

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – JANUARY 5, 2010**

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

Thompson moved to approve the minutes from the December 1, 2009 regular meeting and the December 14, 2009 special meeting. Kasian seconded.

Others present during portions of the meeting were: State's Attorney Jay Brovold; KLJ Engineer Craig Kubas; Tax Director Lynn Arthaud; Paul Kuntz; Paul Kuntz Jr.; Deb Theurer, Dakota-Parent Resource Center; Jeff & Rhonda King

The board discussed the request by the State Historical Society for matching funding for the Chateau Interpretative Center. The City of Medora agreed to pay \$150,000 of the \$300,000 matching funds requirement. Arthaud moved to approve providing matching funding of \$150,000 over a 10 year period. Thompson seconded. All voted aye.

After review, Thompson moved to approve the 2010 resolutions. Kasian seconded. Motion carried. Resolutions 2010-01 through 2010-11 are as follows, and the full texts of the resolutions are on file in the Auditor's Office and posted on the public bulletin board in the Billings County Courthouse.

Resolution 2010-01 designates the following appointments: Disaster Emergency Coordinator – Pat Rummel; Magistrate – Donna Adams; Tax Director, Zoning Inspector, Technology Director and Land Use Coordinator – Lynn Arthaud; Superintendent of Schools – Virginia Bares; Risk Manager – Pat Rummel; Custodian – Larry Johnson; Veteran Service Officer – Roy Basaraba; Coroner – Dennis E. Wolf, M.D.; Consulting Engineers – Kadrmas, Lee & Jackson, P.C., Interstate Engineering, Ameritech Engineering and Heartland Engineering.

Resolution 2010-02 sets regular monthly meetings of the Board of County Commissioners for 2010 to begin at 9:00 A.M. on the following dates unless changes are posted and advertised in the paper: January 5, February 2, March 2, April 6, May 4, June 1, July 6, August 3, September 7, October 5, November 2, and December 7. Special meetings will be subject to the notice requirement in the Century Code, which is to notify the official newspaper and post the meeting notice in the courthouse.

Resolution 2010-03 designates the following holidays when the courthouse will be closed: January 1 – New Year's Day, January 18 – Martin Luther King Day, February 15 – President's Day, April 9 – Good Friday, May 31 – Memorial Day, July 5 - Independence Day, September 6 – Labor Day, November 11 – Veterans' Day, November 25 & 26 – Thanksgiving, December 24 – Close at Noon for Christmas Eve, and December 25 – Christmas Day.

Resolution 2010-04 designates the courthouse will be open every Monday through Friday during the hours of 8:00 A.M. to 4:00 P.M. except Memorial Day through Labor Day it will be open Monday through Thursday hours of 8:00 A.M. to 5:00 P.M., Friday 8:00 A.M. to 12:00 noon with the exception of holidays and other declared closings.

Resolution 2010-05 designates reimbursement for expenses of county employees and officials in the performance of county duties: mileage .90% of GSA rate, 1<sup>st</sup> Qtr. 6:00 A.M. to Noon \$5.00, 2<sup>nd</sup> Qtr. Noon to 6:00 P.M. \$7.50, 3<sup>rd</sup> Qtr. 6:00 P.M. to Midnight \$12.50, and 4<sup>th</sup> Qtr. Midnight to 6:00 A.M. (Lodging) 100% of GSA rate.

Resolution 2010-06 authorizes the County Auditor/Treasurer to pay certain miscellaneous expenses such as postage, freight, telephone, regular employee payroll and apportionments.

Resolution 2010-07 designates the following depositories for County funds: First State Bank of Golva, Great Plains National Bank of Belfield, Bank of the West of Beach, Wells Fargo Bank of Dickinson, American State Bank of Dickinson and US Bank of Minnesota.

Resolution 2010-08 accepts the following pledges of security from the named depository banks: Great Plains National Bank \$3,495,188.50 plus \$250,000.00 FDIC; Bank of the West

\$6,761,525.00 plus \$250,000.00 FDIC; Wells Fargo Bank \$3,330,815.14 plus \$250,000.00 FDIC; American State Bank \$8,420,653.00 plus \$250,000.00 FDIC; and First State Bank of Golva \$1,187,311.23 plus \$250,000.00 FDIC.

Resolution 2010-09 authorizes the County Auditor/Treasurer to invest, reinvest, and redeem Certificates of Deposit and other investments of the County.

Resolution 2010-10 directs that all legal notices be published in the official elected County newspaper, "Billings County Pioneer," and posted in the Courthouse.

Resolution 2010-11 sets the salaries for county officials, deputies, clerks and employees as follows:

The Board of County Commissioners sets the following maximum salaries for the positions listed below, on either an annual or hourly basis, and which salaries are exclusive of that official's or employee's health insurance and/or other benefits:

Commissioners (3)	13,800.00
Auditor/Treasurer	49,650.18
Auditor/Treasurer Deputies (2)	39,291.78
State's Attorney	49,650.18
Tax Director/Zoning Inspector/Technology Director	49,650.18
Deputy Tax Director	39,291.78
County Recorder/Clerk of Court	49,650.18
County Recorder/Clerk of Court Deputies (2)	39,291.78
Superintendent of Schools (Part-time, share with Golden Valley)	17,152.10
Sheriff	51,088.18
Deputy Sheriff (4131)	45,920.54
Deputy Sheriff (4132)	48,888.98
Deputy Sheriff (4133)	45,920.54
Fire Chief	29,286.98
Ambulance Director/Paramedit	40,000.00
Custodian	40,227.78
Road Foremen (3)	44,283.78
Road Crew	43,243.78
Road Crew (Part-time)	19.33/hr
Veteran Service Officer	8,700.00
Weed Control Officer	43,243.78
County Agent (Share with Stark County)	4,766.64
(Share with Golden Valley)	7,225.40
County Agent Assistants -3 (Share with Stark County)	8,002.37
Home Economist (Share with Stark County)	3,216.56
(Share with Golden Valley)	1000.00

**SOCIAL SERVICES –**

Share with Golden Valley (Billings County Share noted below is 40% of total)	
Social Services Director (Golden Valley & Billings)	10,080.00
Social Worker	16,042.97
Eligibility Worker	14,176.37
Administrative Assistant	11,376.19
Eligibility Worker	4.74/hr
Homemaker II	4.58/hr
Homemaker II	4.39/hr
Homemaker II	4.31/hr
Billings County Social Service Board Members	45.00/meeting

The board determined that the public hearing concerning making the State's Attorney position appointed due to the lack of a resident attorney to be on an electoral ballot. The public hearing is set for 1:00 P.M. on February 2, 2010 in the meeting room at the Billings County Courthouse.

Craig Kubas with Kadrmas, Lee, & Jackson met with the board for the monthly engineer's report.

Paul Krush Sr. and Paul Krush Jr. met with the board concerning the Ash Coulee Road project. Paul stated that he would not sell land for the project. Chairman Arthaud stated that there needs to be an easement signed or go through the process of condemnation. Paul Krush Sr. said to pursue the condemnation route.

Deb Theurer with Family-Parent Resources met with the board to give them a project update.

Billings County will be seeking bids for some equipment, and the bid opening has been scheduled for 11:00 AM on February 2, 2010.

Jeff & Rhonda King met with the board concerning building in the county right-of-way. They are requesting to build a house 50 feet off of the section line. Zoning resolution states that no building, trees or other obstruction shall be placed within 75 feet of the center of the section line. Chairman Arthaud stated that in the event the county would grant a variance, the section line would still remain open to public travel. It was explained that the process is to take the request for a variance to the zoning board for their input, and the county commissioners will then act upon the zoning board's recommendation.

Gravel Crushing bids were opened at 11:30 as scheduled. The bid was for crushing 50,000 yards. Two bids were received. Gravel Products, Minot \$272,324.00. Fischer Sand and Gravel \$219,500.00. Thompson moved to accept the bid from Fischer Sand and Gravel. Kasian seconded. All voted aye.

The board reviewed the quarterly investment and pledge reports.

The board approved the revenue vouchers for the month of December: Sheriff \$70.04 civil fees; County Recorder \$4,442.95 December collections; Zoning Inspector \$200.00 permits; Clerk of Court \$180.00 County fees and \$4,767.00 State fees.

Revenues for materials and/or services rendered in December: Gerbig Partnership \$16.65 weed chemical; Joe Kessel \$71.50 dental insurance premium; Hallie Lavelle \$143.00 dental insurance premium; Cody Reis \$161.70 scoria; Ralph Froehlich \$500.34 weed spraying; Joan Jurgens \$129.00 bid items; Connie Kadrmas \$107.50 bid items; Public \$53.75 map sales; Tait Obritsch \$359.40 scoria & trucking; Sydney Hegge \$465.00 cattle guard & labor; Doug Hendrickson \$139.75 bid items; Kasey Malkowski \$20.03 weed chemical; Michael Miller \$72.56; Continental Metal Products \$53.70 scrap metal; Cory Smith \$411.30; Kevin Volesky \$217.73 weed spraying; Jerry Redmond \$69.00 scoria & hauling; Maynard Burian \$92.63; Edwin Egly \$630.75 scoria & hauling; Wes Obrigewitch \$226.80 used bridge plank; B & B Hot Oil Service \$332.00 Fryburg water; Ronald Bock \$59.52 Fryburg water; Cody Tachenko \$555.75 scoria & hauling; Wanzek Construction \$1,302.00 scoria; Anthony Obrigewitch \$86.45 gravel & hauling; Kasey Malkowski \$727.65 scoria; Bill O'Brien \$33.60 used culvert; Andriash Farm \$71.82 weed spraying.

Revenues for the month of December: BLM Minerals \$201,452.81; Highway Tax Distribution \$6,589.62; Oil & Gas Production Tax \$258,665.89; Dow Agro Sciences \$1,002.75 Applicator Program; Interest \$17,142.96; Royalties \$71,411.14, Permits \$2,180.00.

The following claims were approved for payment:

Advanced Business Methods	Copier Supplies	96555	\$	180.00	
Alternative Sanitation	Haul Waste	96556	\$	141.00	1, 2, 3
American Welding & Gas	Shop Equipment	96557 (V)	\$	3,514.72	1, 2
Ameripride Linen Service	Mat Rental	96558	\$	42.85	3
Andreas, George & Rose Marie	Scoria Royalties	96559	\$	13,979.66	3
Armbrust Revocable Trust, Emilia	Gravel Royalties	96560	\$	39,960.00	2
Badlands Diesel Service, Inc.	Parts & Repairs	96561	\$	648.82	3
Basin Hydraulic Company	Parts & Supplies	96562	\$	83.25	2
Billings County Rural Fire District	Budget & Taxes	96563	\$	55,653.15	
Billings County Pioneer	Publishing	96564	\$	262.08	3, G
Billings County School District	Weed – Shop Rent	96565	\$	300.00	Weed
Billings County School District	Taxes	96566	\$	134,585.27	
Billings County School District	Budget	96567	\$	1,500.00	
Beall Corporation	Parts & Supplies	96568	\$	87.21	3
Belfield Ambulance Service	Budget	96569	\$	1,500.00	
Belfield Sportsmen Club	S.O. – Membership Dues	96570	\$	100.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	96571	\$	524.41	1, 3, G
Belfield Fire Department	Budget	96572	\$	25,000.00	

Best Energy	Propane	96573	\$	7,361.98	1, 3, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	96574	\$	2,023.30	1, 2, 3, W, G
Brooks & Associates, C.E.	Land Use Plan	96575	\$	4,234.97	
Brooks & Associates, C.E.	Land Use Plan – Roadless	96576	\$	105.12	
Bullberry Systems, Inc.	911 Standardization	96577	\$	603.50	
Butler Machinery Company, Inc.	Parts & Supplies	96578	\$	193.80	1
Capital I Industries, Inc.	Parts & Supplies	96579	\$	116.63	2
Cass County Treasurer	Document Preservation Fund	96580	\$	161.00	
Creative Energy	Diesel Gas	96581	\$	1,728.25	1
Dakota Farm Equipment, Inc.	Parts & Supplies	96582	\$	2,989.77	1, 2, 3, G
Dakota Filter Supply	Parts & Supplies	96583	\$	210.60	1, 3
Dakota Oil Field Service, Inc.	Water Tanks Set-up, Sewer Repairs	96584	\$	10,410.00	1, 2, 3
Dakota Water Treatment	Water System	96585	\$	25.00	1
Dan's Interstate Conoco	S. O. – Gas	96586	\$	159.00	
D V & R Crisis Center	Budget	96587	\$	1,500.00	
Elder Care	Budget	96588	\$	7,000.00	
Electronic Communications	Radio Equipment	96589	\$	363.00	1
Family Connect Visitation Center	Budget	96590	\$	1,200.00	
Filkowski, Loren & Robin	Gravel Lease	96591	\$	125.00	1, 2
Fireside Office Solutions	Recorder – Office Supplies	96592	\$	155.43	
First State Bank of Golva	Direct Deposit Fees	96593	\$	12.00	
Fisher Industries	Salted Sand	96594	\$	716.30	3
Four Corners Cafe	Southwestern District Health Unit	96595	\$	91.40	
Furniture City	Courthouse – Equipment	96596	\$	369.00	
General Steel & Supply	Iron Supplies	96597	\$	124.79	3
George's Tire, Ltd.	Tires	96598	\$	1,028.00	1
Golden Valley County	Budget	96599	\$	4,850.00	
Golden Valley County	Social Service	96600	\$	1,697.61	
Golden Valley Soil Conservation	Budget	96601	\$	1,500.00	
Heiser Electric, Don	Courthouse – Electrical Repairs	96602	\$	1,278.62	
Just-In Glass	S.O. – Parts & Repairs	96603	\$	192.67	
Kadrmass, Lee, & Jackson, Inc.	Engineering	96604	\$	5,189.80	1, 2, 3
Kasian, Mike	Commissioner – Mileage	96605	\$	152.00	2
Killdeer Ambulance Service	Budget	96606	\$	500.00	
Krebs Machine & Repair	Parts & Repairs	96607	\$	228.53	1
Mid-American Research Chemical	Courthouse – Maintenance Supplies	96608	\$	123.12	
Matthew Bender & Company, Inc.	Century Code Updates	96609	\$	711.01	
McJunkin Redman Corporation	Parts & Supplies	96610	\$	41.82	2
Medora Convenience Store	Southwestern District Health Unit	96611	\$	60.00	
Medora, City of...	Taxes	96612	\$	13,409.00	
Midstate Telephone Company	Courthouse – Telephone Service	96613	\$	963.67	
Midstate Communications	Supt. of Schools – Telephone	96614	\$	39.10	
Midwest Doors, Inc.	Shop Supplies	96615	\$	34.95	1
Miller Machine & Welding.	Parts & Supplies	96616	\$	225.17	1
Mitchell, Darlene	REAP Meetings – Mileage	96617	\$	167.20	
Mobile Binders	Recorder – Recording Binders	96618	\$	533.76	
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel Fuel	96619	\$	11,554.22	2, 3, G
National Association of Counties	Membership Dues	96620	\$	400.00	
N.D. Newspaper Association	Publshing	96621	\$	162.30	
N.D. Association of Counties	Membership Dues	96622	\$	4,699.00	
N.D. Association of Counties	911 Taxes	96623	\$	211.96	
N.D. County Auditor's Association	Membership Dues	96624	\$	75.00	
N.D. County Commissioners Assoc.	Membership Dues	96625	\$	1,055.00	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	96626	\$	200.00	
N.D. Dept. of Transportation	License & Title Fees	96627	\$	5.00	3
N.D.P.E.R.S.	Health Insurance Premium	96628	\$	26,484.80	1, 2, 3, W, G
N.D. Secretary of State	Election Equipment Maintenance	96629	\$	598.84	
N.D. State Historical Society	Chateau Interpretive Center	96630	\$	15,000.00	
N.D. State Radio Communications	911 Services	96631	\$	1,440.00	
N.D. State Treasurer	Clerk of Court Fees	96632	\$	4,782.21	
Newby's Ace Hardware	Courthouse – Maintenance Supplies	96633	\$	31.96	
O'Brien Welding	Parts & Supplies	96634	\$	38.52	3
Off Road Software, Inc.	GIS Software	96635	\$	1,400.00	
OK Tire Stores	Tires	96636	\$	486.94	3
Parent/Family Resource Center	Budget	96637	\$	1,368.00	
Parkway Ford Lincoln Mercury	Parts & Supplies	96638	\$	48.41	1
Performance Truck Center	Parts & Repairs	96639	\$	143.47	2
Porter Motors, Dan	Courthouse – Vehicle Supplies	96640	\$	740.89	
Prairie West Development	Budget	96641	\$	3,000.00	
Quality Service	Shop Supplies	96642	\$	58.30	2
RDO Equipment Company	Parts & Supplies	96643	\$	1,066.93	2
Redmond, Perry & Alicia	Gravel Royalties	96644	\$	19,596.56	1
Roosevelt-Custer Regional Council	Budget	96645	\$	5,000.00	
Roughrider Electric Cooperative	Electricity	96646	\$	213.00	1, 2, 3
Roughrider RV's	Parts & Supplies	96647	\$	63.14	3
Runnings Farm & Fleet, Inc.	Parts & Supplies	96648	\$	373.97	1, 2
Southwest Business Machines	Shop Supplies	96649	\$	31.25	1
Stark County Auditor	Budget	96650	\$	21,292.29	
Stigen, Donald & Sharleen	Gravel Royalties	96651	\$	4,899.14	1
Sunrise Youth Bureau	Budget	96652	\$	5,000.00	
Superpumper, Inc.	S. O. – Gas	96653	\$	146.01	
Southwest Crime Conference	S. O. – Conference Fees	96654	\$	40.00	
Southwest Community Service	Budget	96655	\$	2,000.00	

Southwestern District Health Unit	Budget	96656	\$	4,000.00	
Southwestern District Health Unit	Taxes	96657	\$	49.30	
Southwest Multi-Co. Correction Ctr.	Budget	96658	\$	23,333.33	
Southwest Water Authority	Taxes	96659	\$	15.21	
Southwest Water Authority	Water Usage	96660	\$	1,579.73	1, 2, 3
Southwest Wireless	Courthouse – Cellular Supplies	96661	\$	49.99	
Thompson, Allan T.	Commissioner – Mileage	96662	\$	74.00	1
Tom’s Service Center	S. O. – Service	96663	\$	122.60	
Theodore Roosevelt Expressway	Pledge	96664	\$	8,000.00	1, 2, 3
Tractor & Equipment Company	Parts & Supplies	96665	\$	123.02	1
Triple S Industries	Parts & Supplies	96666	\$	544.00	1, 3
U.S.D.A. – N.F.C.	Bully Pulpit River Bank Stabilization	96667	\$	60,238.27	
Verizon Wireless	Cellular Service	96668	\$	170.37	2, G
Western Soil Conservation District	Budget	96669	\$	6,000.00	
Westlie Truck Center	Parts & Supplies	96670	\$	924.41	3
Winter Equipment Company	Parts & Supplies	96671	\$	871.59	3
Wolf, M.D., Dennis E.	Autopsy Service	96672	\$	300.00	
Roughrider Electric Cooperative	Electricity	96673	\$	1,628.00	
American Welding & Gas, Inc.	Shop Supplies	96674	\$	2,434.48	1, 2
Alltel	Cellular Service	96713	\$	408.15	1, 3, G
American Family Life Assurance Consolidated	Premium	96714	\$	674.82	
Discovery Benefits, Inc.	Internet Service	96715	\$	238.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	96716	\$	110.25	
Discovery Benefits, Inc.	Premium	96717	\$	2,330.03	
Information Technology Dept.	S.O. – T-1 Line	96718	\$	437.80	
Job Service of North Dakota	Unemployment Taxes	96719	\$	748.70	1, 2, 3, W, G
Medora, City of...	Courthouse – Utilities	96720	\$	162.13	
N.D.P.E.R.S.	Deferred Comp. Premium	96721	\$	4,199.00	
N.D.P.E.R.S.	Retirement	96722	\$	10,279.59	1, 2, 3, W, G
N.D. State Tax Commissioner	State Withholding Taxes	96723	\$	7,373.14	
N.D. State Tax Commissioner	Sales and Use Taxes	96724	\$	961.54	
N.D. Teachers Fund	Retirement	96725	\$	217.91	
Prudential	Deferred Comp. Premium	96726	\$	50.00	
Qwest	Telephone Service	96727	\$	300.06	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	96728	\$	48.69	1, 2, 3, G
Roughrider Electric Cooperative	Electricity	96729	\$	2,472.00	

Payroll in the following amounts were approved for December: General Fund \$63,831.47; Road and Bridge Fund \$69,882.08; Weed Fund \$5,211.09

With there being no further business, Thompson moved to adjourn the meeting 12 P.M. Kasian seconded.

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James Arthaud, Chairman

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

Joan Jurgens, Auditor/Treasurer