

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING – DECEMBER 1, 2020.**

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

Others were present during portions of the meeting: Sheriff Pat Rummel, Road Superintendent Jeff Iverson, States Attorney Pat Weir, Tax Director Stacey Swanson, Ambulance Director Kyle Michels, Andrew Krebs KLJ, Dean Rodne, Lester Iverson, and J.J. England via telephone.

Kessel moved to approve the Minutes from the October 6th (regular) and November 5th (special), 2020 meetings. Kasian Seconded. All voted aye.

Auditor Lamb brought to the board's attention that Salvation Army sent in their yearly letter for donation and we approved \$1,000.00 last year. Kessel made a motion to approve \$1,000.00 donation for 2020. Kasian seconded. All voted aye.

Lamb updated the board on the Theodore Roosevelt Expressway Corridor.

The weed board had a letter of recommendation for Alan Richard to take the place of Thomas Redmond who resigned. Kessel made a motion to approve the recommendation. Kasian seconded. All voted aye.

The New Year's holiday will be discussed at the end of the year special meeting.

The end of the year special meeting will be taking place on December 16th, 2020 at 9:00 am.

States Attorney Weir stated that the next item on the agenda is an update on litigation and consultation. Attorney Tami Norgard added that included is strategy discussion and for the board to provide instructions to the County's legal counsel. The legal authority for entering executive session is NDCC 44.04-19.1. The topics to be discussed are:

- Short et. al. v. Billings County (preemptive eminent domain)
- Short et.al v. USFHA
- Short et. al. v. Billings County (appeal of budget approval)
- Billings County et. al. v. United States

At 9:21a.m., Kessel moved to go into executive session, Kasian seconded. All voted aye.

Weir added that the Executive session will be recorded and limited to the announced topics. Any collective decision, collective commitment, or other final action by the board must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session. If meetings are closed for attorney consultation and strategy discussion, the board can provide guidance or instruction to legal counsel inside executive session without a motion outside. The public was then asked to leave, except for the incoming Commissioners, Dean Rodne and Lester Iverson, the Auditor and her staff and the Tax & Zoning Director. The executive session was anticipated to last one hour.

The people in the room and on the phone conference were Board members Jim Arthaud, Mike Kasian, Joseph Kessel, Commissioners-elect Dean Rodne and Lester Iverson, States Attorney H. Patrick Weir, Attorney Tami Norgard, Attorney Timothy McCrumb, Auditor Marcia Lamb, Deputy Auditor Jonna Bertelsen, Tax & Zoning Director Stacey Swanson.

The Executive Session ended at 10:45a.m. The public conference call number was reopened and the public was invited back into the room.

Sheriff Pat Rummel gave his monthly report for October and November. Deputy Dey Muckle put in his resignation to take the Sheriff position in Golden Valley County. Will start interviews next week for his position. A hunter received a \$1,500.00 ticket for not following the burn ban ordinance that is still in effect. Kasian asked Rummel if he would like to take his position on the Southwest Multi-county Correction Board. Kasian will check with the board at the next board meeting if this would be possible.

Tax & Zoning Director Stacey Swanson gave her monthly report. There are no new ARW's. Zoning met in November where they discussed 2 amendments, short term rentals and domestic foul. The zoning board also needs to appoint a new member to the board from the commission. Will discuss at the next meeting after the new commissioners are seated.

Andrew Krebs was present from KLJ and gave his monthly engineers report. 133rd Ave SW Wetland Mitigation Monitoring had a response letter from USACE requiring mitigation monitoring to continue into 2021 and on 123rd Ave & 26th St. USACE also responded with requiring mitigation monitoring into 2021 with possibility of a contingency plan if the site hasn't established the required acres. Gerbig Pit will be finished with reclamation in 2020. Knife River crushed 17,715 cubic yards and mobilized of the Krehlik Pit. Will be discussing options for

the project. Wannagan Creek ROW from Golden Valley County Line East will have Billings County working on preparing ROW documents. KLJ is working on the Little Missouri River Crossing design and developing cost estimates for bridge alternatives and finishing roadway design. Chip seal 14.5 miles for 2026 construction was submitted to NDDOT to program the future project. Krehlik pit update. August there were bids put in and due to the company that they picked having too little experience, Knife River was selected since the pit was difficult. Had a conference call with Knife river and they asked to move out and felt they were done and could not get 50,000 cubic yards that was requested. We have two options, call Knife River to see if they want to come out and finish the project or reset and rebid the project. Jeff will be in contact with them with updates for the next meeting. Jeff Iverson gave his monthly report. Reclamation and seeding is being complete in the Gerbig pit. Replacing and cleaning cattleguards. Crews are hauling and stockpiling gravel. State will give access to the Short road. Maus's are crushing in Golden Valley, asking them for Billing County to be able to access. Gravel leases are getting up to date with States Attorney Weir.

Ambulance Director Kyle Michels gave his monthly report. Slower month but still up from last year. The EMS department has brought in over \$400,000 in grants this year. Belfield has the new truck and it is running great. City of Belfield was in agreement with Billings County in the lead and want to review agreement when drafted. There are 12 students in the EMT classes, 7 from Medora and 5 from Belfield. Hoping in January to start EMT training.

The following claims were approved for payment:

Blue Cross Blue Shield of ND	18855	\$	3,950.60
ND Public Employee Retire System	18856	\$	73,087.89
ABC Fencing LLC	18857	\$	8,167.90
AG - News	18858	\$	195.00
Aladtec Inc	18859	\$	2,995.00
All Around Tire & Oil	18860	\$	316.12
American Planning Association	18861	\$	393.00
Americinn of Medora	18862	\$	1,050.00
Aramark	18863	\$	322.45
Aspen Mills	18864	\$	475.40
Belfield Automotive Supply Inc	18865	\$	1,835.66
Bertelsen, Travis	18866	\$	15.25
Billings County Pioneer	18867	\$	639.11
Billings County Rural Fire District	18868	\$	4,634.78
Billings County School District	18869	\$	1,238.66
Boss Office Products	18870	\$	1,311.18
Bound Tree Medical LLC	18871	\$	496.77
Brooks & Associates C.E.	18872	\$	1,696.26
Chimney Butte Land LLLP	18874	\$	926.10
CivicPlus	18875	\$	5,092.50
Code 4 Services Inc	18876	\$	2,588.88
Creative Energy	18877	\$	178.08
Crowell & Moring LLP	18878	\$	2,667.00
Dakota DirtWorks	18879	\$	27,720.00
Dakota Sports	18880	\$	420.97
Deans Distributing	18881	\$	644.70
Dept of Correction & Rehab	18882	\$	8,549.40
Dickinson Public Library	18883	\$	5,072.03
DS Solutions Inc	18884	\$	200.00
Election Systems and Software	18885	\$	655.41
Election Watchman Inc	18886	\$	299.40
ESO Solutions Inc	18887	\$	3,071.46
Farmers Union Oil Co - Beach	18888	\$	90.00
Fisher Industries	18889	\$	657.60
Four Corners Café	18890	\$	375.00
Gallagher Benefit Services, Inc	18891	\$	5,500.00
George's Tire LTD	18892	\$	7,852.00
Gerbig, Brian	18893	\$	1,500.00
Goodijohn, Eileen	18894	\$	6,000.00
Gooseneck Implement	18895	\$	184.33
Heiser Electric Don	18896	\$	507.08
Hidden Springs Java	18897	\$	300.00
Intergraph Corp SGI Division	18898	\$	3,333.60
J and J Operating LLC	18899	\$	615.54
James Oil Well Service Inc	18900	\$	3,900.00

Jones & Bartlett Learning LLC	18901	\$	4,666.06
Joshue Dakken	18902	\$	446.25
Kasian, Michael	18903	\$	182.27
Kessel, Joseph L	18904	\$	157.55
Kevin's Auto & Truck Repair	18905	\$	152.17
KLJ Engineering LLC	18906	\$	114,874.35
Knife River Corporation - NC	18907	\$	135,098.19
Knudtson-Simmioniw	18908	\$	20,000.00
Kubik Bogner Ridl & Selinger PLLP	18909	\$	3,000.00
Kutzler, Marilyn	18910	\$	73.02
Lacal Equipment Inc	18911	\$	4,918.00
Malley's Safety Supply LLC	18912	\$	1,843.74
Menards Dickinson	18913	\$	1,035.27
Metro-Billing Services	18914	\$	88.00
Meyer Aggregate LLC	18915	\$	2,933.30
Midstate Communications	18916	\$	1,207.00
Montana Fluid Solutions	18917	\$	12,600.00
Mosser, Randall	18918	\$	1,000.00
Motorola Solutions	18919	\$	3,412.65
ND Association of Counties	18921	\$	117.01
ND Attorney General's Office	18922	\$	305.00
ND Newspaper Association	18923	\$	139.04
ND State Treasurer	18924	\$	598.54
NDWCA	18925	\$	570.00
Newby's Ace Harware	18926	\$	245.44
North Dakota One Call	18927	\$	8.40
Nutrien Ag Solutions	18928	\$	6,388.00
Premier Specialty Vehicles Inc	18929	\$	38.24
Proserve Electrical	18930	\$	119.50
Quadient Leasing USA Inc	18931	\$	375.00
Radar Shop	18932	\$	320.50
RDO Equipment Co	18933	\$	568.04
RELX Inc	18934	\$	233.40
RPM Auto Repair	18935	\$	137.25
Runnings Supply Inc	18936	\$	233.86
Sanford Inpt Pharmacy	18937	\$	74.00
Southwest Business Machines	18938	\$	188.88
Southwest Multi-County Correction	18939	\$	138.33
Southwest Water Authority	18940	\$	2,850.77
Southwest Water Authority	18941	\$	1,046.95
Southwestern Dist Health Unit	18942	\$	4,103.98
St. Alexius Medical Center	18943	\$	472.88
Stark County Auditor	18944	\$	293.97
Stein's Inc	18945	\$	486.34
Stigen Donald & Sharleen	18946	\$	1,500.00
Sundre Sand & Gravel Inc	18947	\$	25,436.38
Swanston Equipment Corp	18948	\$	3,807.24
Total Safety US INC	18949	\$	510.00
Verizon Networkfleet Inc	18950	\$	64.76
Verizon Wireless	18951	\$	2,258.41
Vogel Law Firm	18952	\$	1,271.00
Wal-Mart Community	18953	\$	626.32
Warne Chemical & Equipment	18954	\$	336.00
West Dakota Oil Inc	18955	\$	19,398.11
Western Choice Cooperative	18956	\$	10,532.40
Westlie Crossroads Truck Ctr	18957	\$	5,115.45
Butler Machinery Co.	18958	\$	762.14
ND Association of Counties	18959	\$	450.00
ND Association of Counties	18960	\$	500.00
Bertelsen, Jonna	18962	\$	34.50
Bridger, James	18963	\$	217.50
CenturyLink	18964	\$	936.43
Directv	18965	\$	118.52
Discovery Benefits	18966	\$	99.75
Enders, Travis	18967	\$	217.50

Ewoniuk, Shelly	18968	\$	58.15
Information Technology Dept	18969	\$	936.25
Johnson, Jodi	18970	\$	244.50
Lapp, Colleen	18971	\$	69.00
Malkowski, Kathy	18972	\$	343.50
McCann, Amy	18973	\$	217.50
Medora, City of	18974	\$	503.11
Odermann, Marie	18975	\$	291.10
Polensky, Glenella	18976	\$	373.50
Polensky, Vernon	18977	\$	373.50
Reservation Telephone	18978	\$	40.03
Roughrider Electric Coop	18979	\$	4,291.58
Swenson, Sunya	18980	\$	290.50
Tczap, Joan	18981	\$	30.00
Titcomb, Olivia	18982	\$	217.50
Verizon Wireless	18983	\$	43.20
Visa	18984	\$	2,405.98
Visa	18985	\$	1,776.96
Weir, Diane	18986	\$	24.80
Anderson, Mary J.	18987	\$	40.35
ND Public Employee Retire System	18988	\$	14,079.00
ND Public Employee Retire System	18989	\$	43,379.32
ND Public Employee Retire System	18990	\$	650.00
American Family Life Assurance	18991	\$	2,181.62
Discovery Benefits Inc	18992	\$	2,579.61
NDFOP State Lodge Treasurer	18993	\$	25.00
Prudential Service Center	18994	\$	14.29
State Dispersement Unit	18995	\$	717.00
ND Public Employee Retire System	18996	\$	11,193.21
		\$	681,045.72

The board approved the revenue vouchers for the month of November: Recorder \$1,510.60; Zoning \$0.00; Court \$58.00; Sheriff \$60.00.

Revenues for materials and/or services rendered in November: Russ Kling \$1,107.00 scoria & hauling WEED SPRAYING: Jodee Egly \$27.56, Kasey Malkowski \$977.56, John Hlebechuk \$236.02, Ted & Kay Tescher \$27.56, Kevin Fugere \$137.81, Trell Shypkoski \$62.62, Jon Klym \$55.13, Travis Froehlich \$110.25, US Forest Service \$98,253.95, ND Department of Transportation \$16,260.15.

Revenues for the month of November: Sheriff \$7,321.92 permits, Highway Distribution \$13,022.38 ; Oil & Gas Production Tax \$196,484.13; Royalties \$14,329.09; Unorganized Oil & Gas Production Tax \$13,098.93; Interest \$9,162.15.

Payroll in the following amounts was approved for November: General Fund \$219,683.23; Road and Bridge Fund \$164,957.15; Weed Fund \$12,347.14.

With there being no further business, the meeting ended at 11:45 A.M.

James Arthaud, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING – DECEMBER 16, 2020.**

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

There were five items on the agenda for discussion and approval as follows:

- The first item of business was to appoint the Chairman and Vice-Chairman of the Board. After discussion, Rodne moved to appoint Kasian as Chairman. Iverson seconded. All voted aye. Kasian moved to appoint Rodne as Vice-Chairman, Iverson seconded. All voted aye.
- Budget Amendments and transfers: Auditor Lamb presented a list of budget amendments and transfers that are necessary for the end of the year. SW District Health had revenues above what was budgeted to transfer to them. Lamb requested to amend the budget by \$7,285.35. Lamb then discussed the budgeted transfer of \$17,907.39 to County Extension. The State Aid revenue to Extension was higher than anticipated. Lamb requested to only transfer \$10,000.00 to the County Extension fund from Operating and Maintenance. She also stated that the revenue to the Weed Board Fund was higher than anticipated, so the budgeted transfer will not be necessary out of Operating & Maintenance to Weed. Kasian moved to approve the amendments and transfers as presented, Rodne seconded. All voted aye.
- The board discussed the regular January meeting date. The normal schedule for commission meetings is the first Tuesday of each month. There are no conflicts with the January 5, 2021 meeting date. Rodne moved to set that day as the first commission meeting of the year. Iverson seconded. All voted aye.
- New Year's Day falls on a Friday. The board discussed the normal holidays for 2021. Kasian moved to approve the day as a county holiday. Rodne seconded. All voted aye.
- There were beer and liquor license applications from the Theodore Roosevelt Medora Foundation for 2021 at the Tjaden Terrace and Bully Pulpit Golf Course. Iverson moved to approve the beer & liquor licenses. Rodne seconded. All voted aye.

Michael Kasian, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer