the board the Land Utilization budget would need to be amended by \$498,275.67 to allow for the revenue over budgeted amounts for Bankhead Jones, PILT, and BLM, and amend the transfer out

schedule from Bankhead Jones all to Road and Bridge district 1 \$1,000,000.00, district 2 \$1,000,000.00, district 3 \$3,10,807.34. Kessel moved to amend the Land Utilization budget and the amendments and the transfers to Road and Bridge. Kasian seconded. All voted aye.

Auditor Lamb also informed the board that there is a vacancy on the Billings County Water Resource Board. Patrick Weir expressed his interest in serving on this board. Kasian moved to appoint Patrick Weir. Kessel seconded. All voted aye.

Road Superintendent Jeff Iverson and Bill Kessel were present to discuss a potential road project on South Ash Coulee road.

Justin Hyndman from KLJ was present for the monthly engineers report.

Kayla Torgerson from KLJ was present to discuss the Little Missouri River Crossing. Discussion ensued regarding the project alternatives.

The board recessed from 12:15 to 1:15 P.M.

Discussion ensued regarding Midstate utility line easements for the 38<sup>th</sup> Street road project.

Sheriff Dave Jurgens informed the board that the radio tower on Sentinel Butte will need to be replaced. The antennae will no longer be covered by insurance due to the numerous claims that have been placed due to damage. Dave will get additional quotes and bring back to the commission at a later date. He would like to include this replacement in the 2015 county budget.

The board reviewed St. Joseph's Hospital request of \$100,000 contribution, payable over 5 years. The request had been tabled at a previous meeting due to the fact that they were not a designated medical provider for Billings County. This issue has been resolved. Kessel moved to approve the funding of \$20,000/year for five years. Kasian seconded. All voted aye.

The board approved the revenue vouchers for the month of June: Recorder \$8,123.90; Zoning \$1,225.00; Court \$124.50; Sheriff \$20.00.

Revenues for materials and/or services rendered in June: Wibaux County \$800.00 eight cutting edges; Joey Vesey \$37.50 blade work; Kevin Volesky \$987.75 fill sand & trucking; Dale & Lori Jilek \$870.00 scoria & trucking; Corrine & Eric Brevik \$862.50 scoria & trucking.

Revenues for the month of June: Highway Tax Distribution \$14,129.24; Oil & Gas Production Tax \$273,483.48; Interest \$4,706.92; Sheriff \$39,543.85 permits/fees; Royalties \$72,189.60; BLM Mineral Royalties \$267,106.18; PILT \$118,737.00; Bankhead Jones \$5,010,807.34; Roosevelt Custer Regional Council Hazard Mitigation Plan \$109,175.88; ND Dept of Agriculture \$2,728.50; Special Event Permits & misc. fees \$43.13; Sale of Clerk of Court electronics \$276.00.

The following claims were approved for payment:

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	007794	\$ 2,606.70	1, 2, 3, W, G
N.D. P.E.R.S.	Health & Life Insurance Premiums	007795	\$ 40,000.54	1, 2, 3, W, G
3D Specialties	Signage Program - Telespar	007796	\$ 3055.50	1, 2
Adams, Donna J.	Recorders Convention – Travel	007797	\$ 673.02	
Alternative Sanitation	Waste Removal	007798	\$ 220.00	1, 2, 3, W
AmeriPride Linen Service	Mat Rental	007799	\$ 92.87	3
Aspen Mills	Ambulance – Uniforms	007800	\$ 118.42	
A T & T Mobility	Cellular Service	007801	\$ 71.94	1
Belfield Automotive Supply, Inc.	Parts & Supplies	007802	\$ 1,167.06	1, 2, 3, W, G
Billings County Rural Fire District	Taxes	007803	\$ 1,948.25	
Billings County Pioneer	Publishing	007804	\$ 2,012.43	W, G
Billings County School District	Taxes	007805	\$ 26,866.46	
Billings County Sheriff	Training Expenses, etc.	007806	\$ 390.71	
Boundtree Medical, LLC	Ambulance – Medical Supplies	007807	\$ 14,632.58	
Bowman Sales & Service, Inc.	Parts & Repairs	007808	\$ 157.82	1
Brooks & Associates, C. E.	Land Use Plan – Roadless	007809	\$ 4,037.41	
Brooks & Associates, C. E.	Land Use Plan – F.O.I.A. Allotment	007810	\$ 2,597.00	
Butler Machinery Co.	Parts & Supplies	007811	\$ 1,556.40	1
Cellular Communications, Inc.	Iphone USB Cord	007812	\$ 69.98	3
Cerkoney, Cathy	Zoning Meeting – Mileage	007813	\$ 84.20	
Charbonneau Car Center	Parts & Repairs	007814	\$ 290.20	3
Chief Law Enforcement Supply	Sheriff – Supplies	007815	\$ 47.58	
Comfort Inn – Bismarck	Tax Director – Travel Expenses	007816	\$ 370.00	
Comfort Suites – Bismarck	D.E.M. & Tax Director – Travel	007817	\$ 148.00	
Contech Engineered Solutions, LLC	131 <sup>st</sup> Ave SW – Culverts	007818	\$ VOID	2
D & D Sprinkler Systems	Courthouse – Sprinkler Service	007819	\$ 523.95	
Dakota Farm Equipment, Inc.	Parts & Supplies	007820	\$ 272.58	1, 3

Dakota Filter Supply	Parts & Supplies	007821	\$ 315.98	3
Dakota Insurance	Weed – Property Insurance	007822	\$ 64.00	
Dan’s Interstate Conoco	Sheriff – Gas	007823	\$ 113.50	
Darby’s Welding & Machine, Inc.	Parts & Supplies	007824	\$ 2,421.06	2, 3
Denham, Cody	Weed – Pesticide Training	007825	\$ 85.00	
Diamond Truck Equipment	Parts & Supplies	007826	\$ 24.60	1
Dickinson Press	Ambulance – Publishing	007827	\$ 225.00	
DJ’s Tesoro	Ambulance – Gas	007828	\$ 52.70	
Don Hume Leathergoods	Sheriff – Holster	007829	\$ 62.73	
East End Auto & Truck Parts	Sheriff – Towing Service	007830	\$ 375.00	
Electric Sales & Service, Inc.	Courthouse – Lighting Supplies	007831	\$ 95.80	
Electronic Communications	Sentinel Butte Tower – Antenna	007832	\$ 850.00	
Electronic Communications	Sheriff – Portable Radio	007833	\$ 4,050.00	
Elkhorn Café	Election – Training Expense	007834	\$ 20.00	
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	007835	\$ 300.44	
Fastenal Company	Shop Supplies	007836	\$ 384.96	2
Fisher Industries	Sand	007837	\$ 484.25	1, 2, 3
Golden Valley County	Social Services	007838	\$ 8,733.82	
Great Plains Towers	Sentinel Butte Tower – Repair	007839	\$ 4,076.00	
Heiser Electric, Don	Electrical Service	007840	\$ 2,205.97	3, W, G
Helena Chemical Company	Weed – Chemical	007841	\$ 546.61	
Hlebechuk Construction	Gas Plant Road	007842	\$ 209,744.70	1
J P Steel & Supply, Inc.	Iron Supplies	007843	\$ 78.10	1
Jamestown Communications	Radio Expenses	007844	\$ 2,165.20	1, W, G
Jeff’s Towing	Sheriff – Oil-x & Service	007845	\$ 112.84	
Just-In Glass	Windshield Repair	007846	\$ 367.79	1
Kadrmass, Lee, & Jackson, Inc.	Engineering	007847	\$ 30,596.26	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	007848	\$ 78.60	
Kasian, Michael E.	Commissioner – Mileage	007849	\$ 174.72	2
Kessel, Anita F.	Zoning Meeting – Mileage	007850	\$ 89.80	
Kessel, Joseph L.	Zoning & Commissioner - Mileage	007851	\$ 268.44	1, G
King Speed Printing	Tax Director – Book Repair	007852	\$ 55.00	
Krush, Paul	Zoning Meeting – Mileage	007853	\$ 92.04	
Lawson Products	Shop Supplies	007854	\$ 1,072.86	1
Lyle Signs, Inc.	Road Signs	007855	\$ 97.02	2
M K Weeden Construction, Inc.	Scoria Crushing – Hild Pit	007856	\$ 239,000.00	3
Matthew Bender & Co., Inc.	Subscription	007857	\$ 242.23	
Med-Trans Corporation	Medical Air Flight – Contract	007858	\$ 3,475.00	
Medora, City of...	Taxes	007859	\$ 2,111.99	
Menards – Dickinson	Parts & Supplies	007860	\$ 1,120.32	
Midwest Doors, Inc.	Overhead Door Repair	007861	\$ 852.50	1
Mobile Binders	Recorder – Docket Binders	007862	\$ 851.23	
Motorola Solutions	D.E.M. – High Power Radio’s	007863	\$ 14,424.90	
N.D.A.A.O.	Tax Director – Conference Fees	007864	\$ 360.00	
N.D. Association of Counties	D & A Testing – Annual Fees	007865	\$ 912.80	1, 2, 3, W, G
N.D. Association of Counties	Taxes	007866	\$ 84.79	
N.D. County Auditors Association	Auditor – Convention Fees	007867	\$ 80.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	007868	\$ 200.00	
N.D. Department of Transportation	Ambulance – Title & License Fees	007869	\$ 11.50	
N.D. Department of Transportation	Signage Project – Fees	007870	\$ 3,911.00	1, 2, 3
N.D. Game & Fish Department	Game Licenses	007871	\$ 585.00	
N.D. Newspaper Association	Publishing – Primary Election	007872	\$ 61.06	
N.D. Peace Officers’ Association	Sheriff – Conference Fees & Dues	007873	\$ 680.00	
N.D. P.E.R.S.	Golden Valley – Health Insurance	007874	\$ 3,957.02	
N.D. State Treasurer	Clerk of Court Fees	007875	\$ 587.16	
NDACO Resources Group, Inc.	Courthouse – Tech Mgmt. Contract	007876	\$ 1,770.56	
NDACO Resources Group, Inc.	D.E.M. – Laptop Computer, etc.	007877	\$ 620.90	
Nelson International	Parts & Supplies	007878	\$ 232.83	1
Newby’s Ace Hardware	Courthouse – Maintenance Supplies	007879	\$ 326.24	
North Dakota Safety Council	D.E.M. – Membership Dues	007880	\$ 200.00	
Northern Improvement Co.	Cold Mix	007881	\$ 38,078.01	1
Northern Plains Erosion Control, LLC	Straw Waddles	007882	\$ 286.25	3
Northwest Tire, Inc.	Tires	007883	\$ 1,262.92	1
O’Brien Oilfield Service, LLC	Shop Supplies	007884	\$ 127.48	3
Off Road Software, Inc.	Tax Director – Software Support	007885	\$ 695.00	
Pemberton, Juliana	Deputy Tax Director – Travel Expense	007886	\$ 267.68	
Penguin Management, Inc.	911 – Voice Notification Contract	007887	\$ 2,268.00	
Probuild	Shop Supplies	007888	\$ 22.52	3
Pump Systems, Inc.	Parts & Supplies	007889	\$ 92.09	3
Putnam, Karen	Zoning Meeting – Mileage	007890	\$ 46.12	
RDO Trust 80-5800	Parts & Repairs	007891	\$ 1,197.15	2
Rummel Auto Wrecking	Ambulance – Oxygen Refills	007892	\$ 196.98	
Rummel, Patrick	D.E.M. – Travel Expense	007893	\$ 196.70	
Runnings Farm & Fleet, Inc.	Parts & Supplies	007894	\$ 481.33	1, 2, 3, W
Sax Motor Co.	Ambulance – Parts & Service	007895	\$ 166.92	
Share Corporation	Courthouse – Maintenance Supplies	007896	\$ 103.53	
Snyder Repair & Service	Weed – Parts & Repairs	007897	\$ 298.21	
Southwest Business Machines	Office Supplies	007898	\$ 416.14	
Southwest Multi-Co. Correction Ctr.	Sheriff – Prisoner Care	007899	\$ 1,605.00	
Southwest Water Authority	Water Usage	007900	\$ 1,560.93	1, 2, 3, W
Southwest Water Authority	Taxes	007901	\$ 482.16	
Southwestern District Health Unit	Taxes	007902	\$ 285.04	
St. Joseph’s Hospital	Sheriff – Blood Tests	007903	\$ 208.00	
Stein’s, Inc.	Courthouse – Maintenance Supplies	007904	\$ 512.00	
Stubbs, Luis	Weed – Pesticide Training	007905	\$ 85.00	
Swanson, Stacey	Tax Director – Travel Expenses	007906	\$ 1,004.98	
Swanston Equipment Corp.	Parts & Supplies	007907	\$ 67.03	1
Tczap, John	Zoning Meeting – Mileage	007908	\$ 45.00	
Thos Y Pickett & Co., Inc.	Tax Director – Appraisal Contract	007909	\$ 2,500.00	
Tom’s Service Center	Sheriff – Tire Service	007910	\$ 22.80	

Total Safety US, Inc.	Weed – Safety Supplies	007911	\$	234.03	
Triple S Industries	Hydraulic Motor	007912	\$	1,170.63	1
Tyler Technologies, Inc.	Auditor – Tax Wise Training	007913	\$	11,252.65	
Verizon Wireless	Cellular Service	007914	\$	1,317.61	2, 3, G
Wal-Mart	Supplies	007915	\$	694.16	W, G
West Dakota Oil, Inc.	Gas & Diesel Fuel	007916	\$	18,084.93	3
West Plains, Inc.	Parts & Supplies	007917	\$	77.68	1
Westlie Truck Center	Parts & Repairs	007918	\$	1,481.67	2, 3
Job Service North Dakota	Unemployment Taxes	007921	\$	1,962.55	1, 2, 3, W, G
N.D. P.E.R.S	Retirement	007923	\$	28,804.49	1, 2, 3, W, G
Century Link	Telephone Services	007928	\$	514.16	1, 2, 3, W, G
Consolidated	Internet Service & 911 Changes	007929	\$	232.19	2, 3, W, G
Contech Engineered Solutions, LLC	131 <sup>st</sup> Ave SW – Culverts	007930	\$	39,298.02	2
Discovery Benefits, Inc.	Administrative Fees	007931	\$	83.00	
Information Technology Dept.	S. O. – T-1 Line, etc.	007932	\$	480.55	
Medora, City of....	Courthouse – Utilities	007933	\$	307.25	
Midstate Communications	Courthouse – Telephone Service	007934	\$	937.37	
Reservation Telephone Cooperative	Telephone Service	007935	\$	42.44	2, 3, G
Roughrider Electric Cooperative, Inc.	Electricity	007936	\$	2,894.22	1, 2, 3, W, G
Visa	Recorder – Passport Printer, etc.	007937	\$	1,275.73	G, W
Visa	Ambulance – Training Expense & Gas	007938	\$	<u>615.63</u>	

Payroll in the following amounts were approved for June: General Fund \$121,431.39; Road and Bridge Fund \$96,425.31; Weed Fund \$39,062.37.

With there being no further business, Kasian moved to adjourn the meeting at 2:05P.M. Kessel seconded. All voted aye.

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James Arthaud, Chairman

Attest: \_\_\_\_\_

Marcia Lamb, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – JULY 28, 2014**

The meeting was called to order at 4:00P.M. with Commissioners Kasian and Kessel in attendance. Chairman Arthaud was absent.

Others present during portions of the meeting were: Vicki Kubat, Duane Johnston, Mark Johnson, Jeff Eslinger, Donnell Preskey Hushka, Chuck Horter, Tax & Zoning Director Stacey Swanson, Sheriff Dave Jurgens, Chief Deputy Pat Rummel, Recorder/Clerk of Court Donna Adams, Social Service Director Maurice Hardy, and Road Foreman Roger Decker.

The board visited with the NDACo Presidents' Tour; discussed county concerns, and discussed questions the county had about the services and programs that NDACo and NDCCA provide. No decisions were made at this meeting.

With there being no further business on the Special Meeting agenda, the meeting ended at 5:00P.M.

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Joseph Kessel, Vice-Chairman

Attest: \_\_\_\_\_

Marcia Lamb, Auditor/Treasurer