

GRASS ROOTS REPORT



FALL 2022

The Official Newsletter of the ND Township Officers Association

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FEDERAL GRANTS—IT'S A WAITING GAME

By Larry Syverson, NDTOA Executive Secretary

Hundreds of ND Townships have put in thousands of applications for the TTFP grant program, and many are wondering, where is the check? The answer is Federal grants don't work that way. Not all grants are available at any given time and grants are for specific types of projects.

When the Feds put out a Notice of Funding Opportunity (a NOFO) there is only a limited time to get the applications submitted and they can only be for that type of project.

Then there is a lengthy review process which could take months. And the grants are competitive, the Feds will choose which projects are the best use of the funds available. While the lion's share of grants do go to population centers, some types of grants actually specify that a certain percentage of them will

go to rural and underserved areas.

Federal grants for transportation are not quick or easy money. According to Scott D. Zainhofsky, North Dakota Department of Transportation Planning/Asset Management Division Engineer, "Applicants should expect at least two (2) years between application submission and project start, if the grant is awarded; getting 10-15% of grants submitted is considered a great success rate.

So, most good grant projects will need to be submitted 2-3 times before they are awarded. Therefore, don't expect even a good grant project to start less than about four (4) years after it is first submitted, and odds are any given project will never get grant funding." That from the office at NDDOT that works with Federal grants all the time.

So why bother with applying for these grants, if they are not quick, easy, or sure money? Because if a grant is awarded it would provide money that otherwise would not be available. The total of requests for Township Transportation Funding Program grants is over two hundred million dollars. That is a lot of money to come up with without Federal funds. If you don't apply for the grants, you can be certain there will not be any money.

The competitive grant system of providing funding is going to become more common while the formula-based funding may be less so. The goal is to put money where there is a demonstrated need and the will and ability to get the work done. Major long-standing problems can get fixed and fixed right.

NDTOA RAMPS UP EFFORTS FOR 2023 LEGISLATURE

See Page 3 for information

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President's Comments



Hello Township Officers,

Once again, this year has provided huge challenges for several township officers. The extremely wet 2022 spring left many roads underwater or washed out. There were reports from areas that had so many roads underwater that they ran out of road closed signs to notify the public of the dangerous road conditions. This did not stop township officers from thinking outside the box and using whatever they could find to warn individuals traveling the roads. Reflective orange cones, barrels and even haybales, along with some makeshift warning signs were used to barricade off damaged roads. I would like to say "Thank you" to all township officers who took your job serious and were watching out for the safety of others. Hopefully, roads were able to be repaired to allow for normal traffic flow.

Speaking about repairing roads, we have had a great response to the Township Transportation Funding Program (TTFP). If everyone recalls, during the 2021 legislative session this was grant funding that Legislators made available to townships in HB1015. Included in HB1015 was 10 million dollars which was to be made available to townships to be used for road repair. However, there is a requirement to have federal money to match the state money before any funds can be released to pay for road projects. HB1015 has given us the funding opportunity to repair roads that we normally could not repair due to the lack of funds. It is a very complicated and lengthy process to qualify for federal money. It could take up to four years for a township road project to become a reality, so please be patient. Grant writer, Kenneth Steiner from the Upper Great Plains Transportation Institute is continually watching for federal grants that will match the applications that were sent in by townships. There are also several individuals from Upper Great Plains Transportation Institute (UGPTI), North Dakota Department of Transportation (NDDOT), and North Dakota Township Officers Association (NDTOA) that meet weekly to discuss the current status of potential federal grants. We will continue to work together to improve our roadways, however you need to understand this is not a speedy process and that not all road projects will meet the requirements for a federal grant.

In August a few NDTOA board members traveled to Sturgeon Bay, Wisconsin. The conference was held August 14-16, with the kick-off meeting being the National Association of Towns and Townships (NATaT). States that attended the NATaT meeting were Illinois, Michigan, Minnesota, Ohio, Wisconsin and North Dakota. South Dakota joined us for the multi-state meeting which started on August 15. By meeting with these other states, it gives us the opportunity to discuss road funding, township laws and how each state works with Legislators during the legislative sessions. It is amazing that even though we are miles apart, the issues that township officers face are very similar in every state.

I hope to see everyone at the Baymont in Mandan on December 12th and 13th for your annual meeting.

Sincerely, President, Lee Brandvold

Former President Passes Away

Charles (Chuck) A Thacker passed away Friday, July 8, 2022, at the Pembina County Memorial Hospital in Cavalier, ND.

Charles A. Thacker was born on March 25, 1930, in Hamilton, North Dakota. His father, Albert E Thacker, died when Charles was six years old. Charles attended school in Hamilton and then at the Bruce Community School in rural Pembina County. He entered the U.S. Army in 1946 and was stationed at Camp McCoy, he was discharged in 1948 as a Medical Technician.

He married Joan Gerszewski in Grafton in September of 1949. They had three children Kathy, Charles Jr and Todd. His wife Joan passed away in March of 2015.

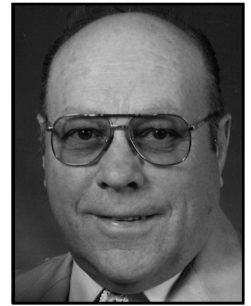
Charles ran Chucks Body Shop and Auto Repair until 1988 when he retired. He was a member of the Gainer-McAndrews Post 242 in

Neché. Charles was past president of the Neche American Legion Post, Pembina County Fair, Job Development, as well as the St. Joseph's Preservation Society.

Chuck was also very active for many years as a Felson Township officer, and he served as President of the Pembina County Township Association for several years. He was twice elected President of the North Dakota Township Officers Association. The first two-year term was in 1998 and the second in 2006.

Several changes for the NDTOA came about during Chuck's two terms as President. Two more district positions were added to the board of directors, bringing the count to six districts. Barb Knutson was hired as treasurer bringing association financial records into the computer age. Another accomplishment was the establishment of a full time Executive Secretary who

would also be the Director of Government Relations and Legislative Lobbyist. This led to the hiring of Ken Yantes as the first full time Executive Secretary and Director of Governmental Relations.



In recognition of his decades of service to Felson Township, the Pembina County Township Officers Association and North Dakota Township Officers Association, Chuck was presented the Mr. Township Award in 1998 by the NDTOA. That award is now known as Grassroots Government Leadership Award.

NDTOA RAMPS UP EFFORTS FOR 2023 LEGISLATURE

By Larry Syverson, NDTOA Executive Secretary

Your association is preparing for the coming legislative session by increasing contact with legislators as well as the state executive offices and departments. We are working with the other stakeholders such as the ND Association of Counties, the ND League of Cities, and the supporting farm and grower groups, because in North Dakota transportation is important to all of us. The assistance of those groups was instrumental in the successes of past sessions.

Another lobbyist is being added to

the staff for the period leading up to and through the session to help with the increased contact with the legislators and to provide more timely information for you.

Most importantly we will be calling up our most effective advocates, the Township Officers of ND. We are working on a Township Officer's Day at The Capitol. Township Officers from across the state will gather at the Capitol. A legislative lunch will be provided in the Great Hall. After the lunch some may be seated with their legislators for the floor session. Others would be together in the balcony of either chamber, it

will be announced that the ND Township Officers are present. Everyone will know the Township Officers are in the building!

We would like for this to coincide with a vote on some issue important to townships, like funding. If Township Officer's Day at The Capitol sounds like something you would be interested in, please let me know. Call 701-430-1735 or email larry.ndtoa@gmail.com We would like to get an idea how many would be interested. There will be more on this in the next issue of this newsletter.

The Country Lawyer

by Thomas R. Moe, Attorney-at-Law



GREETINGS! Where did that Summer go? Harvest is upon us, including all the garden produce that is available. My neighbor offered me some zucchini, and I told him I would take one or two—little did I know that he indeed would bring me one or two—shopping bags filled with the stuff! Sometimes I think there oughta be a law against growing zucchini!

We had a great meeting with our counterparts from South Dakota, Minnesota, and Wisconsin at the annual multi-state conference of townships. This year it was held in Door County, Wisconsin—what a beautiful area. I always come away from our multi-state events learning a lot of new things, new ideas, and a new appreciation for what township officials have to accomplish in the other states as well as our own.

We were able to visit a major dairy operation in a rural township, and were able to visit with the local officials about their role in the dairy regulations.

Townships in North Dakota could learn a lot about animal waste management from our township brethren in Wisconsin! While we probably won't see much dairy expansion here, we know that there are always concerns with future hog operations in our townships, and I was very impressed with the depth of collaboration the local officials in Wisconsin have with not only each other, but also with the producer. Additionally, we were able to spend a day with the National Towns and Townships folks (NATAT) who also joined with us at our multi-state meeting. I was able to visit exten-

sively with several of the NATAT members about our concerns with the Waters of the US (WOTUS) rules which once again seem to be appearing on the national stage. NATAT has taken a strong stance on our behalf in opposing any expansion of the WOTUS rulings, as those regulations can have a severe impact on secondary road repairs or construction. NATAT will once again renew their efforts for us in not only Congress, but with the EPA as well.

Fall means it's probably time to once again get a road survey accomplished in your township. Make special note of signs and their reflectivity at night. Make a plan for replacement if needed. And, remember to get those ditches mowed on a timely basis. If the landowner doesn't get it done, the township can use the process to perform the cutting and charge back against the land taxes.

I've talked with several of you over the course of the summer, and I am hopeful that we will see many of you at the upcoming State convention of NDTOA. We talk about many of the same issues at the convention, and I usually host a question and answer session where you can 'hit me with your best shot'! Please make plans to attend—it's your duty as a township official to stay up to date on the recent rules and regulations. Yes, you will always learn something!

Following are a few questions I've received in the office. Have a safe and fruitful harvest! TRM

Question: Can a township take donations? We have a landowner who won some money and he wants

to give it to the township for future road gravelling.

Answer:

Take the money!! Yes, townships can accept donations—I wish more people would have the same charitable bent as your local landowner.

Question: We have a person in our township that wants to put in a speed bump in front of his residence—he has small children and would like to get traffic to slow down. Can we let him do this?

Answer:

Speed bumps have to properly constructed according to code, and have to be properly signed, along with speed limit signs—in other words, it's not as simple as just putting out a speed obstacle. The township will have the liability for any issues that may arise of course, so it probably is not a good idea. Many townships use speed limits for residences—I understand that probably won't necessarily slow people down, but a properly posted speed limit sign gives the authority for law enforcement to write tickets.

Question: Our township has a vacant lot where the old schoolhouse stood. (the school has since been removed) A farmer wants to rent the lot and store some equipment on it. Can we allow this and will we have some liability?

Answer: You should have a standard rental or lease agreement with him. Included in the document should be language 'holding the

The Country Lawyer cont'd from page 4

township harmless' for any accidents/issues/problems that may arise because of the presence of the farmer's items. Have the farmer provide the township with a certificate of his insurance which states that his equipment is insured while on the township's property.

Finally, make sure there are requirements that all items will be kept in working condition—i.e. can be moved, and that grass and weeds will be mowed, etc. The township also needs to assure that the lease can be terminated at any time and the equipment removed on a timely basis.

Question: Our clerk got a billing invoice from a vendor we have never done business with. The billing stated that payment was due within 5 days, otherwise they would take us to court. The clerk initially was going to pay the bill, because he didn't know if us supervisors had maybe if fact had actually done business with this outfit. Luckily we caught it in time. How do we stop this kind of billing?

Answer: Unfortunately, in our computer age, our addresses and

information is "out there". This is obviously a sham and this kind of activity seems to happen more frequently. Usually it's done on a personal basis, but apparently public officials and entities are now fair game for these crooks. This does show, however, for the need for clerks and supervisors to constantly communicate, especially when it comes to approving bills to be paid—this is one of the reasons why we encourage monthly meetings.

Question: Do zoning notices need to be published in the newspaper?

Answer: It depends. Your own zoning ordinances control here, as every set of ordinances differ—there is no state law *per se* that dictates zoning meeting notices. I do know of some ordinances that require newspaper notice for any zoning action, others require publication for only certain actions—e.g. changing zoning boundaries, ordinance amendments, etc. But, some form of notice is always required—notification to the county auditor at a minimum. And, it's never wrong to use the newspaper even if it isn't necessarily required.

Question: We have an unimproved section line under water. What is our responsibility? Some people do drive on it on occasion.

Answer: An unimproved section line is still the township's responsibility and jurisdiction. The township is required to deal with and repair "known hazards", but no road construction would be required. Because you are aware that the public does use the line, a properly placed 'road closed' barrier should probably be used—even though it is not a "road" within your approved system. Because vehicles are driven on the line, the public needs to be made aware of the potentially hazardous situation.

Question: Is a quarter line road a public road?

Answer: A quarter line road is a half-mile from a regular section line in either direction. Many townships put in roads on the quarter line because the section line just a half-mile away was either impassible, or the topography was such that a road couldn't economically be built there. Hopefully, the township officials years ago obtained an ease-

Township Officers Association of North Dakota with Rail/Hwy Crossings

The North Dakota Department of Transportation (NDDOT) is requesting your assistance to identify locations within your jurisdiction where highway/rail crossing safety could be improved.

The information provided should contain the location of the grade crossing by street or road name and the distance and direction to the nearest town(s). Please be specific about your concern or suggestion for improvement.

NDDOT has annual federal funds available for safety enhancement projects at highway/rail at-grade crossings. These funds are used for the installation of active warning devices (e.g. flashing light signals with gates), crossing signs, and crossing surface improvements. The funding breakdown of a crossing project is 100% Federal funds until the end of the 2026 federal fiscal year.

Please remit your concerns or

suggestions before **December 30, 2022**, so they can be included in the annual review process. Be assured past concerns have been incorporated in the statewide pool of prioritized crossings.

Crossing concerns or suggestions can be forwarded via email to: jstyron@nd.gov

Thank you in advance for your cooperation and supporting hwy/rail crossing safety.

NDTOA GRASSROOTS GOVERNMENT LEADERSHIP AWARD NOMINATION FORM

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. AND 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.

NDTOA GRASSROOTS GOVERNMENT LEADERSHIP AWARD NOMINATION FORM NOMINEE:

Name _____ Office _____

Township _____ County _____

Address _____

Phone Numbers _____

Your name _____ Office _____

Address _____

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.

Help Wanted

NDTOA is currently looking for an assistant lobbyist to work in

Bismarck for the
2023 legislative session .

Wages depend on experience.

If interested please contact
President Lee Brandvold at

701-720-5457

or email - ljbranch@restel.com

or

Vice President Todd Webber at

701-347-4123

or email— twfarms@live.com



WORKING FOR YOU!

Treasurer's Report

by Barb Knutson

The chill of fall is in the air this morning, even a little moisture, which is very welcome!

It has been a fast-paced summer and much going on in the world of townships. I have the mailing list near completion, thanks to those that have provided up to date information.

A special thanks to the Auditors that have aided in that project. Please make sure they have the latest information for officers. There are a couple of counties that have this included in their info, name, office held, address, telephone number, cell phone numbers, email address, and date of term expiration. Very helpful! When I get calls wondering who is on a board because the information is out of date, I always wonder where the gap is. It is also very helpful when the list is

on the county website.

There are still a few that have not paid dues for the year. They are due May 1 and delinquent October 1. Please try to keep this in the year that they are due, as it does help with budgeting.

Getting to be the time of year to be gearing up for Annual Conference. Be sure to mark these days on calendar. December 12 and 13 are the dates for this year at the Baymont in Mandan. Look for more information on conference in this newsletter.

Hope this finds you all with bumper crops and enough and not too much moisture for the future! Look forward to seeing many of you in December. Mark those days down!

Thanks for what you are doing out there, it is important!

CLERK/TREASURER TRAINING AT NDTOA 2022 CONVENTION

By Larry Syverson, NDTOA Executive Secretary

Part of the 2022 NDTOA Convention will be a breakout session for township clerks and treasurers. This session will be held at the Baymont Inn of Mandan on the second day of the convention, December 13th and will feature the ATR (Annual Township Ledger Reports software). Look for details in the next issue of the Grassroots Report.

This will be a great opportunity to get your questions answered if you do have the ATR software and need some instructions. Also, it will be an opportunity for those township clerks & treasurers that do not yet have the ATR to see just what it can do for keeping the township

records and preparing the annual reports.

County auditors that are familiar with the reports that the ATR creates are impressed that they are readable, and the math is correct. This saves the auditor's office a lot of time deciphering handwritten reports and checking the math.

Not only is the ATR a big improvement over handwritten reports at the end of the year, but it also provides up to date balance and budget information at any time during the year so you can keep your board of supervisors aware of current finances. It is a great tool for building a budget to propose to your citizens at the next annual

meeting.

The clerk training that was presented last year was recorded and is available on the website NDTOA.COM. Look for it under VIDEOS. The video features Forms, Budgets, and Levies by Linda Svihovec. Linda will also be available at this year's session to answer questions on those topics.

Also please note that the cost of attending this training is an acceptable expense for your township to reimburse you for, including: your registration, mileage, and hotel costs. You can also be paid your township's daily wage for attending.



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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