

# GRASS ROOTS REPORT



WINTER 2022

The Official Newsletter of the ND Township Officers Association

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## NDTOA WORKSHOPS COMING IN FEBRUARY – NO ADMISSION CHARGE

In just a couple of weeks the 2022 workshops will start. Each is a two-hour program and will feature the following presentations: President Lee Brandvold will be the MC and give his report on activities; Mark Verke with ND Insurance Reserve Fund will give a presentation on township liabilities; NDTOA association attorney Tom Moe will discuss township legal matters and will field questions from the crowd; Executive Secretary Larry Syverson will present the changes in the new handbook.

The NDLTAP crew will present: dealing with right-of-way hazards, road repairs, soft spot repairs and a new item this year, Township Grant Funding. Grants for special projects in townships could unlock \$20 million dollars of state and federal funds. This would be a good opportunity for you to find out how your township could qualify for a grant.

The updated NDTOA Handbook inserts will be available at the workshops free of charge to Township Officers. This is again a complete revision courtesy of the ND Insurance Reserve Fund.

Some of the workshops will also be available on Zoom. If attending via Zoom is your preference, the Zoom schedule and link will be posted on NDTOA.COM by February 1st. It is

intended to do some afternoon sessions as well as some evening ones.

If you attend via Zoom, and you wish to have a printed book, you will need to make some arrangement to get the handbook update.

You can check with me [larry.ndtoa@gmail.com](mailto:larry.ndtoa@gmail.com) to find out

how you can get one in your area. If we must mail you a copy the cost is \$5 per update.

The handbook is also available on the website and this one will have some color photographs that the printed version doesn't have.

## NDTOA 2022 WORKSHOP SCHEDULE

NDTOA is again presenting regional workshops to deliver the new 2022 Edition of the Township Officers Handbook. There will be no charge for this workshop. All Township Officers are urged to attend, county officials are also welcome.

### 2022 WORKSHOP ITINERARY:

February 7	Newburg – Senior Citizens Hall: 1-3 PM
February 7	Minot – Grand Hotel -1505 North Broadway: 7-9 PM
February 8	Stanley – Fairgrounds - Community Hall: 1-3 PM
February 9	Wildrose – Fire Hall – 1- 3 PM
February 9	Watford City – Teddy's Residential Suites, 7-9 PM
February 10	Bowman – Bowman Lodge & Conv., 207 US-12: 1-3 PM (MST)
February 10	Regent – The Enchanted Castle: 7-9 PM (MST)
February 11	Steele – Steele Vets Club: 1-3 PM
February 21	Larimore – American Legion Club: 1-3 PM
February 22	Park River – City Hall: 1-3 PM
February 22	Langdon – Courthouse - meeting room: 7-9PM
February 23	Devils Lake – Courthouse - basement meeting room: 1-3 PM
February 23	Jamestown – Quality Inn, 507 25th St SW: 7-9 PM
February 24	Lisbon – Ransom County Fairgrounds – Expo Center: 1-3 PM 612 7th Ave West, Lisbon
February 24	Casselton – City Hall Auditorium: 7-9 PM
February 25	Fessenden – Fairgrounds – Festival Hall: 9:30 – 11:30 AM

## NDTOA Officers

### **LEE BRANDVOLD, President**

20100 317th Ave. SW, Ryder ND 58779  
(701) 758-2456  
ljbranch@restel.com

### **TODD WEBER, Vice President**

14996 40th St. SE, Wheatland ND 58079  
(701) 347-4123/(218) 790-3123  
TWFarms@live.com

### **LARRY SYVERSON**

#### **Executive Secretary**

#### **Director of Governmental Relations**

465 150th Ave. NE, Mayville ND 58257  
(701) 430-1735  
larry.ndtoa@gmail.com

### **BARB KNUTSON, Treasurer**

2600 236th St. NE, McKenzie ND 58572  
(701) 673-3198/(701) 391-6767  
barbk@ndtoa.com

### **ROGER OLAFSON, Past President**

12945 84th St. NE, Edinburg ND 58227  
(701) 993-8765  
rlolaf@polarcomm.com

### **TOM WHEELER, District 1 Director**

6561 115th Ave. NW, Ray ND 58849  
701-641-1073  
wheelert@nccray.com

### **RICHARD LYNNE, District 2 Director**

4951 28th St. NE, Maddock ND 58348  
(701) 438-2747/(701) 202-6067 cell  
rrlynne@gondtc.com

### **AL BEKKERUS, District 3 Director**

1890 12th Ave. NE  
Grand Forks ND 58201  
(701) 741-2120

### **LEON MONKE, District 4 Director**

5645 B 106th Ave. SW, Regent ND 58650  
(701) 563-4498

### **GERALD (Jerry) MILLER, Dist. 5 Director**

6455 Tj Lane, Bismarck ND 58503  
(701) 381-0113  
geraldmiller2013@yahoo.com

### **TIM GEINERT, District 6 Director**

509 2nd St., Nortonville ND 58454  
(701) 685-2493 (701) 320-6120 cell  
geinert@drtel.net

Legal Counsel

### **THOMAS R. MOE**

Attorney-at-Law

39 1st Ave. NW, Mayville ND 58257

## President's Comments



Greetings Township Officers,

I am not sure why, but it appears that all we need to do is schedule an annual township convention and a storm will appear. I certainly was not thinking last summer during the drought, I should have scheduled an annual meeting to see if we could have made it rain! It certainly always works for a snowstorm in December, when we have a NDTOA annual convention scheduled.

Considering the stormy conditions we had, it was great to see the township officers that did make it to Bismarck on the first week in December. We had a highly informative convention with some very educated individuals doing an excellent job on their presentations and educating all of us.

The amendment to Article 3 of the Constitution, which was explained in the last Grassroots edition, was voted on at the annual meeting and passed. With the change to the Constitution, if you are unable to attend the annual meeting in person you will now be able to attend the meeting virtually and vote online. We will be working on this throughout the year to have this new process available by the 2022 annual convention.

If you did not make it to the convention, I would like to bring your attention to three outstanding individuals that were given awards from NDTOA: Marvin Heller, of Berthold Township in Ward County received the Grassroots Leadership Award. This award is presented to a township officer whose community service exhibits the highest standard of dedication, ability and service.

Representative Dave Nehring, who serves District 8, which includes parts of Burleigh and Mclean Counties. Dave was presented with the Legislator of the Year Award for his outstanding support of townships and grassroots government, during the past legislative session.

Julie Ellingson of St. Anthony was awarded the President's Award. The President's award is given to someone that is not a Township Officer but has contributed in some outstanding way to the goals of NDTOA. Julie was awarded the President's Award for work that she did for NDTOA during 2021 Legislative session. If you see these individuals, please give them a special Thank You for helping townships and township officers.

It is hard to believe, but February is sneaking up on us quickly. This is a non-legislative year, so that means several of us from NDTOA will prepare to travel around the state to put on workshops for township officers. At this time, we will also have available the updated inserts for your township's handbook. Please refer to this addition of the Grassroots or the [www.ndtoa.com](http://www.ndtoa.com) for the time and location that best fits your busy schedule.

Hope to see you in February at an NDTOA Workshop.

President – Lee Brandvold

# NDTOA holds it's 55th Annual Convention

After a virtual convention in 2020, the township officers were anxious to meet in person this year on December 6 & 7. In spite of weather concerns, the in-person turnout at the Bismarck Ramada was great and some that could not make the trip checked in virtually.

Those addressing the group were led off by Bill Panos the Director of NDDOT, he spoke about township funding and grant programs. Next came Joe Morrissette the Director of the ND Office of Management and Budget to speak about the status of state revenues and the likelihood of the "Prairie Dog" funding paying off for townships at the end of this biennium. Then came Justin Messner and Gerald Miller with ND Department of Emergency Services to talk about FEMA procedures in townships. Followed by Tim Horner with the Upper Great Planes Transportation Institute talking about the road needs survey currently being conducted. Filling out Monday morning was Amber Boeshans with the Livestock Alliance talking about the development of animal agriculture in North Dakota.

The second day began with Assistant Attorney General Annique M Lockard presenting on open meetings and records. Next was Linda Svihovec, research analyst with the ND Association of Counties, going over forms, budgets, and levies; hopefully taking the mystery out of the word "Mills". Then Bryon Fuchs with ND DOT described the disaster grant program for townships that came about from SB2012. Dale Heglund, with ND Local Technical Assistance Program, gave a fast-paced talk about road soft-spot repair, narrow road blading and ag-based dust suppression. The session

ended with an "Ask an Expert" Q & A session, featuring as panelists: Dale Heglund (NDLTAP); Bryon Fuchs NDDOT; Mark Verke, ND Insurance Reserve Fund; Thomas Moe, NDTOA Legal Counsel.

Three awards were presented. The first was the "Grassroots Government Leadership Award" for a Township Officer that has performed the tasks of their office in a manner above the norm with outstanding dedication and effort. This year's awardee was Marvin Heller, the Chairman of Berthold Township in Ward County, recognized for his many years of service and his efforts during and after the flood of 2011 that left many roads and culverts damaged in the Township.



*ND Township Officers Association President Lee Brandvold (right) presents the NDTOA Grassroots Government Leadership Award for 2021 to Marvin Heller of Berthold Township in Ward County.*

The second award was the "NDTOA Legislator of the Year", this year the award was presented to Representative Dave Nehring who represents District 8, made up of parts of Burleigh and Mclean Counties. He was recognized for introducing or co-sponsoring several bills favorable to townships and rural citizens in general. He was also



*ND Township Officers Association President Lee Brandvold (right) presents the NDTOA Legislator of the Year Award for 2021 to Representative Dave Nehring of Bismarck.*

instrumental helping NDTOA support or oppose several other bills that would have impacted townships.

The third award was the "NDTOA President's Award" which may be given to someone that is not a  
*cont'd on page 5*



*ND Township Officers Association President Lee Brandvold presents the NDTOA President's Award to the ND Stockmen's Association Executive Vice President, Julie Ellingson. The award was in recognition of Julie's assistance in wining transportation funding for townships during the 67th legislative session.*

# The Country Lawyer

by Thomas R. Moe, Attorney-at-Law



By Thomas R. Moe, Atty-at-Law

Greetings! They say 20 below keeps the 'riff-raff' out, but either I'm one of those, or I'm just getting older, because I don't like the cold weather anymore either!

But, Spring will be on us before we know it, and another growing season will be in full swing. The seed catalogs are already starting to show up, so that's a good sign, too.

Speaking of Spring, annual meetings are right around the corner, and our biennial township officer workshops are coming up fast as well. It's always a good idea to review Title 58 in the township officer's handbook for meeting procedures, etc. In fact, that section of the law deals specifically with and only with townships, and most answers to township related questions can be found there.

Regarding workshops, as I indicated, our biennial tour starts in February, and the schedule is printed elsewhere in this issue.

Please consider attending one of the sessions, whether it is the one closest to your home, or at any one of those locations listed. We always have informative, educational, and timely topics, and most of your questions can be answered on the spot.

Attendance, is of course, official township business, so any expenses incurred should be reimbursed by your township. When one thinks about it, most township residents, plus your absentee landowners, probably would expect their township officers to attend training sessions on a regular basis, and no

doubt would be surprised if their elected officers fail to attend!

I believe we will also be adding a couple of 'ZOOM' connections to some of the meetings on the list, so that's another way to "attend". And, for those who claim they can't attend virtually because they "don't have a computer", or "I don't know how to turn it on"—just simply grab a grandchild or a neighbor kid—they'll help you out!

We had a great state convention last December, and I had to chuckle, however, as I received about a half dozen phone calls from township officers during the days when the convention was on.

Interestingly, the same thing happens during our workshop tours when I sometimes field calls from officers who live right down the road from where the workshop session is being held—that can be quite frustrating!

We are getting several inquiries from townships who are losing residents and may be interested in merging with an adjacent township (s). The procedure for this is in our handbook, but please give us a call and we can help you walk through the process.

Following are a few questions received in the office. Stay warm and safe, and please attend one of the workshops—I always enjoy putting a face to a name/voice! TRM

**QUESTION:** We have some snowbirds who don't get back in time for the March meeting and would like to vote absentee. Why is there no provision in the handbook for absentee voting?

## ANSWER:

You are correct that there is nothing stated in township law about absentee ballots because there can be none. Township elections are not held in the traditional sense but rather must occur at a meeting—in other words, for one to cast a township ballot that person must physically attend the meeting when the election is held.

There are no pre-printed ballots to send out because no nominations for office can be made prior to the meeting. (Even though we probably know the existing officers will run again, they are not technically on the ballot until they get nominated, and they—or any challenger for that matter—can't be nominated until the meeting starts).

Although most don't believe this, we have seen several contested township officer elections in recent years!

**QUESTION:** Can we just send out postcards notifying people of the annual meeting? No one gets the local paper anymore.

**ANSWER:** No. The law is very specific in that newspaper notice is required. The postcard idea is a good one, however, for giving the local residents a last-minute heads up about the meeting. Phone calls, too, are a welcome addition, but the newspaper requirement still must be adhered to.

Remember, also, that many absentee landowners do in fact still

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## The Country Lawyer cont'd from page 4

receive the local paper from 'back home', and many do like to attend the annual meeting, even though they cannot vote because of their non resident status.

**QUESTION:** We have a bridge in our township that is getting in poor shape. The county says they probably won't replace it—do we have any say in the matter?

**ANSWER:** Probably not. Bridges are the responsibility of the County, even on township roads. And, once a bridge is closed by the county, the road will have to be dealt with by the township—probably closed.

The question of bridge replacement is more of a political issue, i.e. township residents, and farm operators have to lobby for a new bridge. And, it is also a financial problem for Counties because of the extremely high cost of bridges in these times.

**QUESTION:** We had a supervisor who took a job out of state and tendered his resignation effective December 31. Do we wait until the March meeting to replace him?

**ANSWER:** That's one option. Three ways to fill a vacancy: 1) elect at the annual meeting; 2) call a special meeting of the township residents now; 3) the remaining two supervisors can appoint the replacement who serves until the next annual meeting if you have a possible candidate.

I would suggest appointing now, and tell her/him that it's "only for a couple of months until March when we will elect the 'real' person" (HahHah!! LOL!!!)

**QUESTION:** Is there any problem with farming over and across a section line? There's no road there,

and the landowner owns both sides.

**ANSWER:** Probably not, but remember that even though there is no road, the 66 foot right of way still exists regardless. What always seems to happen is that the land eventually changes hands to a new owner on each side, and they can't get along. Just make sure the existing owner is made aware of the situation about the right of way, and in writing.

**QUESTION:** We have a city within our township and one of the other supervisors says we no longer have anything to do with roads inside the city's ET zone? Is he right?

**ANSWER:** No. An extra territorial zone is for just that—zoning purposes only—by the city. It's supposed to allow the city to have some control over the approach lanes into the city, for congestion and safety purposes.

The people living within the ET zone are still township residents, and still pay taxes to the township, not the city. The roads within the ET zone are still the township's responsibility.

If the city were to expand its city limit line, however through the process of annexation, then the jurisdiction of both the lands, roads and the residents goes to the city.

## Convention cont'd

Township Officer but has contributed in some outstanding way to the goals of NDTOA. This year the award went, very deservedly, to Julie Ellingson of St. Anthony. Julie was at the core of a group of associations that supported the drive for township road funding in the 67th legislative session. Her artwork creating an 8.5 by 11-inch glossy handout for each member of the House of Representatives was very impressive and likely secured several votes. Julie is the Executive Vice President of the North Dakota Stockmen's Association.

Re-elected were Lee Brandvold of Ryder, President; Todd Weber of Wheatland, Vice President; Al Bekkerus, Grand Forks, District 3 (Northeast); Gerald Miller, Bismarck, District 5 (South Central). Elected to District 1 (Northwest) Tom Wheeler, Ray.

Hold-over board members are: Richard Lynne, Maddock, District 2 (North Central); Leon Monke, Regent, District 4 (Southwest); Tim Geinert, Nortonville, District 6 (Southeast); Roger Olafson, Edinburg, Past President.

The assembly passed a constitutional amendment which gives the Board of Directors the ability to allow for electronic attendance of the convention and voting by electronic means.

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

# Western Liaison Program is Running Strong for Western ND Counties and Tribes

After just over a year with the Western Liaison Program, Matt Johnson and Ed Ryen are familiar faces in county and tribal road departments and county and city meeting rooms across western North Dakota.

In August of 2020, the Upper Great Plains Transportation Institute (UGPTI) in conjunction with the North Dakota Department of Transportation (NDDOT) implemented the Western North Dakota Transportation Liaison program. This program is designed to assist Williams, McKenzie, Mountrail and Dunn Counties as well as the MHA Nation with transportation planning and related issues.

Johnson, located in Williston, serves as Western ND Transportation Liaison. He works closely with county and tribal staff on a wide variety of transportation topics and issues. Additionally, he coordinates with NDDOT staff regarding issues facing the county and tribal officials. He regularly attends county commission meetings to serve as a resource and to relay questions and concerns to the NDDOT.

Ryen, located in Bismarck, serves as Western ND Transportation Liaison Assistant, and primarily focuses on enhancing the Geographic Roadway Information Tool (GRIT) network, Wise Roads – NDAWN weather information, technical research and other outreach as needed.

In addition to daily outreach to country and tribal officials and road departments, Johnson and Ryen have taken on key leadership roles

in numerous road related initiatives in the region.

Some of Johnson's recent activities included:

- Helping to plan and moderate the Western Dakota Energy Roundtable, an event planned by the Western Dakota Energy Association to help county leaders in oil producing counties glean recent technical information and share best practices.

- Arranged a tour of the Long-X bridge construction site near the North Unit of Theodore Roosevelt National Park for local road managers to learn about bridge construction techniques and to allow them to see the largest wild-life crossing structure in the state.

- Developed a county commissioner education packet in cooperation with the North Dakota Association of Counties (NDACO) to help newly-elected commissioners refine their knowledge about how to manage county roadway resources. Topics included road and bridge management, planning and zoning, transit, road funding, economic development and other topics.

- Promoted Mountrail County's high-friction surface treatment and efforts to enhance traction on a steep county road on the Fort Berthold Indian Reservation. He has facilitated project tours by other road departments interested in the innovative treatment and will be presenting on their success at numerous upcoming Conferences.

Some of Ryen's activities included

- Helped the MHA nation with

entering road segment information into the Geographic Roadway Information Tool (GRIT), an asset management program developed by UGPTI to help local road managers better manage and visualize their road network.

- Assisting in planning for installation of additional subsurface temperature and moisture probes to provide key road condition information as a part of the Wise Roads weather station project. The last of the planned probes were installed in November.

- Worked with NDDOT to integrate road and weather data from the Wise Roads system into NDDOT's Road Weather Information system.

"During a challenging year, Matt and Ed have really fulfilled the vision for this Western North Dakota Liaison Program," noted Dale Heglund, director of UGPTI's Local Technical Assistance Program that provides outreach to road agencies across the state.

"They bring the resources of the NDDOT to road departments and commission meeting rooms to let local officials know just how the NDDOT can assist them and what form that assistance can take," Heglund explained. "On the flip side, they are able to bring concerns, issues and opportunities from counties, tribes and townships directly to the NDDOT. That closer relationship benefits everybody and the end result is a more seamless transportation system across the region."

# Treasurer's Report by Barb Knutson



Hello everyone in this the New Year! Hope it is an improvement over last. Don't always have the best, but have to do the best with what we have!

This is the time of year to get all the end of the year W-2s and 1099's out. Also form 944 for those paying annually. If any of you are having questions, feel free to contact me.

I want to say thank you to all those that have returned my calls while I work on the mailing list. It is a great help to all of us as you get your information and things do not get returned to us at the expense of 3- way postage. There have been a few counties that have included in their mailing lists, email, office terms, as well as cell phones, home phones and addresses. The only way they can do this is if this information is provided to them. Obviously, some of you are doing that.

A reminder: be sure to let the auditors know when there is a change in officers and address even if it is in the middle of the year. That way their list is more up to date also. Thanks to the county auditors for working together on this.

Workshops coming up in February. Look forward to seeing you there and getting the updates for handbooks out to you. It is especially important for new officers to get the handbook and have that as a tool to learn their new position. We will have complete handbooks as well as updates available.

Dues notifications will be coming out in February as well. Look for these so they can be acted on at the annual meetings in March.

Membership dues are due on May 1 and delinquent on October 1 of each year. Fiscal year ends October 31. If you have a county association, be sure to pay to the association so they can keep the county dues and pay the state dues as an association. If you have questions on this, give me a call.

Happy New Year to all and hope the

winter treats you well. Thanks for what you do! It is important!



Save the Date  
**NDLA's  
3rd Annual  
Livestock Summit**

**February 3, 2022  
10:00 a.m. - 4:00 p.m.  
Nome Schoolhouse  
200 1st Ave., Nome, ND  
**FREE ADMISSION!****



**Dr. David Newman, Keynote**

*Calling all North Dakota animal agriculture producers and all-around livestock fans! This year's Summit has a new look with the addition of a Livestock Development Trade Show, professional meat preparation demos, 2022 market and construction outlooks and more. The day's host will be NDSU Alum and National Pork Board Past-President Dr. David Newman, an Associate Professor of Animal Science at Arkansas State University. He and his family have a diversified livestock operation that includes local and direct meat marketing across the U.S.*



**Cristen Clark,  
Competitive Cook**



**For more information and to RSVP go to;**  
ndlivestock.org  
or call 701-712-1488

**Check out the unique venue:**  
nomeschoolhouse.com



# Grass Roots Report

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



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## 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](http://www.ndtoa.com)**

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