

NDACo Celebrates 50 Years of Growth, Progress

Jeff Eslinger | County News Editor

Following authorization “to organize associations of county governments,” passed in the 1973 Legislature (NDCC Chapter 11-10-24) the North Dakota Association of Counties (NDACo) sprung into existence with a Constitution and Bylaws and soon hired an Executive Director (E.D.). Its primary purpose, which continues as a priority today, was to represent the needs of counties in relation to the work of the ND State Legislature.

The past three Executive Directors – Mark Johnson (1983-2018), Terry Traynor (2018-2022) and Aaron Birst (2022 – present) – met recently to reminisce and reflect on the organization’s history, especially the steady development of new programs and services.

“A crisis was brewing in the early eighties, as insurance companies began to refuse coverage of local government liability,” recalled Mark Johnson. “We got together with the other political subs and took a plan to the legislature to self-insure, which resulted in the creation of the ND Insurance Reserve Fund (NDIRF) in 1986.” While NDIRF was not solely a product of NDACo, it demonstrated how powerful and effective local governments can be when they join forces.

“The Juvenile Justice Grant was the first major program to come out of NDACo,” noted Johnson. We had this wonderful opportunity to partner with the state, using a federal grant, to provide counties with needed support in dealing with juvenile delinquency. It operated under a consultant for a while – Jerry Hjelmstad – but it wasn’t long before we saw it needed to be staffed more permanently, and that’s when Terry came on board (1986).”

Following are just a few of the major initiatives over the years:

- 1991: As emergency 9-1-1 services spread to wireless phone networks, NDACo became an essential element in ensuring the latest technology would be employed, border to border. These services continue to evolve and challenge both government and private sector providers. Most recently, NDACo became the central clearinghouse to collect and redistribute 9-1-1 fees from wireless providers.

- 1995: To bring high-level, professional development to all county officials, the Institute of Local Government (ILG) was created and opened to all local government officials. ILG has been an essential driver of training at events such as the Annual Conference, Legislative Wrap-up and more.

- 1996: To save spiraling costs for Worker’s Compensation, the County Employer Group (CEG) was formed, essentially turning all counties into one employer.



NDACo Executive Directors, L-R: Aaron Birst (2022 – present), Mark Johnson (1983 – 2018), Terry Traynor (2018 – 2022)

- 2000: The computer and automation staff, known since the early ‘90s as NDCAT, was spun off into a wholly owned subsidiary called NRG Technology Services, which continues to serve the technology needs of counties, as well as other government and private sector clients.

- 2002: The Help America Vote Act (HAVA) brought funding to the state to improve voting systems and equipment. ND Secretary of State Al Jaeger saw the value of working directly with counties, through NDACo, to accomplish the goals of HAVA.

Continued on page 22

Next Generation 9-1-1 Achieves Important Milestone in Dakotas

Public safety has reached a new milestone in North Dakota and South Dakota. The Next Generation 9-1-1 (NG9-1-1) system has proven it can accurately route emergency calls made from near the border to the appropriate state, allowing for faster response to emergencies.

NG9-1-1 is migrating the network that it operates on from a telephone line-based technology to internet protocol (IP) based. This allows for geospatial call routing, where the call is directed to the 9-1-1 call center – known as a public safety answering point (PSAP) – based on the caller’s physical address. Challenges in routing 9-1-1 calls arise when made from near the state border.

Recently, a call was made into the Dickey Rural Network (DRN) (formerly Dickey Rural Telephone Cooperative) phone system from one of their customers across the border in South Dakota. Because DRN is in North Dakota, the call was sent to the North Dakota emergency services network. However, based on the geospatial data, the system successfully routed the call directly to South Dakota emergency services. This was all done seamlessly, without delay or the need for other actions.

This exemplifies North Dakota’s significant progress in NG9-1-1. Working with originating service providers like DRN, as well as Dakota Carrier Network and the South Dakota Department of Public Safety, both states are realizing the benefits of Next Generation 9-1-1.

Jason Horning, North Dakota’s NG9-1-1 program manager stated, “We have struggled considerably with finding cost-effective ways to handle out-of-state originating service providers (OSPs) which have a very small number of wireline subscribers in our state. This deployment demonstrated that it may not be necessary to directly connect out-of-state OSPs to our emergency services network, allowing them to leverage their existing connectivity to the state in which they primarily do business.”

North Dakota is still evaluating this initial deployment and working to document the requirements necessary to make it a repeatable configuration. “There are details we are still working through but clearly this is possible and may serve as a model for other out-of-state OSPs that we engage in an effort to make sure every North Dakota and South Dakota resident receives the proper PSAP on initial delivery,” says Horning.

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HISTORY OF NDACo EXECUTIVE DIRECTORS

Aaron Birst
 2022 – Present

Terry Traynor
 2018 – 2022

Mark A. Johnson
 1983 – 2018

Ron Soderberg
 1978 – 1983

Dennis Frederickson
 1976 – 1978

Henry Luther
 1975 – 1976



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Board Member PROFILE



DANA LARSEN

Ward County Highway Engineer

What is your favorite thing about your job?

I love the variety of my job and the satisfaction of building and improving our road and bridge infrastructure. Knowing that we are building infrastructure that will serve the community long past my lifetime and my kid's lifetime.

Family: My wife, Jennifer and I have been married for 29 years and we have three adult children, son Alex, and daughter-in-law, Caley, and daughters, Christina and Elizabeth

Other things you are involved in: I am very active at our church, serving in various roles and

capacities, including Chairman, Elder, Board of Christian Education, I sing in the church choir, and help my wife set up and tear down for Sunday School programs, VBS and choir events. (Does that make me a roadie?) I am active with the ND Association of County Engineers, and I currently serve as a representative from NDACE on the NDACo Board of Directors.

What are you listening to right now? Shinedown station

What are you reading right now? *The Speed of Trust* by Stephen Covey, and *The Dresden Files* series by Jim Butcher

Something people probably don't know about you: I enjoy woodworking and building cabinets, which I learned from my father.

Philosophy of life and/or work: My philosophy emphasizes creating a positive, respectful, and growth-oriented work environment where people feel valued, supported, and inspired to improve. It focuses on teamwork, kindness, and celebrating both successes and lessons learned, fostering a culture where individuals feel safe to ask questions and embrace change. I am committed to leading with empathy, integrity, and accountability by supporting others' growth, nurturing their confidence, and continuously striving for personal and organizational improvement.

Favorite quote: You bring your own weather.



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Nick Moser, 2nd Vice President Cavalier
Kim Jacobson 3rd Vice President Agassiz Valley
Jayme Tenneson, Past President Nelson/Griggs

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Shirley Murray Sheridan
Scott Ouradnik Slope
Kelly Palm Griggs

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Stanley Dick (Cavalier) NACo Board
Joan Hollekim (Mountrail) NDCCA President
Robert Wilson (Cass) NACo Board

NRG Technology Services Staff:
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NDCCA Executive Committee

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Neal Messer, Vice President Stark
Glenda Collier, Treasurer Eddy

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Tracey Dolezal Dunn
Cory Hanson Williams
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Scott Ouradnik (Slope) Western Interstate Region Board

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FROM the COUNTIES

The Coffee Pot is Always On

Howdy from the Ruland Ranch... Hope y'all had the most wonderful Christmas and a fun New Year! In our household the holiday season became the *cold* season. We stayed quite close to home, no festivities and coughed a lot!

I realize how fortunate I am to be working with great people in my county, in the other counties and in the NDACo.

To all you newly elected county officials: *welcome aboard!* Thank you for stepping forward to serve in your communities. And thank you to those reelected officials who chose to continue serving. You bring talents, knowledge and experience that help us all.

For the newbies, your first year can be a bit overwhelming, so lean on the experienced people in your county, in other counties and in the NDACo. I encourage you to join the NDCCA Legislative Committee virtual meeting each Friday (see Joan's column) and the joint conference being held in Bismarck, February 18 and 19. Networking with colleagues is so educational.

Other great resources are available not only for you newbies but also for us oldies...

- ILG, Institute of Local Government, of the NDACo is continually offering courses on topics to assist county officials better understand your jobs. Visit www.ndaco.org and click on the *Professional Development/ILG* icon tab for a listing of upcoming courses.



Trudy Ruland | NDACo President
Mountrail County Commissioner

- NDCCA's North Dakota County Handbook is an invaluable resource describing the structure of all of county government in North Dakota. There are links to many references and related resources. Visit www.ndcca.org and click *HANDBOOK* on the top left of the webpage.

Reach out, ask questions, and participate in the various gatherings of county officials. Come down to Bismarck during the legislative session. And remember that the best ideas old ranchers have are usually borrowed from their neighbors!

If you have questions, concerns, or you just want to visit, please don't hesitate to call me. Better yet, stop in at the Ranch. The coffee pot is always on.

FROM the COMMISSIONERS

Happy New Year

I would like to congratulate all the reelected and newly elected county commissioners and officials. The voters have placed their trust in you; work hard and strive to make a positive impact. I encourage you to get involved and take every opportunity to learn. It amazes me how much knowledge I gain each year.

The NDCCA Legislative Committee met on December 11. Most of the discussion revolved around property tax; it is no surprise there is an overwhelming number of bills on property tax relief and reform this upcoming legislative session. This Session will be challenging staying on top of property tax-related bills and others affecting local government. There is representation from every county commissioner region on the NDCCA Legislative Committee. I felt this was important, as our issues and challenges are different throughout the state. The committee members are posted on the NDCCA website. The Legislative Committee will meet each Friday from 2:00 pm to 3:00 pm (CT). You are more than welcome to attend these virtual meetings. Also, please take advantage of receiving email alerts on county-related information by subscribing at www.ndcounties.blog.

This year, NDACo along with other associations are planning a unique opportunity to attend a joint conference at the Bismarck Event Center on February 18-19. NDACo will be teaming up with schools, cities, townships and parks to provide education and a networking



Joan Hollekim | NDCCA President
Mountrail County Commissioner

opportunity to engage with other local and state leaders as well as legislators. You are also encouraged to attend floor sessions and legislative hearings throughout the day to broaden your knowledge of legislative activities. Sign up for this Local Government Capitol Connection event at <https://www.ndsba.org/guest-registration>. There also was an ILG Legislative Process Training course held on January 6th. The recording can be sent to you if this training did not fit into your schedule, just contact Alisha at alisha.adolf@ndaco.org.

I hope everyone enjoyed the Christmas holidays, I certainly did. I wish you a happy and healthy New Year. My first year as your president has been a memorable one. I truly appreciate the opportunity to serve and look forward to the upcoming year. As always, please call if you have any questions or want to offer input.

FROM the ASSOCIATION

Happy 2025 Everyone!

As I write that, it almost seems like the title from some futuristic movie. Am I the only one wondering where all the time goes? But since father time isn't slowing down, neither are we at your Association.

These odd-numbered years give us little time to reflect on 2024, as the Legislature is heading to Bismarck as I write this. A new governor will be kicking off the Legislative Session January 7th with the State of the State address which really sets the tone for every session. It is always an exciting and interesting time to see a change of administration, as each brings something new to the table.

I also welcome all the new legislators who have undertaken a new commitment to their constituents to make North Dakota the best place in the country to live, work and play.

This will be my 10th legislative session, and each of them has some unique themes. This one will be no



Aaron Birst | NDACo Executive Director

different; I am going to take an educated guess that property taxes will be the biggest single issue this year at least for county governments.

It has been largely reported that there exist some 50 to 60 bills aimed at changes to the property tax system. I am also taking an educated guess that

some might be workable and some may not. Deciding what services the citizens need or want (and more importantly how to fund them) is always a difficult balancing act.

Those in county government know this all too well as you do it every day. Whether it is determining how many sheriff's deputies should be hired or whether you should wait just one more year to buy that new motor grader, there are no perfect answers. Now it is the governor and legislature's turn to let us know how they believe our government should operate.

I know we at the Association are excited to work with our state leaders to help tell the story of how important all of you are in making sure county government works. And if you haven't yet signed up for the Capitol Connection February 18-19, please do, so you can lend your voice to that same story!



Aaron Birst, Managing Editor
Jeff Eslinger, Editor

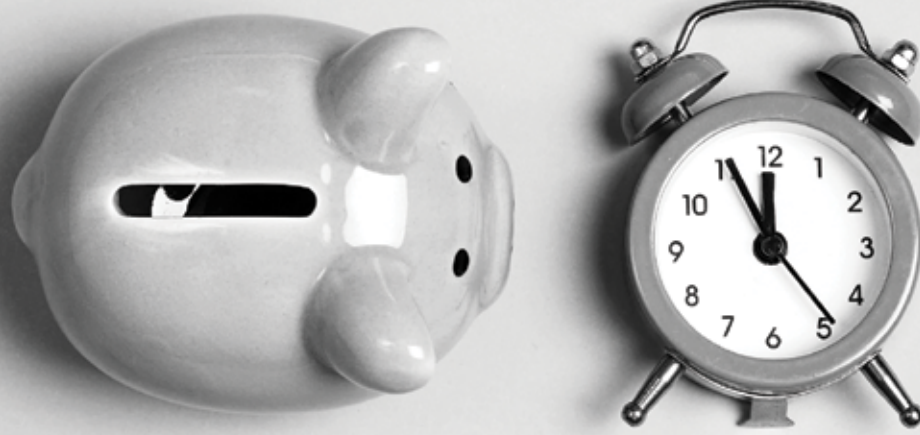
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How to Build Your Internal Investigation Policy

Joanna Drennen | HR Collaborative for Local Government Executive Director

An internal investigation policy helps to ensure your entity is consistent in its response to employee complaints and/or reports of misconduct and maintain compliance with Equal Employment Opportunity Commission (EEOC) laws. The goal of an investigation is to gather facts, assess the situation, and determine appropriate actions, if necessary, to resolve the issue and prevent future occurrences.

The first step in your entity's investigation is to receive and document the complaint or report. This step highlights the importance of your entity's employees knowing and understanding its complaint procedure. "An effective complaint procedure 'encourages employees to report harassing conduct before it becomes severe or pervasive'" (accessed July 25, 2024, from www.eeoc.gov/laws/guidance/enforcement-guidance-vicarious-liability-unlawful-harassment-supervisors) which may allow for issues to be resolved through conversation rather than a full investigation.

Though not every complaint or report will trigger an internal investigation, your entity should determine which scenarios will. For example, when formal complaints are made or when workplace policies are violated.

Below are some suggested steps your entity's internal investigation policy should include. *Note: All your entity's policies should be reviewed by a licensed attorney to ensure they comply with applicable laws and regulations.*

1. Receive and document the complaint or report

Be sure all documentation is stored in a secure area to help support the confidentiality of all employees or other officials involved (ex. elected officials, board members, etc.); however, be sure all involved understand confidentiality is not guaranteed due to the nature of an investigation.

If necessary, determine "if there are any steps that should be taken immediately," (accessed July 25, 2024, from HRAcuity.com), including placing employees on paid leave until your investigation is complete.

2. Plan the Investigation

Appoint an impartial internal or third-party investigator. The investigator will review the items collected in Step 1, request further related information and/or documentation, if available, and identify witnesses, if applicable.



Joanna Drennen

The investigator will then put together a timeline of events, per your entity's policy, and communicate the timeline to stakeholders. The stakeholders may include organizational supervisors, employees who are helping gather information, witnesses who will be interviewed, the person(s) who made the complaint or report, and the person(s) accused in the complaint or report.

3. Investigate

Your entity's appointed investigator will complete the investigation plan's action items developed in Step 2 and begin to review all information and/or documentation collected, including interview notes, email, and other records.

4. Analysis and Findings

Your entity's investigator should create a report that clearly states and represents facts collected during the investigation in Step 3. The impartial investigator should then summarize their findings and present the outcome of the investigation to the appropriate organizational supervisors. Based on the outcome, the investigator should include their recommendation regarding corrective action, if applicable, to resolve and/or respond to the complaint or report made in Step 1.

The investigator should then, upon agreement of the appropriate organizational supervisors, present the outcome of the investigation and corrective action, if applicable, to the employees involved (i.e. the person(s) who made the complaint, the person(s) accused in the complaint or report).

5. Follow-Up

Whether it's a supervisor, HR employee, or other employee, place one of your entity's employees in charge of monitoring the effectiveness of the corrective actions suggested in Step 4.

Following the investigation's close, be sure to meet with appropriate organizational supervisors to evaluate the effectiveness of your entity's investigation process and make improvements.

Internal investigations are guided by federal and state laws, including the Equal Employment Opportunity Commission (EEOC) guidelines, which address employer liability for harassment and discrimination.

For more information about internal investigations, refer to the HR Collaborative's HR Reference Guide available at www.NDIRF.com>HR Collaborative.

You can also review the EEOC's guidance available here: <https://www.eeoc.gov/laws/guidance/enforcement-guidance-vicarious-liability-unlawful-harassment-supervisors>.

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And Does It Matter? (Spoiler Alert – It Does)

Dwight Driscoll | NRG Account Manager*

A cursory glance at the County Officials Directory (www.ndaco.org/cod) shows that most county offices are using a “.gov” email address. The .gov ending brings with it added security, and assurance that the end user is a government employee.

However, nearly half of all counties do not include commissioners in that email category and in some counties that have them, there are at least a few commissioners using their personal Gmail, Yahoo! or other accounts. These accounts are sometimes shared with other members of the county official’s household.

Using a personal email address for official county business is a risky practice for county commissioners, due to transparency, privacy, and legal concerns.

Official communications are generally subject to open records laws. A private account, such as Gmail, does not protect you from open records. It is the content that matters.

When commissioners use personal email, it can complicate responses to public records requests. Do you want your IT department to sift through ALL your private emails, trying to determine which ones are county business, if a citizen or reporter requests open records?

Additionally, using personal email can create confusion for constituents and colleagues, blurring the line between personal and public matters. This practice also makes it difficult for the county to retain and manage records appropriately, as they are not stored in official government systems, which could result in accidental loss or failure to meet retention requirements.

Each county has its own approach to addressing this situation. Some provide a county email address; some

GOOD: Separate email account for County Commission Business (commissioner1@gmail.com)

BETTER: Separate email account within your county’s registered domain (commissioner2@county.org)

BEST: Separate email account within your county’s registered.gov domain (commissioner@*yourcounty*.gov)

commissioners simply set up a separate email address to use for county business.

**Created with assistance from ChatGPT, with additional editing and contribution by Jeff Eslinger, County News Editor*

NDACo Website Gets New Look

Jeff Eslinger | County News Editor

There’s something new on the Internet. No, not our website...your fingers. More people use mobile devices to access information on the Internet than computers.

Worldwide, mobile browsing overtook computers about ten years ago; but for www.ndaco.org, that transition is taking place now. With most of our users in professional county offices, it makes sense we would lag behind that trend.

This brings us to the need to improve how mobile devices access information on our website. We made several adjustments behind the scenes about five years ago to help mobile users. The new design takes it a step further by getting rid of most “drop-

down” menus, which are difficult to handle on a mobile device. Instead, we’re using icons with brief text to identify the various features of the site. If we do it right, you’ll find what you’re looking for just as easily with a finger-tap as a mouse.

NDACo published its first website in 1999. It had about a dozen main pages. Today, ndaco.org has over 300 pages of resources and information about our organization and about county governments. It’s a lot to organize. The changes you’ll see now are just the beginning. We value your input to help us make it easy for you to find what you need. Please send your comments on your experience, good or bad, to me at jeff.eslinger@ndaco.org.



www.ndaco.org in 2000 vs 2025

NRG TECHNOLOGY STAFF



Lonny Bosch	President	Danielle Kraft.....	Accounting Assistant
Cody Anderson.....	Systems Engineer	Matthew Levorson.....	Field Technician Intern
Garrett Bruner.....	Service Coordinator	Jeff McDowell.....	Systems Engineer
Dawson Dosch.....	Field Engineer	Erik McGurren.....	Security Analyst
Dwight Driscoll.....	Account Manager	Amber Schriock.....	Service Manager
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Jacob Fettig.....	Field Engineer	Kay Ternes.....	Service Coordinator
Kendall Fey.....	System Engineer	David Weiand.....	Systems Engineer
Jacob Fricke.....	Service Coordinator		

NDACo GIS Program Growth and Future Outlook

Kaitlyn Bakken | NDACo GIS Coordinator

Since joining NDACo, I've been eager to be a part of something bigger than myself; I'm honored to have the opportunity to do so with the GIS Program. Though the program seems to be small, it is mighty. The GIS Program began in April of 2022 and since then has garnered the trust of ten counties, one health district and the ND State Parcel Program. I have also been honored to become chair of the North Dakota Geospatial Summit.

Being a program for the counties, I noticed that most GIS Coordinators are unable to attend the Member Association meeting held at the NDACo Annual Conference because they had to attend other meetings that were occurring at the same time. Thus, the NDACo GIS Standing Committee was created. This standing committee was created with the purpose of giving county GIS Coordinators a common place to share ideas and new projects, create standards and guidelines, and increase general knowledge of GIS. The next meeting is planned for the middle of February. If you or someone else in your office is interested in joining the GIS Standing Committee, please contact Kaitlyn Bakken at kbakken@ndaco.org or 701-425-0819.



Screen capture of map showing health district resources.



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Walsh County Wins 2024 NDLTAP Innovation Champions Award

Innovation: Sliding/Swiveling Hose Holder

Innovators: Jerry Hodny, former Asphalt Foreman and Chad Arendt, former Sign Foreman

The Problem: The air compressor is used to clean out asphalt crevices, filled with sand, rock, and other debris, before filling the crevices with sealant. The hose on the air compressor would drag on the ground and this would wear off the 4-ply coating. In an effort to reduce the wear on the hose, the hose was pulled only short distances which meant the person with the hose stayed close to the moving pickup and towed compressor. This increases the hazardous conditions for the person dragging the hose, because the driver is challenged with always seeing that person.

The Solution: Designed and fabricated the sliding/swiveling hose holder so the hose wasn't dragging on the ground and wearing off the 4-ply coating. The hose is now easier to move because it is not being dragged on the ground. The holder is designed with a swivel arm and a track with sliders, which makes it easier to prepare a larger area of a single lane for crack sealing without moving the vehicle. The swivel arm and sliders on the track allow the person cleaning the asphalt crevices to be further away from the air compressor vehicle. The hose holder is designed with

Telespar (telescoping square tubing) as the base and is bolted to the top of air compressor. A piece of rubber is placed under the Telespar to prevent scratching. For reinforcement and strength, two-inch Telespar is used inside the bottom of the two and one-half inch upright (arm) telespar. This is connected with the curved bolt. The ball bearings are placed at the top and bottom of the 8-inch insert which enables the arm to swivel. The 9-inch bolt attaches the base and upright Telespar. The ratchet strap, attached to the compressor's lift ring and at the high point of the upright Telespar, provides additional strength and reinforcement for the arm. **Total materials cost: \$55.**

Savings and Benefits: The coating on the air compressor hose no longer wears as quickly as it did. With the hose suspended on the holder, it is easier to move and less labor intensive. Employee fatigue is reduced so the task is more easily completed. With the sliding/swivel arm holder, more area of a single lane can be prepped without moving vehicles. The person with the hose is better able to stay clear of the pickup and air compressor when it is moved. The driver has a better visual of the person with the hose. The road department has experienced increased job efficiency and increased safety for the road crew and cost savings in time and money.



Walsh County Highway Superintendent Jason Johnson accepting the NDLTAP Innovation Champions Award at the Regional Local Road Conference in Sioux Falls, SD, with NDLTAP Program Manager Denise Brown.



Sliding/swiveling hose holder.



NDDOT Name-A-Plow Contest Winners

North Dakotans recently took their creativity for a spin in the fourth annual NDDOT Name-A-Plow contest, and let's just say... the results are snow joke! From Nov. 1-15 more than 500 frosty and fun snowplow name ideas rolled in from across the state.

Once submissions closed, each district sorted through the icy avalanche of names and selected their top contenders. The final winners were crowned by NDDOT employees, who voted for their favorites.

So, what's the prize for these word wizards? Each winner gets to meet the plow operator steering the snow-beast they named and, best of all, see their winning name proudly displayed on the plow all winter long.

And now, without further ado, here are this year's winning snowplow names:

- Bismarck District: Snow Force One
- Devils Lake District: Optimus Brine

- Dickinson District: Mr. Snowjangles
- Fargo District: Clearapathra
- Grand Forks District: Plower Ranger
- Minot District: Iron Bladen
- Valley City District: Sled Zeppelin
- Williston District: Catch My Drift

We want to give a big, blizzard-sized "thank you" to everyone who submitted names this year! Your creativity and enthusiasm keep this tradition alive and well.

When you spot a plow braving the roads this winter, give it space and remember, those operators are working hard to keep all of us moving safely.

For tips on winter weather driving, the ND Roads app, and details about the Name-A-Plow contest, visit dot.nd.gov.

Stay safe, North Dakota—let's make this winter a smooth ride!

Risks Managers Make The CEG Work!

Patrick Engelhart | CEG Safety Specialist

In 1996, working with a consultant, NDACo created a Worker's Compensation program to cover all county employees in one group, called the County Employer Group (CEG). In 2000, the first permanent employees were hired to run the program: Mike Wolf handling safety and underwriting, and Jennifer Morman handling claims management. Both are still with the CEG, although Mike is planning to retire in 2025.

"We understood the importance of having a Risk Manager in every county right away," says Wolf, "so we set about working with counties to designate and train them. The program simply could not work without those Risk Managers."

The CEG is blessed to have excellent Risk Managers in every county in the state. When a county employee is injured or made ill on the job, the Risk Manager for that county is one of the

key "responders" to that incident. They are involved in every step that follows an injury:

1. Ensure timely reporting of that claim,

2. Facilitate communication between the injured worker and Workforce Safety and Insurance (WSI),

3. Participate in accident investigations to ensure a safer workplace moving forward, and

4. Work closely with Jennifer during the return-to-work process, which saves the county premium dollars when employees return to work in a timely manner, rather than draw WSI disability benefits.

Recently, those Risk Managers participated in training held at regional meetings in Dickinson, Minot, Bismarck, and Fargo. One of the many topics covered during that training included an in-depth overview of recent changes to the Presumption Clause. The Presumption Clause is a part of the North Dakota Century Code that pertains to how WSI treats certain claims relating to licensed peace officers and firefighters. In the 2023 Legislative Session, the Legislature made substantial changes to this law, essentially

expanding the possibility of workers compensation coverage to more workers in more circumstances. Additionally, Risk Managers learned details of a new WSI program to assist counties in paying for medical examinations for those licensed peace officers.

Other training topics included information on how to handle claims involving potential bloodborne pathogen exposures and information about how and when to obtain out-of-state workers compensation coverage for remote employees and employees that must work out of state for extended periods of time. Risk Managers also received access to resources on how to combat the #1 hazard to county employees: slips and falls on ice and snow!

Risk Managers are the heart and soul of the CEG. Without them and their hard work, often as an additional duty to some other primary role (let's be honest...roles), risk management in your county would be a lot more difficult and expensive. Their hard work is a testament to their dedication to service to others.

When you see your Risk Manager, thank them for all of their hard work!

Stop the Slip!

Slipping and falling on ice and snow is one of the most frequently reported methods of occupational injury in North Dakota. While most slip and fall incidents result in minor injuries, some of them have severe consequences. Here at the CEG, it accounts for roughly two out of three every worker's compensation claims. That's about 160 people a year having to seek medical attention for things like broken wrists, strained backs, and even traumatic brain injuries.

Here are three simple things you can do to prevent slips and falls on ice and snow:

1. Walk like a penguin.

- a. Point your feet slightly outward
 - b. Watch your path
 - c. Keep your arms extended to your sides
 - d. Walk slowly
2. Use three points of contact when entering or exiting a vehicle. If we are deliberate in keeping 3 points of contact, we will both avoid rushing and be able to catch or braces ourselves if we start to slip.
 3. Wear ice cleats. Ice cleats are equipment that provide us with better traction in snowy and icy condition.

Do the Penguin Shuffle!

Point feet slightly outward

Extend arms to the side

Adjust your pace

Watch your step

MSAFE

Safety is everyone's responsibility – prevent falls

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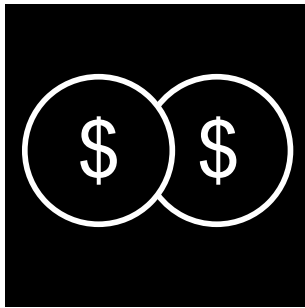
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COMM24-313

NDACo Board Approves Match Dollars for National Participation

Jeff Eslinger | County News Editor

The Board of Directors of the ND Association of Counties (NDACo) has approved matching funds for non-commissioner department heads who attend one of three National Association of Counties (NACo) events:



- Legislative Conference: March 1-4, 2025 (Washington, DC)
- Western Interstate Region Conference: May 21-23, 2025 (Pennington County-Rapid City, SD)
- NACo Annual Conference: July 11-14, 2025 (Philadelphia, PA)

The ND County Commissioners Association (NDCCA) started a similar program two years ago, and five applications have been approved so far.

Because the NDCCA program is available only to commissioners, the NDACo program does not apply to commissioners, but to non-commissioner department heads. Both programs have an upper limit of \$1,500 per event, which is typically enough

to pay half of the person's expenses for registration, travel and lodging. It is up to the individual whether they pay out of their own pocket or seek professional development funds from their county. Payment is made after the event, pending submission of receipts.

To learn more and apply online, please visit www.ndaco.org/about-ndaco/national_involvement, or call Michelle Tabbert in the NDACo office at 701-425-0822.

Grant Assistance Project in Full Swing

NDCACo is partnering with AE2S Nexus/Communications and Moore Engineering to help connect counties with grant funding opportunities to fund infrastructure and other capital project needs.

What is the NDACo Grant Assistance Program?

This is a free program, sponsored by the North Dakota Association of Counties (NDACo) to help counties identify projects and find grant opportunities that match their needs and goals. The program provides personalized support, expert advice, data-driven insights, and customized solutions for each county that participates.

Who can use these services?

Any official representative of a North Dakota county, including County Engineers, Auditors, Superintendents, Elected Officials, Administrators, etc.

How do I know what projects are eligible for grants?

That's why we're here! We will help review your projects or Capital Improvement Plans, identify projects that require grant funding, research available grants, and provide eligibility requirements and information on how and where to apply.

Is there a fee to participate?

Consulting, project identification, and grant research are provided free of charge to any North Dakota County that inquires.

What types of projects can you help with?

Almost anything – there are countless local, state, and federal grants available ranging from roads and infrastructure, utilities, water and wastewater, economic development community planning, and much more! If you have a project, there is a good chance that we can find a grant that supports it.

What if I need more help?

If you need more help after identifying projects and qualifying grants, we can provide grant writing services and/or ongoing grant management support with a separate agreement and fee.

Who do we contact or work with to get grant help?

Genny Dienstmann, NDACo,
701-425-0815

Genny.Dienstmann@ndaco.org

Josh Wayt, Moore Engineering,
701-200-5455

Josh.Wayt@mooreengineeringinc.com

Abby Ritz, AE2S, 701-221-0530

Abby.Ritz@AE2S.com



Then Governor-Elect Kelly Armstrong speaks to NDSDA gathering.

ND Sheriffs and Deputies Meet

Members of the ND Sheriffs and Deputies Association (NDSDA) held their winter meeting December 12-13 at the Radisson Hotel in Bismarck.

Agenda items included Swatting Incidents, Crisis Care Implementation,

ND Highway Patrol Resources, Mental & Behavioral Health Services, Preparing for the Legislative Session, Illicit Vape Products, Prison Capacity and special guest Governor-Elect Kelly Armstrong.



NDSDA Workshop on the Legislative Process, led by Donnell Preskey, NDSDA Executive Director.

You don't hire engineers who are "good enough." You hire the very best.

Incidentally, so do we.



There is no B-Team.

Local Government Capitol Connection **AGENDA**

All events held at the Bismarck Event Center unless otherwise noted.

TUESDAY, FEBRUARY 18

- 3:00 p.m. **Welcome**
- 3:10 p.m. **Governor's Address**
- 3:40 p.m. **"HOW TO" OF LEGISLATIVE ENGAGEMENT**
Learn effective strategies for engaging with legislators and advocating for your community's needs. This session will provide practical tips and best practices for building relationships with legislators and growing your confidence in the legislative process.
- 4:25 p.m. **PROPERTY TAX PANEL**
Property tax is a hot topic this legislative session. Hear from a panel of experts about property tax legislation that has been proposed and how it may impact political subdivisions.
- 5:30–7:30 p.m. **LEGISLATIVE SOCIAL**
Network with fellow local government officials and professionals, along with legislators and key stakeholders in a relaxed setting. This social event is an excellent opportunity to build relationships and discuss the day's insights in an informal atmosphere.

WEDNESDAY, FEBRUARY 19

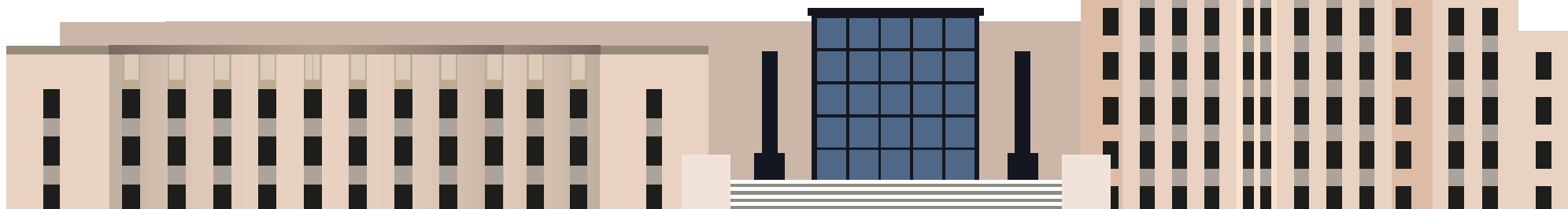
- 8:30 a.m. **Welcome and Announcements**
- 8:40 a.m. **Minority Leaders Address**
- 9:10 a.m. **LOCAL GOVERNMENT LEGISLATIVE PRIORITIES PANEL**
Join a panel of representatives from the political subdivision state associations as they discuss pressing legislative topics affecting local government.
- 10:10 a.m. **Break**
- 10:30 a.m. **BE A PART!**
Established in 1986, the ND Insurance Reserve Fund (NDIRF) was created to provide insurance coverage for political subdivisions, enabling them to deliver essential and valuable government services. Dedicated exclusively to serving North Dakota's political subdivisions, all at a stable cost. Join NDIRF's Chief Executive Officer, Keith Pic, to learn more about what the NDIRF does and how you can be a part of its success.
- 11:00 a.m. **Majority Leaders Address**
- 11:30 a.m. **LUNCH – Capitol**
Grab a boxed lunch at the Event Center before attending floor sessions or legislative hearings, or attend the Public Safety Lunch at the Capitol – Indicate your choice on your registration.

Attendees are encouraged to attend floor sessions and legislative hearings each day to deepen their understanding of ongoing legislative activities.

REGISTRATION

The cost to attend is \$60 per person. Registration will open Dec. 2, 2024, on the ND School Board Association website at ndsba.org/capitol-connection.

No cancellations after noon on February 10, 2025.



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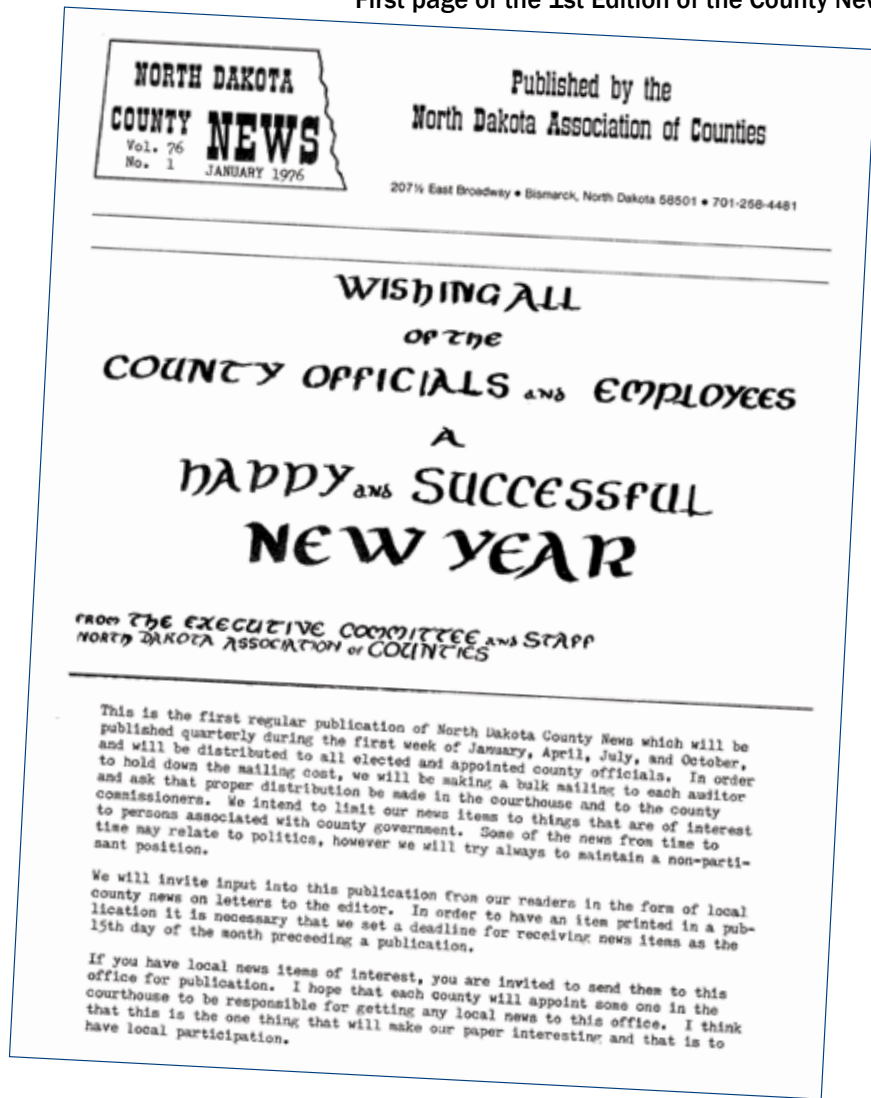
Miranda Kleven, PE, AE2S Special Projects Engineer.



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First page of the 1st Edition of the County News



Burke County Courthouse

Early Attempt to Catalog all the Courthouses



Divide County Courthouse



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NORTH DAKOTA COUNTIES LEGISLATIVE BLOG

Governor Armstrong Calls for Bold Property Tax Relief and Reform

Donnell Preskey, Government/Public Relations Specialist

The Legislative Session kicked off Tuesday, January 7th with Governor Kelly Armstrong delivering his first State of the State Address. The 34th Governor told lawmakers real property tax relief and reform must be the number one priority on the Legislature’s agenda. He called for delivering the most significant plan possible that can be both aggressive and durable.

Governor Armstrong provided insight into what a plan should include:

- Increase the existing **Primary Residency Credit from \$500 to \$1,000 per year** at a cost of about \$310 million for the 2025-27 biennium.
- Provide an additional **\$550 per primary residence credit** by using a

dedicated stream of the Legacy Fund earnings at a cost of \$173 million next biennium.

- The total combined primary residence relief would be up to **\$1550 per year** in 2025-27.
- Expansion of the **Homestead Tax Credit**
- 3% cap of future increases in local budgets; allow for carryover of unused cap.

“We can afford it. The people of North Dakota are demanding it,” Armstrong said. “It creates Legacy Fund buy-in. And it is the single most impactful thing we can do for the citizens of North Dakota this Session.”

“Today Governor Armstrong announced a bold vision for all North

Dakotans. Building a state that is the best in the country to live, work and raise a family is a vision shared by county officials across the state. We look forward to working with the governor and the legislature to find the best way to fund essential services that are delivered by local governments,” stated NDACo Executive Director Aaron Birst.

While unofficial, we are hearing reports of there being 65 property tax bills being drafted. Governor Armstrong’s proposal is one of many that will be discussed.

Stay Informed on County-Related Issues

NDACo will use the North Dakota Counties Legislative Blog to push out legislative-related information. We are encouraging county officials and employees to sign up for blog updates. Go to ndcounties.blog and enter your email to subscribe. You will receive an email when the information is updated. This is also where weekly reports and hearing schedules will be posted.

COMMITTEES

APPROPRIATIONS

House - Don Vigesaa, Cooperstown
Senate - Brad Bekkedahl, Williston

APPROPS - EDUCATION & ENVIRONMENT

House - Mike Nathe, Bismarck
Senate - Ron Sorvaag, Fargo

APPROPS - GOVERNMENT OPERATIONS

House - David Monson, Osnabrock
Senate - Terry Wanzek, Jamestown

APPROPS - HUMAN RESOURCES

House - Jon Nelson, Rugby
Senate - Dick Dever, Bismarck

AGRICULTURE

House - Mike Beltz, Hillsboro

AGRICULTURE & VETERANS AFFAIRS

Senate - Larry Luick, Fairmount

EDUCATION

House - Pat Heinert, Bismarck
Senate - Todd Beard, Williston

ENERGY & NATURAL RESOURCES

House - Todd Porter, Mandan
Senate - Dale Patten, Watford City

FINANCE & TAX

House - Craig Headland, Montpelier
Senate - Mark Weber, Casselton

GOVERNMENT & VETERANS AFFAIRS

House - Austen Schauer, West Fargo

HUMAN SERVICES

House - Matt Ruby, Minot
Senate - Judy Lee, Fargo

INDUSTRY, BUSINESS & LABOR

House - Jonathan Warrey, Casselton

INDUSTRY & BUSINESS

Senate - Jeffrey Barta, Grand Forks

JUDICIARY

House - Larry Klmin, Bismarck
Senate - Diane Larson, Bismarck

POLITICAL SUBDIVISIONS

House - Donald Longmuir, Stanley

STATE & LOCAL GOVERNMENT

Senate - Kristin Roers, Fargo

TRANSPORTATION

House - Dan Ruby, Minot
Senate - David Clemens, West Fargo

WORKFORCE DEVELOPMENT

Senate - Michael Wobbema, Valley City

LEGISLATIVE LEADERSHIP

HOUSE



Majority Leader
Mike Lefor, Dickinson

Assistant Majority Leader
Glenn Bosch, Bismarck



Minority Leader
Zachary Ista, Grand Forks

Assistant Minority Leader
Gretchen Dobervich, Fargo

SENATE



Majority Leader
David Hogue, Minot

Assistant Majority Leader
Jerry Klein, Fessenden



Minority Leader
Kathy Hogan, Fargo

Assistant Minority Leader
Josh Boschee, Fargo

Policy 511 – Use of Personal Vehicle Update

NDCC 54-06-09

Per NDCC 54-06-09: "An official, deputy, assistant, clerk, or other employee, when required to travel by motor vehicle or truck in the performance of official duty, shall use a state-owned vehicle, whenever possible, unless exempted under section 24-02-03.3."

When an employee drives a State Fleet vehicle, the State's liability coverage is primary should an accident occur. If an employee drives a personal vehicle on State business, the employee's personal

insurance is primary. If an employee must drive a personal vehicle because no state fleet vehicles are available, then the State would have primary responsibility.

If an employee is allowed to use a personal vehicle, reimbursement will be made according to the rates below. Reimbursement for mileage for use of personal vehicles within the state use the Privately Owned Vehicle (POV) Mileage Reimbursement Rate established by the U.S. General Services Administration (GSA) for an automobile if no government



owned vehicle is available. As of January 1, 2025, the POV rate is 70¢ per mile.

1. The sum of 70¢ per mile actually and necessarily traveled in the performance of official duty when such travel is by motor vehicle.
2. The sum of one and one-half times the personal vehicle rate per mile when such travel is by private airplane. (Refer to Policy 519 also).

Reimbursement for mileage for use of personal vehicles outside of the State is allowed as follows:

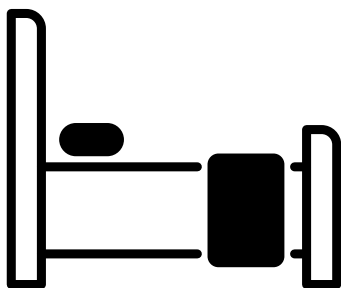
1. When airplane and taxi fares are accepted in lieu of mileage.
2. When reimbursement is at a rate of 70¢ per mile to a geographic point 300 miles each way from the borders of the state, and 18¢ per mile for the remaining distance, provided that the lesser amount of (1) or (2) above shall be allowed. If more than one state employee travels in the same vehicle, 70¢ per mile for the entire trip will be allowed.

Purchasing Pulse

Hotel Lodging Reimbursement Proposed Law Changes

Sherry Neas | Office of Management and Budget, State Procurement Office

North Dakota government entities should be aware of proposed changes in the law related to travel reimbursements. Currently, there is a "state rate" established by the Office of



- State Rate: \$99.00
- GSA rate: \$110.00

OMB and other government entities have received several reports that many hotels are no longer honoring the

state rate. Therefore, legislation has been introduced to change the in-state lodging rate to be equal to the GSA lodging rate for North Dakota.

Currently, GSA has one lodging rate for North Dakota. During the North Dakota "oil boom" in approximately 2008-2014, GSA had different rates for several years in the "oil patch" counties (Stark, Mercer, Billings, Ward, Williams, Mountrail, and McKenzie).

For more information about this legislation, contact Sherry Neas, OMB Shared Services Division Director, at infospo@nd.gov.

Management and Budget (OMB) for in-state hotels. North Dakota Century Code section 44-08-04 requires the OMB director to establish the in-state lodging reimbursement rate "at an amount equal to ninety-percent of the rate established by the United States General Services Administration (GSA) for lodging reimbursement in this state" plus any applicable state or local taxes.

State law requires lodging outside North Dakota to be reimbursed at the actual lodging expense and no changes are proposed for out-of-state lodging reimbursement.

For Fiscal Year 2025 (current), the North Dakota in-state lodging rates are:



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Butler 

2024 Extension Impacts

North Dakota State University Extension plays a crucial role in supporting agricultural sustainability, enhancing farm and ranch operations and fostering community well-being.

Additionally, NDSU Extension's community wellness and 4-H youth development programs empower individuals and families with the knowledge and tools to improve their quality of life.

PESTICIDE AND FUNGICIDE MANAGEMENT

- **Safe Pesticide Use:** The Pesticide Safety Program trained 7,208 people on proper pesticide use, reducing environmental risks and supporting food security.

- **Fungicide Use in Wheat:** NDSU Extension's guidance on managing Fusarium head blight saved wheat producers between \$500,000 to \$2 million in input costs, and contributed to a new average yield record of 56.9 bushel/acre for wheat.

LIVESTOCK HEALTH AND BEEF QUALITY

- **Animal Disease Preparedness:** A total of 65 professionals were trained on responding to animal disease outbreaks. As a result, 96% of those participants plan to implement changes to improve preparedness and response strategies.

- **Beef Quality Assurance:** Over 300 producers participated in beef quality assurance training, improving cattle

handling practices and quality. This improvement resulted in an estimated \$1.5 million in added value — or \$100 per animal — to 15,000 cattle.

AGRICULTURAL SUPPORT AND FINANCIAL GUIDANCE

- **Ag Finance Program:** In 2024, the Ag Finance program helped landowners and operators navigate \$1.3 billion in annual land rents across 22 million acres in North Dakota. This crucial information assists both financially constrained farmers and fixed-income landowners with better decision-making and forecasting.

- **Livestock Risk Protection Insurance:** Educating producers about USDA Livestock Risk Protection insurance led to 169,398 head of feeder cattle being insured in 2024 with over \$4.5 million in indemnity payments.

HORTICULTURE AND FOOD SECURITY

- **Vegetable Growers:** At 400 locations, growers evaluated 80 varieties of vegetables, which contributed to better yields, as well as healthier diets and improved physical activity among children involved in the program.

- **Master Gardeners:** In 2024, NDSU Extension Master Gardeners donated 178,000 pounds of fresh fruits and vegetables to food pantries while also educating communities on sustainable gardening practices and pollinator conservation.

FAMILY AND COMMUNITY WELLNESS

Field to Fork:

- In 2024, 1,756 participants attended live webinars and 4,192 recordings were made available to a wider audience.

- Of those who participated, 86% reported adjusting their practices, with 77% focusing on attracting more pollinators, 57% growing new vegetables and 47% increasing their intake of fruits and vegetables.

Aging in Community:

- In 2024, 4,270 community members were reached, with 85% of them reported feeling more connected to resources in their community and 84% gaining valuable knowledge.

- A reported 80% of clients noted improvements in their quality of life and 86% felt more confident living independently at home. For every \$1 spent in 2024, the state of North Dakota potentially saved \$308 in Medicaid costs by assisting individuals to remain in their homes.

Childcare and Education:

- In 2024, 692 childcare providers and school personnel received 3,480 hours of continuing education, ensuring high-quality care for children across the state.

- The Beginner's Guide to Grant Writing Workshop helped 62 participants learn how to secure funding for community

projects. As a result, \$75,000 was awarded to the Langdon Ambulance Service to support local emergency services.

4-H YOUTH PROGRAMS

4-H Livestock-in-a-Box Program:

- The Livestock-in-a-Box program allowed youth in grades 2-6 to explore livestock care from home. With 200 boxes purchased in 30 counties, this program reached youth across multiple states, expanding their agricultural knowledge and engagement.

STEM Education and Recreation:

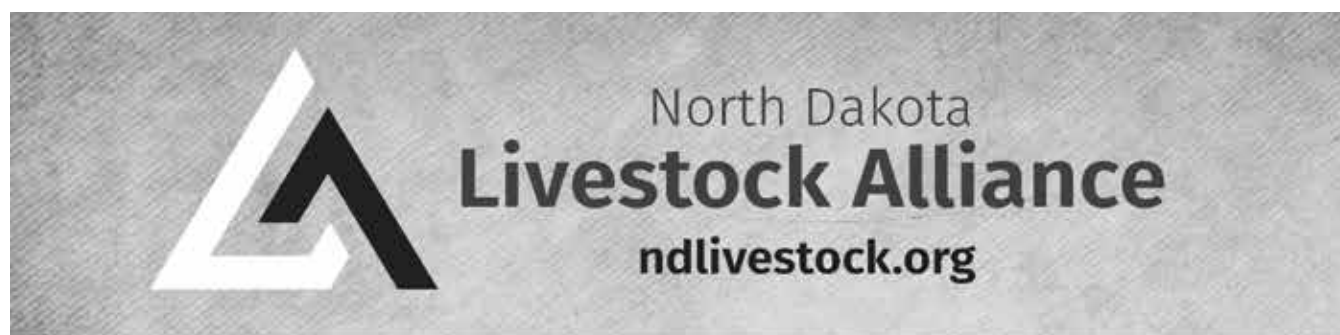
- In 2024, 439 youth participated in 19 unique 4-H camps, which included programs in livestock, archery, STEM exploration and outdoor skills. Parents reported high satisfaction, with 85% of campers showing increased independence and 94% discovering something new about themselves.

VOLUNTEER IMPACT

NDSU Extension volunteers play a key role in shaping North Dakota's future, with over 1,540 volunteers dedicating nine hours per month to supporting 4-H youth programs, equal to a \$5.5 million annual investment in ND youth.

- 97% of volunteers say their work helps youth build leadership skills.

- 100% of volunteers believe their efforts make communities stronger, better connected and healthier.



The North Dakota Livestock Alliance is a non-profit organization led by farmers and ranchers focused on transparency with North Dakota's Counties about:

- The economic and community benefits to welcoming livestock operations to your county
- What to expect when a livestock operation is proposed in your community
- State and local livestock zoning procedures
- Modern livestock management, barn design and environmental stewardship

Contact us or invite NDLA to your next County Commission meeting at ndlivestock.org or 701-712-1488 Follow us on Facebook @LivestockND

Ransom and **Sargent** Veterans Service Officer Joe Reinke has been working diligently to acquire a vehicle to transport Ransom/Sargent County veterans to services. Reinke applied for the Highly Rural Transportation Grant to receive a vehicle for transporting veterans in rural areas. Sargent County qualified but Ransom didn't, according to Reinke. Reinke kept pleading Ransom County's case to Lonnie Wangen, commissioner of the North Dakota Department of Veterans Affairs. "He called me and said he had two 2024 Ford Explorers wanting a home," recalled Reinke. "He asked if I wanted one for Ransom County. I told him, "You know I do!" The vehicle has the DAV (Disabled American Veterans) wrap sitting in the courthouse parking lot. Veterans who need VA services are eligible to be taken to those appointments in the vehicle. "Currently the vehicle is available on Wednesdays with me driving," said Reinke. "We are in the process of getting volunteers trained to see where that leads us going forward." Veterans needing a ride are encouraged to schedule their appointments for Wednesdays. The vehicle is available for veterans needing a ride to their VA appointments, whether at the VA in Fargo or VA Community Care authorized locations in Fargo. The service is free for veterans. Veterans that become volunteers can use the vehicle to take themselves to VA appointments, if needed, and they pass the current requirements for the vehicle. Volunteers need not be veterans in order to drive the veterans to their appointments in the DAV vehicle. Both veterans and civilians are encouraged to volunteer.

– *LaMoure County Gazette*

State transportation officials and engineers employed by **Traill** County have started studying the types of infrastructure upgrades that will be needed to support Herberg Dairy southeast of Hillsboro. Matt Lange of KLJ Engineering told the Traill County Board of Commissioners on November 7 that he recently visited with a representative from the ND Department of Transportation to discuss the 25,000-cow dairy being planned in Traill County by Riverview Dairy based in Morris, Minn. Lange said Aaron Murra, NDDOT's Fargo District Engineer, raised concerns during the meeting about the types of road improvements that will be needed to support the \$180 million project. Specifically, Murra questioned whether turning lanes should be

added along North Dakota Highway 200 for employees and milk haulers headed to the proposed dairy about 7 miles southeast of Hillsboro. Adam Zeltwanger, a partner in Riverview, said during a public meeting in June that Herberg Dairy would employ 100 workers and produce 22 semi loads of milk a day once complete. The planned introduction of Herberg Dairy to the area has prompted county officials to start discussing whether townships in Traill County should update their zoning ordinances, Lange said. "I think a lot of our townships have outdated zoning ordinances," Lange told county commissioners. "I'm not saying that's good or bad ... but they may want to update those, so they have the ability to be more in control of the (planning and zoning) process," he said.

– *Hillsboro Banner*

The **Morton** County War Dead Memorial which stands outside the county courthouse was built in 1955 and is now nearly 70 years old. In 2021, the Morton County Commission started to assess the memorial's condition. They found that the memorial was in need of repairs and has multiple veterans missing from the wall. A public input meeting was held on Thursday, November 7 about updating the memorial. Commissioner Raymond Morrell started the meeting by discussing the reasons that an update to the memorial is needed. He stated that the current memorial has water and structural damage, is a snow trap that makes moving snow difficult, and that there are multiple names that are not listed. Commissioner Andy Zachmeier discussed the corrections and additions that should be made on the new memorial. The current memorial includes all war dead from WWI and after. Zachmeier discussed if veterans should be included all the way back to when Morton County was founded in 1872. This would include one name from Battle of Little Bighorn and two names from the Spanish American War. Zachmeier also stated that there were 26 names from WWI and after that are missing from the current memorial. The reasoning behind adding names to the wall was also discussed. Zachmeier is also working on a digital memorial wall which will include biographies, photos and awards of the fallen. The digital roll of honor will also include local first responders. Mandan Architect Al Fitterer and Landscape Architect Jake Axtmann developed two potential designs which were presented to the Commission on May 9, 2024.

They took questions from the audience and explained how each concept would look in the plaza. The two potential designs include the Ellipse concept and the Zig-Zag concept. The Zig-Zag concept honors the original memorial by being the same shape. The new memorial would be moved farther to the south, allowing for more room in the plaza. This design also featured a bronze statue and would have lighting for nighttime.

– *Morton County News Journal*

The November 5 election was finally put to bed in **Walsh** County on November 21, when the recount board went through and verified 12 questionable ballots. The recount was only for the four-year term on the county commission involving Kristi Brintnell, Paul Houdek, Craig Jarolimek and Brandon Mathiason. The two candidates receiving the most votes would be awarded the seats on the commission. After the polls closed on November 5, Brintnell received the most votes with 2,304, Paul Houdek received 2,189 and Jarolimek had 2,175. Mathiason received 746. The canvassing board met Monday, November 18 to certify the election. They had 49 set-aside ballots to go through. A total of 4,552 people cast their votes in Walsh County during the November 5 election. There were 2,981 who voted absentee, with 1,571 people voting in person at the courthouse. The set-aside ballots included mostly mail-in ballots that needed signatures verified and ballots postmarked before Election Day but received after November 5. Four ballots had a late postmark or no postmark; those were returned to the auditor's office and returned to the sender.

– *Walsh County Record*

In an effort to take advantage of the prolonged fall weather, the **McLean** County commissioners are allowing the highway department to work longer hours. Last month during the McLean County Commission meeting held at the courthouse in Washburn, Highway Superintendent James Grey discussed with county leaders staying on a four-day work week. Grey explained it is county policy for the highways department to return to five-day work weeks in November; however, because winter weather was holding off, Grey asked for discretion on being able to keep 10-hour workdays when possible for the remainder of 2024. McLean County Chief Deputy Auditor Lori Foss told Grey and the commissioners

the topic was something she wanted to address with the highway department in general. She acknowledged the county's policy to return to five-day work weeks for the highway department starting in November, but said a lot of highway departments do stay on four-day work weeks year round. Grey said by doing so allows his team to keep running as long as they can to get more things done. The commission unanimously approved giving Grey discretion on when to have 10-hour workdays through the remainder of 2024.

– *Central McLean News-Journal*

Newly elected chairperson of the **Walsh** County Commission Kristi Brintnell brought up for discussion providing a stipend for county employees to help with day care costs. "I think it is a good way for us to recruit and retain employees," she said. According to Walsh County Human Resource Director Tanya Wieler, in an effort to assist working parents with childcare expenses the state of North Dakota recently rolled out a program for state residents to be eligible for a \$150 to \$300 credit to be used for day care. This pilot program, she said, is only for those individuals who have children 36 months of age or younger. Wieler did a quick survey of the county employees and found that five people would be eligible for this program. "One of the things that was talked about in our department head meeting is that, if it went up in age, it would cover a lot more people, or if we did it in the summertime, it would cover a lot more people," she said. "That starts to become quite a headache for payroll." The state program is income based but it is quite liberal in its income limitations, and they would get a 1099, according to Wieler. The county's program would be separate from the state's; and the idea would be to add \$150 or \$300 to an employee's paycheck, depending on what level the county would choose to participate at. That money would be taxable. The state's program is only open to those individuals enrolling their children into a licensed day care, where the county's program would be open to any day care, licensed or not. The commission tabled the discussion and is expected to bring it up again during budget deliberations.

– *Walsh County Record*

North Dakota Attorney General's Opinions

These and all other Opinions issued by the ND Attorney General's Office can be seen at:

<https://attorneygeneral.nd.gov/opinions-search/>.

WHETHER FARGO'S HOME RULE CHARTER AND ORDINANCE REGARDING ITS APPROVAL VOTING ELECTION PROCEDURE SUPERSEDE

Opinion #: 2024-L-06

Date Issued: December 17, 2024

Issued to: Representative Jim Kasper, District 46

Request: Whether the City of Fargo's Home Rule Charter and implementing ordinance outlining its approval voting election procedure supersede the election procedures found in N.D.C.C. title 16.1, specifically N.D.C.C. § 16.1-06-04 concerning the form and quality of ballots.

Conclusion: Because the City of Fargo is a home rule city which has included the power to provide for all matters pertaining to city elections in its Home Rule Charter and properly implemented the power through an ordinance, the City of Fargo's home rule charter and ordinance regarding its approval voting procedure supersede any conflicting provisions of N.D.C.C. title 16.1, including N.D.C.C. § 16.1-06-04 concerning the form and quality of ballots.

WHETHER LINCOLN CITY COUNCIL PROPERLY ANNOUNCED AND NOTICED AN EXECUTIVE SESSION, AND WHETHER THIS EXECUTIVE SESSION WAS UNAUTHORIZED.

Opinion #: 2025-O-01

Date issued: January 2, 2025

Issued to: Lincoln City Council

Request: Whether Lincoln City Council properly announced and noticed an executive session, and whether this executive session was unauthorized.

Conclusion: Lincoln City Council failed to properly announce and notice their executive session because the notice did not contain the legal authority or general subject matter to be discussed for the executive session and the announcement did not include the general subject matter to be discussed. The executive session was unauthorized because the discussion within the executive session did not constitute attorney consultation.

WHETHER A HOME RULE CHARTER CITY MAY MODIFY THE PROCESS FOR THE RECALL OF AN ELECTED OFFICIALS

Date Issued: November 5, 2024

Issued to: Christina Wenko, Dickinson City Attorney

Request: Whether a home rule



charter city may modify the process for the recall of an elected official enumerated in N.D.C.C. § 44-08-21.

Conclusion: Because the rule of strict construction applies in defining municipal powers and any doubt as to the existence of municipal powers must be resolved against the municipality, N.D.C.C. § 40-05.1-06 does not grant home rule charter cities the power to create a process for the recall of city officials separate from that provided in N.D.C.C. § 44-08-21.

WHETHER MANDAN PARK DISTRICT IMPROPERLY DENIED A REQUEST FOR RECORDS.

Date issued: November 12, 2024

Issued to: Mandan Park District

Request: Whether Mandan Park District improperly denied a request for records, citing an outstanding charge, when payment had been provided to the district.

Conclusion: Mandan Park District received a personal check for a previously filled record request and did not deposit the check, therefore the denial of records based on an outstanding invoice was invalid and a violation of open records law.

WHETHER EMMONS COUNTY HISTORICAL SOCIETY FAILED TO CREATE MEETING MINUTES AND FAILED TO RESPOND TO A RECORDS REQUEST WITHIN A REASONABLE TIME.

Opinion #: 2024-O-11

Date issued: December 20, 2024

Issued to: Emmons County Historical Society

Requests: 1. Whether the Emmons County Historical Society failed to create meeting minutes.

2. Whether the Emmons County Historical Society failed to respond to a records request within a reasonable time

Conclusions: 1. Emmons County Historical Society violated the open meetings law when it failed to create meeting minutes on three separate occasions.

2. Emmons County Historical Society did not properly respond to a request for records when it failed to justify a ten-month delay in providing records.

Enforcement of Local Animal Ordinances May Violate Federal Law

Brian D. Schmidt | Attorney at Law/Partner Smith Porsborg Schweigert, Armstrong, Moldenhauer & Smith

Many political subdivisions across the State have local ordinances that prohibit possession of certain animals within zoning districts or city limits. In some instances, these ordinances may prohibit the possession of certain breeds of dogs (i.e. Pit Bulls or Rottweilers) or certain types of animals altogether (i.e. chickens, horses, etc...). These ordinances are often enacted to protect the health, safety, and welfare of the political subdivision's citizenry and serve a legitimate governmental purpose. However, local ordinances cannot be construed to conflict with federal law. The Fair Housing Amendments Act ("FHAA") may require a political subdivision make exceptions to its ordinances in light of a reasonable accommodation request for an otherwise banned animal.

"The FHAA creates an affirmative duty on [a] municipalit[y] ... to afford its disabled citizens reasonable accommodations in its municipal zoning practices if necessary to afford such persons equal opportunity in the use and enjoyment of their property." *Anderson v. City of Blue Ash*, 798 F.3d 338, 360 (6th Cir. 2015). "[T]he FHAA does not have minimum regulatory requirements for animals to qualify as a reasonable accommodation." *Id.* This means "a reasonable accommodation under the FHAA may include an emotional support animal." *Cooke v. Randolph, Nebraska City Council*, 2023 WL 6519374 at *4 (D.Neb., 2023). In other words, the FHAA requires a political subdivision to make reasonable accommodations for disabled citizens who possess a service or emotional support animal even if possession of that specific animal is banned by a local ordinance. See *Warren v. Delvista Towers Condominium Ass'n, Inc.*, 49 F.Supp.3d 1082, 1089 (S.D. Fla. 2014) (explaining it would violate the FHAA to enforce a county's prohibition on possession of pit bulls against a disabled individual who requested one as an assistance animal). However, it is important to note FHAA only requires political subdivisions to make "reasonable accommodations" with respect to its ordinances. But what is a "reasonable accommodation" under the FHAA? Unfortunately, the answer is rarely clear. However, courts and federal agencies have provided some guidance.



It is well-established the FHAA's reasonable accommodation requirement "does not entail an obligation to everything humanly possible to accommodate a disabled person" and "accommodations that go beyond affording a handicapped tenant an equal opportunity to use and enjoy a dwelling are not required." *Hubbard v. Samson Mgmt. Corp.*, 994 F. Supp. 187, 190 (S.D.N.Y. 1998) (cleaned up). The United States Department of Housing and Urban Development published Notice #FHEO-2020-01 to provide guidance for the evaluation of requests under the FHAA. In general, if a disabled individual's accommodation request is to possess an animal commonly kept in a household, it should be granted. See FHEO-2020-01 at p. 12. However, for "unique animals" (i.e. barnyard or exotic animals) the requester "has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal." *Id.* In any event, an accommodation is not "reasonable" if it "would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others." *Id.* These situations are evaluated on a case-by-case basis and present very difficult scenarios for political subdivisions.

If your political subdivision is faced with this scenario, it is recommended you immediately contact an attorney before denying the request. You will want to handle these situations carefully to ensure enforcement of your local animal ordinance does not violate federal law.

This notice is found at www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf and serves as a tool in evaluating whether a request for an animal as a reasonable accommodation should or should not be granted under the FHAA.

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Retirement Regrets Spark Financial Resolutions for the New Year

Nationwide survey reveals over 8 in 10 Americans wish they had taken retirement saving more seriously in their younger years

Graham Shippy

As the New Year approaches, America's workers are taking stock of their financial wellbeing and setting resolutions to improve their future financial health. Nationwide's 2024 Protected Retirement Survey shares key lessons learned by employees nearing retirement, offering valuable insights for those looking to make smarter financial choices in the year ahead.

According to the survey, a striking 82% of employees over the age of 45 wish they had sought advice or guidance on retirement savings when they were younger. The same number wish they understood the importance of compounding interest sooner, regret not taking retirement saving more seriously during their younger years, and wish they had focused more on income protection strategies at an earlier age.

"New Year's resolutions often fall by the wayside when they feel too overwhelming, but financial resolutions don't have to be overly ambitious to make a difference," said Suzanne Ricklin, Vice President of Retirement Solutions at Nationwide Financial. "Starting small—like increasing retirement contributions by just a percent or setting aside a little more in savings each month—can lead to meaningful progress over time. These small financial changes are easier to stick with and thanks to the power of compounding interest, even small steps can have a significant impact on your future."

Turning financial regrets into New Year's resolutions

Through the survey, older employees shared valuable financial lessons they wish they had known earlier, offering younger generations a roadmap to avoid common retirement regrets. Their advice inspires actionable New Year's resolutions that can pave the way to long-term financial success:

- **Resolution 1:** Start saving now—even small amounts make a big difference. More than three-quarters (76%) of workers aged 45+ wish they had started saving earlier. Whether you're just beginning or already contributing to a retirement plan, it's never too late to start or increase your savings. Even small steps, like contributing monthly to a 401(k) or increasing your current contribution by 1 – 2%,



can lead to significant growth over time thanks to the power of compounding interest.

- **Resolution 2:** Maximize your employer match. Don't leave additional funds on the table. Contribute enough to your retirement plan to receive your employer's full match. If your employer doesn't offer a match, explore other options, such as increasing your contributions to tax-deferred accounts like IRAs or HSAs to boost your savings.
- **Resolution 3:** Build an emergency fund. Having savings readily available to pay for an unexpected expense is essential for protecting your long-term finances. More than half (56%) of employees identified having an emergency fund as a top priority, yet many Americans fall short—27% have no emergency savings at all, according to Bankrate's 2024 Annual Emergency Savings Report. To get started, set up automatic monthly transfers to a dedicated savings account through your bank.
- **Resolution 4:** Tackle debt strategically. Paying down debt is essential for financial health,

but it shouldn't come at the expense of saving for retirement. Prioritize eliminating high-interest debt, like credit cards, while still contributing to your retirement plan. Striking this balance can help grow your savings through compounding interest while easing the burden of high-interest debt.

- **Resolution 5:** Take advantage of employer-sponsored resources. Many retirement plans offer free tools, educational materials, calculators and trained resources to help optimize your strategy. Take advantage of these resources and reach out to your plan administrator for personalized guidance. Ask whether your plan offers solutions to help plan for income in retirement, and if not, consider advocating for them as they can play a significant role in achieving your retirement goals.

Nationwide offers a variety of educational resources for newer investors.

Tackle retirement challenges with your financial professional

Planning for retirement can feel overwhelming—many American workers report facing challenges like



determining how long their savings need to last (61%), understanding how to maximize benefits (57%), turning retirement savings into reliable income (55%), and figuring out how much they should be saving to reach their goals (55%). These uncertainties can make it difficult to approach retirement with confidence.

Meeting with a financial professional in the New Year can help alleviate these concerns by offering personalized advice and a clear strategy.

"No one should have to navigate retirement planning alone," said Ricklin. "A financial professional can simplify the process, provide answers to your most pressing questions, and create a plan tailored to your goals and timeline, giving you confidence to take control of your financial future."

Methodology

Edelman Data and Intelligence (DXI) conducted a national online survey of n=500 private plan sponsors, n=100 public plan sponsors, n=2,200 plan participants, n=400 peak retirement plan participants, and n=400 financial advisors on behalf of Nationwide from July 11th – July 26th, 2024.

As a member in good standing with The Insights Association as well as ESOMAR Edelman Data and Intelligence conducts all research in accordance with local, national and international laws as well as in line with all Market Research Standards and Guidelines.

This material is not a recommendation to buy or sell a financial product or to adopt an investment strategy. Investors should discuss their specific situation with their financial professional.

Investing involves market risk, including possible loss of principal, and there is no guarantee that investment objectives will be achieved.

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Provisions of these options may vary based on plan selection and/or by state regulation. These investment options may not be available in all states.

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News from Your NACo Representatives

Jeff Eslinger | County News Editor



WIR Representative Scott Ouradnik,
Slope County Commissioner



NACo Board Member Robert Wilson,
Cass County Administrator

Following is a summary of items reported by our NACo and WIR Board Representatives.

NACo's Fall Board of Directors Meeting was held December 5-7, 2024, in Sonoma County, CA. Robert Wilson attended. An operating deficit is projected through 2030 as new revenue streams get up and running after the sale of U.S. Communities several years ago. New revenue streams and investment strategies are in place to improve NACo's finances.

Policy Priority Update: Core priorities won't change with a new administration coming into office. Strategies and tactics will change:

- Maintain ARPA flexibility.
- 988 Suicide/crisis hotline – new routing plan to closest tower rather than where the phone number is registered
- Considering a Disaster Supplement Bill.
- A Farm Bill extension is needed by 12-31-24



Trump Administration Transition: Communicated with the Transition team . Anticipate major pieces of legislation early after inauguration in Immigration and Border, Defense Policy, Energy, Taxes, Trade, significant regulatory reforms.

Many expressed concerns about adding a mid-sized county caucus. Robert advocated for this when it was first discussed because Cass County is exactly in the 'target audience' size for this new category.

On average, 30% of county officials transition in an election cycle. It is very important to keep telling our story.

Western Interstate Region (WIR-Scott Ouradnik, ND Rep): WIR is currently very active in promoting NACo's Center for Public Lands Counties. The NACo Center for Public Lands Counties is dedicated to advancing the policy and practice study of America's public lands counties. Our mission is to deepen understanding and address the unique challenges faced by counties containing federal lands. WIR is encouraging public land counties to contribute up to 1% of their PILT

payment to help support the Center. Slope County led the charge at their December Commission meeting by obligating 1% of their PILT payment and are encouraging North Dakota counties that receive PILT payments to consider doing the same.

Future NACo Conferences

- Legislative Conference: March 1-4, Washington DC
- Western Interstate Region: May 21-23, Rapid City SD
- Annual Conference: July 11-14, Philadelphia PA

Every state has one representative on the NACo Board, and states with 100% NACo membership, like North Dakota, have one additional representative.

McIntosh County Commissioner Perry Turner was North Dakota's other NACo Board member in 2024, but lost his bid for re-election. The NDCCA Board of Directors ratified President Joan Hollekim's decision to appoint Cavalier County Commissioner Stanley Dick to represent us on the NACo Board of Directors for the unexpired term.

Frith honored with Water Wheel Award at 2024 Joint North Dakota Water Convention and Irrigation Workshop

BISMARCK, N.D. — Jeff Frith of Devils Lake was honored with the Water Wheel Award at the 61st annual Joint North Dakota Water Convention and Irrigation Workshop Dec. 12 in Bismarck.

The Water Wheel Award is a joint award given by the North Dakota Water Users Association and the North Dakota Water Resource Districts Association in recognition of distinctive leadership and perseverance for the protection, development and management of North Dakota's water resources, thereby fostering a better quality of life for our people.

Frith has been the manager of the Devils Lake Basin Joint Water Resource Board (DLBJWRB) since 2008. Frith has excelled in accomplishing the DLBJWRB's mission through his involvement in the community and on water boards. He currently serves as the representative of the Devils Lake Basin on the State Water Commission and the Devils Lake Outlets advisory committee, as a leader for the North Dakota Water Users Association, and as a member of the North Dakota Aquatic Invasive Species Committee and North Dakota Water Education Foundation. Frith makes a commitment to his community



Jeff Frith

as a Ramsey County Commissioner and has also served on the Devils Lake School Board, Ramsey County Fair Board, and as a volunteer coach for the Devils Lake High School Clay Target Club. Frith and his wife of 34 years, Shari, have one grown son, Spencer.

50 Years of Growth, Progress

From page 1

- 2003: In response to the tragedy of 9-11, NDACo used federal funds and programming support to bring the Local Government Homeland Security Training and Exercise Program (LGHSTEP) to counties, cities and schools across the state.

- 2008: Counties pushed for support to meet their Human Resources needs, prompting NDACo to lead the effort to find grant funding to create an organization among local governments to meet those needs. Now the Human Resource Collaborative for Local Government has become a division of NDIRF, conducting a bi-annual training conference and providing other HR training and resources on a regular basis.

- Over the years, countless other

programs and services have been developed, almost all resulting from regularly held strategic planning sessions with the NDACo Board and other stakeholders. These include many financial partnerships, such as Drug and Alcohol Testing, Geographic Information Services (GIS), Traffic Safety Resource Prosecutor, Vision Zero and more. More information on our programs and services can be found at www.ndaco.org.

County News will continue to celebrate this golden anniversary in all six issues with more historic reflection. We invite your comments, photos and memories. Feel free to reach out to Editor Jeff Eslinger at jeff.eslinger@ndaco.org and on our Facebook page, www.facebook.com/ndcounties.

November, 2024 County Tours



Bowman County



Slope County



Adams County



Hettinger County

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2025 COUNTY CALENDAR

January

- 1 _____ New Year's Day
- 7 _____ Legislative Session Begins
- 8-10 _____ NACo Presidents & Executive Directors Meeting, Washington DC
- 16-17 _____ ND State's Attorneys Association Winter Meeting, UND Student Union, Grand Forks
- 20 _____ Martin Luther King Jr Day
- 29-31 _____ ND County Roads Conference, Holiday Inn, Fargo

February

- 6 _____ NDIRF Board Meeting, NDIRF Building, Bismarck
- 17 _____ Presidents' Day
- 18-19 _____ Local Government Capitol Connection, Bismarck Event Center
- 24-27 _____ ND Safety Council Annual Conference, Bismarck Event Center & Virtual Track
- 28 _____ Crossover Date for Bills

March

- 1-4 _____ NACo Legislative Conference, Washington DC
- 3-4 _____ Legislative Recess
- 4-5 _____ ND Transportation Conference, Bismarck Event Center
- 9 _____ Daylight Savings Starts
- 20 _____ First Day of Spring



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