

December 30, 2010

MORTON COUNTY COMMISSION SPECIAL MEETING

The Morton County Commission Special Meeting was called to order on December 30, 2010, at 3:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Strinden seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve proposed pay changes for the Communication Department including the City of Mandan employees to be effective January 1, 2011. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the December 30, 2010 bills except the Emergency Management bill for the three chairs. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to make the annual appointments of Department Heads and other Boards and committee appointments:

Jackie A Buckley	County Extension Agent
Vanessa G Hoines	County Extension Home Economist
Karla Meikle	County 4-H Youth Extension Agent
Leon Samuel	County Tax Equalization Director
Kenneth Gerhardt	County Social Service Director
Tammy Lapp Harris	County Emergency Manager & Communication Director
Ronald Otto	County Veteran Service Officer
Mike Aubol	County Engineer
Nick Kraft	County Superintendent of Roads
Karen Kautzmann	County Superintendent of Schools
Paul E Trauger	County Planner/Building Inspector
Paul E Trauger	County Director of Buildings & Fixed Assets
Vern W Davis	County Superintendent of Parks
James E Schmidt	Morton County Dakota Prairies RC&D
Raymond S Morrell	Morton County Park Board
Jerry Jeske	Morton County Park Board
Esther M Vogel	Morton County Soils Committee
James Schmidt	Morton County Soils Committee
Gary Kreidt	Morton County Soils Committee
Jackie Buckley	Morton County Soils Committee
Andy Zachmeier	Morton County Rep - West Central Human Service Bd

George Saxowsky	Morton County Water Resource District
Bill Robinson	Lower Heart Water Resource District
Clint Feland	Morton County Planning and Zoning Board
Steve Kilen	Morton County Planning and Zoning Board
Albert Duppong	Morton County Housing Authority
Gary Kreidt	Morton County Housing Authority

On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to approve the Allocation of E-911 funds for 2010 as follows: City of Mandan \$78,085.04, Morton County \$121,914.95. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Zachmeier moved and Commissioner Tokach seconded to authorize the chairman to sign policing contracts with Cities of New Salem, Hebron and Glen Ullin for an annual sum of \$38,400 or \$3,200 per month. Also authorize the chairman to sign jail agreement with the following entities at the rate of \$65 per day: Adams County, Kidder County, Mclean County, McIntosh County, Grant County, Emmons County, Burleigh County, Logan County, Oliver County, City of Bismarck, City of New Leipzig, and City of Linton. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to approve following abatements: # 3945 - # 3955 - # 3961, # 3965 - # 3970. The abatements are available for public inspection during regular business hours in the Morton County Auditor’s Office. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to approve following abatements: # 3957, # 3962 - # 3964. The abatements are available for public inspection during regular business hours in the Morton County Auditor’s Office. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to approve following abatements: # 3945 - # 3955 - # 3961, # 3965 - # 3968. The abatements are available for public inspection during regular business hours in the Morton County Auditor’s Office. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Tokach seconded to table the following abatements and notify the individuals to appear at the January 11, 2011 meeting because the City of Mandan has not filed a new two (2) year tax exemption as required by the NDCC: # 3934, # 3939, # 3956, # 3958. On a roll call vote, all commissioners present voted “Aye.”

The total of all county funds expended for December 30, 2010 amounted to \$222,687.25 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office

Commissioner Tokach moved and Commissioner Strinden seconded to adjourn at 4:55 PM. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

December 14, 2010

MORTON COUNTY COMMISSION REGULAR MEETING

The Morton County Commission Regular Meeting was called to order on December 14, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Tokach seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve offering NDPERS Law Enforcement Retirement with the county paying 9.57 percent and Law Enforcement Employees paying 2 per cent from one (1) to three (3) years, four (4) thru eight (8) year Law Enforcement Employees would pay 1 per cent starting nine year the county would pay the entire 11.57 per cent. On a roll call vote, Commissioners Boehm, and Tokach voted "Aye." Commissioner Strinden, Zachmeier and Bitz voted "Nay." Motion failed three (3) to two (2).

A motion was made by Commissioner Bruce Strinden moved for Morton County to affirm to North Dakota Public Employees Retirement System that Morton County is formed pursuant to N.D.C.C. Title Eleven (11) (11-01-31) and is neither a non-profit corporation nor a for-profit corporation, to join the NDPERS Law Enforcement Defined Benefit Retirement Plan and offer the plan to all eligible employees of Morton County. The motion was seconded by Commissioner James Boehm. The Board approved joining the NDPERS Law Enforcement Defined Benefit Retirement Plan effective January 1st, 2011. with the county paying 9.57 percent and with the Law Enforcement Employees paying two (2) per cent from one (1) through two (2) years, and one (1) per cent three (3) through four (4) years starting the fifth (5) year the county would pay the entire 11.57 per cent. On a roll call vote, commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve freeze the current entry level pay for the first six (6) pay grades for 2011 on Morton County pay matrix dated January 1, 2011. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to approve of the December bills and payroll. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the November County Commissioners Minutes as presented. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Tokach seconded to approve of abatement # 3935 for Allen Lennie a reduction of \$4,300 in market value on Parcel #55-106000. On a roll call vote, all commissioners present voted "Aye"

Commissioner Strinden moved and Commissioner Tokach seconded to approve following abatements: # 3934, # 3936 - # 3938, # 3940 - # 3942, # 3944. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. Abatement # 3939 and # 3943 for two 2 year tax exempt will not be voted on until the City of Mandan has the legal resolution acted on to grant these 2 year exemption according to the NDCC. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve quit claiming the balance abandon railroad purchased from Burlington Northern Santa Fe right of way back to the current land owner as recommended by the States Attorney, Allen Kopyy and put it back on the tax roll. On a roll call vote, Commissioners Strinden, Boehm, Tokach and Bitz voted "Aye." Commissioner Zachmeier voted "Nay." Motion carried four (4) to one (1).

Commissioner Tokach moved and Commissioner Boehm seconded to only allow Emily Gustafson \$15.99 for her damaged mail box. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the chairman to sign a Scoria Pit Lease with the Schatz Family Trust for \$1.25 per cubic yard for 2011 on SE ¼ of Section 10, Township 138 North, Range 89 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize chairman to sign change order # 1 for \$5,959.47 on the shared use path STM-LCT-TEO 0030(039). On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to schedule a public hearing at 5:00 PM January 11, 2011, on the request of Morton County Water Resource District d.b.a. Missouri West Water System to close part of the North- South Section Line between Section 12 Township 140 North and Range 82 West and Section 7, Township 140 North and Range 81 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to reappoint Paulette Klein and Denise Nilsen to the Custer District Health Board to five year term ending December 31, 2015. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to deny the closing of the Courthouse on December 23, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to appoint Grant Johnson from New Salem to the Morton County Weed Board, term for four years ending August 1, 2014. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve of the 2011 county liquor licenses. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to table the request by Rick Fisher's offer on the twelve tax lots in Montes until Morton County Water Resource District is contacted about the remaining specials on the lots. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Boehm seconded to authorize the chairman to sign a deed transferring the Courthouse from the Building Authority to Morton County since the bonds are all paid up. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Boehm seconded to inform county employees to use county vehicles instead of their personal vehicles when on county business. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Zachmeier seconded to hold the first commission meeting on January 11, 2011. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for November 10, 2010 thru December 14, 2010 amounted to \$2,166,163.03 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office

Commissioner Boehm moved and Commissioner Tokach seconded to recess at 6:35 PM until 3:00 PM on December 30, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

November 3, 2010

MORTON COUNTY COMMISSION SPECIAL MEETING

The Morton County Commission Special Meeting was called to order on November 3, 2010, at 3:20 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Andy Zachmeier and County Auditor Paul E. Trauger.

Absent was Commissioner Dick Tokach.

Representatives of the Bison Pipeline discussed the completions of the pipeline and any problems the county has received notice of. Pipeline completion date is December 15, 2010.

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize the chairman to sign an agreement with Centre Inc. for the 2011 budget of \$6,000. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to authorize the chairman to sign an Amendment to Contract for of Project No. STM-TEO-0030(39) to increase funding for phase 3 of the share-use path to Harmon Lake. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to adjourn the Special Commission Meeting at 4:15 PM. On a roll call vote, all commissioners present voted "Aye."

November 9, 2010

MORTON COUNTY COMMISSION REGULAR MEETING

The Morton County Commission Regular Meeting was called to order on November 9, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Strinden seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve closing county offices the Friday after Thanksgiving with employees taking vacation or comp time for that day. On a roll call vote, Commissioners Boehm, Strinden, Tokach and Bitz voted "Aye." Commissioner Zachmeier voted "Nay." Motion carried four (4) to one (1).

Dave Stephens from Avitus introduced Diane Heck from NDPERS who presented information on Morton County returning to NDPERS Retirement system to the Commissioners

Commissioner Boehm moved and Commissioner Strinden seconded to approve Morton County joining North Dakota Public Employees Defined Benefit Retirement Plan effective January 1, 2011 and offer to all employees. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded that all new employees hired after January 1, 2011 would automatically be enrolled in NPPERS Defined Benefit Retirement Plan. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the County paying only 9.26 % of employee's salary for present employees joining North Dakota Public Employees Defined Benefit Retirement Plan effective January 1, 2011. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded that all Law Enforcement personnel would be permitted to join the regular NPPERS Defined Benefit Retirement Plan with the county paying 9.26 % of the employee's salary. This would be until the employees in Law Enforcement would want their own group. On a roll call vote, all commissioners present voted "Aye"

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3926 - # 3932. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve a Special Use Permit for Magnumag for an Anhydrous Ammonia Storage Facility on SW ¼ of SW ¼ of Section 4, Township 139 North, Range 85 West and zone change for "A" Agricultural to "IA" Industrial required providing a plat be filed including all the area and ownership is established in one name. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Zachmeier seconded to approve short form subdivision for Glatt Estates and zone change from "B" Recreational to "R" Residential. Part of Lot F of the NE ¼ of Section 19, Township 140 North, Range 81 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to refer the request of Kelly Glatt to rezone the balance of Lot F of NE ¼ of Section 19, Township 140 North, Range 81 West from "B" Recreational to "A" Agricultural back to County Planning and Zoning for further study of the request. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to refer the request of Timberhaven 3rd Subdivision located in NE ¼ of Section 8, Township 137 North, Range 80 West back to County Planning for further study of the request. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to schedule another public hearing of the cost of a special use permit at one half of one per cent of the total cost of large project such as wind farms, pipelines, oil wells etc for County Planning and Zoning . On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Zachmeier seconded to deny the request of Mr. and Mrs. Dwight Keller to put some of their private road back on the county maintenance system. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to deny the request for the county to do some blade work for Dakota Leasing (cell tower on 45th Avenue) to get to their tower as requested by their representative. On a roll call vote, all commissioners present voted “Aye.”

Commissioners reviewed letter to Melvin Fischer from County Engineer, Mike Aubol.

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the chairman to sign the Federal Aid Project list for 2011-2012. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to pay \$1,700 to the city of New Salem the cost to the county if they would have installed the culvert. Motion with drawn.

The Road Department will look at the agreement with the city of New Salem for maintenance.

Commissioner Boehm moved and Commissioner Zachmeier seconded to have the States Attorney send a letter to Tom Zander to move his fences off the center of the section line. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to set the price for contract policing for New Salem, Glen Ullin and Hebron at \$3,200 each per month for 2011. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize the chairman to sign an agreement with Doctor Boyd Addy at \$1,000 per month for medical services and Deb Addy at \$2,000 per month for nursing services at the Correction Center for 2011. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to raise the burial fee paid by Social Service from \$550 to \$650 due to new rates. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to have States Attorney appear next month to settle the Abandon Railroad Line Issue. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve the monthly bills and payroll and October Commission Minutes as presented. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to accept the 2009 Audit Report as prepared by the North Dakota State Auditors. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for October 08, 2010 thru November 09, 2010 amounted to \$1,523,831.81 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office

Commissioner Boehm moved and Commissioner Tokach seconded to recess at 6:05 PM until 2:00 PM on December 14, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

October 7, 2010

MORTON COUNTY COMMISSION REGULAR MEETING

The Morton County Commission Regular Meeting was called to order on October 7, 2010, at 8:00 AM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Zachmeier seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

Lavern Vollmer appeared to discuss with the commissioners the best way to repurchase her home back.

Commissioner Boehm moved and Commissioner Strinden seconded to approve the County Treasurer, Vicki A. Lippert to cancel the following checks and send the funds to the State Unclaimed Property Division: Auditor's Warrant # 16186 \$246.83 Quest; Treasurers checks # 11246 \$5.61 DQ, #11267 \$30.00 Energy Net Com, #11378 \$7.00 Levi Stepak, #11386 \$10.00 Bair, Bair & Garrity, #11404 \$7.79 Kenneth Muggli, #11408 \$8.00 Patricia Hinton, #11413 \$58.36 Jim Behrens, #11466 \$11.00 Stephen Little. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve September Commission Minutes and monthly bills and payroll. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to approve the following:

Resolution of the Morton County Board of Commissioners

Whereas, Morton County received Recovery Zone Allocations in the amounts of \$1,193,000 for Recovery Zone Economic Development Bonds and \$1,790,000 for Recovery Zone Facility Bonds; and

Whereas, the Morton County Board of Commissioners has not received any applications or lack of interest to utilize these Allocations;

Now, therefore, the Morton County Board of Commissioners hereby waives the Recovery Zone Economic Development and Recovery Zone Facility Bonds Allocations it received to the State of North Dakota.

On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to set the appraisal price on the tax lots in Montes Rancheros 5th Subdivision at \$250 each. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to set the appraisal price on the other tax lots rounded to the nearest ten dollar. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the Road Department to purchase a used one ton Truck for the Gravel Crew up to \$10,000. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the 2011-2012 Federal Aid Program for Morton County. On a roll call vote, all commissioners present voted "Aye."

Dave Stephens from Avitus introduced Barb Dammen from NDPERS who presented information on Morton County returning to NDPERS Retirement system to the Commissioners and several Department Heads.

Mr. & Mrs. Melvin Fischer appeared about section line problems and approaches. County Engineer, Mike Aubol will visit the Fischer Site and report back to the County Board.

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3923 - # 3925. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to approve the 2011 County Budget for \$23,534,172. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the 2011 Morton County Budget at \$23,534,172 resulting in a reduction of five (5) mills for Morton County 2010 Tax Year excluding the City of Mandan which is a reduction of three and one half (3.5) mills from 2009 tax year. On a roll call vote, Commissioners Boehm, Strinden, Tokach, Zachmeier and Bitz voting "Aye."

PROTECTION OF TAXPAYERS

WHEREAS, the governing body of Morton County has approved a budget for the operation of the functions of government for the year ending December 31, 2011; and

WHEREAS, The North Dakota Century Code 57-15-01.1 allows a zero percent (0%) increase over the previous year's collections; and

WHEREAS, the budget results in an increase in the dollar amount to be levied as an ad valorem tax over the previous year;

THEREFORE, BE IT RESOLVED, that Commissioner Boehm moved and Commissioner Strinden seconded to authorize the County to increase Taxes by the dollar amount levied the prior year plus any increases for new properties added less any decreases for properties deleted for the 2010 Tax Year, for the following Funds: General Fund, County Road and Bridge Fund, County Unorganized Road Fund, County Farm to Market Fund, County Weed Fund, Social Service Fund, Emergency Social Service Fund, Emergency Fund, County Extension Fund, Advertising Fund, Social Security Matching Fund, Veterans Service Fund, Abandoned Cemeteries Fund, County Park Fund, Correctional Center Fund, County Share of Specials Fund, Custer Health Fund, Senior Citizens Activities Fund, County Historical Society Fund, County Correctional Center Fund, County Fair Fund, County Park Capital Improvement A and B Fund, Southwest Water Authority Fund, County Soil District Fund, County Library Fund, County Job Authority Fund, Lower Heart Water District Fund, and Morton County Water District Fund.

Commissioner Zachmeier moved and Commissioner Tokach seconded to authorize the chairman to sign a letter to the National Parks Service on the Pubic Hearing held September 7, 2010 on the Lewis and Clark Historical Trail along with a list of attendees at the hearing. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for September 08, 2010 thru October 07, 2010 amounted to \$2,254,932.19 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office

Commissioner Boehm moved and Commissioner Tokach seconded to recess at 12:15 PM until 4:00 PM on November 9, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

September 1, 2010

MORTON COUNTY COMMISSION SPECIAL BUDGET MEETING

The Morton County Commission Special Budget Meeting was called to order on September 1, 2010, at 4:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize the chairman to sign North Dakota Correctional Institution Memorandum of Understanding. On a roll call vote, all commissioners present voted "Aye."

County Departments presented their budgets for 2011 to the commission.

Commissioner Strinden moved and Commissioner Boehm seconded to recess at 7:30 PM until 2:00 PM on September 7, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

September 7, 2010

MORTON COUNTY COMMISSION REGULAR MEETING

The Morton County Commission Regular Meeting was called to order on September 7, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Zachmeier seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

Dave Stephens from Avitus presented the prescription drug program to the commissioners through the National Association of Counties. The Program is available to all county residents.

Commissioner Boehm moved and Commissioner Strinden seconded to approve following abatements: # 3920 - # 3922. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to approve flying the 4-H flag on the courthouse flag pole during 4-H Week. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the monthly bills and payroll. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to approve the August Commission Minutes as corrected. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve two or more individuals out of state travel to attend the LTAP Road Workshop in Rapid City, South Dakota on October 20 and 21, 2010. On a roll call vote, all commissioners present voted "Aye."

Tim Penfield gave a GIS Update.

Preliminary Budget Hearing.

County Departments discussed their budgets for 2011 with the commission.

Public Hearing on Lewis & Clark National Historical Trail.

A representative of the National Parks Service gave a presentation of the Lewis & Clark Historical Trail and answered questions from the general public.

Commissioner Boehm moved and Commissioner Strinden seconded to approve early voting precinct and an absentee precinct for Morton County for the November Election. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for August 11, 2010 thru September 07, 2010 amounted to \$975,072.28 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office

Commissioner Boehm moved and Commissioner Tokach seconded to recess at 7:30 PM until 4:00 PM on September 27, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

September 27, 2010

MORTON COUNTY COMMISSION SPECIAL BUDGET MEETING

The Morton County Commission Special Budget Meeting was called to order on September 27, 2010, at 4:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andy Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Boehm seconded to authorize the chairman to sign the Notice of Award and Notice to Proceed to Cooling & Heating Unlimited for the Morton County Mandan Shop for Natural Gas Radiant Heating Improvements. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to authorize the chairman to sign a gravel lease with Helbling Bros. for \$.75 per cubic yard in the NW ¼ Section 2, Township 137 North, Range 83 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to budget 80 % for the county share of a family health insurance premium starting June, 2011. On a roll call vote, all commissioners present voted "Aye."

County Departments discussed their budgets for 2011 with the commissioners.

Commissioner Tokach moved and Commissioner Strinden seconded to recess at 6:45 PM until 8:00 AM on October 7, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

August 10, 2010

MORTON COUNTY COMMISSION REGULAR MEETING

The Morton County Commission Regular Meeting was called to order on August 10, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Tokach seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

David J. Stephens, Human Resources Director from Avitus, talked about salaries and health insurance for 2011. Commissioners Tokach and Strinden will meet with Mr. Stephens to discuss salary raises for 2011.

Commissioner Boehm moved and Commissioner Strinden seconded to approve following abatements: # 3918 - # 3919. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Zachmeier seconded to approve the recommendation of the Morton County Planning and Zoning Board for Felch Subdivision, a single lot subdivision (2.3) acres tract part of Lot B in SW ¼ of Section 10, Township 136 North, Range 80 West and a zone change from "A" Agricultural to "R" Residential. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Boehm seconded to approve the recommendation of Morton County Planning and Zoning the Preliminary and Final approval of Harmon Village 14th Subdivision, zoning will remain "B" Recreational. Two (2) Lots, one (1) Block, consisting of 3.30 acres part of Government Lots 3 & 4 of Section 7, Township 140 North, Range 81 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the clarifications of Article 25 of Morton County Zoning Resolutions as the following:

ARTICLE 25. ENFORCEMENT AND ADMINISTRATIVE LIABILITY

Section 1. ENFORCEMENT- In accordance with the provisions of Section 11-33-16 of the North Dakota Century Code, which provides for the enforcement of County zoning ordinances by any officer, department, agency, or employee designated to perform such duties by the Board of County Commissioners, Planning and Zoning Commissioners, the County Auditor, Building Inspector, Planning and Zoning Administrator, County Engineer, Sheriff, and their departmental employees, have been delegated the duty of enforcing the Morton County Planning and Zoning Regulations, et. Seq. as amended.

1. Violations- The violation of any portion of the Morton County Planning and Zoning Regulations there under, shall constitute the maintenance of a public nuisance, and the subject land owner is guilty of a Class B Misdemeanor as per North Dakota Century Code Section 11-33-21. Notice of violations shall be served upon the said property owner. It shall be the duty of the Morton County States Attorney to properly prosecute violations of the Morton County Planning and Zoning regulations in the appropriate court.
2. Application to County Personnel- The failure of any officer or employee of Morton County to perform any official duty imposed by this Article shall not subject the officer or employee to a penalty imposed for violation unless a penalty is specifically provided for such failure.
3. Injunction- In the event of a violation or the threatened violation of any provision of the Morton County Planning and Zoning Regulations, or any provision or condition of a permit issued pursuant to these Regulations, Morton County may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violation or threatened violation. It shall be the duty of the Morton County States Attorney to institute such action.
4. Nothing in this Article shall prevent Morton County from taking such other actions as are permitted under law
5. Unless another penalty is specifically prescribed, a person violating Morton County Planning and Zoning Regulations, or any rule, order, or condition in a permit issued under these Regulations, may be subject to a civil penalty as per North Dakota Century Code Section 23-29-12.

Section2. COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of the Morton County Planning and Zoning Regulations occurs, or is alleged to have occurred, any person may file a written complaint concerning same. Such complaint shall state fully the causes and basis thereof. The complaint shall be filed with the County Auditor, Building Inspector, Planning and Zoning Administrator, and County Engineer. The County Auditor shall record such complaint. The County Auditor, Building Inspector, Planning and Zoning Administrator, County Engineer, Sheriff, and their department employees shall investigate such complaint as may be appropriate and take action there on as provided by this Article. Complaints regarding violations are to be submitted to the Morton County States Attorney for prosecution when necessary. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to set a public hearing on Article 14 Special Use Fees for Wind Farm Etc. for the Planning Meeting August 26, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize Morton County to have an Early Voting and an Absentee Voting precinct for the November 2nd Election. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the Road Department to do 1.3 miles of Mag-Chloride for the City of Mandan to their Landfill with the city paying for the Mag-Chloride. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve Mag-Chloride on County Route 139A pass Roby's Steakhouse for \$1,000. On roll call vote, Commissioners Strinden, Boehm, Tokach and Zachmeier voted "Aye." Commissioner Bitz voted "Nay." Motion carried four (4) to one (1).

Marcus Zander section line improvements request would cost about \$8,000 to \$10,000, Mr. Zander's request is not in the budget for next year.

Commissioner Strinden moved and Commissioner Boehm seconded to move the bus turn around 300 feet to the west for the Breuer's. Above motion withdrawn.

Commissioner Tokach moved and Commissioner Boehm seconded to authorize the chairman to sign the County Federal Aid Contract with Riley Bros, of Morris, Minnesota on Project BRO-0030(041) Pederson Bridge for \$364,510.36. On roll call vote, all commissioners present voted "Aye."

Bids on equipment.

Commissioner Strinden moved and Commissioner Tokach seconded to accept high bids 1987 Dodge Dakota, 1985 Auto car, 1982 Chevy Caprice, 1997 GMC 8000, 1975 Ford F750, 3-2005 New Idea 9' Rotary Mower, Ford LGT, 2 air compressors and reject all other bids. Move the 1990 F150 Ford pickup to the courthouse. On roll call vote, all commissioners present voted "Aye."

Public hearing on request to close the N ½ section line between Section 18, township 135 North, Range 83 West and Section 13, Township 135 North Range 84 West.

Commissioner Tokach moved and Commissioner Strinden seconded to approve closing the N ½ section line between Section 18, township 135 North, Range 83 West and Section 13, Township 135 North Range 84 West, providing Mr. Hoff gives the County an easement on 62 ½ street in place of the N ½ of closing of said section line. On a roll call vote, Commissioners Tokach, Strinden, Boehm and Zachmeier voted "Aye." Commissioner Bitz voted "Nay." Motion carried four (4) to one (1).

Commissioner Boehm moved and Commissioner Strinden seconded to approve the monthly bills and payroll and approve the commission minutes for July 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to authorize the chairman to sign a contract with NDACo Resources Group for \$72,660 per year for computer service. On a roll call vote, all commissioners present voted "Aye."

Various County Departments presented their 2011 budgets to the commission.

The total of all county funds expended for July 14, 2010 thru August 10, 2010 amounted to \$1,364,017.57 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Strinden moved and Commissioner Tokach seconded to recess at 7:00 PM until 4:00 PM on August 17, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

August 17, 2010

MORTON COUNTY COMMISSION SPECIAL BUDGET MEETING

The Morton County Commission Special Budget Meeting was called to order on August 17, 2010, at 4:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Tokach seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

County Departments presented their budgets for 2011 to the commission.

Commissioner Boehm moved and Commissioner Tokach seconded to approve a contract with Interstate Engineering for Construction Engineering for \$32,824.19 for Stark Hills and Flasher North Bridges. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve a contract with Interstate Engineering for Construction Engineering on the Pederson Bridge for \$49,500.89. On a roll call vote, all commissioners present voted "Aye."

Ted Haff appeared about why the county hasn't sold all the abandon railroad property they purchased from Burlington Northern twenty years ago.

Commissioner Boehm moved and Commissioner Strinden seconded to recess the Special Budget Meeting at 7:30 PM until 4:00 PM August 25, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

August 23, 2010

MORTON COUNTY COMMISSION SPECIAL BUDGET MEETING

The Morton County Commission Special Budget Meeting was called to order on August 23, 2010, at 4:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach and County Auditor Paul E. Trauger.

Absent was Commissioner Zachmeier.

Commissioner Strinden moved and Commissioner Tokach seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

County Departments presented their budgets for 2011 to the commission.

Commission Zachmeier arrives at 5:00 PM.

Commissioner Strinden moved and Commissioner Boehm seconded to enter in the salary line item of each department \$100 per month plus retirement for each fulltime employee. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to recess at 8:00 PM until 2:00 PM on September 1, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING
July 13, 2010

The Morton County Commission Regular Meeting was called to order on July 16, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Boehm seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

David J. Stephens, Human Resources Director from Avitus, talked about salaries and health insurance for 2011.

Sheriff, Dave Shipman addressed courthouse security with the commissioners.

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3915 - # 3917. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the recommendation of the Morton County Planning and Zoning Board for Heidi's Homeland Subdivision, a one and one half (1.5) acres tract in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30, Township 139 North, Range 83 West and a zone change from "A" Agricultural to "R" Residential. The plat must show a 66 foot access road easement to the subdivision.

Commissioner Strinden moved and Commissioner Tokach seconded to extend Fred Berger's Conditional Special Use Permit for a 8000 Unit Animal Feeding Operation another 24 months until July 14, 2012 because of the law suit against the county and the delay in getting a water permit from the State Health Department. On a roll call vote, Commissioners Strinden, Tokach and Bitz voted "Aye." Commissioners Boehm and Zachmeier voted "Nay." Motion carried three (3) to two (2).

Commissioner Zachmeier moved and Commissioner Strinden seconded to approve the monthly bills and payroll, less the one to move the fishing pier to Nygren Dam. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the June 15, 2010 commission minutes as presented. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to appoint chairman Bitz the voting delegate for Morton County at the Mor-Gran-Sou Annual Meeting. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the funding of the jail needs study for \$15,000 for Morton County and the City of Mandan share of the study from the Correction Center Fund. On roll call vote, Commissioners Boehm, Strinden and Tokach voted “Aye.” Commissioners Zachmeier and Bitz voted “Nay.” Motion carried three (3) to two (2).

Commissioner Boehm moved and Commissioner Strinden seconded to approve Contract and Contract Bond for project STM-LCT_TEO 0030(039) for shared use path along 1806 north for \$557,811.35 with Northern Improvement. On roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Tokach seconded to approve the Contract and Contract Bond for projects CER-3039(080) (Judson) and CER-3020(077) (Flasher) with Martin Construction for \$184,526.68. On roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Zachmeier seconded to approve the awarding of the New Salem shared use path to Mariner Construction for \$72,119.95. On roll call vote, all commissioners present voted “Aye.”

Commissioner Tokach moved and Commissioner Boehm seconded to advertise for center line and edge stripping for August meeting. On roll call vote, all commissioners present voted “Aye.”

Ask the City of New Salem for a formal request and cost of fixing approach.

Commissioner Tokach moved and Commissioner Boehm seconded to deny the request from Schlosser’s 6th residents to close the section line running to the river, because the current trail to the river is not on the section line. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Zachmeier seconded to approve the Pledges of Security for County Funds in local Financial Institutions. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the chairman to sign a contract with Computer Professionals for five years with a yearly increase of 4%. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Zachmeier seconded to appoint Aggie Kasanke from New Salem to the Morton – Mandan Library Board for a term ending June

2012. And Rebecca Donovan from Mandan to the Morton-Mandan Library Board for a term ending June 30, 2013. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded recess until 5:00 PM to travel to Hebron for a commission meeting in the City of Hebron New Community Center. On a roll call vote, all commissioners present voted "Aye."

Reconvened at 5:30 PM at Hebron's Community Center with all present. Also present were Jane Brandt and Laurel and Kenneth Johnson.

The commissioners discussed the 2011 budget and the Harmon Lake maintenance.

The total of all county funds expended for June 16, 2010 thru July 13, 2010 amounted to \$1,592,008.88 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Tokach moved and Commissioner Boehm seconded to recess at 7:00 PM until 2:00 PM on August 10, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING
June 15, 2010

The Morton County Commission Regular Meeting was called to order on June 15, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Tokach seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

David J. Stephens, Human Resources Director from Avitus, passed around a mock up of the prescription drug card for Morton County. Mr. Stephen also suggested to start a safety committee for Morton County

Commissioner Boehm moved and Commissioner Strinden seconded to approve the prescription drug cards for the county. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3907 - # 3809 and 3911 -3914 and reject #3910. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to recess the County Commissioner Meeting for the County Board of Equalization Meeting. On a roll call vote, all commissioners present voted "Aye."

The Morton County Board of Equalization Meeting was called to order on June 16, 2010, at 2:30 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Boehm seconded to recess the County Board of Equalization Meeting until 3:00 PM on July 29, 2010. On a roll call vote, all commissioners present voted "Aye."

Reconvened with all present.

Commissioner Tokach moved and Commissioner Boehm seconded to approve the May Minutes and monthly bills and payroll. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to approve the Grant of \$2,550 to the City of New Salem through BMDA for a Morton County Economic Growth Project. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to set a public hearing at the request of Lawrence and Mavis Hoff on the closing of the N ½ of the section line between Section 18, Township 135 North, Range 83 West and Section 13, Township 135 North, Range 84 West for August 10, 2010 at 4:00 PM. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to approve the recommendation of the Morton County Planning and Zoning Board for Jody's Subdivision, a five (5) acres tract in NW ¼ of SW ¼ of Section 2, Township 138 North, Range 82 West and a zone change from "A" Agricultural to "R" Residential; Bohl Subdivision, a ten (10) acre tract in Lot A of SE ¼ of SE ¼ of Section 27, Township 136 North, Range 83 West and a zone change from "A" Agricultural to "R" Residential. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to deny Frank Gress request for a variance from a short form subdivision. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to use the Commercial Construction Building Fee Schedule based on 35 % of the total cost of a wind turbine in Morton County (including Minnesota Power). On a roll call vote, all commissioners present voted "Aye."

Tom Tokach appeared about not be able get a building permit and short form subdivision on his lot next to Timber Haven Subdivision because of his access road problem.

Commissioner Boehm moved and Commissioner Zachmeier seconded to refer Mr. Tokach to the Road Department for more information. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to advertise for sale on bids vehicle & equipment for disposal. Bids will be open on August 10, 2010 at 3:30 PM. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to authorize the chairman to sign Resolution on Project CER-3020 (077) Judson Bridge and CER-3039 (080) Flasher Bridge for \$184,527 with Martin Construction. On roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to authorize the Road Department to advertise for bids for New Salem Shared Use Path. Scheduled bid opening July 9, 2010 at 1:30 PM. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the Memorandum of Agreement for the relocation of the Peterson Bridge (BRO-0030 (41) to SE ¼ of the NW ¼ of Section 35, Township 138 North, Range 86 West. On roll call vote, all commissioners present voted “Aye.”

Kent Morrell and Elaine Morrell appeared about having the county blade 57th street a few time a year. The Road Department will check this out.

The County Engineer, Mike Aubol gave the commissioners an update on Fema Projects for 2009 and 2010.

Tim Penfield gave a GIS update.

Commissioner Boehm moved and Commissioner Strinden seconded to approve out of state travel for Vanessa Hoines, Extension Agent to attend the annual conference of the National Extension Association in Portland, Maine of September 19 – 25, 2010. NDSU will pay \$354 and Morton County share will be \$2,001. Mrs. Hoines will have to find the County’s share from the Extension 2010 Budget. On roll call vote, all commissioners present voted “Aye.”

Commissioner Tokach moved and Commissioner Strinden seconded to reappoint Josh Gartner to the Morton County Committee for School District Reorganization. Term will run until June 30, 2014. On roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the Road Department the purchase of used 1997 Ford Dump Truck for \$24,950 and used 1996 International Dump Truck for \$7,750. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the chairman to sign the request by Mitzel Builders to remove the following property from the county tax roll: Parcel # 29-9000 (lot G of Government Lot 2, Section 6, Township 138 North, Range 80 West) and Parcel # 29-3000 (Lot A of Government Lot 5, Section 6, Township 138 North, Range 80 West) platted into subdivision in the City of Mandan. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Zachmeier moved and Commissioner Boehm seconded to authorize the chairman to sign a letter in support of Bis-Man Transit Bus Grant. On a roll call vote, all commissioners present voted “Aye.”

Fort Rice Clean Up – Fort Rice Residents: Ryan Hertel, Richard Heck, Heidi Hertel, Karen Heck, John Backer, Kenny Heck, Edna Bohe, Bonnie Schultz, Alice Schultz, Robert Piper, Hank Bohe and George Gartner. Representatives of the States Attorney Office.

Discussion with commissioner about cleaning up the town site of Fort Rice, junk yards, use car lots and ponies. The commission will start over to make the town site of Fort Rice in compliance with the County Zoning Resolutions.

Commissioner Zachmeier moved and Commissioner Strinden seconded to have the County Auditor to write letters to all residents in Fort Rice and out lots that are in non compliance with the County Zoning Resolutions. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded that starting July 15, 2010 that the County Auditor, County Sheriff and Custer Health follow up on the violations each month and report to the County Commission and States Attorney. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to get a States Attorney Opinion on Fred Berger's request to extend his Conditional Use Permit for a Feed Lot. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for May 12, 2010 thru June 15, 2010 amounted to \$2,203,651.97 a detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Zachmeier moved and Commissioner Boehm seconded to recess at 6:15 PM until 2:00 PM on July 13, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTONCOUNTY COMMISSION REGULAR MEETING
May 11, 2010

The Morton County Commission Regular Meeting was called to order on May 11, 2010, at 1:50 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Strinden seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

David J. Stephens, Human Resources Director from Avitus, introduced Michael Wolf from ND Association of Counties, County Employers Group Manager to explain the safety program now being offer by ND Workforce Safety.

Commissioner Boehm moved and Commissioner Tokach seconded to approve a letter to county employers from chairman Bitz urging counties employees to use the on line safety program produced by ND Workforce Safety. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve a living snow fence agreement with Levi Binstock on the E ½ of Section 6, Township 137 North, Range 80 West. On a roll call vote, all commissioners present voted "Aye."

Mike Seminary, a City of Bismarck Commissioner address the county commissioners on the purposed long term jail study for Burleigh and MortonCounties.

Commissioner Strinden moved and Commissioner Boehm seconded to approve the Robert and Paulette Hague 2007 # 3879 abatement request because they qualified for a blind exemption, but the City of Mandan did not allow them to file abatement in a timely manner. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3896 - # 3897 and 3899 -3906 and reject #3898. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to approve the recommendation of the Morton County Planning and Zoning Board for a Special Use Permits for gravel pit on "A" Agricultural Zone Land for Scott Hoger in NE ¼ of Section 5, Township 139 North, Range 84 West; Kelly Heid in NW ¼ of Section 23, Township 140 North, Range 80 West; Pat Schmidt in NE ¼ of Section 30, Township 135 North, Range 80 West and short form Subdivision for Travis Estates in Lot 1, Block 4 of North County Estates and Lot 4 of the NE ¼ of Section 30, Township 81, North, Range 81 West with a zone change from "A" Agricultural Zone and "B" Recreational Zone to "R" Residential Zone. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to accept the two appraisals from Weishaar Appraisal Services for Parcels 1 & 1A of BRO-0030 MC0871 Peterson Bridge for \$1,198 and for Parcel 2 & 2A of Peterson Bridge for \$1,536. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to authorize the Road Department to contract an Architect to design a new shop for Glen Ullin. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the Road Department to purchase some use chain link fence for the New Salem Shop. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to appoint Mike Aubol, County Engineer as authorize agent for Morton County for FEMA declaration number 1907-EM-ND. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the 2010 Morton County Work Schedule. On roll call vote, all commissioners present voted "Aye."

Tim Penfield gave the commissioners an up date on GIS.

Commissioner Tokach moved and Commissioner Strinden seconded to bill the City of Mandan \$2,000 for ½ of the GIS cost so far. And Ask the City of Mandan for assistance on GIS the Strip... On roll call vote, all commissioners present voted "Aye."

Steve Kelsch gave the commissioners an up date on county computers.

Commissioner Strinden moved and Commissioner Tokach seconded to have the Custodian staff remove the hard drive from the junk computers and take them to the City dumps. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize out of state travel for Ron Otto, Veterans Service Officer to attend training in Bloomington, Minnesota on June 6 through 11, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the April minutes as presented. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the Recovery Zone Bond Program for Morton County. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to deny the Food Bank for Flasher request for transportation funding for 2010 and ask them to submit a budget request for 2011. On a roll call vote, all commissioners present voted "Aye."

Representatives of out phone system presented information on the cost of an up grade. Since the company will have a newer up grade by the end of September 2010. The commissioners will budget for the up grade in the 2011 budget and either purchase or lease the up grade. The company we get quotes to the county.

Commissioner Strinden moved and Commissioner Zachmeier seconded to approve the new LEC Agreement with the City of Mandan with corrections. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the landscaping of the LEC for a cost of \$1,380. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to advertise for a county member on the Morton-Mandan Library Board from the Flasher or New Salem area. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the monthly bills and payroll. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for April 14 thru May 11, 010 amounted to \$1,456,406.18 A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Boehm moved and Commissioner Tokach seconded to recess at 6:35 PM until 2:00 PM on June 15, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton CountyCommission _____

Paul E. Trauger, CountyAuditor _____

MORTONCOUNTY COMMISSION SPECIAL MEETING
May 7, 2010

The Morton County Commission Special Meeting was called to order on May 7, 2010, at 10:00 AM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach and County Auditor Paul E. Trauger. Others present from Bison Pipeline/Trans Canada were Frank Gress, Jerry Ehli, Cole Buerger, Beth Jensen, CountyEngineer, Mike Aubol and Timothy Spilman, tax payer.

Beth Jensen gave the County Commissioners an update on TransCanada's Bison Pipeline Project that crosses about 16 miles in Morton County.

Absent was Commissioner Andy Zachmeier.

Commissioner Boehm moved and Commissioner Strinden seconded to designate one of the Road Commissioners as the negotiator on road and bridge projects for 2010. adjourn at 10:45 AM. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to adjourn at 10:45 AM. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING

April 13, 2010

The Morton County Commission Regular Meeting was called to order on April 13, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Strinden seconded to approve the agenda with additions. On a roll call vote, all commissioners present voted "Aye."

David J. Stephens, Human Resources Director from Avitus, presented a prescription saving Program from the National Association of Counties.

Commissioner Tokach moved and Commissioner Boehm seconded to approve Morton County sponsoring The National Association of Counties' Prescription Drugs Saving Program. On a roll call vote, all commissioners present voted "Aye."

Flasher Food Pantry request would wait until next month for more information

Commissioner Strinden moved and Commissioner Boehm seconded to approve the Robert and Paulette Hague 2007 # 3879 abatement request because they qualified for a blind exemption, but the City of Mandan did not allow them to file abatement in a timely manner. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve following abatements: # 3888 - # 3895. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to approve out of state travel for two persons from the County Assessor Office to attend the regional assessor conference in Bloomington, Minnesota on June 21 through 23, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the recommendation of the Morton County Planning and Zoning Board for a Special Use Permit to Farm Wind Energy, LLC to construct 2 MW wind farm not to exceed ten (10) wind turbines on the following property: NW ¼ & NE ¼ of Section 6, Township 139 North, Range 82 West; NE ¼ of Section 1, Township 139 North, Range 83 West; W ½ of SE ¼ & NE ¼ of Section 36, Township 140 North, Range 83 West. On roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to set a Public Hearing for Article 25 for Planning and Zoning Meeting on April 29, 2010. On a roll call vote, all commissioners present voted "Aye."

Herbert Friesz appeared about 41st street passed his former farm. The County Engineer will look at the request and report back to the commissioners.

Lonnie Lundstrom appeared about his road. The County Engineer will look at the request and report back to the county commissioners.

Commissioner Tokach moved and Commissioner Boehm seconded to use the Morton County Fencing Schedule passed October 2005 for 2010 damage caused by Morton County in snow removal. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the chairman to sign the County Township Road Mileage Certification. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to pay for the ASE certification for the County Mechanic. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to not spend any more county funds on the Hendrickson Bridge until the county hears from FEMA. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to authorize the re-applying of phase III of multi-used trail along 1806. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the allocation of E-911 funds for Morton County/ Mandan Communications. The City of Mandan \$19,729.27 and Morton County \$83,224.32 based on 2009 revenues and expenditures. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize out of state travel for Lt. Jerry McClure of the Sherriff Department to attend the Mid-States Organized Crime Center at Branson, Missouri on September 14 trough 16, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the chairman to sign NDDOT grant for over time for Sheriff Department. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to approve the March Commission Minutes with corrections. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to require that all Department Heads should go through the Human Resource Director and Job Service when requesting replacement employees. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the monthly bills and payroll. On a roll call vote, all commissioners present voted "Aye."

Starion Bank representatives made a presentation to the County Commissioners requesting more of the county business.

Commissioner Strinden moved and Commissioner Boehm seconded that the two commissioners that hold the Finance Portfolio and the County Treasurer meet with all financial institutions in Morton County for the best deal for the county warrant bank account. On a roll call vote, all commissioners present voted "Aye."

Mylo Candee made a presentation to the commissioners on Penitentiary Park.

Commissioner Zachmeier moved and Commissioner Strinden seconded to recess the County Commission Meeting for the County Park Meeting at 6:45 PM. On a roll call vote, all commissioners present voted "Aye."

MORTON COUNTY PARK BOARD MEETING April 13, 2010

The Morton County Park Board Meeting was called to order on April 13, 2010, at 6:45 PM by Chairman Jerry Jeske at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Mark Bits, James Boehm, Raymond Morrell, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Reorganization of the County Park Board.

Nominations for 2010 chairman were called for.

Commissioner Morrell nominated Jerry Jeske for chairman for 2010.

Commissioner Morrell moved and Commissioner Bitz seconded to cease nominations and instruct the secretary to cast unanimous ballot for Jerry Jeske for chairman for 2010. On a roll call vote, all commissioners present voted "Aye."

Nominations for 2010 vice-chairman were called for.

Commissioner Bitz nominated Andy Zachmeier for vice-chairman for 2010.

Commissioner Morrell nominated him self for vice chairman for vice-chairman for 2010.

On roll call vote Zachmeier received four (4) votes and Morrell received three (3) for vice-chairman.

Commissioner Bitz moved and Commissioner Boehm seconded to raise camp ground fees from \$12 & \$3 to \$15 & \$5 effective May 1, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Morrell moved and Commissioner Strinden seconded to check with NDIRF about putting a fence around the rocks at Sugar Loaf. On a roll call vote, all commissioners present voted "Aye."

Commissioner Morrell moved and Commissioner Strinden seconded to raise the pay of the Park Ranger from \$900 to \$1,000 per month. On a roll call vote, all commissioners present voted "Aye."

Commissioner Bitz moved and Commissioner Strinden seconded to adjourn the Morton County Park Board Meeting at 7:45 PM. On a roll call vote, all commissioners present voted "Aye."

Jerry Jeske, Chairman, Morton Park Board _____

Paul E. Trauger, County Auditor _____

Reconvene regular County Commission Meeting with all present.

Tracy Potter gave the commissioners a presentation on an application for Rural Business Opportunity Grant from Five Nations Arts, a Division of the Fort Abraham Lincoln Foundation.

Commissioner Strinden moved and Commissioner Tokach seconded to authorize the chairman to sign a letter of support for the application for Rural Business Opportunity Grant from the Five Nations Arts. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve the extra cost at the LEC by R3 contracting for \$28,171.52. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to ask the States Attorney, Allen Kopy to give the commissioners a written opinion on the deed (document 260968) from the United States of America to the Northern Pacific Railway, who sold it to Morton County, what ownership does Morton County have if any? On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for Mach 10 thru April 13, 010 amounted to \$3,727,536.19 A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Boehm moved and Commissioner Strinden seconded to recess at 8:20 PM until 2:00 PM on May 11, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING
March 9, 2010

The Morton County Commission Regular Meeting was called to order on March 9, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Andrew Zachmeier and County Auditor Paul E. Trauger.

Absent was Commissioner Dick Tokach.

Commissioner Strinden moved and Commissioner Boehm seconded to approve the following policy found on page 11 of the current handbook under Termination Procedure (for Cause) delete entire section. Effective immediately the following language: In the event a termination for cause is contemplated by a Department Head, the Department Head will contact Human Resources to review the evidence and the decision to terminate. Once the decision has been made to terminate, the employee will be notified in writing of the reasons for termination. The terminated employee shall have the right to appeal the decision within 10 days of dismissal to the County Commission which must hear the request within 30 days of receipt. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve following abatements: # 3872 - # 3878; # 3880 - # 3887. The abatements are available for public inspection during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to hold Robert and Paulette Hague 2007 # 3879 abatement request for more information if the County Commissioners could compromise the tax for 2007 as the City of Mandan recommended. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve the recommendation of the Morton County Planning and Zoning Board for Stroh First and Harmon Village 13th with zone changes to "R" Residential. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the chairman signing Flood Emergency Declaration for Morton County. On a roll call vote, all commissioners present voted "Aye."

Culvert Bids: Johnson Fargo Culvert, Inc. \$29,120.60

Commissioner Boehm moved and Commissioner Strinden seconded to accept culvert bid from Johnson Fargo Culvert for \$29,120.60 for 1,400 feet of various sizes of steel culverts and bands. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize load restrictions to go on county roads March 10, 2010. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the chairman to sign the gravel processing contract with Fischer Sand and Gravel of Dickinson, North Dakota for \$373,500 or \$4.98 per cubic yard. On roll call vote, all commissioners present voted "Aye."

Tim Penfield gave the commissioners an update on GPS.

Steve Kelsch gave the commissioners an update on the cost of the NRG IT contract.

Keith Johnson appeared before the commission looking for more space in the courthouse for Custer Health.

Insurance Bids: Security Insurance and Nodak Mutual Insurance through North Dakota Insurance Reserve Fund. Liability \$51,673, Inland Marine \$11,690, Business Auto \$36,624.

Commissioner Strinden moved and Commissioner Boehm seconded award the insurance agent for the next two (2) years to Nodak Mutual. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to advertise for bids on replacement of the Timer Bridge. On roll call vote, all commissioners present voted "Aye."

JoAnn Ozbun appeared to request the commissioners fund travel expense of \$130 every other month to transport commodities to Flasher for the Food Bank. The commissioners will check on what the other small cities in the county are doing.

County Extension Agent, Jackie Buckley and Gerald Sturn District Director appeared on increase mill levy for extension activities.

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize a ballot measure put on the June Primary Election Ballot to increase the Extension levy by one (1) mill. On roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to approve the monthly bills and payroll, except the bill for a new radio in the Auto Car Truck. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to authorize the payment of the \$168 for a new radio in the Auto Car Truck. On a roll call vote, Commissioners Strinden, Boehm and Bitz voted "Aye." Commissioner Zachmeier voted "Nay." Motion carried three (3) to one (1).

Pat Downs addressed the commission on behalf of the Mandan Cheese Plant Committee.

Commissioner Boehm moved and Commissioner Zachmeier seconded to recommend to BMDA to fund the committee \$10,000 from Morton County Development funds. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm leaves at 5:25 PM for another meeting.

Ron Otto, Veteran Service Officer gave the commissioners an update on memorial in front of the courthouse.

Public hearing on Long Range Transportation Plan 2009-2035

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize the chairman to sign a Resolution of Adoption of the 2010-2035 Bismarck – Mandan Long Range Transportation Plan. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Bitz seconded cancel the balance of the Bismarck Tribune bill to Tammy Lapp Harris because she had it approved in her budget for 2009. On a roll call vote, Commissioners Strinden and Bitz voted “Aye.” Commissioner Zachmeier voted “Nay.” Motion carried two (2) to one (1).

County Park Board Meeting cancelled because lack of a quorum of Park Board members present.

Vern Davis, Park Superintends gave the County Commission an update of Park activities.

Commissioner Strinden moved and Commissioner Zachmeier seconded to reject low bid for phase III of the share use path north of Mandan along North Dakota State Highway 1806 toward Harmon Lake. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Zachmeier seconded to authorize the County Engineer to negotiate with North Dakota Department of Transportation to shorter phase III of share use path. On a roll call vote, all commissioners present voted “Aye.”

States Attorney, Allen Kopy appeared and stated George Gartner’s dump ground at Fort Rice is a private nuisance and not a public nuisance. States Attorney, Kopy reported that his office will not be pursuing a criminal complaint in regards to this zoning violation. States Attorney stated that his office will be issuing a written memo in the future in regards to the Fort Rice complaint.

Ted L. Haff appeared about the abandoned railroad property the county owns. Mr. Haff felt if the county lowers the price per acre the county should refund past purchasers the difference plus interest.

Commissioner Zachmeier moved and Commissioner Strinden seconded to request the States Attorney to request an Attorney General Opinion on the best way to dispose of the remaining abandoned railway property. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Zachmeier seconded to request the States Attorney to write a letter to Wayne Gifford Sr. to deny the request for payment for gravel from Morton County in the amount of \$150,000. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Zachmeier seconded to request the States Attorney to draft a bill for Marvin Klein and Tom Tokach for cost of a building permit and a fine to be the expect cost of a Short Form Subdivision Plat. The fine will be waived if Mr. Klein and Mr. Tokach complete the zoning requirements of a Short Form Subdivision Plat. On a roll call vote, all commissioners present voted "Aye."

The total of all county funds expended for February 10 thru March 09, 2010 amounted to \$4,560,817.95. A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Zachmeier moved and Commissioner Strinden seconded to recess at 7:15 PM until 2:00 PM on April 13, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION SPECIAL MEETING April 5, 2010

The Morton County Commission Special Meeting was called to order on April 5, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach and County Auditor Paul E. Trauger.

Absent was Commissioner Andrew Zachmeier.

Emergency Manager, Tammy Lapp-Harris gave the County Commissioners storm briefing.

Don Franklund, co-manager of Mor-Gran-Sou Electric Cooperative gave the County Commissioners an update on the storm damage to their system by the storm.

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the chairman to sign the following:



TAMMY LAPP - HARRIS
Emergency Manager
911 Coordinator
Communications Director
Homeland Security

MORTON COUNTY

OFFICE OF
EMERGENCY MANAGEMENT



210 2nd AVENUE N. W. • MANDAN, NORTH DAKOTA 58554 • PHONE (701) 667-3307 • FAX (701) 667-3296 • EMAIL:tlapp@state.nd.us

EMERGENCY DECLARATION, MORTON COUNTY, NORTH DAKOTA

April 5, 2010

WHEREAS, Morton County has the potential for damages to roads, bridges, culverts, farmlands, homes, businesses, power lines and poles and other public facilities in the county and cities caused by excessive wet heavy snow and spring runoff; and

WHEREAS, the impact of these potential damages may threaten the health, well-being and public safety of citizens in Morton County; and

WHEREAS, the cost of cleanup, repair and replacement of such damages may be in excess of available county and private resources; and

WHEREAS, the Morton County Commission has lifted all load restrictions on the Morton County roads.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners declares an emergency and orders the activation and utilization of the County Emergency Operations Plan, its procedures, attachments and appendices to monitor the situation, alleviate hardship and initiate appropriate relief actions and mitigation measures by departments and agencies of local government to limit the hardship and impact of this emergency upon the citizens of Morton County.

DATED at Mandan, North Dakota this 5th day of April, 2010.



Morton County Commission Chairman

On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the chairman to sign Construction and Maintenance Agreement and a right of way certification letter, and utility certification letter for project CER 3039(080) Bridge # 30-140-29.0, 7 MI N& 2 MI W of Flasher and project CER 3020 (070) Bridge #30-143-19.0, 9 MI S & 3 MI E of Judson. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Strinden seconded to adjourn the special meeting at 10:35 AM. On a roll call vote, all commissioners present voted “Aye.”

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING
February 9, 2010

The Morton County Commission Regular Meeting was called to order on February 9, 2010, at 2:00 PM by Chairman Mark Bitz at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners James Boehm, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Boehm moved and Commissioner Tokach seconded to approve agenda as amended and changed. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve of the termination investigation of Stephanie Johnson from the Communication Department. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve following abatements: # 3856 - # 3871. The abatements are available for public inspections during regular business hours in the Morton County Auditor's Office. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to approve a Special Use Permit for Verizon Wireless for a 260 foot free standing cell tower. The tower site is located in the SW ¼ of Section 11, Township 139 North, Range 87 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve a change order for \$30,718.90 with R3 Contracting for addition work in the basement of the LEC in connection with the diesel fuel. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to approve using an Epoxy Base and a Quartz Epoxy Finish Coat on the entire basement floor of the LEC for \$83,185 and replacing carpet in the meeting room, dressing room and rubber tile in the weight room. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to call for bids for 1,400 lineal feet of corrugated steel pipe and bands. Bids will be open on March 9, 2010 at 3:00 PM. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to authorize the chairman to sign a gravel pit lease with Scott Hoger for \$.75 per cubic yard. The pit is located in the NE ¼ Section 5, Township 139 North, Range 84 West. On roll call vote, all commissioners present voted "Aye."

Chairman Bitz and Vern Davis will attend the state bid opening for STM-TEO-0030(39) for multiuse trail on February 19, 2010.

Commissioner Tokach moved and Commissioner Boehm seconded to approve the January 2010 meeting minutes with corrections. On roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to approve the monthly bills and payroll. On roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Tokach seconded to authorize the chairman to sign a letter of support for the Juvenile Offender Grant Application. On roll call vote, all commissioners present voted “Aye.”

Commissioner Strinden moved and Commissioner Boehm seconded to authorize the following 2009 budget amendments:

MORTON COUNTY BUDGET ADJUSTMENTS FOR 2009

FUND	LINE ITEM	EXPENDITURES ACCOUNT #	DEBIT	CREDIT
General				
	Appropriations	101.000.2920	\$140,000.00	
	Homeland Security	101.417.6349		\$140,000.00
Road & Bridge				
	Appropriations	201.000.2920	\$2,650,000.00	
	Salaries	201.433.6101		\$60,000.00
	Overtime	201.433.6114		\$180,000.00
	Health Insurance	201.433.6211		\$15,000.00
	Contractor Assist	201.433.6386		\$281,000.00
	Gas, Diesel & Others	201.433.6426		\$150,000.00
	Stock Items	201.433.6435		\$135,000.00
	Gravel	201.433.6442		\$500,000.00
	Fema	201.433.6446		\$1,100,000.00
	Capital Outlay	201.433.6655		\$229,000.00
Unorganized Road				
	Appropriations	202.000.2920	\$298,700.00	
	Transfers Out	202.435.6891		\$298,700.00
Social Security				
	Appropriations	211.000.2920	\$12,645.00	
	Fica Match	211.480.6221		\$12,645.00

Abandoned Cemeteries

Appropriations	216.000.2920	\$4,100.00	
Transfer Out	216.487.6891		\$4,100.00

DHS Grant 09-10

Appropriations	215.000.2920	\$4,800.00	
Salaries	215.550.6101		\$4,800.00

DHS Cap 08-09

Appropriations	226.000.2920	\$7,300.00	
Consultants	226.550.6110		\$7,300.00

Gearing up for Kindergarten

Appropriations	227.000.2920	\$11,000.00	
Class Room Teacher	227.550.6142		\$11,000.00

United Tribes

Appropriations	228.000.2920	\$600.00	
Consultant	228.468.6110		\$600.00

Sheriff Special

Appropriations	229.000.2920	\$150.00	
Misc.	229.550.6989		\$150.00

Children Services

Appropriations	232.000.2920	\$1,450.00	
Office Supplies	232.550.6401		\$1,450.00

PCA ND/ Circle

Appropriations	233.000.2920	\$600.00	
Supplies	233.550.6401		\$600.00

PRC Program Grants

Appropriations	235.000.2920	\$4,000.00	
Supplies	235.550.6401		\$4,000.00

MC Community Garden

Appropriation	236.000.2920	\$100.00	
Supplies	236.550.6401		\$100.00

Debt Service

Appropriation	301.000.2920	\$675,000.00	
Transfer out	301.472.6891		\$675,000.00

Federal Aid Hwy Bonds

Appropriations	302.000.2920	\$185,000.00	
Bond Payment	302.476.6896		\$185,000.00

Land Line E-911

Appropriations	409.000.2920	\$277,000.00	
Up Keep	409.454.6989		\$277,000.00

Wireless E-911

Appropriations	410.000.2920	\$130,000.00	
Payments	410.550.6989		\$130,000.00

Internal Service

Appropriations	701.000.2920	\$501,000.00	
Transfer Out	701.492.6891		\$501,000.00

Document Preservation

Appropriations	816.000.2920	\$6,500.00	
Payments	816.550.6989		\$6,500.00
MC Economic Devl			
Appropriations	842.000.2920	\$8,700.00	
Salaries	842.511.6499		\$8,700.00
TOTAL		\$4,918,645.00	
\$4,918,645.00			
Road and Bridge			
Fema	201.301.5309	\$804,000.00	
State Grants	201.301.5340	\$1,750,000.00	
Est Revenues	201.000.2910		\$2,554,000.00
Unorganize Road			
State Grants	202.303.5351	\$175,000.00	
State id	202.303.5361	\$103,000.00	
Est Revenues	202.000.2910		\$278,000.00
Debt Service			
Loan Proceeds	301.329.5364	\$946,425.00	
Transfer In	301.329.5799	\$300,000.00	
Rst Revenue	301.000.2910		\$1,246,425.00
Totals		\$4,078,425.00	\$4,078,425.00

On roll call vote, all commissioners present voted "Aye."

Opening Gravel Crushing Bids: Fisher Sand & Gravel Co. \$4.98 per cubic yard total \$373,500; Gravel Products Inc. \$5.08 per cubic yard total \$381,000; Sundre Sand & Gravel Inc. \$7.92 per cubic yard total \$594,000.

Commissioner Boehm moved and Commissioner Strinden seconded to accept low bid from Fisher Sand & Gravel Co. and rank other bidders in order of their bid. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to review and approve the Pledges of Security of the various banks that Morton County has funds on deposit. On a roll call vote, all commissioners present voted "Aye."

Public hearing on closing section line in Harmon Village 13th.

Dennis Daniels said he was not in favor of closing any section line.

Commissioner Strinden moved and Commissioner Tokach seconded to find public benefit of Harmon Village 13th to close the section line from the NE corner of the NE 1/4 of Section 13, Township 140 North, Range 82 West and the NW corner of NW ¼ of Section 18, Township 140 North, Range 81 West south along the section line a distance of 2,140.76 feet to the north boundary line of Auditor's Lot L of said Section 13, Township 140 North, Range 82 West and the north boundary line of Auditor's Lot K of said Section 18, Township 140 North, Range 81 West. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to authorize the chairman to sign a Court Service Agreement transferring City of Glen Ullin Municipal Cases to District Court. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to not allow County Employees to charge meals on their county credit card. If meals are outside of conference or training registration they must be claimed on a traveler voucher for reimbursement. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Boehm seconded to request the County Auditor to compile a list of opinion requests by the County Commissioners of the County States Attorney forward them to Mr. Kopyy by the next meeting. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to advertise for Insurance coverage for the County in 2010. Bids will be open at 4:00 PM March 9, 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the payment of Senior Citizens Funds of \$195,000 as recommended by the Council on Aging. On a roll call vote, all commissioners present voted "Aye."

Ted L. Haff appeared about the abandoned railroad property the county owns. Mr. Haff felt if the county lowers the price per acre the county should refund pass purchasers the

difference plus interest.

The County Auditor will have a list of abandoned railroad with acres and current adjacent land owners at the next commission meeting.

The total of all county funds expended for January 13 thru February 09, 2010 amounted to \$9,062,213.69. A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Boehm moved and Commissioner Strinden seconded to recess at 6:10 PM until 2:00 PM on March 9, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz, Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION REGULAR MEETING
January 12, 2010

The Morton County Commission Regular Meeting was called to order on January 12, 2010, at 2:00 PM by Chairman James Boehm at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Mark Bitz, Bruce Strinden, Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Commissioner Strinden moved and Commissioner Zachmeier seconded to approve agenda. On a roll call vote, all commissioners present voted "Aye."

Reorganization of the County Board.

Chairman Boehm released the chair for reorganization of the Board of Commissioners to the County Auditor.

Auditor Trauger called for nominations for Chairman for 2010.

Commissioner Tokach nominated Commissioner Mark Bitz for chairman for 2010.

Commissioner Boehm moved and Commissioner Strinden seconded to cease nominations and cast a unanimous ballot for Commissioner Mark Bitz for chairman for 2010. On a roll call vote, all commissioners present voted "Aye."

Auditor Trauger called for nominations for Vice-Chairman for 2010.

Commissioner Tokach nominated Commissioner Bruce Strinden for Vice-Chairman for 2010.

Commissioner Boehm moved and Commissioner Bitz seconded to cease nominations and cast a unanimous ballot for Commissioner Bruce Strinden for Vice-Chairman for 2010. On a roll call vote, all commissioners present voted "Aye."

Auditor Trauger released the chair to newly elected Chairman Bitz.

Commissioner Boehm moved and Commissioner Tokach seconded to approve the December 28, 2009 minutes and January 2010 bills of \$136,287.20 and accounts payables for 2009 of \$94,437.03. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to set a public hearing on closing section line in the proposed subdivision of Harmon 13th for February 9, 2010 at 4:15 PM. On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Boehm seconded to approve the following portfolios for 2010:

Dick Tokach:

Roads, Bridges & Gravel
Legislation & Taxation
Inventory & Fixed Assets
Finance & Insurance
County Weed Board
Information Technology
Social Services Board

Commissioner Boehm

County Extension Service
Roads, Bridges & Gravel
Legislation & Taxation
School Advisory Board
Personnel

Commissioner Zachmeier

County Zoning
Parks & Recreation
Courthouse & Building Maintenance
Youth Services
Social Services Board
Information Technology
Community Action
Bismarck-Mandan Metropolitan Planning Organization
Council on Aging & Housing
Mental Health

Commissioner Strinden

Veterans Affairs
Legislation & Taxation
Historical
Emergency Management
Sheriff & Judicial
Financing & Insurance
Lewis & Clark Regional Development Council
County Fair Board
State Fair Board
Bismarck-Mandan Development Association
Morton-Mandan Library

Commissioner Bitz
County Zoning
City Zoning
Sanitation – Landfills
Parks & Recreation
Sheriff & Judicial
Emergency Management
Personnel
Mandan Progress Organization

On a roll call vote, all commissioners present voted “Aye.”.

Commissioner Boehm moved and Commissioner Tokach seconded to approve following abatements: # 3831, and #3846 - # 3855. The abatements are available for public inspections during regular business hours in the Morton County Auditor’s Office. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Zachmeier moved and Commissioner Boehm seconded to sell the tax lots to the respective cities for \$1 for each lot for the cities to protect their specials. On a roll call vote, all commissioners present voted “Aye.”

Commissioner Boehm moved and Commissioner Tokach seconded to set the following meeting dates:

Tuesday	January 12, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	February 9, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	March 9, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	April 13, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	May 11, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	June 15, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	July 13, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	August 10, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	September 14, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	October 12, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	November 9, 2010	2:00 PM	5:30 PM	Commission Room
Tuesday	December 14, 2010	2:00 PM	5:30 PM	Commission Room

On roll call vote, all commissioners present voted “Aye.”

David Stephens of Avitus introduced Ryan Braley, Avitus’s Senior HR Manger from Billings, Montana.

Mr. Stephens reported on charges to employees for personal use of county vehicle. Avitus will issue 1099’s.

Commissioner Boehm moved and Commissioner Tokach seconded to approve of the salary schedule for Morton County for 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Strinden seconded to request a written opinion from the States Attorney if Morton County can reimburse county employees more than the per meal allowance set out in the NDCC 44-08-04 section 2, and according to 44-08-03. On a roll call vote, all commissioners present voted "Aye."

Residents of various county subdivisions appeared requesting gravel for their subdivision roads.

County Engineer, Michel Aubol stated that the county is working on a plan to do maintenance on subdivision roads.

Melvin Fischer appeared before the commissioners asking why his road was on the third day plow route when his neighbor's was plowed on the first day right into his yard. The commissioners will review Mr. Fischer's request.

Commissioner Tokach moved and Commissioner Boehm seconded to authorize the chairman to sign a scoria pit lease with the Schatz Family Trust for \$1.10 per cubic year on the SE ¼ of Section 10, Township 138 North, Range 89 West. On roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Tokach seconded to authorize the chairman to sign a gravel pit lease with Kelly Heid at \$.75 per cubic yard on N ½ of Section 23, Township 140 North, Range 85 West. On roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize the Road Department to advertise for gravel crushing and stock pile bids for 2010. Bid open set for February 9, 2010 at 4:00 PM. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Boehm seconded to approve the Road Department purchasing four (4) Hesston Disc Mowers from Duppong's for \$30,160 based on quotes. On roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Strinden seconded to approve the Road Department renting a tractor from Twin City Implement for \$35 per hour for snow blowing. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to authorize the Road Department to rent a cat dozer from Butler Machinery for \$4,850 per month for 176 hours plus \$21 for every additional hour of use. On roll call vote, all commissioners present voted "Aye."

Commissioner Strinden moved and Commissioner Tokach seconded to authorize the Morton County Road Department to plow snow on City of Mandan's 30th Avenue NW and 37th Street NW so the Mandan Rural Fire Department can get their fire fighting equipment out in Emergencies, but clear it with the city officials. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Zachmeier seconded to designate depositories for county funds in 2010. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Strinden seconded to authorize the county to pay off the City of Mandan Specials and other equipment loans. Since the interest rates on investments are so low. On a roll call vote, all commissioners present voted "Aye."

Commissioner Boehm moved and Commissioner Tokach seconded to authorize out of state travel for Tammy Harris, Emergency Manager and four (4) dispatchers to travel to Sioux Falls, South Dakota on April 6 though 8, 2010 to attend a conference. On a roll call vote, all commissioners present voted "Aye."

Commissioner Zachmeier moved and Commissioner Tokach seconded to authorize KLJ \$20,500 to finish the design, bidding and construction engineering on the new radio tower on old red trail. On a roll call vote, all commissioners present voted "Aye."

Dennis Daniels appeared before the commissioners asking why the county did not use snow fencing in snow trap areas. The county has been using living snow fence where landowners would cooperate.

A representative of LBJ gave the commissioners an update on the dewater project at the LEC.

The total of all county funds expended for December 2009 and January 12, 2010 amounted to \$1,747,863.11. A detailed list of funds expended by check is available for public inspection anytime during regular business hours at the Morton County Auditor's Office.

Commissioner Tokach moved and Commissioner Zachmeier seconded to recess until 2:00 PM on February 9, 2010. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____

MORTON COUNTY COMMISSION SPECIAL MEETING

January 12, 2010

The Morton County Commission Special Meeting was called to order on January 25, 2010, at 2:20 PM by Chairman Vice-chairman Bruce Strinden at the Morton County Courthouse, 210 Second Avenue NW, Mandan, North Dakota. Others present were Commissioners Dick Tokach, Andrew Zachmeier and County Auditor Paul E. Trauger.

Absence were commissioner Mark Bitz and James Boehm.

Commissioner Tokach moved and Commissioner Zachmeier seconded to approve the following resolution



TAMMY LAPP - HARRIS
Emergency Manager
911 Coordinator
Communications Director
Homeland Security

MORTON COUNTY

OFFICE OF
EMERGENCY MANAGEMENT



210 2nd AVENUE N. W. • MANDAN, NORTH DAKOTA 58554 • PHONE (701) 667-3307 • FAX (701) 667-3296 • EMAIL: tlapp@state.nd.us

SNOW EMERGENCY DECLARATION, MORTON COUNTY, NORTH DAKOTA

January 23, 2010

WHEREAS, Morton County, North Dakota has received freezing rain, sleet and wet snowfall for the winter season; and

WHEREAS, Morton County has had sleet, freezing rain and wet snowfall and expected wind speeds up to 45 mph; and

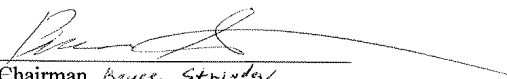
WHEREAS, the Morton County Highway Department and City Public Works resources are committed to keeping emergency routes open and have made an inordinate effort to try to keep roads passable. Progress is impeded due to continued periods of snowfall, blowing snow and excessive winds. Local power companies are struggling to restore power to Morton County residents; and

WHEREAS, the impact of continued conditions may threaten the health, well-being, and safety of the citizens in Morton County; and

WHEREAS, this effort has had a serious financial effect on the county and cities involved and Morton County in general.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Morton County Commissioners does declare a state of emergency exists in Morton County, North Dakota.

DATED at Mandan, North Dakota this 23rd day of January, 2010.


Vice Chairman Bruce Strieder
Morton County Board of Commissioners

On a roll call vote, all commissioners present voted "Aye."

Commissioner Tokach moved and Commissioner Zachmeier seconded to adjourn the special commission meeting. On a roll call vote, all commissioners present voted "Aye."

Mark Bitz Chairman, Morton County Commission _____

Paul E. Trauger, County Auditor _____