

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – April 7, 2009**

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

Arthaud moved to approve the minutes from the February 3, 2009 regular meeting. Thompson seconded.

Others present during portions of the meeting were: Theodore Roosevelt Expressway Representative Cal Klewin; Deputy Sheriff/Emergency Manager Pat Rummel; Dakota Insurance Agent Bobby Olstad; Stark/Billings County Extension Agent Curt Froehlich; Clerk of Court/County Recorder Donna Adams; State's Attorney Jay Brovold; Tax Director Lynn Arthaud; George and Sydney Hegge

Tax Director Lynn Arthaud discussed the Forest Service Transportation proposal and the map of the roads being proposed as open or closed. The board received a letter from Bridger Pipeline requesting that the board consider closing FSR #751A to public access in the interest of public safety and security. The board will take this into consideration.

The board received and approved the following permits:

Construction in County Right-of-Way Permit

- MBC LLC (Morey Bang) – Section 34, Township 140, Range 102 (East River Rd)

Clerk of Court/County Recorder Donna Adams met with the board to inform them that the State is now requiring them to accept credit card payments. She also informed the board that they are working on putting the records online.

Pat Rummel met with the board concerning the hiring of a paramedic. The position has been offered to Keri Klang. Kari is originally from Watford City, has 13 years experience in the field, and has recently moved back into the area. TRMF has offered her housing for up to one year until permanent housing can be arranged. Thompson moved to approve the starting annual salary at \$38,000. Arthaud seconded. All voted aye.

Stark/Billings County Extension Agent Curt Froehlich appeared before the board to discuss the position vacated by the retirement of Sharon Kickertz-Gerbig. Curt requested one of the board members serve on the screening committee for filling the position. Curt also requested that one commissioner attend the annual employee review. Commissioner Kasian will attend the annual review and serve on the screening committee.

Sharleen Stigen has expressed an interest in serving on the Council on Aging board representing Billings County. Thompson moved to appoint her to the position. Arthaud seconded. All voted aye.

The board acknowledged receipt of the Bankhead Jones Farm Tenant Act funding. Kasian moved to approve apportioning \$350,000 of the payment to the Billings County School District and the remainder split equally between the three road districts. Arthaud seconded. All voted aye.

Cal Klewin with Theodore Roosevelt Expressway met with the board with an update on the progress to date and to inform the board of a meeting in Washington D.C. April 20 through 23.

The board discussed the SW Association meetings for 2009, as Billings County is host county for the year. The tentative meeting dates are June 29, 2009 and November 30, 2009. Thompson moved to authorize Auditor Jurgens to arrange the meetings and Commissioner Arthaud to chair them. Kasian seconded. All voted aye.

12:00 Noon – 1:00 P.M. The board recessed for lunch.

George and Sydney Hegge met with the board and Sydney presented the information on the Micro-Loan Program that's available to create, expand and stabilize small businesses in Billings and Golden Valley Counties. Another purpose of the program is to create jobs and diversify the

economy. Micro loans up to \$5000 are available. Additional information and applications are available through the Prairie West Development Foundation in Beach.

Bobby Olstad with Dakota Insurance met with the board with the annual insurance coverage and premium notice.

The board reviewed the quarterly Veteran's Service Officer report, the quarterly Extension Service report and the quarterly investment report.

The board approved the revenue vouchers for the month of March: Zoning Inspector \$25.00 Pipeline Permits and \$200 Zoning Application; Clerk of Court \$242.90 County Fees and \$2,572.00 State Fees; County Recorder \$7,619.00 March collections; Sheriff \$141.00 Civil Fees.

Revenues for materials and/or services rendered in March: Hallie Lavelle \$131.00 Dental Insurance Premium; Joseph L. Kessel \$65.50 Dental Insurance Premium; Chateau DeMores \$13.75 copies; Mike Kasian \$75.00 Loader Work; William Kessel \$851.25 Scoria & Trucking;

Revenues for the month of March: Telecommunications Tax \$24,310.85; Oil & Gas Production Tax \$46,701.89; BLM Minerals \$508,976.60; Highway Distribution \$4,156.62; Interest \$11,978.30; Royalties \$29,464.67; Permits \$5,860.00

The following claims were approved for payment:

Adams, Donna	Clerk of Court – Travel	94822	\$	48.00	
Advanced Business Methods, Inc.	Recorder – Copier Paper	94823	\$	288.00	
Alternative Sanitation	Haul Waste	94824	\$	141.00	1, 2, 3
Americinn of Medora	Clerk of Court – Supplies	94825	\$	24.61	
AmeriPride Linen Service	Mat Rentals	94826	\$	85.70	3
Andreas, George & Rose Marie	Rough Scoria	94827	\$	135.00	3
Bares, Virginia	Supt. of Schools – Travel	94828	\$	361.00	
Basic Energy Services	Thaw Culverts	94829	\$	1,015.00	2
Billings County Rural Fire District	Taxes	94830	\$	1,668.92	
Billings Count Pioneer	Publishing	94831	\$	599.15	1, 2, G
Billings County School District	Weed – Shop Rent	94832	\$	300.00	Weed
Billings County School District	Taxes	94833	\$	401,897.60	
Billings County Sheriff	D.E.M. – Travel	94834	\$	130.42	
Beach Veterinary Clinic	S.O. – Dog Impound	94835	\$	24.00	
Beall Corporation	Parts & Supplies	94836	\$	1,202.04	3
Belfield Automotive Supply, Inc.	Parts & Supplies	94837	\$	1,021.20	2, 3, W, G
Berger's Sanitation Service	Septic Tank Service	94838	\$	180.00	1
Best Energy	Propane	94839	\$	5,031.08	1, 2, 3, G
Bismarck Tribune	Subscription	94840	\$	265.00	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	94841	\$	1,735.20	1, 2, 3, G, W
Bosch Lumber Company	Shop Supplies & Remodeling	94842	\$	279.21	2, G
Braunberger Construction, Gene	Courthouse – Snow Removal	94843	\$	610.00	
Brooks & Associates, C. E.	Land Use Plan – Range Mgmt.	94844	\$	3,163.50	
Butler Machinery Company, Inc.	Parts & Supplies	94845	\$	647.94	1, 3
Cass County Treasurer	Document Preservation Fund	94846	\$	213.00	
Comfort Inn – Bismarck	D.E.M. – Travel	94847	\$	55.00	
Consolidated	Internet Service	94848	\$	238.45	2, 3, W
Dakota Farm Equipment, Inc.	Parts & Repairs	94849	\$	1,528.40	1, 3, G
Dakota Farm Equipment, Inc.	J.D. CX-15 Mower	94850	\$	9,200.00	1
Dakota Farm Equipment, Inc.	J.D. 7330 Tractor	94851	\$	42,500.00	2
Dakota Farm Equipment, Inc.	J.D. Tractor Rental	94852	\$	2,925.00	1
Dakota Filter Supply	Parts & Supplies	94853	\$	45.65	3
Dakota Insurance	Property Insurance	94854	\$	54,699.00	1, 2, 3, W, G
Dakota Rubber Stamp	Auditor – Notary Stamp	94855	\$	43.00	
Dakota Sports	S.O. – Polaris 6x6 ATV	94856	\$	14,710.00	
Dakota Water Treatment	Water System	94857	\$	25.00	1
Dan's Interstate Conoco	S. O. – Gas	94858	\$	235.50	
DF Lighting Company	Shop Supplies	94859	\$	429.95	2
Diamond Mowers, Inc.	Parts & Supplies	94860	\$	281.94	2
Dickinson Public Library	Library Services	94861	\$	2,744.44	
Doublewood Inn – Bismarck .	D.E.M. – Travel	94862	\$	55.00	
DTE, Inc.	Parts & Supplies	94863	\$	55.00	2
Electronic Communications	Ambulance – Computer Mount	94864	\$	320.00	
Energy Systems Industrial	Parts & Supplies	94865	\$	56.60	3
Environmental Dust Control	Dust Control	94866	\$	20,642.00	2
Farmers Union Oil Company	Gas & Shop Supplies	94867	\$	2,350.11	1, 2
Fastenal	Shop Supplies	94868	\$	39.58	3
Fix It Shop	Shop Supplies	94869	\$	16.00	3
Floor to Ceiling Store	Courthouse – Remodeling	94870	\$	6,341.71	
Frontier Precision	Weed – Equipment	94871	\$	1,034.00	Weed
Golden Valley County	Social Service	94872	\$	3,964.55	
Gopher Sign Company	911 Street Signs	94873	\$	162.47	

Great Plains Directory Service	Billings County Plat Books	94874	\$	201.60	1, 2, 3
Heartland Engineering	Blacktail Road	94875	\$	3,521.65	2
Heiman, Inc.	Fire District – Fire Truck	94876	\$	194,111.00	
Heiser Electric, Don	Courthouse – Remodeling	94877	\$	947.67	
Hlebechuk Construction	Short Road Repair	94878	\$	1,271.00	2
Institute of Local Government	County Officials Academy	94879	\$	100.00	
J’s Muffler Shop	Parts & Supplies	94880	\$	25.00	3
Johnsen Trailer Sales, Inc.	Parts & Supplies	94881	\$	104.20	3
Jurgens, Ken	Courthouse – Remodeling	94882	\$	2,632.50	
Kadrmias, Lee, & Jackson, Inc.	Engineering Services	94883	\$	17,382.16	1, 2, 3
Kasian, Connie	Zoning Meeting – Mileage	94884	\$	65.00	
Kasian, Mike	Mileage	94885	\$	113.50	2
Kessel, Anita	Zoning Meeting – Mileage	94886	\$	75.00	
Krebs Machine & Repair	Parts & Repairs	94887	\$	87.50	2
Krush, Paul	Zoning Meeting- Mileage	94888	\$	77.00	
L-Tron Corporation	S.O. & Ambulance – Equipment	94889	\$	1,866.99	
LaDuke, Joe	Zoning Meeting – Mileage	94890	\$	35.00	
Liberty Doors, LLC	Shop Repairs	94891	\$	171.10	2
Lindbo Welding Service	Weed – Truck Set-up	94892	\$	560.00	Weed
Matthew Bender & Company	Court Rules – Updates	94893	\$	28.30	
Medora Convenience Store	L.E.P.C. – Supplies	94894	\$	200.00	
Medora, City of...	Taxes	94895	\$	1,384.02	
Midstate Telephone Company	Courthouse – Telephone Service	94896	\$	923.16	
Midstate Communications	Supt. of Schools – Telephone	94897	\$	40.84	
Midwest Testing Laboratory	Blacktail Road	94898	\$	740.00	2
Mobile Binders	Recorder – Binders	94899	\$	384.78	
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel Fuel	94900	\$	6,006.85	2, 3, G
N.D. Association of Counties	2009 D & A Testing Fees	94901	\$	840.00	1, 2, 3, W
N.D. Association of Counties	911 Taxes	94902	\$	185.82	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	94903	\$	200.00	
N.D. Department of Transportation	S.O. – Registration & Title Fees	94904	\$	10.00	
N.D. Department of Transportation	Weed – Lost Plate Fee	94905	\$	5.00	Weed
N.D. Department of Transportation	S.O. – Registration & Title Fees	94906	\$	6.50	
N.D. Department of Transportation	Weed – Registration & Title Fees	94907	\$	6.50	Weed
N.D. Mathcounts	Supt. of Schools – Contest Photos	94908	\$	50.00	
N.D.P.E.R.S.	Health Insurance Premium	94909	\$	21,969.22	1, 2, 3, G, W
N.D. Recorders Association	2009 Convention Fees	94910	\$	50.00	
N.D. Safety Council	2009 Membership Dues	94911	\$	150.00	
N.D. State Treasurer	Clerk of Court Fees	94912	\$	2,782.95	
N.D. Weed Control Association	2009 Membership Dues	94913	\$	200.00	Weed
N.D.C.E.L.	Supt. of Schools – Spelling Bee	94914	\$	40.00	
Nelson International	Parts & Supplies	94915	\$	448.71	1
Newby’s Ace Hardware	Remodeling & Shop Supplies	94916	\$	292.85	2, G
Northwest Tire, Inc.	Tires	94917	\$	13,249.56	1, 3
O’Brien Welding	Parts & Repairs	94918	\$	754.36	3
Off Road Software, Inc.	GIS Software	94919	\$	2,800.00	
One Source Lighting	Courthouse – Remodeling	94920	\$	6,913.75	
Praxair	Parts & Supplies	94921	\$	2,485.90	3
ProBuild	Courthouse – Remodeling	94922	\$	135.58	
Pump Systems, Inc.	Parts & Supplies	94923	\$	352.72	1, Weed
R & S Repair	Parts & Repairs	94924	\$	70.00	2
Ramkota Hotel – Bismarck	Commissioner – Travel	94925	\$	110.00	
Ray’s Auto Electric, Inc.	Parts & Repairs	94926	\$	289.13	3
RDO Equipment Company	Parts & Supplies	94927	\$	126.78	2
Red Man Pipe & Supply Co.	Parts & Supplies	94928	\$	4.57	3
Redmond, Perry & Alicia	Pit Easement	94929	\$	1,500.00	1
Reiter Welding, Inc.	Sign Truck Locker	94930	\$	1,400.00	3
Reservation Telephone	Telephone Service	94931	\$	67.50	1, 2, 3, G
Roosevlet-Custer Regional Council	Zoning – Updates	94932	\$	4,131.64	
Roughrider Electric Cooperative	Electricity	94933	\$	1,862.00	1, 2, 3, G
Rudy’s Lock & Key	Key’s Cut	94934	\$	2.80	3
Rummel Auto Wrecking	Shop Supplies	94935	\$	111.89	1
Rummel, Pat	D.E.M. – Travel	94936	\$	45.00	
Runnings Supply, Inc.	Parts & Supplies	94937	\$	843.90	2, 3, W, G
Sax Motor Company	S.O. – 2009 Chevrolet Truck	94938	\$	12,589.00	
Southwest Business Machines	Office Supplies	94939	\$	307.33	
Scheels – Bismarck	S.O. – Uniforms	94940	\$	74.99	
Schmidt Repair, Inc.	Parts & Supplies	94941	\$	1,434.72	1, 3
Service Printers	Weed – Newsletter Publishing	94942	\$	733.67	Weed
Share Corporation	Courthouse – Maintenance Supplies	94943	\$	97.64	
Sherwin Williams	Courthouse – Remodeling	94944	\$	130.00	
Simplex Grinnell	Courthouse – Elevator Contract	94945	\$	1,265.00	
SuperPumper, Inc.	S. O. – Gas	94946	\$	69.00	
Southwestern District Health Unit	Taxes	94947	\$	219.28	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	94948	\$	240.00	
Southwest Water Authority	Water Usage	94949	\$	139.03	2, 3
Southwest Water Authority	Taxes	94950	\$	210.95	
Thompson, Allan T.	Mileage	94951	\$	82.00	1
Tom’s Heating Service	Parts & Repairs	94952	\$	145.00	1
Tractor & Equipment Company	Parts & Repairs	94953	\$	5,242.33	1
Universal, Inc.	Courthouse – Maintenance Supplies	94954	\$	100.69	
Verizon Wireless	Cellular Service	94955	\$	169.86	2, G
Wal-Mart	Supplies	94956	\$	233.63	2, 3, G

West Dakota Oil, Inc.	Parts & Supplies	94957	\$	152.25	1
Western Fire & Safety, Inc.	Safety Supplies	94958	\$	357.04	2, 3
Wilson Supply	Parts & Supplies	94959	\$	6.42	3
Wolf, Rod & Mony	Courthouse – Remodeling	94960	\$	2,490.00	
Alltel	Cellular Service	94999	\$	327.78	1, 3, G
American Family Life Assurance	Premium	95000	\$	674.82	
Discovery Benefits, Inc.	Administrative Fees	95001	\$	85.00	
Discovery Benefits, Inc.	Premium	95002	\$	1,918.35	
Information Technology Dept.	S.O. – T-1 Line	95003	\$	416.60	
Job Service of North Dakota	Unemployment Taxes	95004	\$	595.42	1, 2, 3, G, W
Medora, City of...	Courthouse – Utilities	95005	\$	168.67	
N.D.P.E.R.S.	Deferred Comp. Premium	95006	\$	3,889.00	
N.D.P.E.R.S.	Retirement	95007	\$	9,972.31	1, 2, 3, G, W
N.D. State Tax Commissioner	State Income Tax W/H	95008	\$	5357.26	1, 2, 3, G, W
N.D. Teachers Fund	Retirement	95009	\$	208.70	
Prudential	Deferred Comp. Premium	95010	\$	50.00	
Qwest	Telephone Service	95011	\$	306.52	1, 2, 3, G, W
Visa	Courthouse – Remodeling	95012	\$	3,805.14	

Payroll in the following amounts were approved for March: General Fund \$59,186.87; Road and Bridge Fund \$54,557.15; Weed Fund \$3,603.60

With there being no further business, Arthaud moved to adjourn the meeting 2:00 P.M. Thompson seconded.

Michael E. Kasian, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer

**Billings County Board of Commissioners
City of Medora City Council
Special Joint Emergency Meeting – April 17, 2009 and April 18, 2009**

A special emergency meeting was called at 3:30 PM concerning the flooding of the Little Missouri River. The meeting was advertised on the county website, the Dickinson Press website, notices hung in various places in Medora, and the Billings County Pioneer and the Dickinson Press were called.

Billings County Commissioner Jim Arthaud called the meeting to order at 3:30 P.M. Commissioner Mike Kasian was present. Commissioner Allan Thompson was absent.

Present for the City of Medora was Mayor Doug Ellison, City Council members Kevin Clyde, Todd Corneil, Mike Oehler and John Tczap.

Others present were Sheriff Dave Jurgens; Deputy Sheriff/Emergency Manager Pat Rummel; Deputy Sheriff Jason Kastrow; TRNP representatives Lynn Heiser and Tom Cox; Mike Tank, City of Medora Maintenance; John Bey, City of Medora Police Chief; Doug Koester, TRMF representative; John Odermann, Dickinson Press; Richard Volesky, Billings County Pioneer; Tax Director Lynn Arthaud; Leona Odermann; Doug Walker; Wally Owen; Pat and Diane Weir; Diane Rogness; Cleone Davis; Gloria Johnson; LeeAnne Rafferty; Tony Huck, North Dakota Highway Patrol; Russ Lapp City of Medora Deputy Police.

First order of business. Imminent Flood Emergency Declarations:

Commissioner Kasian moved to approve the County Imminent Flood Emergency Declaration. Commissioner Arthaud seconded. All voted aye.

City Council member Tczap moved to approve the City Imminent Flood Emergency Declaration. Councilmember Corneil seconded. All voted aye.

Imminent Flood Emergency Declaration

WHEREAS, Billings County is preparing for abnormally high water releases from Little Missouri due to the anticipated high amount of run-off expected from this seasons heavy snow and probable spring rains; and

WHEREAS, water levels are expected to equal the same amount seen in Billings County in 1929, in addition to the record amount of snow currently awaiting runoff into the Little Missouri River in question; and

WHEREAS, the need to prepare Billings County for these releases may be far in excess of the available Billings County resources;

NOW, THEREFORE, BE IT RESOLVED that The Billings County Commission declares a state of emergency exists in Billings County and orders the activation and utilization of the County Emergency Operations Plan, its procedures, attachments to monitor the situation, develop a detailed damage assessment, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of Billings County.

DATED at Medora North Dakota, this 17 day of April, 2009

Mike Kasian, Chairman
Billings County North Dakota

Imminent Flood Emergency Declaration

WHEREAS, the City of Medora is preparing for abnormally high water releases from Little Missouri due to the anticipated high amount of run-off expected from this seasons heavy snow and probable spring rains; and

WHEREAS, water levels are expected to equal the same amount seen in Billings County in 1929, in addition to the record amount of snow currently awaiting runoff into the Little Missouri River in question; and

WHEREAS, the need to prepare the City of Medora for these releases may be far in excess of the available city resources;

NOW, THEREFORE, BE IT RESOLVED that The Medora City Council declares a state of emergency exists in city of Medora and orders the activation and utilization of the City Emergency Operations Plan, its procedures, attachments to monitor the situation, develop a detailed damage assessment, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardships and impact of this emergency upon the citizens of Medora.

DATED at Medora North Dakota, this 17 day of April, 2009

Doug Ellison, Chairman
Billings County North Dakota

Emergency Manager Pat Rummel informed the room that there are approximately 7,000 filled sandbags ready for use, and lots of empty ones that can be filled. More filled bags are available if needed.

Discussion topics included manpower to set the bags if the need arises, how the bags would be distributed, constructing a temporary dike, the possibility of a dam by Ekalaka MT breaking.

It was decided to GPS the river area to get some point elevations and reconvene once those are obtained. The County and City Boards adjourned at 5:50 P.M. and will officially reconvene tomorrow morning at 9:00 A.M.

The joint meeting reconvened at 9:00 A.M. Saturday, April 18, 2009

Billings County Commissioner Jim Arthaud called the meeting to order at 9:00 A.M. Commissioners Mike Kasian and Allan Thompson were present.

Present for the City of Medora was Mayor Doug Ellison, City Council members Kevin Clyde, Todd Corneil, Mike Oehler and John Tczap.

Others present were Sheriff Dave Jurgens; Deputy Sheriff/Emergency Manager Pat Rummel; Deputy Sheriff Jason Kastrow; TRNP representatives Valerie Naylor and Tom Cox; Mike Tank, City of Medora Maintenance; John Bey, City of Medora Police Chief; Richard Volesky, Billings County Pioneer; Tax Director Lynn Arthaud; LeeAnne Rafferty; Russ Lapp City of Medora Deputy Police; Margaret Just; Don Heiser; Diane Rogness; Brent Seaks; Mary Abrahamson; Sandy Baertsch; Robin Griffin.

Emergency Manager Pat Rummel briefed the group on the status of the river. It has come up overnight. The different elevations were obtained and the lowest areas were pegged. It's figured that there is 5-6 foot before the river reaches the low spots. The city lift station is the first area that needs to be sandbagged.

Mike Tank updated the group on the status of the storm sewers. He is going to pump some of the water out in anticipation of predicted rain.

The river is predicted to peak at 17.2 foot late Sunday or early Monday which is another two foot rise from where it is now. The elevation points that were obtained last evening showed that the lowest elevation is 20 feet, so major flooding shouldn't occur unless the river continues to rise.

Sandbags were distributed to the Bible Camp, and the park officials will let the county know when they think it's time to sandbag Teddy Roosevelt's cabin. Discussion ensued as to when to start constructing dikes to protect the city. Commissioner Arthaud suggested that if the river reaches 18 feet, the group should reconvene and put the plan into action. Everyone was in agreement and the meeting adjourned at 11:00 A.M.

Michael E. Kasian, Billings County Chairman

Doug Ellison, City of Medora Mayor

Attest: _____

Joan Jurgens, County Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING – APRIL 23, 2009**

The meeting was called to order at 11:00 A.M. with Commissioners Kasian and Thompson in attendance. Commissioner Arthaud was absent. The purpose of the special meeting was to receive and open bids for the reshaping Blacktail Road.

State's Attorney Brovold opened the bids and insured that all the paperwork was in order.

Heartland Engineering checked the bids to ensure the calculations were correct.

Thompson moved to award the contract to Martin Construction. Kasian seconded.

With there being no further business on the special meeting agenda, Thompson moved to adjourn the meeting 11:30 A.M. Kasian seconded.

Michael E. Kasian, Chairman

Attest: _____

Joan Jurgens, Auditor/Treasurer