

# NDPERS Receives Federal Compliance Guidance on Elected County Official Participation

Jeff Eslinger | County News Editor

The North Dakota Public Employees Retirement System (NDPERS) has notified the 51 participating counties of a policy that may affect an unknown number of individuals collecting their NDPERS pension while serving their county in another capacity. Grand Forks County Commissioner Bob Rost resigned his commission seat because of the notification but later rescinded the resignation pending a final decision from NDPERS.

NDPERS received guidance from its federal compliance consultant regarding a discrepancy between federal law and North Dakota state law. The guidance received by NDPERS in March 2025 addresses Cash or Deferred Arrangements (CODA) and their administration.

## Federal vs. State Code

The Internal Revenue Service (IRS) Treasury Regulation addressing CODA prohibits a waiver of participation once an employee has elected to join the retirement plan, on a pre-tax basis, if the employee remains employed with the same employer in an eligible position. However, the North Dakota Century Code and Administrative Code has

allowed this type of waiver for elected county officials at the start of a new term.

NDPERS reached out to participating counties April 3, 2025, to alert them of the conflict between federal law and North Dakota state law.

"This issue has been brought to our attention and is extremely concerning," says Aaron Birst, Executive Director of the ND Association of Counties. "It appears to be a complicated mix of federal and state law which unfortunately puts some hard working community minded county officials in a bad position through no fault of their own. We'll be monitoring the situation closely and advocating on behalf of those affected individuals as best we can."

The employer memo, citing the IRS regulations provided by the consultant, clarified that federal law supersedes state law. It also stated that NDPERS and its Board will propose legislation and rules in the future to bring state law into compliance with federal law. However, NDPERS is required to follow federal law immediately upon becoming aware of the discrepancy between federal law and state law.

The memo can be found by clicking on the link for this story at [www.ndpers.nd.gov/news](http://www.ndpers.nd.gov/news).

Members with questions should contact the NDPERS office regarding their individual record. The NDPERS

Board will be discussing options and how to move forward to address the discrepancy at its regular meeting on May 13, 2025.

## Annual Conference Planning Underway Mark Your Calendars For October 26-28

Jeff Eslinger | County News Editor

With spring finally arriving, the last thing anyone wants to do is think about October, but that's exactly what we're doing at NDACo – prepping for the 2025 Annual Conference, October 26-28. If those dates seem unusually late in the month to you, you're right. It's as late as NDACo has ever held the event.

To provide the most targeted educational opportunities over the 12 workshops offered, we need help from our county members (that's you). Please send your ideas for workshop topics and presenters to [jeff.eslinger@ndaco.org](mailto:jeff.eslinger@ndaco.org) or call 701-425-0808. This is among the most challenging aspects of conference planning. We also keep the suggestions

from prior years that we couldn't fit in.

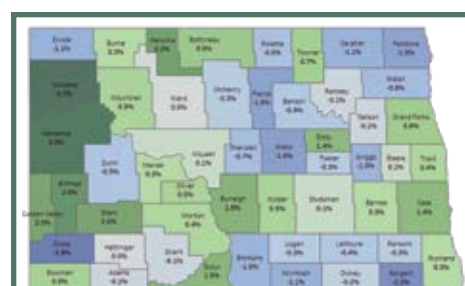
We will again be offering ILG hours for all attendees, rather than tracking attendance in each room as was done for years. Tentatively, that will be 6 hours for full attendance, 2.25 hours for Monday only, and 3.75 hours for Tuesday only.

As this is your association's 50th Anniversary, we want it to be the best conference experience we've ever had. The theme, keynote speaker and other details will be announced soon. Registration will open on July 7.

Exhibitors and Sponsors will be notified of their registration by email in the coming weeks.

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## ND Counties Population Gain and Loss

### Top Gains:

1. Williams 3.7%
2. McKenzie 3.5%
3. Billings 2.6%

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1. Slope 2.8%
2. Sargent 2.2%
3. Wells 1.6%

See details and map at [www.ndcompass.org](http://www.ndcompass.org)

*Register Today!*

## NDACo Legislative Wrap-Up Report Webinar

**Wednesday, May 14**  
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Board Member PROFILE



**JAMEE FOLK**  
Mercer County Commissioner  
Region 7

**What is your favorite thing about being a Mercer County Commissioner?** I love working with the community and I wanted to try to fix things that were broken in Mercer County.

**Family:** I’m a registered nurse. My husband and I farm and ranch with our four children.

**Other involvements:** I’m always busy running after kids for various activities. I love to be involved in community events when able.

**Favorite movie or movie genre:** *Pure Country* is my favorite movie and I love good comedies.

**Favorite music:** All country music but George Strait is my absolute favorite.

**What are you reading?** I love the Colleen Hoover books.

**Something people probably don’t know about you:** I get very claustrophobic and don’t like heights or water.

**Favorite quote:** “It is what it is.”

**Philosophy of life and work:** “Eventually all pieces fall into place. Until then, laugh at the confusion, live for the moment and know that everything happens for a reason.”

**Final thoughts:** I really enjoy being in county government and have learned so much along the way. I can’t wait to continue learning and growing in this role.

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## FROM the COUNTIES

### Preparation

Howdy from the Ruland Ranch... Again, it is beautiful outside. Spring is fully here with no mean spring snowstorm! The last time we visited the weather person on AgDay predicted below normal temperatures and above normal precipitation for the middle and end of March. So glad he was wrong. Calving went very well and is almost done. Barley has been planted, and we are working on spring wheat. The only caveat is it is so dry... (ranchers are never truly happy.)

What were the predictions for the 2025 Legislative Session? We knew that property tax relief and reform were going to be hot topics. Recurring discussions on the funding of the different state budgets – DOT, DOCR, DHHS – wow, so much of what the State Legislature deals with directly impacts county government!

Now, predictions are only educated guesses. More important than predictions is preparation. The discussions that lead to resolutions at the regional caucus meetings and member associations meetings are the important preparation to guide the great crew at NDACo. The better prepared we are the more successful we will be (no matter what the weather.)

As the Legislative Session comes to a close, we all need to evaluate what went right and what went wrong, how those changes need to be implemented in the counties and what do we need to work on for the next legislative session. Please join everyone for the Legislative Wrap-Up



Trudy Ruland | NDACo President  
Mountrail County Commissioner

Report. Crazy how end is the beginning of the next session.

A couple of reminders ...

- Legislative Wrap-Up Report is May 14, 10:00am-12:00pm. It is a webinar so there is no traveling and it's free. Register at [www.ndaco.org/ilg](http://www.ndaco.org/ilg).

- Visit the NDACo website at [www.ndaco.org](http://www.ndaco.org) to keep up with events and latest news that impacts counties.

- County tours will begin this summer. Some NDACo and NDCCA Board and NDACo staff members will be stopping in to visit seventeen counties before the end of the year. Hoping to see y'all.

For other questions, concerns or if you just want to visit, please don't hesitate to call me. Better yet, stop in at the Ranch. Coffee pot is always on.

## FROM the COMMISSIONERS

### Happy Spring

Spring is one of my favorite seasons, probably because I love track. I admire the dedication of the athletes; it especially amazes me that whether an individual is first or last, they always finish the race. I see this same dedication in our county employees; we may not work at the same pace, but our employees get the job done. Thank you, employees, for the outstanding services you provide for the public. I speak on behalf of all the county commissioners; we are truly grateful for your commitment to county government.

I am on the last stretch of fulfilling my two-year term as your president. I will be attending the Western Interstate Region Conference in South Dakota in May and the NACo Annual Conference in Pennsylvania in July. I am honored to represent North Dakota at these events; thank you for giving me this opportunity. I also will be attending the County Tours that are planned this year. I am going to repeat myself; this is the most enjoyable part of being your president and I am going to miss traveling with the NDACo Team and meeting new people as we travel from county to county.

Guess what else is crossing the finish line? The 69th Legislative Session. I sure hope by the time you get this newsletter; we know what



Joan Hollekim | NDCCA President  
Mountrail County Commissioner

property tax bill passed. At the end of April, all three bills (1575, 1168 and 1176) are still alive. Thank you to the NDACo Team for working so hard during the Legislative Session. You all deserve some R and R. Make sure you take the opportunity to sign up for the ILG Legislative Wrap-Up Report on May 14th. And if it doesn't fit into your schedule, make sure you get the recording. There were a lot of important bills that passed that affect us at the local level.

Enjoy the rest of the spring season. I look forward to seeing you soon.

## FROM the ASSOCIATION

### Spring is for Looking Forward

During legislative years, we can get very caught up in the present. Everything feels so urgent. By the time you are reading this, the Session will be over (maybe). We will have plenty of time to unpack all the changes ahead for county government in the next few months. Make sure to sign up for the Legislative Wrap-up on May 14, where the dedicated team at NDACo will provide you with the most up-to-date law changes and their impacts. But as hard as it is to believe another Session is in the history books, it's time to look forward. Just like spring brings new growth to our gardens and farm fields, it's time to start thinking about new growth in our lives.

A personal favorite growth opportunity for me is going out on our County Tours and meeting everyone on their home turf. I find the new ideas



Aaron Birst | NDACo Executive Director

and discussion topics always broaden my horizons and help me appreciate how many dedicated county folks we have in our ranks. I hope to see you all out and about this summer, and I never

get tired of looking at all the beautiful courthouses across this great state.

I also look forward to the Western Interstate Region Conference and the NACo Annual Conference. We learn so much from hanging out with our peers from around the country for a few days. Again, I want to remind you all that the ND County Commissioners Association and the ND Association of Counties have cost share scholarships to help encourage county officials to attend a national meeting event. You can always grow and learn from listening to others. Reach out to us for details if you are interested!

Finally - I look forward to warm weather, seeing the kids more, golf, and getting some sleep. It's been a long Session.

See you soon!



Aaron Birst, Managing Editor  
Jeff Eslinger, Editor

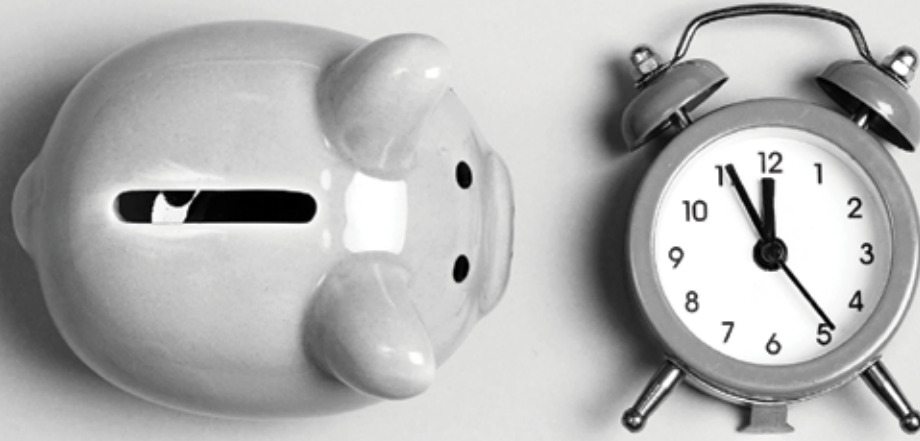
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## Budgeting for Recruitment and Training

Joanna Drennen | HR Collaborative for Local Government Executive Director

As a human resource management professional within your entity, one of your responsibilities may be to oversee or support the development of your entity's employee recruitment and training budgets.

According to a 2024 Talent Trends presentation published by the Society for Human Resource Management (SHRM), your investment in these initiatives is as important as ever given over “3 in 4 organizations have had difficulty recruiting for full-time regular positions while nearly half have had difficulties retaining full-time regular employees in the last 12 months” (accessed 25 February 2025 from <https://www.shrm.org/content/dam/en/shrm/research/2024-talent-trends-research-overall-findings.pdf>), according to data collected from January 10-19, 2024.

### The Planning Before the Posting

Arguably, the most visible part of an organization's recruitment strategy is when a job posting is published; however, at the NDIRF, this action is taken only after the following steps have occurred:

#### 1. Hiring manager notifies

##### Administrative Services Manager (“ASM”) of the vacant position.

This notice prompts a conversation between our ASM and the hiring manager about how the position will help us achieve strategic plan goals and what the position's essential functions will be. “Essential functions are those performed with frequency, or those that make up the essence of the position” (accessed 25 February 2025 from the HR Collaborative's HR Reference Guide, Chapter 4: Employment Relations, pg. 13).

#### 2. The hiring manager works with ASM and CFO to confirm budget for vacant position.

Our CEO and CFO annually evaluate and budget for various employment vacancies generated by voluntary separation, involuntary separation, and retirement. The budget for each position's salary is projected using various compensation resources, including the Employment and Wages by Occupation program managed by Job Service North Dakota ([www.jobsnd.com](http://www.jobsnd.com)>Employer Resources>Employment and Wages by Occupation). In addition to salary, our CEO and CFO consider background check costs and the position's possible software, subscription, and training needs, including designations and/or

certifications (ex. first aid, CPR, CPSI, CPO, etc.) within their budget calculation.

*Additional hiring costs may include assessments, drug testing, search assistance, etc.*

Based on the amount the CEO and CFO previously set aside for a vacant position's salary as well as market research, the hiring manager, ASM, and CFO work together to determine an offer amount. Should a top candidate try to negotiate a salary higher than our allotted budget, we may consider other forms of compensation and/or benefits to strengthen our offer, such as additional days of paid leave.

#### 3. ASM and hiring manager discuss job description, needs of the department, preferred certifications and job skills, interview questions, timeline of hiring process, etc.

Prior to internally and externally posting a position, our ASM and the hiring manager review the job description to ensure the listed essential functions align with the department's needs and our strategic plan goals. The interview questions are prepared in advance to ensure candidates are asked the same questions, allowing for an apples-to-apples comparison.

Once these steps are complete, our ASM internally and externally publishes the job posting. The external channels we use to publish job postings are our website and social media sites, which are free, and Indeed and LinkedIn, which offer budgeted job posting campaigns. For example, you can choose to run a campaign for a total dollar amount, or you can choose to run a campaign for a total number of days.

### Plan for Training

According to Forbes Human Resources Council, creating a culture of training and development leads to improved employee performance, increased employee engagement, enhanced leadership capabilities, and improved employee retention<sup>1</sup>. With outcomes like these, it's easy to understand why training is so important to your entity's success.

Members of the NDIRF's management team are responsible for annually reviewing their training budgets and updating them to meet the development needs of new and existing employees. Often, they refer to the previous years' training budget to develop a baseline training cost per employee.

Management team members present their training budgets to our CEO and CFO for review, and this trio accepts or modifies the budget based on organizational needs and ultimately board approval.

### LocalGovU

One employee training tool the NDIRF has used over the past couple of years is LocalGovU, our free online training platform that offers thousands of local government-specific professional development and safety courses – and even POST-certified law enforcement courses.

As an NDIRF member, all your entity's employees can take an unlimited number of LocalGovU courses at no cost to your entity, and you can even set up an administration account to create a training schedule that automatically emails training courses to employees as well as reminders to complete scheduled courses. To learn more about LocalGovU, visit [www.NDIRF.com](http://www.NDIRF.com)>Member Benefits>Online Training.

### Additional Resources

Here are additional training resources fellow NDIRF members have also used to support their employees' development:

- The **HR Collaborative** is an NDIRF program that offers NDIRF members free


human resource management and training resources. Visit [www.NDIRF.com](http://www.NDIRF.com)>HR Collaborative to learn more and join today.

- **ND Workforce Safety & Insurance** (“WSI”) offers overall safety information and resources for workers of all ages. WSI also offers Get Home Safe North Dakota, a program that provides training and resources to reduce workplace accidents and injuries. Visit [www.WorkforceSafety.com/safety](http://www.WorkforceSafety.com/safety) or [www.WorkforceSafety.com/GHSND](http://www.WorkforceSafety.com/GHSND) to learn more.

- **North Dakota Safety Council** offers a variety of Workplace Safety resources. Visit [www.NDSC.org/Workplace-Safety/](http://www.NDSC.org/Workplace-Safety/) to learn more.

Your entity's recruiting and training budget will likely primarily depend on its size and needs – as well as what your entity's overseeing commissions or boards approve – so it's helpful to forecast costs, even the smallest ones, to help you stay on budget. Your entity can rest assured that if it thoughtfully invests in these initiatives, its employees will be more engaged and productive – and that's a great feather in your cap.

<sup>1</sup> Accessed 2 February 2025 from <https://www.forbes.com/councils/forbeshumanresourcescouncil/2023/06/13/creating-a-culture-of-training-and-development-in-the-workplace/>.



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# NDIT Security Team Protects Your Data

## All Security Services Are Provided Free

Steven Palmer | NDIT

The North Dakota Information Technology (NDIT) Security team is a 55-member team consisting of Cyber Security Analysts, Cyber Risk Analysts, Cyber Security Engineers, Cyber Defend Analysts, Threat Intel and Information Security Officers (ISO) with a strong dedication to protect the North Dakota Statewide Technology Access for Government and Education network (STAGEnet), users, and ND Citizens' data.

The NDIT Security team uses multiple security tools and resources to identify threats and protect STAGEnet against hackers' attempts to gain access to state data and systems. The primary detective, protective and response tools used are Cortex XDR, Tenable Nessus and the Cyber Maturity Assessment.

Cortex XDR anti-malware and Tenable Nessus vulnerability scanning software are the security tools the Cyber Security Analysts and engineers use when they are installed on workstation and server devices. These tools help protect the devices from Malware infections and from hackers exploiting security vulnerabilities in software programs commonly used by government entities.

The **Cortex XDR** software proactively detects, prevents and protects devices from malware while also alerting the NDIT Security Team of any suspicious activity hackers use to gain access to the device. Cyber Security Analysts monitor the network for malware, suspicious activity and alert on notifications 24/7 to ensure any attempts of unauthorized access by hackers are addressed quickly. Think of Cortex XDR as smoke detectors on the network. As more detectors are on the network, we have better monitoring and alerting to thwart activities originating from threat actors. The NDIT Security Team also partners with Palo Alto's



Managed Threat Hunt and Unit 42 teams to stay up to date on worldwide threat patterns and monitor dark web activity.

The **Tenable Nessus** client, when installed on a device, scans all software on each device, identifies software security vulnerabilities, and provides reporting to IT professionals via a dashboard or emailed report. The reporting allows for identification of findings and provides prioritization for remediation. The dashboard and report identify the top ten vulnerabilities and top ten vulnerable devices as well as identify critical and high category patches needed.

In addition to the security tools, the NDIT Security team also has a **Cyber**

**Maturity Assessment** (CMA) and security awareness training resources available to entities. The CMA is available to STAGEnet members to assess their cybersecurity posture of protecting data and resources. The CMA is a self-assessment, with assistance available from an ISO, that contains questions from Center for Internet Security (CIS) 18 Controls. When the assessment is completed, a Cyber Maturity Score is generated with areas of strength and areas that need improvement. The assessment and score are not punitive but instead are used as a resource for improving the protection of citizen data and government resources. The CMA is taken annually by the entity to help

reflect the results of improvements identified and remediated from the previous CMA.

The use of the NDIT security tools of Cortex XDR, Tenable Nessus and completing the Cyber Maturity Assessment annually has immense benefits beyond just the technology. **Using these tools can also save you up to 4% on your liability insurance with the North Dakota Insurance Reserve Fund (NDIRF).** Your IT Coordinator or Business Manager can request a Verification Letter from NDIT Security confirming the use of the NDIT Security Tools. Once confirmed, the letter is generated and provided to the requestor which can then be provided to NDIRF for the discount.

Other services the NDIT Security Team offers are Security Awareness Training, Penetration Testing, Phish Alert, Tabletop Exercises, and Business Continuity and Disaster Recovery Planning. To keep our partners informed, the Team hosts several collaboration meetings which are the Monthly Threat Intelligence Meeting and the Monthly Cybersecurity Collaboration Meeting.

All above services are **FREE!** NDIT embraces a "whole of state" cybersecurity strategy and believes offering cybersecurity tools and resources at no cost can best defend against cyber threats and ultimately, protect data and systems from cyber incidents.

To request any of the tools described above, or for more information on available tools, please contact the NDIT Service Desk at (701) 328-4470 or submit an online request through the ServiceNow portal: <https://northdakota.service-now.com/serviceportal>, or the Information Security Officer.

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# More of the 9-1-1 Fee to be Returned to Counties

Jason Horning | NG 9-1-1 Program Manager

Counties will be getting more money for emergency response thanks to passage of HB 1096. The bill reduces the administrative fee percentage from 5% to 2.5%. The bill was signed into law by the governor, filed with the Secretary of State on March 19, and will take effect July 1, 2025.

Jason Horning, NG 9-1-1 program manager at NDACo, estimates that this reduction will return about \$400,000 back to local government annually for 9-1-1 purposes. “It’s a savings made possible by counties working together to establish and move forward with the 9-1-1 fee collection and remittance program,” Horning says.

That program, begun in 2024, created a centralized collection and redistribution system that allows cell phone and VOIP companies, known as Originating Service Providers (OSPs) to submit one payment per month to NDACo, which NDACo then distributes to counties.

Before 2024, OSPs kept a 5% administrative fee from the 9-1-1 fees they collected from their customers. For example, if a county has a \$2.00 9-1-1 fee, the OSP would keep 5 percent – ten cents – and remit the remaining \$1.90



NDACo's Jason Horning testifying on House Bill 1096.

to the county. Beginning in July, that hypothetical county would get \$1.95.

Although it sounds simple enough, there are around 170 OSPs collecting various 9-1-1 fees from thousands of

customers in 53 counties, so it was anything but simple.

NDACo does not keep any percentage of the fees but provides this function as a free service to counties.

The accounting team at NDACo will figure out what kind of adjustments will need to be made in the portal used by OSPs and will inform all stakeholders via email and NDACo's news channels.



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# From Rural North Dakota to California's Coast: North Dakota Teens Impress at Lifesavers Conference

By Leah Kelm | Vision Zero Regional Outreach Coordinator

Every day, over 100 active student leaders in North Dakota's Vision Zero Schools program work to promote a culture of traffic safety within their schools and communities. In March, two of these student leaders had the opportunity to showcase their efforts on a national stage. Cole Just, a sophomore from LaMoure High School, and Ann Muggli, a senior from Oakes High School, presented their experiences at the Lifesavers Conference on Roadway Safety, held in Long Beach, Calif.

The two North Dakota students joined four other teens from across the country on a session panel titled *Student Changemakers: Leading the Charge for Safer Schools & Communities*.

Cole's presentation focused on student advocacy and the influential role teens can play in promoting road safety. He shared his personal experience supporting and testifying in favor of Senate Bill 2362 (Primary Seat Belt Law) during the 2023 North Dakota Legislative Session. One of his slides featured a powerful quote from his testimony: "I might just be 14 years old, but I'm old enough to realize that the decision to wear your seat belt doesn't just affect YOU." Now 16, Cole still stands by that statement and credits his early involvement in traffic safety to his mom's work as a first responder. He wrapped up his portion of the panel by encouraging the audience to take a proactive approach to saving lives, rather than waiting to react after a tragedy.

Ann used her time on the panel to showcase a variety of opportunities to enhance traffic safety in rural schools,



Ann Muggli and Cole Just after the Opening Plenary of the 2025 Lifesavers Conference.

while also highlighting the unique challenges these communities face. "In rural communities, the population may be smaller, but the impact of a crash is no less devastating, and every fatality is one too many," she emphasized. Ann also explained the basics of North Dakota's Vision Zero Schools program and highlighted innovative outreach efforts being used to reach and educate both drivers and passengers on crucial traffic safety topics. These efforts, led by student leaders from across the state, are designed to educate their peers and promote the importance of personal responsibility.

Both Cole and Ann agreed that the most rewarding part of the trip was connecting with other teens at

the conference who also share their passion for making a difference in their communities.

Held annually, the Lifesavers Conference is recognized as the largest gathering of traffic safety professionals in the United States, bringing together local, tribal, state and federal highway safety specialists; law enforcement officers; public health professionals; crash victims; and other safety advocates. With approximately 70 workshops across 10 educational tracks, keynote

sessions, and an extensive exhibit hall, the conference provides information on the latest highway safety research, shares proven best practices from experts in the field, and offers many other professional development and collaborative opportunities.

This opportunity was available to these student leaders thanks to the North Dakota Department of Transportation Highway Safety Division and the North Dakota Association of Counties.



Student Changemakers Session: Dr. Kelly Browning (Executive Director of Impact Teen Drivers), Cole Just, Ann Muggli, Shyla Hardowar, Keiko Rakin, Kevin Tang, and moderator Ryan Gellner (Vision Zero Outreach Program Manager) at the 2025 Lifesavers Conference. Not pictured: Emma Mays.



Ann Muggli presenting during the 2025 Lifesavers Conference.



# CEG Participates in a New Discount Program

Patrick Engelhart | CEG Safety Specialist

We are happy to announce that in 2025 the County Employer Group (CEG) will be participating in the Safety Management Program (SMP) offered by Workforce Safety and Insurance (WSI). This new program may result in a 10% premium discount!

Providing excellent value to the counties is a cornerstone of the CEG and NDACo, as we are keenly aware that many of our programs are ultimately funded by the public purse. One of the ways we demonstrate our commitment to good stewardship is by aggressively pursuing workers compensation discount programs like the SMP.

The SMP is a discount program approved by Workforce Safety and Insurance that, if successfully audited, will result in a **10% discount** on our group workers compensation premiums. This presents a tremendous opportunity to return tax dollars to the counties.

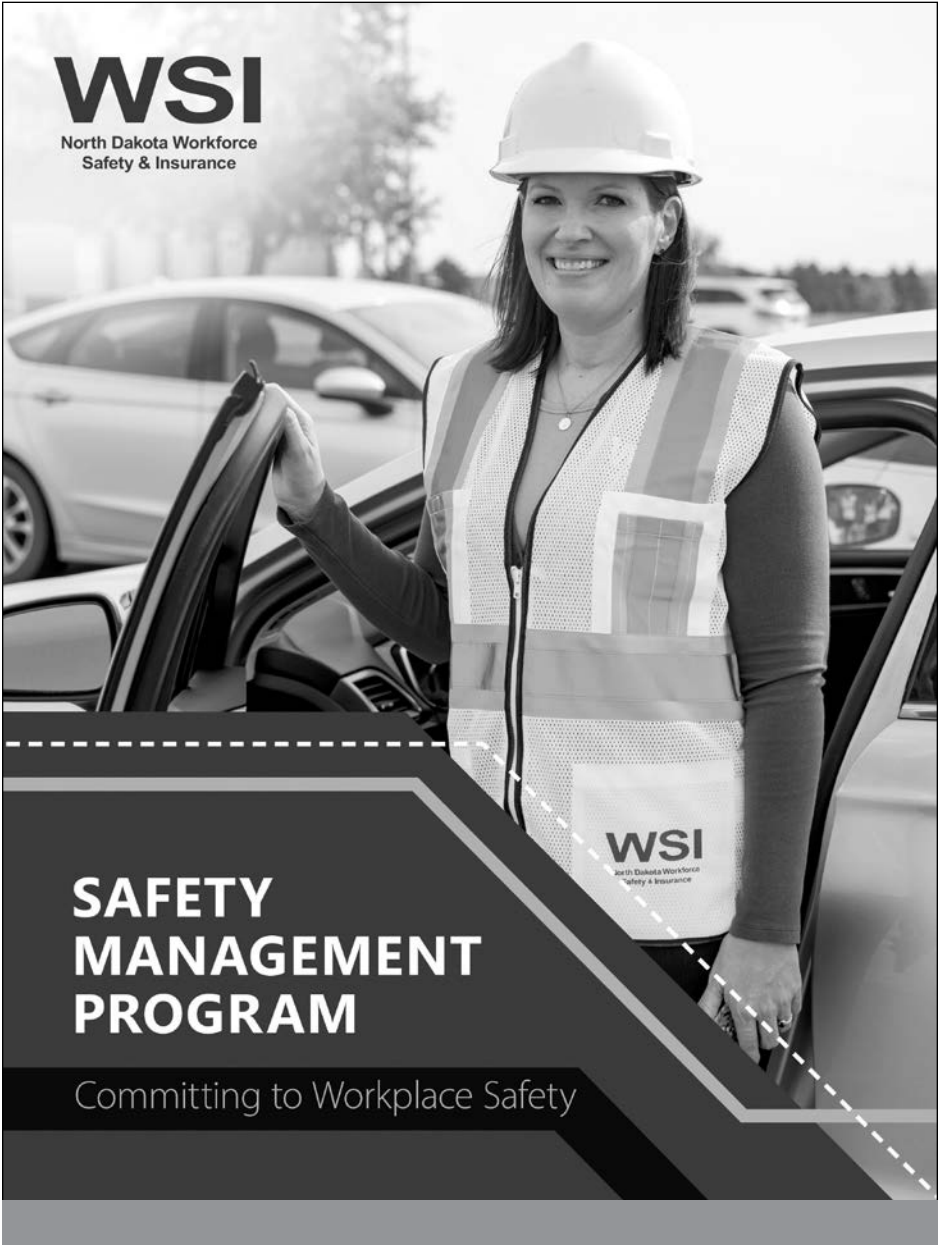
## WSI North Dakota Workforce Safety & Insurance

To qualify for the SMP discount, the CEG will focus on four key areas:

- 1. Management Commitment to Safety
- 2. Safety Training
- 3. Hazard Recognition and
- 4. Accident Investigation.

Perhaps the best news is that many of the required actions in those key areas are practices that the CEG has been doing with counties for years as part of our commitment to using best practices to keep employees safe.

To learn more about the SMP, click on the link to download the program brochure at [www.workforcesafety.com/safety/safety-incentive-programs](http://www.workforcesafety.com/safety/safety-incentive-programs).



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## NDACo Legislative Wrap-Up Report Webinar

Wednesday, May 14  
10am - 12pm, CT

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legislation that will  
impact counties!*

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## Innovations Champions – Share Your Creative ideas

Whether it's a new gadget that maximizes efficiency or an innovative process that increases safety, reduces costs, or ensures quality of road maintenance and improvement projects, it's typically the people on the front lines who discover the latest and best practices.

North Dakota LTAP Innovation Champions Program provides a great opportunity to share those new ideas with others! We are looking for submissions from employees of local, tribal or state public agencies that have come up with innovative solutions to problems or found better ways to do certain tasks.

Submissions must involve implemented products, procedures, or processes (we are not looking for conceptual ideas). We will gather the best ideas from around the state and judge them using a 5-point rating system.

### Criteria

- Cost
- Savings/benefits to the community
- Ingenuity and/or Innovation
- Ease of transferability
- Effectiveness

### How to Enter

If you have something you would like to share, submit your entry by July 31. NDLTAP will collect a photo(s)/video and drawings of your project.



Sliding/swiveling hose holder

Remember, this competition is open to employees of any local, tribal or state public agency, including North Dakota Department of Transportation. Two winners will be selected; one for the

best local agency and another for the NDDOT Submission.

Check out all of the details at [www.ndltap.org/programs/innovation](http://www.ndltap.org/programs/innovation)

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*Register Today!*



## NDACo Legislative Wrap-Up Report Webinar

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## Ritter to Succeed Simon as WDEA Exec Director

The Western Dakota Energy Association has announced that Alison Ritter will follow Geoff Simon as its Executive Director when Simon retires later this year.

Simon has led WDEA for eight years and has been instrumental in advocating for North Dakota's energy and infrastructure needs. Under his leadership, WDEA has strengthened its role as a voice for the state's oil, gas, and coal-producing communities, working closely with industry leaders, legislators, and local governments to support the needs of western North Dakota.

WDEA's Executive Committee expressed its appreciation for Simon's years of service and welcomed Ritter's appointment.

"We extend our deepest thanks to Geoff for his dedication and leadership," said WDEA President Leslie Bieber, Superintendent of the Alexander School District. "Alison's communication expertise and passion for North Dakota's energy industry and the communities where they operate, make her the ideal choice to guide WDEA into the future."

"It has been an honor to serve WDEA and work alongside so many dedicated individuals who are committed to the success of the communities of western North Dakota," said Simon. "I'm proud of what we've accomplished together and confident that Alison will continue to advance our mission with strong leadership and a deep understanding of the fossil fuel industry."



Ritter is a respected communications professional with extensive experience and relationships in North Dakota's energy sector. She has worked in public relations for the last 14 years and worked for the Department of Mineral Resources during the rise of the Bakken.

"I am grateful for the opportunity to lead WDEA and build upon the strong foundation established under Geoff's leadership," said Ritter. "North Dakota's energy industry is vital to our communities and the economy, and I look forward to working with our members and partners to ensure the association's continued success."

Simon and Ritter will work collaboratively to advance the WDEA mission until Simon's official retirement in June.

## Congratulations to NACo Leadership Academy Graduates

We congratulate the December graduate of the National Association of Counties (NACo) Leadership Academy from North Dakota. Joining a distinguished network of over 10,000 alumni, this leader has successfully completed the 12-week online program. This program equips current and emerging county leaders with the knowledge and skills to excel and better serve their communities.

• **Kate Naumann, Assistant State's Attorney, Cass County**

## Elevate your leadership in 2025!

Invest in your team's future by developing their leadership potential. Our dynamic program empowers your workforce to become effective leaders, both today and tomorrow. Cohorts begin in January, April, August, and September.

Developed by General Colin Powell, the Professional Development Academy and NACo, the High Performance Leadership Academy is an online 12-week program that helps your workforce develop fundamental, practical leadership skills to deliver results for counties and our residents.



L-R: Laurie Good, LaMoure County; Melissa Vachal, Mountrail County; Carrie Krause, Wells County; Missy Hanson, Burleigh County; Nancy Seefeldt, Morton County.

## Disaster Recovery: The NDRIN Way

Five North Dakota County Recorders attended the Property Records Industry Association (PRIA) Conference in San Antonio, TX on March 4-7.

On Wednesday, March 5, Laurie Good, LaMoure County Recorder; Missy Hanson, Burleigh County Recorder; Nancy Seefeldt, Morton County Recorder; Carrie Krause, Wells County Recorder along with moderator David Doty, Account Executive for Tyler Technologies presented on NDRIN (North Dakota Recorders Information Network) to over 500 participants.

Missy, Laurie and Carrie are current NDRIN Board members and Nancy

is the past chair. They presented that NDRIN came into being from a collaborative initiative that transitioned North Dakota's real estate records to a secure online platform, with an emphasis on disaster recovery due to the 1997 Red River flood. They discussed the insights on how the NDRIN platform preserves historical records while offering secure, modern access for future generations. Many questions were asked and answered as North Dakota is the only state that has a repository like NDRIN, which houses both the data and images of the real estate records; plus can be used as a searching tool.

### Seeing your needs from a *financial* PERSPECTIVE

"Financial plans are more than just about money. They're really about education and providing you with the knowledge you need to make the best decisions for your community."

**Miranda Kleven, PE,**  
AE2S Special Projects Engineer



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# Celebrating 50 Years

## Remembering 50 Years of Visionary Leaders

Jeff Eslinger | County News Editor

*"If I have seen further than others, it is by standing upon the shoulders of giants." – Sir Isaac Newton.*

No organization or movement simply appears fully formed. There are countless giants whose vision provided the foundation on which the North Dakota Association of Counties was built.

**Wayne Lematta**, former Dickey County Auditor, was among the earliest visionaries who saw the need for a whole-state organization to advocate for counties at the legislature, as well as to strengthen themselves through collaboration with other counties. Lematta joined forces with County Commissioners **Lenny Jacobs** (Adams) to bring about what was referred to as the "Great Compromise" that kept the ND County Commissioners Association operating independently but also provided commissioner representation on the NDACo Board of Directors.

**Andy Hagle** (Griggs) and **Ron Anderson** (McKenzie) served as both legislators and County Commissioners, and were among the early champions to greatly advance NDACo's legislative advocacy and education.

**Kaye Braaten** was not only among the first female county commissioners in North Dakota and was the first female NDCCA President, she was elected President of the National Association of Counties (NACo) in 1991, the only North Dakotan ever to serve as national president, and believed to be the first female NACo President. (See photo with President Bush)

In that same year, **Mark Johnson**, then Executive Director of NDACo, became president of the National Council of County Association Executives.

**Eileen Mack**, Burleigh County Superintendent of Schools, along with Morton County Commissioner **Richard Bendish**, pushed hard to expand NDACo's services with a focus on developing non-dues revenue sources to allow for greater growth without pressuring dues paid by counties.

**Karin Fischer** (now Karin Boom), LaMoure County Clerk of Court, was instrumental in the often unpopular transition from county courts to the district court system. Karin herself was not a great fan of the idea but provided a wise and steady hand on the rudder of change during her presidency of NDACo through that difficult time.

Admittedly, an article like this will overlook as many as it recognizes. Readers are welcome to submit their stories and recollections to [jeff.eslinger@ndaco.org](mailto:jeff.eslinger@ndaco.org) to help us continue to tell this story as accurately and completely as possible.



Eileen Mack speaks at 1988 Convention.



In this April 1, 1991 County News photo, President George H.W. Bush prepares to sign the proclamation establishing National County Government Week, the predecessor to National County Government Month. Ready to witness the event are: (l-r) Then NACo Executive Director John Thomas; Immediate Past President Ann Klinger; President Mike Stewart; First Vice President Kaye Braaten; Sen. Conrad Burns (R-Mont.) and Rep. Ben Erdreich (R-Ala.), who sponsored the measure in Congress; Third Vice President Barbara Sheen Todd; and Second Vice President John Stroger. Photo by David Hathcox



Karin Fischer (Boom) receiving the NDACo President gavel from Ron Anderson.





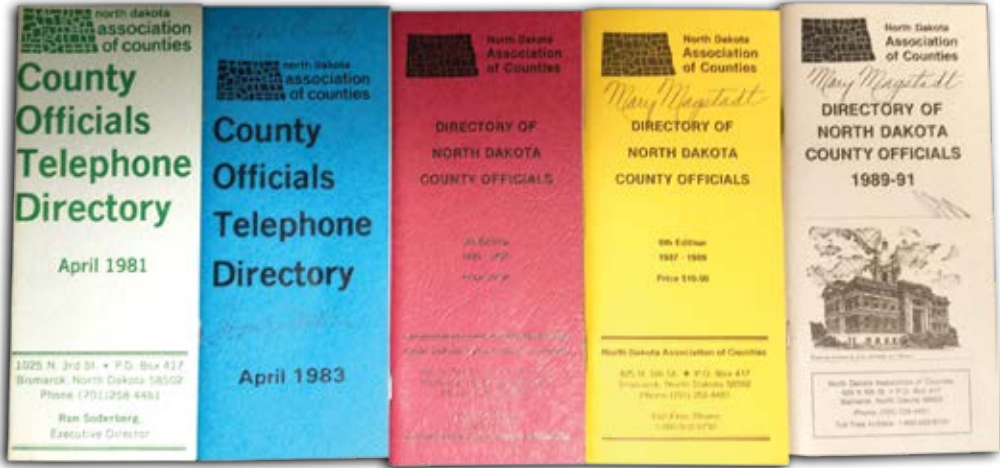
Ron and Myra Anderson at the 2007 NACo Annual Conference in Richmond, VA.



NDCCA Past President Richard Bendish passes the gavel to Leonard Jacobs, newly elected NDCCA President.



Andy Hagle top left, and Leonard Jacobs, seated second from the left, with the newly elected NDCCA board of 1987.



Our thanks to Vicki Murray for sending us this picture of County Officials Directories that go back further than the 1991 version we featured on the 2025 edition. Nice to see some people keep EVERYTHING!





NDPIO Board of Directors, L-R: Jacob Just, Treasurer; Shawna Davenport, Secretary; Cally Peterson, Maxine Herr, Director Emeritus, Co-Founder; Kayli Richards, Interim President; Maxine Herr, Director Emeritus/Co-Founder; Rob Keller, Director Emeritus/CO-Founder; John Bernstrom, Interim Vice President; Jacob Just, Treasurer

## Elevate Your County Communication: Join Us at the 3rd Annual NDPIO Training Conference

MSG Rob Keller, USA, (Ret) | NDPIO Co-Founder

The North Dakota Public Information Officer Association (NDPIO) is announcing their 3rd annual Training Conference, set to take place from July 14-16, 2025, at the state-of-the-art Bismarck State College National Energy Center of Excellence (NECE). This is not just a conference; it's an essential investment in your professional growth, designed to equip you with the skills and knowledge needed to excel in today's dynamic media landscape.

In an era where information travels at lightning speed, effective communication is paramount for county officials. Whether you are a seasoned NDPIO member or a county communicator seeking to enhance your media relations, this conference offers invaluable insights and practical tools. We understand the unique challenges faced by county communicators, from managing local crises to fostering community trust.

This year's conference will feature a diverse lineup of expert speakers and networking opportunities. You'll learn how to navigate complex media inquiries, craft compelling narratives, and utilize the latest digital communication strategies. We will delve into topics such as leadership development, social media management, the art of delivering clear and concise messages to your constituents, and much more.

Why should you attend? Because this conference is more than just

training; it's a chance to connect with peers, share best practices, and build a supportive network. You'll gain firsthand knowledge from industry leaders who understand the nuances of North Dakota's media environment. This is an opportunity to refine your skills, stay ahead of the curve, and ultimately, better serve your community.

The Bismarck State College NECE provides the perfect setting for this immersive learning experience. Its modern facilities and collaborative atmosphere will foster an environment where you can learn, grow, and connect.

Don't miss this chance to enhance your ability to effectively communicate your county's message. Join us in Bismarck for three days of intensive training and professional development. Register now and take the next step in becoming a more effective and impactful county communicator. We look forward to seeing you there!

Register here: <https://bismarckstate.edu/ndpio> - Registration will take you to BSC's Continuing Education website.

### Registration costs:

Before July 3rd

NDPIO Members: \$109

NDPIO Non-Members: \$129

After July 3rd

NDPIO Members: \$129

NDPIO Non-Members: \$149



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

NASPO Procurement U Courses

Are you interested in professional development? The National Association of State Procurement Officials (NASPO) offers an extensive list of free courses through Procurement U that are designed specifically for public procurement professionals at all experience levels.

Through Procurement U, you have access to many self-paced and instructor-led courses, including courses such as the following:

- Introduction to Public Procurement
- Introduction to Request for Proposals (RFP)
- Introduction to Cooperative Purchasing
- Introduction to Specification Development
- Introduction to Scopes of Work (SOWs)
- Introduction to Negotiations
- Managing Open Records Requests



- Understanding Artificial Intelligence (AI) in Public Improvement
- Navigating Market Research Techniques
- Supplier Management in Public Procurement
- Effective Evaluations

Go to [procurementu.myabsorb.com](https://procurementu.myabsorb.com) and create an account to start taking advantage of this great opportunity! If you are interested in any Procurement U courses requiring payment, please reach out to Abby Dschaak at [aadschaak@nd.gov](mailto:aadschaak@nd.gov) for available NASPO funding to cover the cost of the course.

NDBuys Coming Summer 2025!

The State Procurement Office (SPO) is in the process of transitioning from its current online system to a new system called NDBuys.



NDBuys is an Ivalua solution that will offer the following functionality enhancements:

- Bidders List – Individuals and businesses interested in receiving notice of bidding opportunities can register at no cost.
- Solicitations – State agencies and higher education will issue bids, Requests for Proposals, Requests for Qualifications, and Public Improvement notices (in addition to complying with any laws requiring advertising in the newspaper).  
Legislation (House Bill 1122) has been introduced to make this system also available to local government—we'll keep you posted!
- State Contracts – Information about cooperative purchasing contracts will move to NDBuys.

NDBuys will undergo a pilot phase in May, with a full rollout scheduled for the summer of 2025. Contact the State Procurement Office at [infospo@nd.gov](mailto:infospo@nd.gov) for more information about NDBuys.

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The National Association of Counties (NACo) has enhanced the Live Healthy Discount Program to deliver greater healthcare savings to county residents at NO COST to the county.

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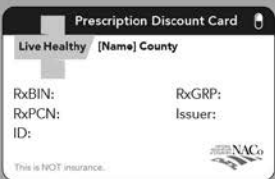
- Save up to 80%\* on generics and up to 40%\* on brand-name prescription medications for residents and their pets

Low-fee health discounts nationwide.

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Low-fee dental discounts nationwide.

- Save 15% to 50% on check-ups, cleanings, fillings, crowns, x-rays, root canals and more at over 110,000 participating providers



To learn more and enroll your county, visit [NACo.org/Health](https://NACo.org/Health)

\*This is not insurance. Savings may vary by drug and by pharmacy. The Prescription Discount Card is operated by CVS Caremark®. The Discount Medical Organization for NACo Health and Dental Discounts is Alliance HealthCard of Florida, Inc. All rights reserved. ©2022 CVS Caremark





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## Armstrong Helps Break Ground on New Heart River Correctional Center

Gov. Kelly Armstrong and Lt. Gov. Michelle Strinden today joined staff and residents from the North Dakota Department of Corrections and Rehabilitation (DOCR) to break ground on the Heart River Correctional Center (HRCC), the state's new women's correctional facility, highlighting its focus on rehabilitation and safety.

The 191,500-square-foot facility in Mandan will provide 304 beds – 178 more than the Dakota Women's Correctional Rehab Center in New England, a remodeled school that has served as the state's correctional facility for women since 2003. The HRCC is slated for completion in fall 2027.

"This day is historic for North Dakota because for the first time in our state's 135-year history, we're breaking ground on a correctional facility designed specifically for women," Armstrong said. "This long-overdue project will ensure DOCR staff and the women in their custody have safe, modern and comparable facilities where residents can serve their sentences and build toward their eventual reentry into their communities."

DOCR Director Colby Braun and HRCC Warden Connie Hackman Rivinius highlighted the vision behind HRCC and its role in transforming lives. In addition to having more space for volunteers, programs, treatment, vocational and career development, the

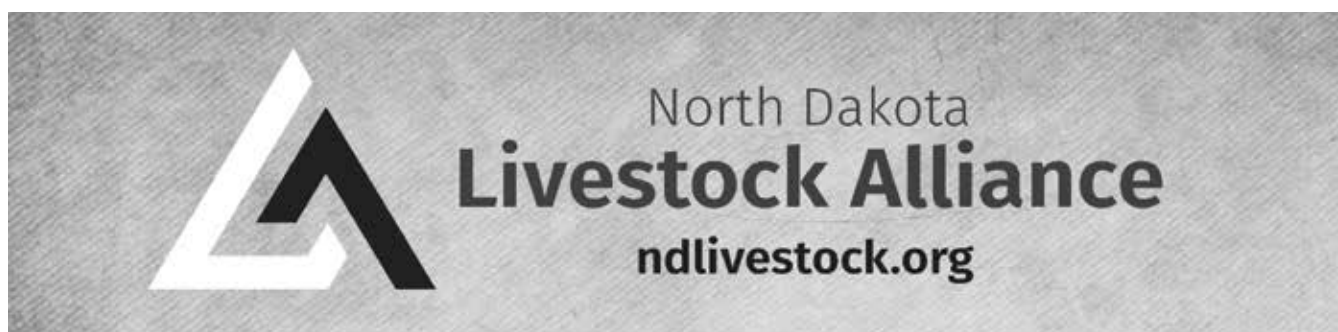


facility will focus on reinforcing family connections to improve outcomes for children of incarcerated parents.

"From the very first day someone enters this facility, the focus will be on reentry – on preparing them for the day they will return to their families and communities," Braun said. "We are not simply building a prison; we are creating a place of opportunity, responsibility and hope."

"We will continue to expand on what HRCC currently does, assist women in becoming the best versions of themselves through programming, role modeling, relationships, and accountability," Hackman Rivinius said. "The goal is to create a safe and healthy, relationship-based environment that is trauma and gender-responsive, with a high level of care and skill-building programming."

Armstrong thanked state legislators for approving \$131.2 million in funding in 2023 for design and construction of the HRCC, along with intent language for additional funding, which Armstrong has proposed at \$35.6 million in his 2025-27 budget recommendation, for a total project budget of \$166.8 million. The DOCR worked with JLG Architects in collaboration with JB Marie and DLR Group to design the facility.



**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](http://ndlivestock.org) or 701-712-1488 Follow us on Facebook @LivestockND**



The latest Family Fun Fair for **Bowman** County will be on Thursday, May 1, from 2 p.m. until 7 p.m. According to Shonda Schwartz of the SW Dakota Human Service Zone, each spring a Family Fun Fair is held at the 4 Seasons Pavilion in Bowman. “It is an event to celebrate children and families. We try to get the bouncy houses, try to get the fire departments, ambulance, Southwest Transit and the resources that serve families in our areas.” That also includes places like Head Start Badlands, human service centers, she added. “We usually have the west side full of tables, which are both providers that service children and families in our area. We ask them to have a fun activity but to also give resources for children and families to come and have a safe, drug- and alcohol-free events where they can come and have fun together,” Schwartz told the members of the Bowman County commission. “We don’t like it for parents to just drop off kids. We usually have parents or grandparents come with them.” She told the commissioners at their April 1 meeting that the event is designed so that the children have fun. “It is really a collaboration. The schoolteachers make baked goods. You have a cakewalk for the kids. “If it is nice though, we’ll have an activity outside for the kids and then for them (the families) to receive resources. We provide a free supper for the families and a lot of our food is donated by Bronson’s. We have other donations. We are fully funded by donations, but it is not something that we can use our zone budget for.” She asked the commissioners if they would be willing to donate money towards the events. The residents from Slope County are also invited. “On average I would say we get about 400 people coming through the 4 Seasons.” The commissioners responded, approving a \$750 donation out of the state aid funds.

– *Bowman County Pioneer*

**Stutsman** and **Foster** counties have agreed to another joint powers agreement (JPA) for the sharing of emergency management services between them. During their regular meeting on Tuesday, Feb. 18, Foster County commissioners unanimously approved the JPA, which is effective for the year of 2025 and guarantees the county another year with an emergency manager. Stutsman and Foster first agreed to an emergency management JPA for 2024, and their new contract is similar to the first. Stutsman County will

be responsible for providing emergency management services to Foster County, managing their Homeland Security Program, assisting in FEMA-related incidents and more. A few additions were made to the agreement as well, such as dealing with Foster County’s 911 addressing. In exchange for these services, Foster County pays Stutsman County a base rate of \$2,000 per month, in addition to related fees and mileage costs. Also new with this agreement is the Emergency Manager, Jessica Moser.

– *Foster County Independent*

The **Divide** County Planning and Zoning Commission approved the latest amendments to an ordinance addressing possible data centers built in the county. The commission adopted its latest changes to the ordinance during its meeting on Friday; the Divide County Commission will now need to adopt that ordinance to officially add it to county zoning guidelines. Data centers are structures housing computer systems’ servers that process digital data, with many recent centers being used for cryptocurrency and artificial intelligence servers. Noise pollution was still the main topic of concern for board members, as well as for some members of the public who attended the meeting. Gene Nygaard, Crosby, brought up the noise levels of a data center built near Trenton and the complaints from nearby residents. “There were probably 20 houses, at least, that were within a quarter mile of the place,” he said. “I talked to one guy who said he had noise cancellation machines in every room of his house and it still came through.” As one way to combat the possible noise pollution, board members updated the ordinance to require sound buffers around data centers.

– *Crosby Journal*

A year’s long legal dispute between a family that owns a ranch along the Little Missouri River in the heart of the Badlands and **Billings** County over a proposed bridge has reached an end. The Short family has signed a settlement agreement with Billings County to end the dispute. The county had acquired title to a strip of land through eminent domain on the Short Ranch, about 40 miles north of Medora, for a bridge. Billings County has long sought a bridge crossing the Little Missouri between the Long X Bridge south of Watford City and the Interstate 94 Bypass Bridge in Medora, a distance of 70 miles, that requires long detours. “The bridge is off the table as a result of

the commission,” with a majority of the Billings County Commission opposing use of eminent domain to secure land, said Patrick Weir, the Billings County state’s attorney. “In a 2-1 vote they decided on their watch it’s not going to happen. In the future, God only knows.”

– *The Forum*

The **Williams** County Commission announced in a release it has approved the 2025 Tourism Grant Program Tuesday, March 18, which supports projects and other efforts to attract tourists to the county. This will be the fourth year and its fifth award cycle. Previous grants have funded rental equipment, facility expansion and improvements, events and more. Grant funds can cover up to 80% of associated costs and a 20% match is required for all recipients. According to the release, a total of \$80,000 from the Williams County Visitor Promotion Fund is available for grants this year with \$60,000 allotted for capital projects (with a maximum of \$20,000 per application) and \$20,000 for

events or advertising initiatives (with a maximum of \$5,000 per application). Applications will open on the Williams County website at 9 a.m. on Thursday, March 20. All applications are due by 5 p.m. on Thursday, May 1. Applicants can include public and private entities, clubs and organizations.

– *Williston Herald*

The **Traill** County Historical Society (TCHS) is gearing up for the 150th birthday celebration of Traill County. John Wright, president of the TCHS board, said a number of activities are planned for the event in June. A special edition of the Hillsboro Banner is planned for the event, along with tours of landmarks across the county. “On June 14, we will have open houses at the courthouse and museum to celebrate the 150th of the county,” Wright said. “We will have items of interest related to the county on display.” TCHS is holding two big undertakings for the event, with a bus tour planned for Caledonia and a meet and greet at the side of the first courthouse.

– *Hillsboro Banner*

## Possible Bonuses For County Employees Found In Violation of Open Meeting Laws

*Excerpted from article by Cameron Sutphin, Wahpeton Daily News Reporter*

A violation of open meeting laws was addressed at a special meeting of the Richland County Board of Health.

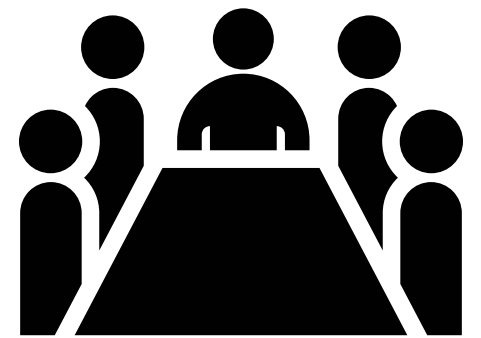
An email from the Richland County Health Services department allegedly violated open meetings laws by asking for opinions on going forward with retention bonuses to health department staff.

The email was concerning a \$3,000 retention bonus for current employees of the health services department who agree to stay for three years. This bonus is funded by a grant and if the employee leaves before the three years, they would have to pay it all back.

In a phone call with the Daily News, Richland County State’s Attorney Megan Kummer confirmed it was a violation of open meeting laws.

The email should have been worded differently by Health Services Director Kayla Carlson, Kummer said.

“Carlson sent an email to her board, which receives public funding, so it’s subject to open records, open meetings,”



Kummer said. “The concern from (County Auditor) Sandy (Fossum), and I agree, is that Carlson asked for input from her board members via email, which is kind of like conducting business via email, which you can’t do when you’re a public entity. Sandy just alerted (Carlson) to that; that’s why they had a special meeting, so they could address it in an open meeting. It’s always good to be cognizant of those things because we’re all subject to those sunshine laws.”

The Daily News requested a copy of the email under freedom of information guidelines and Fossum responded to the request and provided the email immediately.



## State's Attorney Issues Opinion On Conflict Of Interest

By Nathan Price and Amy Wobbema

Eddy County State's Attorney Ashley Lies has issued an official opinion after New Rockford's Commission President, Stu Richter, was accused of having a conflict of interest as a member of the Eddy County Zoning Commission.

David Fite, a resident of New Rockford Township, attended the Eddy County Commission's regular meeting on Tuesday, March 4, to express his opinion that Richter has a conflict of interest and that someone else should be appointed in his place.

Currently, Richter serves as the city commission's representative on the zoning commission, which has seven members and is responsible for establishing the county's zoning ordinances and regulations, as well as approving permits and variances for county projects.

Fite suggested to commissioners that as a landowner in Grandfield Township, Richter could have a financial interest in the Flickertail Wind project, an 43,000 acre wind farm scheduled for construction in Eddy and Wells Counties in 2027.

He also mentioned Richter's position as President of the New Rockford Area Betterment Corporation (NRABC), President of the New Rockford City Commission, part owner of Cash & Carry Lumber and his seat on the Governance Board of W-E Wind, LLC.

W-E Wind is the local development company established in 2008 for the purpose of bringing a wind energy project to the area.

Lies issued her opinion on the matter hours before press time on Thursday, March 6.

North Dakota Century Code states that any voting member of a political subdivision has a conflict of interest if they have a "direct and substantial personal or pecuniary interest" in a matter before the commission.

"It is my opinion that Richter's position on the [NRABC] Board, being Mayor of the City of New Rockford, being a part owner of Cash & Carry Lumber, and being on the Governance Board of W-E Wind are either not 'direct and substantial' or are not

'personal and pecuniary,'" writes Lies.

However, Lies had a different take when it came to Richter's ownership of land in Grandfield Township.

"If Richter's land is in the Flickertail Wind project area of development and he would receive money from having a wind tower on his land, then I believe that would be a 'direct and substantial' and 'personal and pecuniary' interest," she writes.

In other words, Richter would have a conflict of interest and be subject to North Dakota's conflict of interest laws if any wind turbines are to be placed on his private property.

Richter told the Transcript on Thursday that, at this time, a wind turbine is not proposed for his property, meaning there is currently no conflict of interest as it relates to his land ownership in Grandfield Township.

However, the placement of wind turbines has not yet been finalized, and Richter said that if he learns of any turbines to be placed on his property, he will address the potential conflict of

interest at that time in accordance with Lies' opinion.

Lies wrote that Richter's potential conflict of interest would not automatically disqualify him from voting on matters related to the Flickertail Wind Project, but would be at the discretion of the full zoning commission.

"Allowing Richter to vote on issues pertaining to Flickertail Wind would then come down to the consent of a majority of the rest of the Zoning Commission, assuming that his ownership of land in Grandfield Township would bring him a direct personal, pecuniary gain (i.e. by having a wind tower placed directly on his land)," writes Lies.

Permits for each individual turbine in Eddy County will need approval at meetings of the county's zoning commission, which are open to the public. Advance notice of such meetings will be published in the Transcript.

## Judge Blasts Army Corps for Pipeline Protests, Orders \$28m in Damages to North Dakota

Mary Steurer | North Dakota Monitor (excerpted with permission)

A federal judge has ordered the United States government to pay North Dakota nearly \$28 million dollars, finding that the executive branch "abandoned the rule of law" in its response to the Dakota Access Pipeline protests of 2016 and 2017.

In the lawsuit, filed in 2019, North Dakota requested \$38 million in damages from the United States government — the total sum it claims it paid for policing and cleaning up the demonstrations.

In a long-awaited decision filed April 23, U.S. District Court Judge Daniel Traynor sided with the state, finding the Corps at fault for negligence, public nuisance and civil trespass claims.

"While North Dakota was drowning in the chaos of the protests, the United States dropped an anvil into the pool and turned up the turmoil," he wrote in a nearly 120-page order.

Thousands came to south-central North Dakota to protest the construction of the crude oil pipeline in solidarity with the Standing Rock Sioux Tribe, which views the project as a looming environmental hazard and an encroachment upon Native

territory. It has also accused the pipeline of disrupting sacred cultural sites.

Early on in the demonstrations, the Standing Rock Sioux Tribe was in talks with the Army Corps about obtaining a special use permit, but those negotiations fell through, witnesses testified during the trial last year.

In September 2016, the Corps published a press release stating the permit had been granted, despite that the tribe never completed the application process.

Had the Corps followed through with the permit, the agency could have prevented millions in damages to the state, Traynor continued. Such a permit could have required demonstrators to handle cleanup, incentivized protest leaders to prevent damage to the land and prohibited protesters from establishing permanent structures at the campsites, he reasoned. He said the agency could have closed its land if protesters refused to comply with these requirements.

The Wednesday ruling expands on a prior order published in December 2023, in which Traynor held that the Army Corps had violated its own

permitting procedures by not requiring protesters to obtain the permit.

Traynor found that the Corps' decision to allow protesters to use its land — coupled with the press release, which he characterized as an endorsement of the demonstrations — prolonged and intensified the movement.

The United States has argued that the Corps responded the best it could in an extraordinary situation, and that it did not know the protests would unfold the way they did.

Traynor in his decision rejected this claim, finding that evidence presented at trial showed that the U.S. government knew early on that the demonstrations could balloon in size and become unruly.

North Dakota on multiple occasions asked for federal law enforcement to assist with managing the demonstrations, which Traynor said indicates the United States was aware that the protests posed a safety threat.

The United States also said that it cannot be held liable for the damages because the protests were protected speech.

Traynor said that while some protesters engaged in protected speech, the damages at issue in the lawsuit are not covered by the First Amendment since they resulted from violent behavior. He also noted the United States cannot use the First Amendment protections as a defense when no protesters are party to the case.

"The damages here were caused by tumultuous, unsanitary, and otherwise horrific conditions that caused significant violence to the land and responding law enforcement officers," he wrote.

Traynor reduced the award to North Dakota by \$10 million, since the U.S. government had already awarded the state a grant of that size to offset the cost of its emergency response to the protests.

It was not immediately clear whether the United States government would appeal Traynor's decision. The Corps did not immediately respond to a request for comment Wednesday.



**Work delay due to hitting a pipeline while digging**

**4½ days**

**Time it takes to call 811 before you dig**

**4½ minutes**

**—**

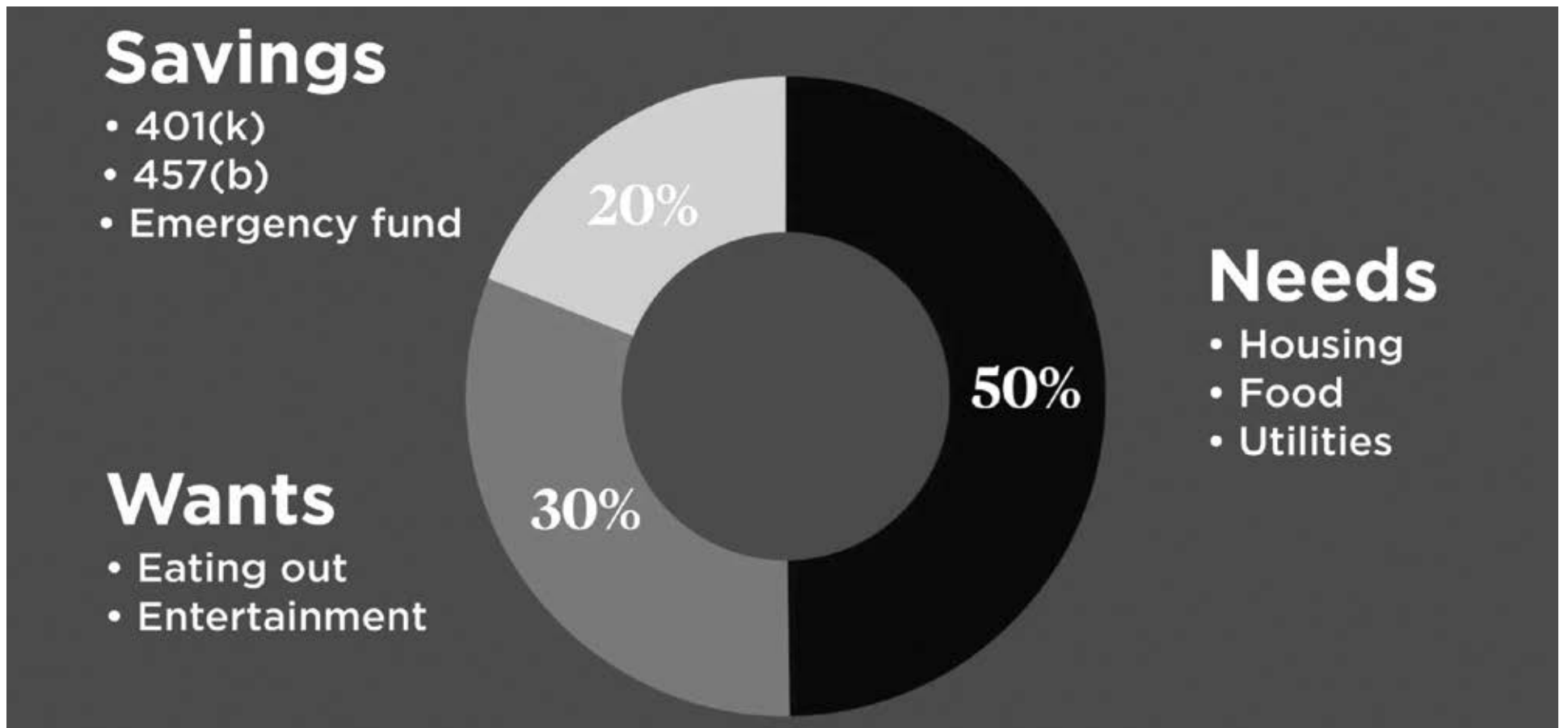
Would you rather your time is saved or wasted? The fact is, you put a lot of time, thought, and effort into making every job perfect. But when you skip calling 811, you run the risk of hitting a pipeline or another underground infrastructure, placing your life in serious danger. Don't take shortcuts.

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## How Do I Pay Off Debt and Save at the Same Time?

Learn one approach to help you face the future with more confidence in your finances.

If you have existing debt like credit cards or student loans, you may wonder if you should pay it off first or save for retirement. While everyone's financial situation is different, many experts recommend doing both at the same time. Here's one approach to consider.

### Find Money In Your Budget

Look for expenses to reduce or eliminate to make room for saving and paying off debt. Use our budgeting tips and worksheet to get started. Consider optional costs you can cut back on, from streaming services to dining out.

Calculate the total you can reduce

your expenses by. If you shave \$200 from your monthly expenses, that's \$200 you can apply toward saving and debt.

### Take one step at a time

Consider building an emergency fund before paying extra money toward debt. That way, you won't go into further debt if unexpected expenses occur. Initially, you might put most of your savings into an emergency fund. Keep going until you have enough to cover 3-6 months of expenses.

Contribute to your employer-sponsored retirement plan while building your emergency fund, even if you start small. The sooner you begin, the more you can benefit from

compounding — your earnings being reinvested to generate more earnings — which boosts your savings with less out-of-pocket money. Plus, you can increase your contributions anytime.

Once you've established your emergency fund and started your retirement contributions, focus on paying off debts. Prioritize those with the highest interest rates to pay off debt fastest and save the most on borrowing fees. Tackle smaller ones first if you're motivated by seeing quick results. Either way, as you pay off each debt, use the amount you'd been paying on it toward another one.

Once you're out of debt, you can decide what to do with the extra cash — and face the future with more

confidence in your finances.

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## National Involvement

North Dakota county officials have a strong voice in national policy formation through involvement in the National Association of Counties (NACo). Both NDACo and NDCCA have funded match programs to help defer costs for county officials who would like to experience the rewards of attending a national event firsthand.

The matches can be made as direct reimbursement to the individual, if they are paying their own way, or to their county, if the county is paying for the trip. The maximum match is \$1,500, which is adequate in most cases.

The application form for NDACo (non-commissioner department heads only) is at [www.ndaco.org/about-ndaco/national\\_involvement](http://www.ndaco.org/about-ndaco/national_involvement). The application for NDCCA (commissioners only) is at [www.ndcca.org/board/matching/application](http://www.ndcca.org/board/matching/application).

The only remaining qualifying event is the NACo Annual Conference. It is the premier gathering of elected and appointed officials from the nation's 3,069 counties. This year's event will be in Philadelphia County, Philadelphia, PA July 11-14.



North Dakota has a strong legacy of National involvement. Pictured here is the 2023 contingent in Austin, TX.

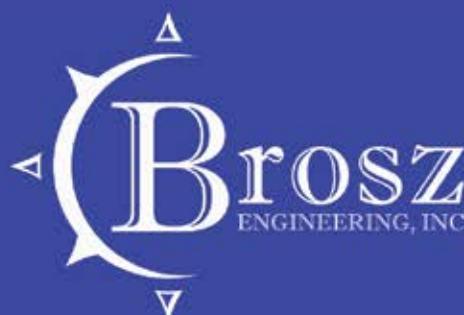
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# 2025 COUNTY CALENDAR

## May

- 1-31 \_\_\_\_\_ Mental Health Awareness Month
- 11 \_\_\_\_\_ Mother's Day
- 14 \_\_\_\_\_ NDACo Legislative Wrap-Up Report, ILG Webinar
- 14-15 \_\_\_\_\_ ND Clerks of Court Association Conference, Coteau Room, Capitol
- 15-16 \_\_\_\_\_ ND Sheriffs & Deputies Association Meeting, Burleigh Morton Detention Center, Bismarck
- 19-21 \_\_\_\_\_ ND Public Health Conference, Bismarck Event Center
- 21-23 \_\_\_\_\_ Western Interstate Region (WIR) Conference, Rapid City, SD
- 26 \_\_\_\_\_ Memorial Day (State Holiday)
- 28 \_\_\_\_\_ NDCCA Board Meeting, NDACo County Office Building
- 29 \_\_\_\_\_ NDACo Board Meeting, NDACo County Office Building

## June

- 15 \_\_\_\_\_ Father's Day
- 17-19 \_\_\_\_\_ ND County Recorders Association Convention, Fargo Radisson Blu
- 17-19 \_\_\_\_\_ State's Attorneys Summer Meeting, Bismarck Radisson
- 17-19 \_\_\_\_\_ Dakota Conference on Rural and Public Health, Bismarck Event Center
- 20 \_\_\_\_\_ First Day of Summer

## July

- 4 \_\_\_\_\_ Independence Day
- 8-10 \_\_\_\_\_ Human Service Zone Directors Annual Meeting, Human Service Zone Office, Grand Forks
- 11-14 \_\_\_\_\_ NACo Annual Conference, Philadelphia, PA



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