



**OCTOBER 2006**  
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*The Official Newsletter of the ND Township Officers Association • NATaT Member*

## Make Plans Now to Attend the 40th Annual Meeting in December

The 40th Annual North Dakota Township Officers Association meeting will be held on *Monday and Tuesday, December 4 & 5, 2006* in *Bismarck, North Dakota*.

The meeting will be at the **KELLY INN** which is located at 1800 North 12th Street in Bismarck. Be sure to call them and get in on the special township room rate at **1-800-635-3559** or (701) 223-8001.

Remember township officers—this meeting is for you, whether you are a supervisor, clerk, assessor, treasurer or any other officer of your township.

Our by-laws say that only 2 votes per dues paid county association may be used in the voting process, but you may enter into the discussion of any and all items of business.

### DECEMBER 4

8:30 a.m. ....**Registration**

9:00 a.m. ....**Call to Order**

**Introduction of Guests**

Loren Ingebretsen, MN State President

**Flag Ceremony**

**Business Meeting:** Rules Committee Report on Conventions Rules of Operation, Reading of the Minutes, Executive Secretary; Treasurer's Report; Attorney's Report; Committee Reports: Audit, Budget, Nominating, Awards, NATaT, By-laws, History Book Resolutions, Executive Secretary

**Old Business**

**New Business**

12:00 Noon ....**Noon Luncheon**

Guest Speaker and Township Awards

1:00 p.m. ....Speakers from various North Dakota

Governmental Agencies

Mark Verke—NDIRF

Fred Meyers—FHM Equipment

Rough Rider Enterprises—Program, Film

and Vocal Presentation by Dennis

Fracassi, Director and Carol Cary,

Business Development Specialist

Use of Township Manual: Updates-NDCC

Atty. Gen. Rulings Online by Ken Yantes

Tom Moe—Open Legal Forum

5:00 p.m. ....**Adjournment**

6:30 p.m. ....**Banquet** with Elks Entertainment and **Auction** with Don Malcomb, Chairman

### DECEMBER 5

8:30 a.m. ....**Registration**

**Reconvene Annual Business Meeting**

President Thacker

Final Budget Action

Resolutions—Joanne Abel

Elections of Directors: Districts 2, 4 and 6

12:00 Noon ....**Adjournment**

### Resolutions From The Floor?

At a past annual meeting we had a misunderstanding regarding resolutions from the floor. *Can we have them? Yes*, it is possible. In order to have them brought before the assembly, there must be a motion passed by 2/3 majority of the members present to suspend the rules to handle the proposed new resolutions (those not acted on by the committee).

### Resolutions Session To Be Held

Vice President Joanne Abel will again hold a resolutions session during the 2006 annual meeting. Please send your proposed resolutions to her by November 14, 2006 to the following address: Joanne Abel, 2964 20th Ave. NE, Arvilla, ND 58214.

### Auction Items Appreciated!

The NDTOA auction will be held again this year. Donations are needed to make this activity a success. Please bring crafts, Pride of Dakota regional manufactured products, ethnic foods and any other items that are unique to your area to the annual meeting.

There will be a special prize for the person who donates the Most Unique auction item.

*Thanks for your support! We appreciate it!*

## NDTOA Officers

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Cell: 265-2831

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## President's Message *Chuck Thacker*

Greetings Township Officers. It sure doesn't seem like a year is about to go by. It seems like only yesterday I became your president. It has been a busy year with some changes being made. I hope they work out for everyone's benefit

I have had a lot of phone calls with concerns to Township people. I'm glad you are concerned on doing a good job. Keep up the good work.

County Township Officers Association meetings are just around the corner. Try to make a point of attending and don't forget to pay your dues—just a friendly reminder.

We were in Bismarck, Wednesday, August 9th and we attended the Department of Transportation meeting. I defended the one cent gas tax and urged a funding increase be found to increase the dollars required to provide local township services. Senator Bob Stenehjem suggested an excise tax on gas to go to townships for local road preservation and maintenance.

Ken and I stayed in Bismarck Wednesday night and on Thursday, August 10th we went to the ACIR meeting with the proposal to change the 18 mill general mill levy. Ken did a very good job of presenting his proposal.

On August 16th at 1:30 Ken and I went to Grand Forks County to a National Flood Insurance Program meeting held in Larimore. Also attending were Tom Moe and Joanne Abel. The meeting was for all Township officers, especially those who have their own zoning ordinance. This affected 14 Townships.

Simon Cardenas spoke on Federal Insurance and Mitigation and

answered questions regarding FEMA's policies and plans.

I think the townships went away from the meeting with a better feeling knowing more about their stand on zoning. Tom Moe's Legal Counsel answered a lot of questions pertaining to zoning.

In driving around the state through townships, I noticed a lot of ditching being done. I hope your Township Supervisors are watching and seeing that the ditching is done properly.

I also noticed a lot of signs damaged by large machinery. It is too bad we can't catch some of them and have them pay the cost of replacing the sign, which isn't cheap.

Make sure to mark December 4th & 5th on the calendar as we are working hard to make it a much more informational meeting with some very interesting speakers with a lot of information about what's going on out in your township.

Also, remember to enter your supervisor you think is deserving of the Mr. Township Leadership Award. I hope to see and meet many of you at the convention.

Don't forget the auction after the banquet this year. We hope to make enough off the auction to buy a lap top computer for our lobbyist to keep up on all bills and get reports out to us sooner.

If you can, please bring something for the auction and if you don't know what to bring a North Dakota made product would be fine.

In closing, I hope you all had a nice summer and fall. Don't forget to be at the Kelly Inn in Bismarck on December 4th & 5th.

P.S. Bring your township manual with you so we can make sure you have all the updates.

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**“A successful man is one who can lay a firm foundation with the bricks others have thrown at him.”**

—David Brinkley, TV newscaster, (1920-2003)

# Secretary's Corner

Ken Yantes, Executive Secretary



President Chuck Thacker and State Board Members Barb Knutson, Steve Ginsbach and I have been in attendance at legislative interim committee meetings and at the Transportation Director's Advisory Commission meetings this summer.

We have defended our township policies every step of the way. In the Finance and Taxation Committee, we were successful in working to keep the Farm Home Property Tax Exemption for our membership.

NDTOA's 2005 Legislator of The Year, Senator Dwight Cook, moved a successful motion to table the proposal. NDTOA owes Senator Cook a vote of appreciation.

At the Advisory Commission on Inter-Governmental Relations meeting, we surfaced the need to see an increase in township funding. Ken asked for consideration of an increase from the 18 General Fund mill levy to a 30 mill level.

The committee indicated support for a 50% increase in the excess mill levy.

This would put the increases up to the township residents in a special election and would allow an increase in township income for those who really need it. Maybe we should consider supporting this idea during policy development discussions.

President Thacker vehemently defended our one cent gas tax in the Director of Transportation Advisory Committee to the extent that the Senator who brought it up said he wished he hadn't mentioned taking it away from the townships. He wondered if we needed further funding through a fuel excise tax.

Your state association has been traveling across the state to county meetings in defense of our membership.

National Flood Plain Insurance coverage was the topic in the Larimore meeting of 14 Grand Forks County townships set up by NDTOA Vice President, Joanne Abel.

Simon Cardenas, Natural Hazards Program Specialist from FEMA's Denver office brought factual information to all.

The townships went away from this meeting with the facts that allowed them to keep their own zoning authority instead of turning it over to the county as a local planning and zoning official had advised them to do.

Your newly established state office in Brouck has received many phone calls, letters and e-mails from NDTOA members. I have responded to them with the knowledge that the last 30 years of serving the NDTOA has given me.

I urge you to continue to bring your township problems to the state office:

701-655-3513  
PO Box 104  
Brouck, ND 58321

e-mail: [ndtoa@polarcomm.com](mailto:ndtoa@polarcomm.com)  
[ken@ndtoa.com](mailto:ken@ndtoa.com)

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**"We all have only one chance at life, and we have a choice of what we will do with that life. We can waste it and do nothing, or we can do something to help others."**

—David W. Gray, Jr., MAS, owner David Gray Enterprises

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## Special Notice:

The *40 Years of North Dakota Township Association* history booklet will be available at the annual meeting in Bismarck, ND on December 4 & 5, 2006. Be sure to pick up a booklet!

**Reminder:** 2006 dues have come in at a higher rate than usual and we appreciate this but the by-laws state that the 2006 dues are due on December 1, 2005 and are delinquent on April 1, 2006.

**Please remit as soon as possible to Barb Knutson,  
NDTOA Treasurer  
2600 236th St. NE, McKenzie, ND 58572**

## Hotel Reservations

There is a block of rooms reserved for attendees of the annual meeting on December 4 & 5, 2006. Be sure to mention the NDTOA Annual Meeting for a special rate when calling the Kelly Inn at 1-800-635-3559 for reservations.

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# September NATaT Washington Trip

Ken Yantes, NATaT Director

The National Association's Legislative Conference gave me the opportunity to meet with leaders from all the member states of the National Association of Towns and Townships.

To my surprise, I was given a Directorship on the National Board of Directors of the Town and Township Officers Association. We spent most of the conference discussing national policy stands and being updated on the progress of the Ferguson Group in Congress.

I believe we made a lot of progress on securing support for our North Dakota policy on exempting township officers from having to file payroll tax reports with the IRS.

I visited the offices of our North Dakota congressman and senators. Senator Conrad was extremely receptive to doing what was required to get the needed change made to implement our policy. He indicated he would like to visit with our membership soon. I asked him to be a speaker at our 2006 annual

meeting in Bismarck and he said he would like to do just that.

I believe that NATaT has made many positive changes in 2006. Many of the National Board of Directors felt that NATaT had lost its direction and strayed from the goals and objectives that it was created for.

The return to serving its membership in the national legislative arena has been re-established as their top priority and that is absolutely essential. The closing of the Washington office was a necessary move towards efficiency. Hiring the Ferguson Group for about a quarter of the cost was an excellent move.

The acceptance of a new dues structure with an emphasis on the population in townships of each state was a move toward equality in membership fees. I found that the states that have a large number of members also have reasonable and understanding leaders serving as NATaT delegates and board members.

We all have the goals of serving our

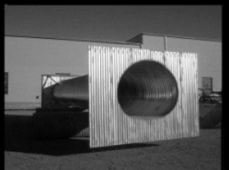
grassroots members, dealing with our state laws and coping with the federal directives of Congress.

The new NATaT must prove it can accomplish its legislative goals soon or the membership will decline.

A brief statement in the NDTOA Philosophy section of our green township manual states that we believe that we should cooperate and act with NATaT to secure for our rural communities just and proportionate treatment under Federal laws and programs.

It is my opinion that if we are to be successful with our federal policies adopted at our annual meetings, we must be part of a national organization to get them implemented in Washington.

The founding fathers of NATaT established this organization of Township Officers, by Township Officers, for Township Officers and I think we should remain steadfast towards those goals.



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# The Country Lawyer

Thomas R. Moe, Attorney-at-Law



Greetings to all! It's a good time to finish your township road survey. Check for lost or fallen signs as well as obstacle clearance in the ditches. Bales should be removed and rocks picked up that have found their way into the right of way over the summer. Document your trip and follow up with landowners that haven't mowed their ditches yet.

It's probably too late to mow the ditches for them and expect to get the bill on this year's taxes, but you can check with your county auditor as each has a little different schedule for putting on these types of levies.

Make plans to attend the annual meeting in Bismarck this year. Many of you have called me over the years, or I have visited with you at other gatherings. It would be nice to see you at the convention so I can place a name with a face.

A good and informative program is being planned and it is always frustrating to plan and prepare an educational session only to have a small portion of our membership attend. Attendance at the session is a bona fide township expense, so townships should "front" at least a portion of the expenses, if not all of them, including registration fees, meals, lodging, and travel costs.

I know that most townships are strapped for funds, but the cost of training sessions is always money well spent. And, don't think the convention is just for supervisors, because clerks, treasurers, assessors, etc. are all encouraged to attend.

The legislative session is coming up in January, and many of the candidates for

those jobs are out campaigning right now. Make it a point to visit with the candidates and let them know you are a township officer. We'll have some issues pertinent to townships again this session, and it sure helps to have a local township officer call on the legislators in the various districts when we need their support on a particular bill. This is especially important for those legislators in the city districts which may have a few of the adjoining townships in their district. They need to know about the rural issues as well.

Many of you have called this summer complaining about how some resident in your township are just impossible to live with. Seems like there's one in every township, but we all have to learn how to hold our temper—in fact I saw a good sign in a local cafe recently: "Whether you're on the road or in an argument, when you see red it's time to stop!" And, "Keep your temper, nobody else wants it!"

See you in Bismarck in December. Following are some questions received in the office lately.

**Q.** Is it too late to get an excess levy on our taxes? We ran into some unexpected expenses?

**A.** Probably. An excess levy requires a vote of the township patrons and the only way to do that now would be to call a special meeting of the township (at least 10 day notice, with publication in the local paper at a minimum). Plus, most county auditors tell us that all levies have to be in

their office by November 1st at the latest (probably earlier in some counties) so you are out of luck for tax year 2006.

**Q.** We had a landowner that put in a culvert without our permission. Can we make him take it out?

**A.** Absolutely, no one should be working in a public road without permission. The township is liable for any problems that may arise from in improperly constructed project—even if you didn't do the work, because the township is charged with the responsibility of keeping the roads safe. This is why it's important to keep an eye out for this kind of work. Assign some to the people living in the township to keep track of a few miles of road for you and have them report if any work is being done.

**Q.** Can a "quarter line" be a public road?

**A.** Yes, if the township has acknowledged somehow that it is part of your system. The easiest way would be if the township received and documented and easement at the court house. If that wasn't done, then the question would be is if the township has maintained the road over the years with public funds. Finally, if the "public" has used the road continuously for a period of at least 20 years, then a Court could declare the road a public road "by prescription." (Note this method requires a judge's order.) If the adjacent landowner is willing, get an easement now, so the supervisors who have your job in the future won't tussle with the same problem.



## NDTOA 2006 Annual Meeting Registration Form December 4 & 5, 2006 • Kelly Inn • Bismarck, ND

Names \_\_\_\_\_ Officer Position(s) \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Township \_\_\_\_\_ County \_\_\_\_\_

Total No. Attending \_\_\_\_\_ @ \$25.00 per person (\$30.00 At The Door)  
\$10.00 spouse attending the Monday night banquet

Total Amount Enclosed \$ \_\_\_\_\_

Please complete and **send this registration form** along with your check payable to: NDTOA by **November 17, 2006** to Barb Knutson, 2600 236th St. NE, McKenzie, ND 58572

**NOTE:** Townships may pay from their general fund for officer's registration fees and expenses.

# NATaT Report

The leadership of the NDTOA appointed me to serve as your representative to the National Association of Towns and Townships. I would like to submit to you a report on the two meetings I have attended on your behalf.

The Red Wing, Minnesota trip began with a 3:00 a.m. wakeup call on August 20th and finished with my return home at 11:30 p.m. on August 22nd. This joint four-state meeting of Township Executives from Wisconsin, Minnesota, South Dakota and North Dakota, began with me showing up at the Wisconsin State Executive Board meeting unannounced.

I came through the meeting room door and told them who I was, where I came from and what I wanted to accomplish. I have probably never had such acceptance in all my life. I was asked to stay for the meeting and given an agenda, a copy of their resolutions, an introduction to each member and a cup of coffee.

They were interested in knowing what we did to solve some of the problems they were dealing with and what ND law was on the subjects discussed. I stayed there for about an hour and a half and then I excused myself and went to the Minnesota State Board meeting.

Loren Ingebretson, Minnesota State President, introduced me to each of the Minnesota Executive Board Members. I couldn't believe the open acceptance of my presence there. I was asked to sit up to the table and enter into the discussions as they held their state board meeting.

These discussions on how to provide services to the membership could as well have been topics we would have had at our state executive board meetings. I was asked to respond on most subjects discussed throughout the meetings. I responded with the experience I have gathered from my 30 years of serving NDTOA members in policy development discussions.

Each of the State Executive Directors gave a legislative report of the legislative happenings in their state.

On August 22nd, I went to a 7:00 a.m. breakfast meeting which was followed by an open discussion on various subjects. I was asked our position on almost every subject. I made a statement that if we could not gain some legislative successes in Washington, we might as well shut down NATaT.

The "produce or quit" statement seemed to spark discussion of all the new changes made over the last year. NATaT now does not have an office in Washington, DC as the cost of having one was in excess of \$30,000 per month. The Ferguson Group is now providing legislative monitoring and a lot more intercommunication with NATaT staff and members for just over \$10,000 per month.

IRS reporting, Bureau of Indian Affairs MOU agreements, high speed Internet educational possibilities, property annexation problems, different ways to find dollars for road damage and suggested property tax changes are issues of concern to all states.

*Ken Yantes*

Although it was a long drive to Red Wing, Minnesota, I believe it was well worth the effort. The four state's leadership met and agreed on issues we need to be united on in Washington.

We shared problems that are associated with serving our members and worked to find solutions from other state's efforts. I would recommend continued participation in these joint meetings.

## Executive Board to Appoint 2006 Standing Committees

The Executive Board will be appointing all standing committees at the close of the annual meeting on December 5th, 2006. These committees will serve a term of one year and report to the Executive Board. If you are interested in serving on any of them, please let your executive board member know your wishes.

- The following are NDTOA Standing committees:
1. LEGISLATIVE
  2. BUDGET
  3. AUDIT
  4. RULES
  5. RESOLUTIONS
  6. NOMINATING
  7. AWARDS
  8. WORKSHOP
  9. CONVENTION
  10. NEWSLETTER
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  12. DUES
  13. HANDBOOK
  14. ACIR
  15. NEWSLETTER
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# Grassroots Government Leadership Award

To recognize the leadership, creativity and dedication of township officials, the NDTOA has established a leadership award to pay tribute every year to an individual whose community service exhibits the highest standard of dedication, ability and service.

## ELIGIBILITY

The award will be presented to an individual—locally elected official currently in office. It will recognize he or she for their outstanding contributions on a sustained basis or from a single performance.

Nominees should have responsibility for accomplishing or causing to be accomplished significant programs or projects within their area of responsibility, to the ultimate benefit of the general public.

Examples of such professional accomplishments include local government cost-cutting, coordination of a major local volunteer effort, promoting townships at the national level, establishing new local services or programs, and success in securing public or private funding for local projects.

## SELECTION CRITERIA

Nomination should include specific reference to the following features of the nominee's accomplishments as applicable:

- Complexity of the problem(s) addressed.
- Measurable improvements resulting from nominee's accomplishments.
- Use of original, innovative or creative approaches and solutions in difficult situations.

- Long-term or lasting benefit of the nominee's accomplishments.

## NOMINATING PROCEDURE

Nominations may be submitted by member townships and counties of the NDTOA. Nomination deadline is one month prior to annual meeting. If you need an application, contact Bob Forward, 8933 134th Ave. SE, Oakes, ND 58474.

## 2005 RECIPIENT

Eugene Kubat of Sauter Township in Walsh County received the Mr. Township Award last year at the NDTOA Annual Meeting in Minot.

**A Nomination Form is below.** Just complete and put in the mail—it's that easy!

## North Dakota Township Officers Grassroots Government Leadership Award NOMINATION FORM

Name, title, local government, address, and phone number of NOMINEE:

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---

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Your name, address, and phone number:

---

---

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Please provide name, address, day phone, title and affiliation of two objective references who can evaluate the nominee's accomplishments:

1) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach a brief biography of the nominee summarizing positions held, civic and professional affiliations, and other relevant personal data. (Not to exceed two typewritten, double-spaced pages.)

Also attach a summary of the major accomplishments for which the local official is being nominated, keeping in mind the examples and criteria listed above. (Not to exceed four typewritten, double-spaced pages.)

The awards will be presented at the County Associations Annual Meeting and the NDTOA Annual Meeting in December.



# Grass Roots Report

ND Township Officers Association  
P.O. Box 104  
Brockton, ND 58321-0104



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## Newsletter Editor Notes...

Articles Due: **January 9, 2007**

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852-1211 or 1-800-760-2529

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Kenneth Yantes  
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