

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING FEBRUARY 5, 2021.**

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

Others were present during portions of the meeting: Sheriff Pat Rummel, Road Superintendent Jeff Iverson, States Attorney Pat Weir (by phone), Tax Director Stacey Swanson, Ambulance Director Kyle Michels & Mitch Gilseth, Daphne Senn KLJ, Jeremy Wood, Fire Chief Kyle Shockley, Don Short, Sarah Short Sarbacker, Sandy Short, Dave Short, Steve Klym, Joseph G Kessel, Tami Norgard, Michelle Griffith, Craig Bihrl.

Iverson moved to approve the Minutes from the January 5, 2021 regular meeting with an addition to add Kyle Shockley to the resolution appointing him as Assistant 911 coordinator and Assistant Emergency Manager. Rodne Seconded. All voted aye.

The board discussed portfolio management. After discussion regarding the various departments in the county and the Elected and Appointed Department Heads it was decided that the commissioners will meet individually with all departments to understand what each office handles. Sheriff Rummel stated that he felt that he as Emergency Manager should be directly supervising the Ambulance Service. Discussion ensued regarding the role of emergency management. The board concurred that things should run as is for now. The board discussed the Courthouse Maintenance position as there are building projects coming up that need to be worked on. Iverson moved to appoint Rodne as portfolio holder for this department. Kasian seconded. All voted aye.

Steve Klym was present to discuss rural internet issues. With schools and many companies having people work from home during the pandemic, it has become a need, not simply a want to have reliable, fast internet access. There are many rural areas in the county where there is no access, or extremely poor access. Dean Rodne moved to appoint Lester Iverson, Pat Weir, and Marcia Lamb along with Steve Klym to a committee to review options and to work with county residents, the PSC and the internet providers to see if we can come up with a solution. Kasian seconded. All voted aye.

Three quotes were received for the 3 courthouse museum projects. Rodney Krogh from the Historical Society was present. The board reviewed the quotes from Thorstenstein & Sons Construction – 12,864, Western Edge Painting & Drywall – 18,050 and Kelly Jacobs – 44,390. Due to the quality of the quote, the detail regarding the siding project and the historically accurate elements to be included throughout, Iverson moved to approve the Kelly Jacobs quote contingent upon the work being completed by May 20, 2021. Rodne seconded. All voted aye.

Tax & Zoning Director Stacey Swanson presented 1 ARW Application that was approved with conditions by the Road Superintendent.

- PetroHunt – Sections 3 & 4-144-98 along 6th st and across 123rd Ave. for a saltwater disposal line and a gas line.

Iverson moved to approve the ARW. Rodne seconded. All voted aye.

Daphne Senn was present from KLJ and Road Superintendent Iverson gave their monthly reports.

3 fiberglass tanks blew over and were damaged in the high winds. NDIRF gave permission to remove them and they are insured. They are looking at purchasing frac tanks in the future instead of the fiberglass. That way, they would be mobile in case needed for fires etc. Highlands Engineering is doing the survey on 30th Street from hwy 85 west 1.5 miles. There is water erosion. Stark County will pay for their half. We have Billings County easements. Stark County is working on getting theirs. This project will be bid this spring and Billings County will be lead on project. Discussion regarding potential crushing opportunities in the county. Discussion regarding Senate Bill 2026, the coalition against bigger trucks has asked for opposition to this bill that will authorize truck road trains. They can be up to 200 feet long. The bill passed the senate 30-17. This would severely damage county roads and be costly. Open range cattle guards were discussed and States Attorney Pat Weir will work with Jeff Iverson to find out what the county obligation is.

Discussion was held regarding the Little Missouri River Crossing. Chairman Kasian invited the Short family to sit at the commission table. Billings County legal counsel Tami Norgard, Vogel Law Firm was present and introduced herself to the new board members. She went over the history of the project and stated that the board hired an appraiser in April of 2020. The appraisals have recently been completed and have been sent to the legal counsel for the Short family. Norgard went over the appraisals for all properties included in the project scope and highlighted the pertinent details in each. All properties had been appraised at \$900/acre by an outside appraiser. She outlined the process that the board will need to go through to negotiate with the landowners. If landowners are unwilling to negotiate with the County, a special board will need to be appointed to review the appraisals and valuation. The County Auditor and two other county officials must serve on this board. She reiterated that the discussion today is not a hearing on the valuation in that sense. It is only a board meeting for the commissioners to determine what a fair negotiated price per acre should be offered to the landowners in the scope of the project. The board allowed time for the Short Family to speak in opposition to the project. The Short family representatives advised that they will continue to fight to stop this project. Commissioner Rodne

stated that he did not want to go into executive session to discuss a strategy for negotiations. He was not inclined to discuss making an offer for the purchase of right-of-way at this point. After additional discussion, the board decided to review additional information on the history and need for the bridge. The board will revisit the issue during the April 6, 2021 commission meeting to discuss the project and moving forward with the negotiations.

Auditor Lamb presented a request from a landowner who asked that the penalty and interest on their property taxes be waived. As tax payments and the penalty and interest are directed by North Dakota Century Code, Lamb stated that her office could not pick and choose between who receives waivers and who does not. After discussion, the board concurred that as the check had never cleared the bank, it was the landowner's duty to be sure the taxes were paid. They did not authorize a waiver of the penalty and interest.

Mitch & Kyle were present to discuss the ambulance report. They shared the training center for continuing education and stated that they can do all EMS training in house now without having to pay for outside training. They received \$25,000 in Covid grant funds which they used partially to purchase sterilization equipment. They have 5 people in EMT classes in Belfield. Discussion ensued regarding the possibility to merge with Belfield ambulance. If one ambulance cannot cover an area, the quickest ambulance must step in to cover. They are exploring the details of cost sharing and what would be included in the consolidation. Discussion ensued regarding the Presidential Library in Medora and the projected number of visitors that will stress our county services.

Auditor Lamb presented the Quarterly Pledge Report. Rodne moved to approve the report as presented. Iverson seconded. All voted aye.

Sheriff Rummel gave his monthly report. He stated that EMS and law enforcement have always worked well together and will continue to. He is a representative on the Western State Sheriff's Association and will be attending the board meeting in May with the commissioner's approval. There are a number of public lands law enforcement issues that will be discussed. He stated that there were two coroner cases in December that his office contracted with Ladbury Funeral Home. In January, there was a coronavirus exposure to a county employee that was work related. As the Cares Act requirement to provide 80 hours of sick leave for employees who are required to quarantine ended December 31, 2020, Rummel requested to have the 80 hours extended to May 4, 2021 for all county employees as you cannot be sure if exposures happen while providing services to the public or by personal contact. Kasian moved to approve the Cares Act policy regarding sick leave hours to May 4. Iverson seconded. All voted aye.

Fire Chief Kyle Shockley gave his monthly report.

The following claims were approved for payment:

PAYEE	CHECK #	AMOUNT
Blue Cross Blue Shield of ND	19189	\$ 4,123.80
ND Public Employee Retire System	19190	\$ 1,026.32
3D Specialties	19191	\$ 47.76
Adams David T & Donna J	19192	\$ 500.00
Adams James W	19193	\$ 3,000.00
All Around Tire & Oil	19194	\$ 18.00
Andreas George & Rose Marie	19195	\$ 40,824.00
Aramark	19196	\$ 322.45
Billings County Historical Society	19197	\$ 10.75
Billings County Rural Fire District	19198	\$ 237.96
Billings County School District	19199	\$ 4,107.65
Boltz Jory L & Tonya	19200	\$ 76,500.00
Boss Office Products	19201	\$ 452.45
Bound Tree Medical LLC	19202	\$ 551.90
Cerkoney Cathy	19203	\$ 90.25
Charbonneau Car Center	19204	\$ 99.53
Corneil Todd	19205	\$ 50.00
Dakota Dirt Works	19206	\$ 2,400.00
Dickinson Parks & Recreation	19207	\$ 200.00
Domestic Violence & Rape Crisis Center	19208	\$ 30,000.00
East End Auto & Truck Parts	19209	\$ 315.00
Family Connect Visitation Center	19210	\$ 5,000.00
Farmers Union Oil Co - Beach	19211	\$ 15,101.97
Gall's Inc	19212	\$ 218.05
Gallagher Benefit Services	19213	\$ 2,635.00
George's Tire LTD	19214	\$ 6,542.00
Gerbig Brian	19215	\$ 1,500.00

Golden Valley County	19216	\$	16,683.94
Golden Valley Soil Conservation Dist.	19217	\$	2,500.00
High Plains Technology Inc	19218	\$	889.00
Hild, John	19219	\$	1,000.00
Kasian Connie	19220	\$	50.00
Kessel Anita F	19221	\$	100.00
Killdeer Ambulance Service	19222	\$	1,000.00
KLJ Engineering LLC	19223	\$	39,949.93
Knudtson-Simmioniw	19224	\$	41,752.00
Little Missouri Restaurant & Saloon	19225	\$	130.00
Malkowski Trucking	19226	\$	1,495.00
Medora Area Convention	19227	\$	17,000.00
Menards Dickinson	19228	\$	767.13
MGM Rural Sanitation LLC	19229	\$	253.50
Mid-American Research Chemical	19230	\$	1,014.66
Mosser Randall	19231	\$	1,000.00
Motorola Solutions	19232	\$	63,885.43
ND 911 Association	19233	\$	100.00
ND Association of Counties	VOID	\$	53,379.52
ND Atomospheric Resource Board	19235	\$	2,500.00
ND Cowboy Hall of Fame	19236	\$	200.00
ND Dept of Transportation	19237	\$	5,871.50
ND Emergency MGMT Association	19238	\$	150.00
ND State Tax Commissioner	19239	\$	1,925.13
ND State Treasurer	19240	\$	393.27
NDACO Resources Group Inc	19241	\$	29,551.32
Nelson Internaltional	19242	\$	88.55
Oyhus Land Company	19243	\$	1,500.00
Parent/Family Resource Center	19244	\$	1,300.00
Pump Systems Inc	19245	\$	3,199.56
Putnam, Karen	19246	\$	101.15
Pyramid Communications	19247	\$	143.19
Redmond Perry	19248	\$	1,500.00
RELX Inc	19249	\$	233.40
Roosevelt-Custer Regional CNCL	19250	\$	5,700.00
Sanford Health Occupational Medicine	19251	\$	41.50
Sanford Inpt Pharmacy	19252	\$	10.00
Schmidt Jeff and Shelley	19253	\$	1,500.00
Southwest Business Machines	19254	\$	216.01
Southwest Multi-County Correction	19255	\$	23,333.33
Southwest Narcotics Task Force	19256	\$	18,000.00
Southwest Water Authority	VOID	\$	1,083.52
Southwestern Dist Health Unit	19258	\$	2,667.89
Stark County Auditor	19259	\$	52,613.25
Stark/Billings Soil Conservation Dist	19260	\$	7,000.00
Stein's Inc	19261	\$	64.48
Stigen Donald & Sharleen	19262	\$	1,500.00
Sunrise Youth Bureau	19263	\$	7,000.00
Tachenko, Terry & Terri	19264	\$	1,500.00
Tessco Inc	19265	\$	175.61
US Postal Service	19266	\$	2,400.00
Verizon Networkfleet Inc	19267	\$	63.72
Verizon Wireless	19268	\$	1,231.31
Vogel Law Firm	19269	\$	3,767.00
Wal-Mart Community	19270	\$	388.35
West Dakota Oil Inc	19271	\$	6,962.91
Westlie Crossroads Truck	19272	\$	1,516.29
ND Association of Counties	19273	\$	64.00
ND Association of Counties	19274	\$	52,676.87
ND Association of Counties	19275	\$	638.65
Southwest Water Authority	19276	\$	1,040.46
Southwest Water Authority	19277	\$	43.06
CenturyLink	19278	\$	939.14
Directv	19279	\$	117.99
Discovery Benefits Inc	19280	\$	99.75

Information Technology Dept	19281	\$	1,001.15
Medora, City of	19282	\$	445.61
Reservation Telephone	19283	\$	40.08
Roughrider Electric Coop	19284	\$	4,237.61
Verizon Wireless	19285	\$	43.20
Visa	19286	\$	394.71
Visa...	19287	\$	156.42
ND State Tax Commissioner	19288	\$	11,068.00
Discovery Benefits Inc	19289	\$	2,579.61
NDFOP State Lodge Treasurer	19290	\$	25.00
Prudential Service Center	19291	\$	14.29
State Dispersment Unit	19292	\$	717.00
ND Public Employee Retire System	19293	\$	11,056.00
ND Public Employee Retire System	19294	\$	43,633.57
ND Public Employee Retire System	19295	\$	650.00
Job Service North Dakota	19296	\$	1,667.83

The board approved the revenue vouchers for the month of January: Recorder \$2,012.60; Zoning \$100.00; Court \$45.00; Sheriff \$20.00, EMS \$2,912.52.

Revenues for materials and/or services rendered in January: Beach Community Ambulance \$500.00 ALS Intercept; Shawn Gawryluk \$118.00 water; Loren Bock \$57.14 water; James Oil Well Service \$118.00 water; B&B Hot Oil \$88.00 water; City of Medora \$255,226.28 EMS expenses and tax assessor and house payment; Tiger Well Service \$138.01 water; Steve Klym \$296.25 scoria & hauling; City of Medora \$121.50 gravel & hauling; City of Medora \$62,107.79 radios; Jim Lowman \$5,375.00 scoria & hauling; Shawn Gawryluk \$178.13 scoria & hauling; Frank Odell \$171.68 gravel & rototiller; Golden Valley County \$66,565.30 share scoria crushing. WEED SPRAYING: Department of Agriculture \$15,150.27, Doug & Katie Oe \$64.02, Richard Chruszch \$326.56.

Revenues for the month of January: Sheriff \$35,592.16 permits, Highway Distribution \$17,959.04 ; Oil & Gas Production Tax \$262,222.43; Royalties \$16,866.20; Unorganized Oil & Gas Production Tax \$17,481.50; Interest \$13,118.85; State Aid Distribution \$69,750.12; Township Distribution \$21,764.36.

Payroll in the following amounts was approved for January: General Fund \$204,757.87; Road and Bridge Fund \$133,349.32; Weed Fund \$9,901.43.

With there being no further business, the meeting ended at 5:15pm.

Michael Kasian, Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer