



GRASS ROOTS REPORT

SUMMER 2024

SAVE THE DATE – NDTOA 2024 CONVENTION and ANNUAL MEETING

The 2024 NDTOA Convention is set for December 2nd and 3rd at the Bismarck Ramada. This year there will be some significant changes at the convention. New to this convention will be an exhibit hall, we have reserved an additional large meeting room for this purpose and many vendors have been invited to bring their displays. Check out what products and services are available. Along with the expanded exhibit area will come more opportunities for door prizes. Several one-hundred-dollar bills will be awarded to lucky attendees.

During the week of our convention, the legislature will be in their pre-session, and we are going to make use of the time to invite them to a legislative social on Monday starting after the business meeting. This is part of the increased effort of NDTOA to engage with legislators.

Make it a point to be there as we discuss the needs of townships with the legislators.

Again, this year we will honor an outstanding Township Officer for dedicated service to his township and community with the Grassroots Leadership Award. The nomination form is included in this issue of Grassroots and is available on the Website at NDTOA.COM/Awards. To be eligible the recipient must be a current township officer at the time of the presentation, so be sure to nominate that deserving officer while they are still on the board.

Further details about registration and contents will be in the next issue of Grassroots Report this Fall. Mark your calendar and stay tuned.

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ANNOUNCING Township Tuesdays Starts August 13th

NDTOA is beginning a new program, well it's new to us anyway. The Minnesota Association of Townships has been conducting Township Tuesday for some time. What is a Township Tuesday?

Township Tuesday is a time set up for a virtual (Zoom) conference for Township Officers to connect with their state association. Minnesota holds two of these virtual meetings a month, we are going to give it a try doing one meeting a month.

What will it involve? Each session will begin with a short 5- or 10-minute presentation on varying topics, this will be followed by group discussions, and as time allows, questions and answers will fill out the one-hour session. NDTOA

CONTINUED ON PAGE 3

Help Is Available For Grant Applications

After the first round of Flex Fund Grants it was obvious that townships need some help with how to fill out the grant applications for future rounds. The next round has not started yet, but townships can start putting together their projects now. There is help available: NDDOT has two people on staff to help with grant issues, Traci Sletmoe and Ben Sampica, their contact information will be at the end of this article. Also, NDLTAP is planning a grant application class for townships, counties, cities and tribes; watch for the details when the plans are completed. The NDTOA.COM website will also have pointers to help you make a more successful application. We will also plan to have some help available at the annual convention on

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PRESIDENT'S REPORT

BY LEE BRANDVOLD

Greetings Township Officers,

I would like to thank all township officers that were able to attend one of the workshops that were held in February and March. At that time a few of us from NDTOA traveled around the state to 16 different locations. We meet with township officers delivering handbook updates and educating those in attendance of all changes that township officers need to be aware of. The NDTOA crew that put on the workshops consisted of Executive Director - Larry Syverson, Treasurer - Barb Knutson, Attorney - Tom Moe, and myself. NDTOA District Directors joined us for the meetings in their districts. Also traveling with us were Mark Verke who discussed safety issues in townships, Julie Brandvold provided help on the ATR (Annual Township Ledger Report) program to townships, and members from UGPTI (Upper Great Plains Transportation Institute) joined us at each meeting and explained the grant programs that were available for road repairs in townships. The workshop meetings were well attended, and the weather cooperated with us fairly well except for Park River. Unfortunately, there was a blinding snowstorm that arrived on February 27th and forced us to cancel the Park River meeting. Other than the snowstorm issue the workshops went very well.

I hope that everyone's spring went well, all annual meetings were held without issues and a work plan is in place for the year to maintain and repair your roads. It certainly was a wet spring for many so hopefully if you did have damage to roads that you were able to find a contractor to repair the damage and once again provide a safe road for the public to travel.

As we progress through summer and move into fall the work for NDTOA continues. We are monitoring the proposed property tax elimination measure; it appears that the measure has received enough signatures to be put on the November voting ballot. Due to the uncertainty of where township funds will come from if this measure passes NDTOA continues to oppose the property tax elimination measure. We ask that before you vote please do a lot of research to be sure that you know all the facts of what will happen to townships if the property tax is eliminated.

The plans for the 2024 NDTOA annual meeting are also under way so make plans to attend your annual meeting December 2nd and 3rd at the Bismarck Ramada.

Respectfully,
President Lee Brandvold

NDTOA Logo Contest Is Continued, Prize Now \$500!

The NDTOA Board of Directors has decided to continue the contest for a new logo design and to raise the prize for the winning entry to \$500. It is suggested that designs should focus on the grassroots-government nature of our association. The deadline for submission is November 1, 2024. Entries should be emailed to larry.ndtoa@gmail.com.

The NDTOA Board of Directors reserves the right to reject any or all entries. All entries become the property of NDTOA.

NDTOA Delegation Attends Multi-State Conference

Each summer, representatives of the state township associations from Wisconsin, Minnesota and the

Dakotas hold a conference in one of the four states on a rotating basis. This year the Multi-State Conference

was held in Mitchell, South Dakota. The purpose of the conference is to share knowledge and experiences as the four states have so much in common. The four states are members of the National Association of Towns and Townships (NATaT).

Some of the topics included: the reliability of the power grid, the functions and conduct of the Public Utilities Commission (SD). There was also a report on NATaT activities, such as resisting proposed regulations that would adversely affect EMS in rural areas.

Each state reported on activities. South Dakota reported they have seen an interest in the unorganized territories of their "West River" area to organize and form civil townships. North Dakota has also seen interest in organizing townships as well as combining or merging townships. The reasons for the interest are commonly for local control of development and zoning, and local control of road maintenance.



Mark Verke Named NDTOA Safety Consultant

Mark Verke has been hired as a safety consultant for NDTOA on a part-time basis. Mark recently retired from the North Dakota Insurance Reserve Fund where he worked in risk prevention. Many township officers know Mark from the NDTOA Workshops where he was a consistent presenter and a valued crew member of those productions. Mark will be available to answer questions about safety and liability. His contact information will be listed in the Grassroots and on the website.

Township Tuesdays *CONTINUED FROM PAGE 1*

Attorney Tom Moe, along with NDTOA Safety Consultant Mark Verke will often be in attendance as well as the officers, directors, and staff of NDTOA. There will also be guest presenters from NDLTAP and NDDOT and others.

To take part just follow the link that will be provided to join the meeting, if you would rather not be on camera for the meeting that is your choice. If you don't have a question to ask, that is ok too, listeners are welcome. We ask people to leave their mic muted except for

the time they are speaking.

We will be holding Township Tuesday on the second Tuesday of each month at 8:00 PM Central, the first one will be on August 13th, you can find the link on the website NDTOA.COM under "LATEST NEWS" and if there are any changes to the program it will also be noted there. The link will also be sent out to all the email addresses we have on file. If you don't receive an email by the Monday before the meeting, please email larry.ndtoa@gmail.com to get on the list.

Grant Applications

CONTINUED FROM PAGE 1

December 2nd and 3rd.

Some very important projects did get funded from the last grant rounds : the Townships Assistance Program grants fully funded 21 township projects and provided partial funds for one more, a total of \$10M. The Flex-Fund Grants funded \$43M of County (30 projects) and Township(14 projects at \$4.1M) projects. Some oil townships also received grants from the Partner Allocation, (the other 75% of the Flex Fund).

NDDOT Township Grant Assistance:
Traci Sletmoe: tsletmoe@nd.gov
Ben Sampica: bsampica@nd.gov

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 him or her 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, and promoting townships at the national level, establishing new local services or programs, and success in securing public or private funding for local projects.

SELECTING CRITERIA

Nomination should include as much information as possible, such as:

- **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. A nomination form is below for your convenience. Just complete and mail (or e-mail larry.ndtoa@gmail.com). **Nominations must be received by November 15th.**

North Dakota Township Officers Grassroots Government Leadership Award

NOMINATION FORM

NOMINEE: Name, office, Township, County, address and phone numbers.

Your name, office, address and phone numbers.

Other objective references: name, office, address, phone numbers.

Please attach a summary of the major accomplishments for which the Township official is being nominated. Also attach as much information as you can, such as a brief biography of the nominee summarizing positions held, civic and professional affiliations, and other relevant personal data. The more information you can provide the better chance your candidate will be selected.

The award will be presented at the NDTOA Annual Convention in December.

Mail (or email) the completed form to: NDTOA; 465-150th Ave NE; Mayville ND 58257-9011

For questions or for copies of this form please phone 701-430-1735 or email larry.ndtoa@gmail.com.

This form is available as a fillable PDF on NDTOA.COM under Resources / Forms.



TREASURER'S REPORT

BY BARB KNUTSON

Now we have Independence Day behind us, summer will soon be over. Hope everyone had a great holiday!

Time for a few reminders to townships. I see that some counties have updated their lists, but there are still people on the list that should have been removed 4 years ago, consequently, there must be new people on the board that are not getting newsletters and such. This tells me that if we each would do a complete list of current officers and provide that to the auditors after annual meetings, this would not likely happen. Please include names,

offices held, addresses, phone numbers, including cell phones if available, email addresses. This makes it much easier to keep all updated. Thank you for your help!

There are still some that have not paid dues. Reminder- dues have gone to \$200 per township, effective this year. These are due May 1 and delinquent October 1. Really appreciate those that have taken care of this in timely manner. If you have an association in your county, be sure to pay though the county treasurer so county dues stay with the county. I know there are some associations that do not send out

invoices. Consequently, townships are sometimes confused as to where they should send dues. I suggest that when you send notices out for local annual meetings, you should include an invoice for dues. Seems to be less confusion where that is done. If you don't know who your treasurer is, give me a call.

Once again, we will be having the Annual Convention at Bismarck Ramada on December 2nd and 3rd. Put it on your calendar. Hope to see you there.

Hope this finds you all having a prosperous and happy summer!

NDTOA Recognizes Representative Paul Thomas, NDTOA Legislator of the Year

Paul Thomas from Velva ND started his legislative career in 2021 already showing his concern for rural transportation and calling to discuss road and bridge funding before he was even sworn in. He has continued his commitment to rural transportation, working tirelessly to get the funding needed.



Representative Thomas is pictured with President Lee Brandvold on the right and Vice President Todd Weber on the left. He received the award at the NDTOA 57th Annual Convention held in Bismarck on December 5th.

NDTOA Meritorious Award Presented to Kerry Schorsch

Kerry Schorsch from New England, ND, is a Township Officer in Havelock Township of Hettinger County. Kerry is a Past President of NDTOA, serving in the years 2008-2009. On his own, Kerry started our website, www.ndtoa.com, in 2002, funding much of the work himself or at minimal cost to NDTOA. We thank Kerry for his foresight and work.



Kerry Schorsch (left) receives the NDTOA Meritorious Award from Awards Committee Chair Tom Wheeler as President Brandvold looks on. The award is given to a current or former elected township official that has served their constituents in an exemplary fashion.



THE COUNTRY LAWYER

BY THOMAS R. MOE, ATTORNEY AT LAW

Greetings! Summer is hitting us hot and heavy and I remember when we were kids that the creek on our farm was pretty enticing on a hot day. We went barefoot for most of the time, and ice cream on Saturday night was a real treat. Times have changed, I guess, except for the mosquitoes—I know that they are considered just a nuisance, but if you think you're too small to have an impact, try going to bed with a mosquito.

Several townships are gravelling roads this summer, and I've reminded folks to monitor the gravel contractor, even if you have worked with them for many years. They may have new or inexperienced operators who may not know the lay of the land, so to speak. Be sure there are warning signs placed if equipment or gravel ridges are left overnight—the contractor is responsible to warn the traveling public, but the ultimate liability may come back to the township.

I'm thankful that the State Board of Directors has agreed to take on Mark Verke as an occasional safety consultant for NDTOA. Mark recently retired from his position as risk manager with the Insurance Reserve Fund, and has been invaluable as a resource for township officers for many years, including providing safety presentations at our annual workshops and meetings. As indicated, Mark will be available only as occasions arise where the Board feels he can assist us, but nevertheless will continue to lend us a hand.

We learned from our neighbor, the Minnesota association of townships, about monthly educational meetings that they hold on a monthly basis over the internet via the 'Zoom' platform. We are going to be copycats and institute a "Township Tuesday" of our own over Zoom. We'll present a short program on a timely topic and if time permits, have an open dialogue with participants with questions and answers. We'll roll out the first one on Tuesday night, August 13th. See elsewhere in this issue for the Zoom connection link. Hopefully, we can work out the kinks and continue with the meetings each month thereafter.

Election season is upon us, so make sure you introduce yourselves again not only to your local legislators, but also to those who are candidates seeking office. The folks going to Bismarck need to know who's on township boards back home and what the local township issues are. And, I'm always surprised at how many township officers can't remember who their legislator(s) are—make it a point to meet and interact with them—it is so important when we need local officers to encourage their own representatives to vote affirmatively on a township legislative issue.

Here's hoping the remainder of the Summer is uneventful,

and remember, if you are not barefoot you are overdressed! Following are a few questions I've fielded lately. TRM

Q: We have a couple of landowners arguing over a fence on a quarter line. Do we have any responsibility?

A: Maybe. (how's that for a typical lawyer answer!) There is a section of the Century Code—Section 47-26-xx that deals with "fence viewing". When reading through the various parts of that title, however, it seems that most of the remedies contemplated revolve around whether fences are built properly, or whether they have been properly maintained, etc., and not necessarily about whether the fence is over the boundary line or not, as is the case that you report. That controversy is more of a private matter between the landowners, and could lead to an 'adverse possession' type of litigation, where one party is deemed to have been in effect trespassing on the other's land.

Q: Our clerk/treasurer position has been combined for many years. We had a vacancy in the job and we appointed a new person to fill the position until our next annual meeting, but the new person is not comfortable with the finance side of the job. Should we separate the two positions again and find a new treasurer, too?

A: Yes, you could go through the process of splitting the positions again. However, nothing says you couldn't hire a bookkeeper type of person for a few hours a month to help out, which the clerk/treasurer as well as the supervisors could oversee. And, the bookkeeper wouldn't need to be a township resident. Might be a good way to get a college/high school kid who's handy with computers to get interested in township government, too.

Q: What kind of notice is required for zoning meetings?

A: It depends on what the zoning meeting is for, and also, what does your own zoning ordinance say about meeting notices. Remember that zoning meetings and township supervisor meetings are two distinct and separate bodies. Supervisor meetings require "reasonable" notice, generally, and not necessarily newspaper notice. Some zoning meetings require newspaper notice, some don't. Nothing in state law lays out each situation, but rather is governed by each entity's own rules. Check your own ordinance and follow what it dictates, and if nothing stated, then consider amending your ordinance to include some reasonable notice requirements. And, when in doubt, townships are never wrong with using newspaper notice.

Q: The chairman of our township passed away recently and we have read in the handbook where the remaining two supervisors can appoint a new person to fill out the

chairman's term. The problem is that we have not kept good track of who has what term—we have all been supervisors for many years and at each annual meeting we just keep going for the next year. We would like to get back on track.

A: Assuming you have some prior years' minutes go back to the year when you each got on the Board for the first time and then count forward at three year increments until you get to present day and see if you can figure it out that way. Otherwise, at the next annual meeting, one way to do it would be to ask the meeting for approval for all to seek re-election—one with a one year term, one with a two year term, and one with a three year term, thus reinstating the

staggered term process. And, obviously, write it down this time!

Q: The railroad crossing signs in our township are placed quite a distance back from the track. Shouldn't those signs be right before where the approaching vehicle enters over the track itself?

A: Railroad crossing signs (known as "crossbucks") are to be placed "within 75 feet of the nearest rail". See Section 24-09-03 in the township handbook. Note: If there is an issue with railroad signs in general, check with the local railroad company's district 'trackmaster'/'roadmaster'.

Dale Heglund Receives the NDTOA President's Award

Dale Heglund received the NDTOA President's Award at the 57th NDTOA Convention. The award is given to a non-township officer that has given outstanding service to townships and the association. Dale retired in June of 2023 from NDLTAP where he had been the program director. In that position he developed and oversaw education programs that brought important training for township officers and county personnel.



Dale Heglund (left) is pictured with Tom Wheeler NDTOA Awards Committee Chair.

Grassroots Leadership Award Recipient, Douglas Warnecke

Douglas Warnecke has served Harwood Township in Cass County for forty-seven years. He first started out as the gravel checker, monitoring the quality and placement of gravel loads. He then became the Township Clerk, and also the Zoning Administrator, Flood Plain Administrator, and Township Assessor. He has been instrumental in several flood events, active both in preparation and recovery. Has worked extensively with FEMA for the benefit of his township. You can see a more complete description of Doug's service to Harwood Township, his community, and his country on the website at ndtoa.com/awards



Two Receive the NDTOA Excellence Award



Mark Verke (left) receives the plaque from Awards Committee Chair Tom Wheeler as President Lee Brandvold looks on.

NDTOA's newest award recognizes individuals for providing years of dedicated service informing and educating North Dakota Township Officers.

Mark Verke, while employed at the North Dakota Insurance Reserve Fund, started helping at the NDTOA workshops part-time in 1998. By the year 2000, Mark was a full-time member of the NDTOA workshop crew that traveled around the state in non-legislative years. Being able to work with Mark through the NDIRF has been a huge asset to NDTOA. Mark retired from NDIRF at the end of 2023, and we wish him the best in his retirement.

Also receiving the award is **Kathy Holte** who has been the long-time editor of the Grassroots Report. Kathy was unable to attend the convention to receive the award. It was presented to her at the Minot Workshop on February 12th.

Kathy Holte, of Voltaire ND (Lebanon Township, McHenry County), was hired to compose the "NDTOA Grassroots Report" in 2002. Kathy was editor of the Grassroots until 2023. We greatly appreciate the years of dedicated service to NDTOA.

North Dakota Property Taxes

BALLOT MEASURE

End Unfair Property Tax is the campaign behind the initiated ballot measure.



In summary, the initiated ballot measure states:

- Political subdivisions may not raise revenue through levying any tax on assessed value of real or personal property.
- Political subdivisions may continue to levy tax if the tax was dedicated for the payment of bonded indebtedness.
- The State shall provide annual property tax revenue replacement payments to political subdivisions in an amount equal to what was levied in 2024.

SUMMARY OF CONCERNS with the measure:

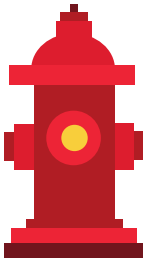
1) The measure does not contain a plan for how the state would cover the estimated \$1.329 billion per year for property taxes to fund essential services.

2) It would take away local control of the local budget. Voters in your township know more about your township's needs than people at the state level.

3) The revenue replacement funding levels will likely be frozen at 2024 levy levels with no authority for political subdivisions to raise the needed additional revenue to keep pace with growth and/or inflation.

4) Rural areas, such as townships and small cities, do not have the option to replace funds with sales tax. Rural residents will contribute more to larger cities through sales tax.

5) Out of state landowners will not contribute for roads and other services for their properties.



PROPERTY TAXES FUND ESSENTIAL SERVICES

The property taxes you pay directly benefits the development of your community and funds the services available to you as a resident.

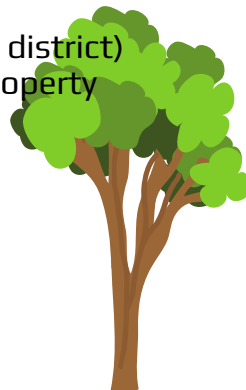
Property taxes are collected by local government (city, county, township, school, and park district) to fund essential local public services. The local public services whose funding relies on property tax include, but are not limited to:

SCHOOLS: schools receive approximately 50% of property tax funds

PUBLIC SAFETY: police, sheriff, fire, corrections

PUBLIC WORKS: road maintenance, snow removal, street cleaning, water and waste maintenance

COMMUNITY SERVICES: public parks, pools, recreation facilities, libraries



2024 LOCAL ROAD CORRUGATED METAL PIPE TRAINING

On-site

5 Hours – Road Scholar Credits



August 22 (Thursday) • 9 a.m. – 3 p.m. CST

Mountrail County Highway Dept. • 8103 61st ST NW • Stanley, ND

\$25 Registration Fee (includes printed training material)

Class Limit: 30 (limited to 5 attendees per agency)

Lunch is sponsored by TrueNorth Steel

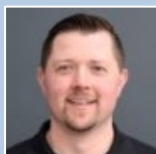
Registration Deadline: August 15, 2024



NDLTAP has partnered with TrueNorth Steel to develop a workshop to help county, township, and small community personnel learn how to properly design, install and maintain culverts. Workshop focus areas include:

- Pipe sizing – state rules and design methods that engineers use to select properly sized culverts
- Pipe coating selection – options available and how to choose
- Pipe performance – review of slope, interior, flared ends, outlets, velocity, etc.
- Pipe strength – how soil and pipe strength combine
- Pipe installation – **virtual field installation**. pipe survey, bedding, placement, backfill, compaction, and collars.
- Pipe slip lining – extending pipe life

Instructors:



Brandon Scherber is a Sales Engineer in the Drainage and Modular Bridge Division of TrueNorth Steel. He joined TrueNorth in 2009 after graduating from NDSU with a B.S. degree in industrial engineering and management. Brandon worked in quality assurance/quality control until 2016 when he transitioned into his current role where he supports engineers and customers with design-related guidance and specifications in the states of ND, SD, MN, and WI.

Subject Matter Expert:

Kelly Bengston, UGPTI and Jeremy Bohner, TrueNorth Steel



Bryon Fuchs – NDLTAP/TTAP Program Director with twenty-five plus years of transportation experience. He previously worked for a consulting engineering firm and NDDOT in Materials & Research and Local Government Division. Bryon was involved in the bridge replacement & inspection program for local agencies while at NDDOT.

Target Audience: The course is recommended for county, township, and small community personnel.

If you have questions about this event, contact NDLTAP @ 701-328-9856 ndltap@ugpti.org. If you have a request for an accommodation related to a disability or have special dietary needs, please contact Denise Brown at (701) 220-0101 or denise.brown.1@ndsu.edu at least two working days prior to the event.



Grass Roots Report

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



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RETURN SERVICE REQUESTED

Check Out The New NDTOA.COM Website!

New look! The site is also mobile friendly so check it out on your phone. Resources, important township information is added frequently – check back often.

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