

GRASS ROOTS REPORT



SPRING 2022

The Official Newsletter of the ND Township Officers Association

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Township Transportation Fund Program Grant Period Now Open

The link to the TFFP Grant

Web-site and Application:

www.dot.nd.gov/ttffp

North Dakota Department of Transportation (NDDOT) has been directed by the 2021 ND Legislature, through HB 1015 Section 13 Paragraph 2, to seek at least \$10 million dollars in federal funds to match an equal amount of appropriated state dollars for township transportation projects. Depending on obtained matching grants, up to \$20 million dollars could be available through this program.

Funding will only be released as matching federal dollars are secured. Applications are due May 31, 2022, and the program funding end date is 06/30/2023, funding beyond that date is not guaranteed. All applications will be completed online. If that is not possible for you, rare exceptions to this requirement may be considered on a case-by-case basis. (Kenneth Steiner 701-318 -6320). A financial match by the township is NOT required, however please report other finances included/available. The item "Types of Projects" includes options where other funding may be available.

Apply and someone will contact you regarding other funding options if applicable.

In partnership with NDDOT, the Upper Great Plains Transportation Institute (UGPTI) is soliciting applications for these funds. The application on this web site will need to be completed in its entirety, including an area map showing the location of the project. On page 6 of this newsletter there is a guide to the information that is required for an application.

Townships do NOT have a matching requirement on these grants. However, NDDOT and UGPTI are working to establish the extent of the funding needs for township transportation projects. The application asks for "amount of local funds contributed". This information is not a factor in approval of individual projects but will be valuable in establishing the need in the report back to the ND Legislature.

Each project should include a separate application. Projects that involve multiple TYPES of projects can explain that fact in the project narrative. For example, a project may resurface a stretch of road, as well as take care of drainage issues.

Separate applications should be submitted for any project that would require an additional map to define the physical location of the project.

If a project has or potentially has other partners involved, please identify that information in the project narrative toward the end of the application, including multi-jurisdictional partners (two townships) or private partners.

What Type of Projects Will Be Eligible for the TFFP?

Initially, the funds are targeting projects that serve the purpose of repairing routes between multiple townships with a connection to higher level county major collectors or state roads. A project within a single township that serves the same purpose of connecting to higher level county or state collector roads meets this requirement.

Townships are encouraged to submit projects regardless of funding amounts requested, whether the project meets the initial project priorities, or the township anticipates approval. UGPTI, in partnership with NDDOT, is working to establish the unmet needs in the township transportation category.

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President's Comments



Hello Township Officers,

I hope everyone made it through winter without going over budget on snow removal. This of course depends on which part of the state you live in. Some areas were hit hard with snowstorms, and some went through winter relatively dry. Let's hope that the areas with the large snow amounts don't see too many soft roads or washouts. Meanwhile in the areas that are dry, we hope to see sufficient moisture to get the crops and the grasslands growing and have necessary moisture to properly maintain our roads.

In February NDTOA's board members and employees traveled around the state putting on workshops to educate township officers. We were joined by Mark Verke of North Dakota Insurance Reserve Fund (NDIRF) and several members from North Dakota Local Technical Assistance Program (NDLTAP) and Upper Great Plains Transportation Institute (UGPTI). It was great to tour the state and meet with township officers, making sure they all have the updated township officer handbooks. By traveling throughout the state, we are able to visit with township officers about different situations that they deal with daily. Usually, we are able to offer advice about how to handle various challenges. However, there are times that we find problems that need to be brought to the attention of our state Legislator's. By meeting with township officers at these workshops, it gives us the ability to understand what we need to work on.

I would like to bring attention to the HB 1015. This was the bill that was passed during the 2021 Legislative Session. The bill was to make grant money available for all townships to apply for. The grant process has been worked on by North Dakota Department of Transportation (NDDOT), UGPTI and NDTOA. We are at the point that the townships can soon start the application process. You should check www.ndtoa.com for current updates. If you provided us with your email address, you will receive information explaining which projects qualify for the grant. If you have not provided NDTOA with your email address, contact Larry Syverson at larry.ndtoa@gmail.com so you can receive important information about the grant in a timely manner. Please include your name, county, township and email address. The application deadline to apply for the grant is May 31, 2022

Hope everyone has a great spring.

President Lee Brandvold

Former NDTOA Director Passes Away



Ralph D. Olson, 88, of Maddock, ND passed away Saturday, March 26, 2022, at his home under the care of hospice.

He was born August 17, 1933, on the family farm in Albert Township, Benson County, ten miles north of Maddock. He attended a rural school in Albert Township, as well as in Maddock.

Ralph operated the family farm in Albert Township and drove a school bus for Maddock Public School. He retired from farming in 1993 and became a full-time bus driver, adding the responsibility of bus maintenance and bus route supervisor. Ralph continued in this position until 2017 when he retired, at the age of 83, with the title of

Transportation Coordinator/Manager. He continued as a substitute driver until 2019.

He served on numerous boards and committees, including church, township, and the state township officers association.

He was nominated by his fellow State Township Officers and received the Mr. Township/Grassroots Leadership Award in 2004. He was presented the first ever NDTOA Meritorious Service Award in 2020.

Ralph served the Albert Township for over 45 years, Benson County Township Officers Association for over 30 years, and the North Dakota Township Officers Association for over 20 years.

Ralph was a generous and selfless volunteer, helping organize many benefits, and could always be counted on to lend a helping hand.

Ralph is survived by his wife of 68 years, Louise Olson as well as their three children, several grand and great-grandchildren.

TTFP Grant Website and Application *cont'd from page 1*

For specific types of projects there are quite a few that will qualify. Whatever your township needs to do, put your facts and figures together and be ready to apply. If your project doesn't exactly match any of the listed types, use the "Other" option and describe your project, it might qualify.

The goal is not to make it difficult for townships to get these funds but to direct the funds to the goals the legislature has intended and secure the needed federal funds. It is hoped that all the funds will be allocated and that we can go to the 2023 legislative session with the fund empty and ask for more. So please put some work into this and apply.

TIME TO CONSIDER GRASSROOTS REPORT ONLINE?

You could have notices of meetings and other information as much as two weeks earlier by getting this newsletter online. Just go to the website NDTOA.com and click on the button "Receive Newsletter Electronically". You will have the news before it can be printed and mailed.

VIDEO RECORDINGS NOW POSTED ON NDTOA WEBSITE

The NDTOA website now has a page for video recordings, the button to access it can be found on the lower left side of the home page. At this time there are two videos posted on that page.

The first video is a 2022 workshop which features presentations on road, liability, and legal matters as well as the changes incorporated in the 2022 edition of the Township Officer's Handbook.

The second video is the presentation by Linda Svihovec on Forms, Budgets, and Levies which she gave for the 2021 convention in December. The association intends to expand upon the topic of clerk training so look for more recordings in this area. This will also include presentations on the ATR program which helps clerks and treasurers prepare their reports, budgets, and levies.

The videos can also be found on YouTube; on the YouTube site search for "NDTOA". You can subscribe to the NDTOA YouTube channel to always be aware of any newly posted videos.

The Country Lawyer

by Thomas R. Moe, Attorney-at-Law



By Thomas R. Moe, Atty-at-Law

Greetings! Can it really be Spring? It must be as the gardening catalogues have come in the mail, and my neighbor just had his load of seed delivered. I imagine there still can be some snow flurries in the air, but the 20 below stuff should be history!

Our February workshops have come and gone, as well as the March annual meetings. The workshop tour was successful, with fairly good attendance at all sites.

It's always disappointing, however, to find that so many more officers fail to attend though, because they don't feel there's "anything for them" to learn at the workshops—and it seems like those are always the folks who invariably end up calling us later in the year about the exact same topics we discussed at those workshops.

We handed out the new edition of the handbook at the workshops, so check with your district director if you failed to get your new copy.

The directors all have extras, so make sure your handbook is up to date. **Note: the handbook is also available electronically on the NDTOA website.**

All of the new changes to state law were discussed at the workshops and one of the items was the flexibility in the timing of the date of the township equalization meeting, which now can be held at any date in the month of April, rather than just on the one day as noted previously.

Many of our assessors work concurrently with several townships so

this change allows one assessor to have an easier time with scheduling.

Be careful, however, as the equalization meeting is not also a supervisor meeting, so other township business should not be discussed—unless a supervisor meeting has also been separately noticed for the same day. (I.E. one meeting is adjourned and the second meeting is opened.) I know it seems like a lot of rigmarole but it's best to do it correctly, or else someone will complain!

On a personal note, I mourn the passing of our friend Ralph Olson. He was a long time district director for NDTOA and I valued his knowledge of townships and his willingness to always lend a hand for his district. Ralph drove a school bus for many years, so he was truly an expert regarding proper township road maintenance!

Have a safe Spring and try not to get too much mud on our roads! Following are several questions received lately in my office. TRM

QUESTION: We were unable to hold our annual meeting due to some overnight damage to our town hall. We scheduled the meeting for a week later and put a new notice in the newspaper explaining the changed date and the changed meeting place. Was it wrong to do it this way?

ANSWER: Sounds like what you did was reasonable under the circumstances. The re-scheduled meeting would probably be deemed a special meeting under the law, so you had a problem with the timeliness of your newspaper notice:

Special meetings require a 10-day notice, so by having the new

meeting just a week later means the 10-day minimum wasn't met. Also, the agenda is supposed to be specifically listed in the 2nd adv—e.g. "old business, new business, election of officers, approval of annual budget, etc."; unlike a regular annual meeting notice that doesn't require an agenda to be published in the paper. I can't imagine, however, that you will field any complaints--Good luck with repairing your hall damage!

QUESTION: We have a farm resident in our township who wants to open a tax preparation service in their farmhouse. She thinks we should change our zoning district to commercial rather than agricultural because of the business she will be operating out of her home. Should we do that?

ANSWER: You can, but a better solution may be to consider giving a conditional use permit. That way the area remains agricultural, but she is using the property for a different purpose under listed conditions. (Thus the name— "conditional use permit"). Those conditions could include for example: no customer parking on the township road, meeting any state requirements for such a business, etc. Also, the permit could specifically say it terminates if the farmstead is ever sold, if that were to be a concern for future use.

cont'd on page 5

The Country Lawyer cont'd from page 4

QUESTION: We elected a new supervisor at the annual meeting (he wasn't present, so why not elect him!!), but he decided he won't serve, but won't give his refusal in writing. We are afraid he may come back later (after we have appointed a replacement) and says he has changed his mind, and after all, he was duly elected.

ANSWER: All township officers are required to sign an 'Oath of Office' within ten days of their election. After ten days have passed the failure to sign the oath is deemed a refusal to serve.

Sounds like this person failed to sign an oath, so the remaining supervisors could indeed declare a vacancy and make an appointment. By the way, make sure the other officers in the township have signed their respective oaths!

QUESTION: Our local school basketball team was pretty good this year, and at one of the games I attended, I ended up sitting next to the other two supervisors, and the clerk was three seats away from us.

We joked that we could have a township meeting at half time! Seriously, I did wonder if our gathering at the game was in effect considered a meeting and therefore probably illegal?

ANSWER: You describe almost an everyday occurrence for township officials—we all live in close proximity to each other by definition, so casual get-togethers such as you describe are commonplace—whether at ball games, other school events, at the local café, at church, or the local grain elevator, etc.

Interestingly, our state law does provide that a "Meeting" does not

include:A chance or social gathering at which public business is not considered". See 44-04-17.1 (1) in the ND Century Code—page 110 in our new handbook. So you were off the hook, but obviously, the urge is always there to make township decisions at such gatherings, so one must be careful not to do that.

QUESTION: We had such poor attendance at our annual meeting. Any ideas? Do other townships have better attendance?

ANSWER: Seems like it's a pretty common problem statewide. On one hand, we know people just don't want to be involved unless there is a controversy or a tax levy vote; but it could be that maybe people are satisfied with your prior actions, and their non-attendance is a show of trust.

I know of several townships that hold the meetings in the evening so the day-workers can attend. Still others have changed their meeting place to a more public venue rather than in a private home—because we have learned that many people do not feel comfortable attending a public meeting in a private residence.

Many have moved the meeting from the home across the yard to the newly-built farm shop—they are on one floor, are handicapped accessible, and probably not quite so confining as the farm home.

Regarding moving the meeting place, a township can hold a meeting outside the locale, as long as it is properly noticed, and even can be in an adjacent township or within a city which is within the boundaries of the township. See ND Century Code 58-04-01; page 182 of our NDTOA handbook.

Finally, I know of some townships that "bribe" their residents with promises of pie and ice cream, or cookies, or other goodies during/after the meeting. That's the meeting which I probably could attend as a guest speaker?

2022 Annual Meeting and Convention Moves to Mandan

The 2022 NDTOA Annual Meeting and Convention will be held at the Baymont Inn & Suites of Mandan on December 12th and 13th.

The Baymont features a larger main meeting room and has a selection of somewhat smaller rooms which can be used for a simultaneous break-out session and dining. We were not able to run a simultaneous session at the previous venue as the smaller rooms were all used for our dining. We were also getting a little cramped in the main meeting room at the previous location.

With added ability to run breakout sessions it is intended to offer more clerk/treasurer training including the use of the ATR program. At the same time, material of a more general township interest will be offered in the main meeting room. Watch here for updates as the program is developed.

So, clerks and treasurers, as well as all the other officers, should mark their calendars for Dec. 12 & 13. This is your meeting, and your township can pay your way to attend!

This is a guide to help you prepare your information for the application.

INFORMATION NEEDED FOR A TTFP GRANT APPLICATION Gather all information prior to starting the application

Contact Person:

Name _____ Phone Number _____ Email Address _____.

Mailing Address _____ City _____ State _____ Zip Code _____.

Site:

County _____ Township _____ Section/Township/Range _____.

Street Name (911 address) _____ Project Location _____.

Cost Estimate of Project (include all costs) \$ _____ Amount of Funds Requested \$ _____.

Amount of Funds Contributed Locally \$ _____ Source of the Funds _____.

Project is (select at least one): Multi-County, Multi-Township, Single Township

Type of Project (select at least one)

- Bridge, Culvert, Install Signage Raise Road
- Road Surfacing – Gravel (3" minimum) Road Surfacing – Pavement
- Reinforce / restore embankment / Riprap, sliver widening (to accommodate increased gravel thickness, to right size roadway, or to flatten/ improve steep inslopes)
- Subgrade strengthening (geogrid, chemical stabilizers, cement stabilization)
- Safety improvements (install or upgrade guardrail, tree removal, ditch relocations away from roadways)
- Health improvements (e.g., dust control in front of homes)
- Roadway regrading projects (structural upgrades or alignment upgrades)
- Sight distance improvements (i.e., cut down roadway hills – old mucker gradelines)
- Snow catch problems (regrade, plant trees, cut trees, realign)
- Curves and intersections – realign for higher speeds
- Roadway obliteration, removal of small bridges and roadway segments
- Statewide sign inventory and needs assessment
- Watershed engineering review; Soft spot repairs
- Other – If Other is selected, please explain

Road Surface: Paved, Gravel, Other

Average Daily Traffic: _____ Vehicles per day

What Traffic Does This Road Serve? (Select at least one)

- Local Elevator Ag Processing Local Farmers Only
- Energy / Oil Transportation National Defense Gravel Business
- Agri-Business Recreational Traffic

Design Speed / Speed Limit _____ mph Bridge Number (if applicable) _____.

Project Description – include measurements etc.

Provide a Narrative about the Project and Its Local Importance

How Will Project Improve Roadway for All Weather Conditions?

Other Information:

Map of the area for the application (to be uploaded)

If your application is submitted successfully, the NDDOT review team may contact you if anything else is needed or missing. For technical assistance, please call Kenneth Steiner (701) 318-6320

Treasurer's Report by Barb Knutson



Happy Spring!

I hope there will soon be sunny, warm and RAINY days!

It was nice to see many of you at the workshops. It is always good to see, face-to-face, the people we work with all year over the phone.

Annual meetings are over and now is the time to be getting the paperwork done for the auditors. I can't stress enough how important it is to get this to the auditors in a timely manner.

Make sure you include the sheet stating name of the officers, address, phone, cell phone, email address and what office held by each officer. Even if it is the same board.

Sometimes people do move and are actually still living in the same

township, **but the Post Office returns the *GrassRoots* newsletter and that is costly to return, and to mail out again. That is over \$1.50 per newsletter that does not reach the officer the first time.**

It not only helps the county, but it helps us get the corrections made to the mailing list. Dues have been coming in and that is a good thing. Thanks to all that have submitted to date. If you have any questions, please feel to contact me.

Equalization meetings coming up. Make sure you get them posted in a timely manner as the Auditors need a certain amount of time to notify anyone if there will be increases.

The information on meeting notices is on page 250 of the 2022 handbook.

If anyone needs handbook updates or complete handbooks, there are some counties that have extras of the updates. Check at the Auditor's office in your county, and any of the directors should be able to provide you with information on how to best get them otherwise.

Hope this finds you all well and that we have a prosperous and happy year.

Thanks for what you all are doing out there! It is important! Call with any questions.

NOTICE

2022 Handbook Updates Available

To get a Township Officers Handbook update for a \$5 mailing charge, contact Larry Syverson or Barb Knutson. See page 2 for the address.

Clerk/Treasurers: Are You Using the Annual Township Ledger Report (ALTR) Software?

This software is designed by Marty Visto to be used in place of the paper reports that are sent from your county auditor.

The software needs to be purchased by separate counties. Each county needs a designated support person. The cost of the software depends on how many townships are in each county.

For initial sales ONLY, please contact Marty at mvisto@srtel.net. If you have general questions about the software, please contact President Lee Brandvold at ljbranch@restel.com or 701-758-2456.

Want to add a new officer to our mailing list?

Contact Barb Knutson
gbknutson@bektel.com

AND

Have a question about the newsletter?

Contact Larry Syverson
larry.ndtoa@gmail.com

NDTOA

North Dakota Township
Officer's Association
can be found on

FACEBOOK!



Notices from NDTOA and NDDOT are sent to the clerk of the township only. Township clerks should forward to township board members.



Grass Roots Report

North Dakota Township Officers Association
2600 236th St. NE
McKenzie, ND 58572



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RETURN SERVICE REQUESTED

NOTICE TO COUNTY COMMISSIONERS

If your county includes unorganized townships:
Is your county paying dues for each unorganized township?
The per mile funding each township gets is a result
of NDTOA effort. If your county doesn't pay dues,
someone else is paying your freight!
Your county has benefited from NDTOA for many years.
**Have you calculated the benefit your county
has received from the efforts of NDTOA?**

**CHECK OUT THE NEW FEATURE
ON OUR WEBSITE...**

HOT TOPIC BUTTON

www.ndtoa.com

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