



## **Burleigh County Weed Board Minutes**

On **August 18<sup>th</sup> 2023 at 7:30 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at the Burleigh County Highway Department Building. Chairman David Nehring, Greg Anderson, Larry Falkenstein, Cole Anderson and Weed Officer, Secretary and Treasurer Leon Pederson made up the Burleigh County Weed Board in attendance. Burleigh County Weed Board Vice Chairman Denise Brown was absent. Burleigh County Weed Board Advisor Jim Heisler, Fertilawn Contractor Brad Jossart, Burleigh County Commissioner Steve Schwab, Burleigh County HR Director Pam Binder, Burleigh County Commissioner Wayne Munson and Burleigh County States Attorney Julie Lawyer were present as visitors. Chairman David Nehring presided and the meeting proceeded as follows:

**Chairman David Nehring called the meeting to order at 7:30 AM**

### **Open Discussion for Visitors:**

Chairman David Nehring called for Open Discussion for Visitors to be opened for discussion.

- No Open Discussion for Visitors.

### **Burleigh County Weed Board Minutes:**

- After review and discussion from the Burleigh County Weed Board; Greg Anderson made the motion to approve the minutes as presented. Larry Falkenstein seconded. All approved and the motion carried. Minutes were signed by all Burleigh County Weed Board Members present.

### **Burleigh County Weed Board Bills:**

- After review and discussion from the Burleigh County Weed Board; Larry Falkenstein made the motion to approve all bills as presented. Cole Anderson seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

### **Old Business:**

Chairman David Nehring called for Old Business to be opened for discussion.

- No Old Business.

### **New Business:**

Chairman David Nehring called for New Business to be opened for discussion.

- **Budget/Financial Report**

Burleigh County Weed Officer Leon Pederson presented the Burleigh County Weed Board Budget and Financial Report to the Burleigh County Weed Board. After review and

discussion from the Weed Board; Cole Anderson made the motion to approve the Burleigh County Weed Board Budget and Financial Report as presented. Greg Anderson seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

- **Burleigh County Notice to Controls**

Burleigh County Weed Officer Leon Pederson presented seventy-eight Notice to Controls, served on behalf of the Burleigh County Weed Board, to the following parties; Century Amoco LLC, W&S Investments LLC, Greenhead Properties LLC, Apple Creek LLP, Christopher Krein, Hasper Services LLC, Brandon & Cammie Schock, D&L Land LLC, Blake Feil, Larry & Nancy Riedinger, Richard & Mary Ann Cieslak, Eck Family ETAL, Michael Heinsohn and Ham Development LLC: all of **Apple Creek Township**. Lucinda Ward and Dale Pahlke: all of **Burnt Creek Township**. Holy Cross Lutheran Church, Central Electric COOP and James Nelson: all of **Hay Creek Township**. Jodi Barth, Erin Barth, Cory Barth and Central Power Electric: all of **Gibbs Township**. Leona McDonald, Daniel McDonald, Mei Xia Unruh, Cates Earth Science Technologies, Bloomquist Land Company LLC, Randy Koch, Steven & Karen McCormick, Austin & Kelsey Zorn, Mary & Arland Johnson, Price Owens, Mitch & Sara Riepl, James & Clear Rain Bald Eagle, Derek Knoll and David Oathout: all of **Lincoln Township**. Several parties have contacted Weed Officer Leon Pederson. All Noxious Weed Control Plans will be monitored by Weed Officer Leon Pederson during the duration of the 2023 spray season.

- **Burleigh County Notice of Enforcements**

Burleigh County Weed Officer Leon Pederson presented fifteen Notice of Enforcements, served on behalf of the Burleigh County Weed Board, to the following parties; South 40 Land Development LLP and Ham Development LLC: all of **Apple Creek Township**. Todd Schroeder: all of **Cromwell Township**. Sheri Lewis, Bismarck Holdings LLC and TRP LLP: all of **Hay Creek Township**. Albert Kershaw: all of **Logan Township**. Doug & Brenda Kraft and Jill Malsam & Jackie Burke: all of **McKenzie Township**. Rodney Binstock: all of **Sibley Butte Township**. Rodney Binstock, Raymond Wald and Kenneth Wald: all of **Trygg Township**. All Noxious Weed Control Plans will be monitored by Weed Officer Leon Pederson during the duration of the 2023 spray season.

- **Burleigh County Land Owner Assist Program.**

Burleigh County Weed Officer Leon Pederson presented twelve LAP Applications to the Burleigh County Weed Board. Weed Officer Leon Pederson informed the Weed Board all LAP applications and land to be controlled for state prescribed noxious weeds have been inspected. After review and discussion from the Weed Board; Larry Falkenstein made the motion to approve all LAP Applications as presented. Cole Anderson seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

- **Burleigh County Weed Officer Compensation and Burleigh County Weed Board Secretary and Treasurer Position.**

Burleigh County Weed Board Chairman David Nehring asked Burleigh County States Attorney Julie Lawyer to speak on the findings of compensating the Burleigh County Weed Officer. States Attorney Julie Lawyer stated she supplied a decision to Chairman David Nehring; which he handed out to all in attendance. States Attorney Julie Lawyer elaborated on her decision stating; The question was brought to her regarding the Burleigh County Weed Board 16 June 2023 meeting decision to compensate Weed Officer Leon Pederson after his probationary period in lieu of the step program authorized by the Burleigh County Commission. The law does state the Burleigh County Weed Board has the autonomy to hire

and compensate a Weed Officer but, the Weed Board must follow the Burleigh County Commissioners authority to allocate funds to the Weed Board's budget. During Corey Palm's term as Burleigh County Weed Board Chairman he worked with Burleigh County HR to come up with a job description for the Burleigh County Weed Officer that was approved by the Burleigh County Commissioners. Once the Burleigh County Weed Officer job description was enacted the Burleigh County pay scale authorized step 5 to be the highest after the probationary period unless the candidate has experience in this field of work which could place the candidate as high as step 9, if the budget is approved to allocate those funds by the Burleigh County Commissioners. States Attorney Julie Lawyer also shared the opinion on the Burleigh County Weed Board Secretary and Treasurer position stating; Some Weed Boards go through an agency but it has traditionally been a job assigned by a Weed Board and since funds have been allocated to hire for those positions the Burleigh County Weed Board has the authority to hire and compensate any qualified candidate, if the budget is approved to allocate those funds by the Burleigh County Commissioners. States Attorney Julie Lawyer stated she was unaware of how many hours a candidate would work at the position of Burleigh County Weed Board Secretary/Treasurer and asked if someone could elaborate. Burleigh County Weed Board Advisor Jim Heisler stated he would traditionally work 5 to 6 hours on preparing for Burleigh County Weed Board meetings but it would sometimes vary. Burleigh County Weed Officer Leon Pederson stated it varies all the time and clear definition of the Burleigh County Weed Board Secretary/Treasurer position would help ascertain the number of hours needed in a week to complete all jobs assigned. Chairman David Nehring acknowledge the Weed Board should have done more research in the pay raise for the Weed Officer. Chairman David Nehring asked State's Attorney Julie Lawyer and Burleigh County HR Director Pam Binder what steps should the Weed Board take to move forward and ensure the Weed Officer is compensated correctly for his duties as the Weed Officer and Weed Board Secretary/Treasurer. After review and discussion about how a decision can be reached on a proper pay scale for the Weed Officer and Secretary/Treasurer; Chairman David Nehring asked HR Director Pam Binder to work with Weed Board Advisor Jim Heisler to come up with a job description and pay scale for the Weed Officer and Secretary/Treasurer. After review and discussion from the Burleigh County Weed Board; Greg Anderson made the motion to have Burleigh County Weed Board Advisor Jim Heisler and Burleigh County HR Director Pam Binder work on a job description and pay scale that will reflect all duties and proper compensation for the Burleigh County Weed Officer and Secretary/Treasurer position. Larry Falkenstein seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

- **Contractor/Weed Officer Report**

Fertilawn Contractor Brad Jossart informed the Burleigh County Weed Board this is one of the best spray seasons he has had in a long time. Contractor Brad Jossart stated all spring/summer LAP applications have been chemically treated for all state prescribed noxious weeds and a second application to all Federal, State and County roads and the remaining fall LAP applications will be performed after Labor Day until freeze up. Contractor Brad Jossart stated his Foreman Chris Mallard has started to chemically treat purple loosestrife on all Burleigh County waterways. Contract Brad Jossart also stated himself and Fertilawn Forman Chris Mallard have worked very well with Weed Officer Leon Pederson to ensure timely applications were performed. Weed Officer Leon Pederson stated he is very happy with the results he is seeing from Fertilawn.

- **2024 Proposed LAP and Chemical Cost Share.**

Burleigh County Weed Officer Leon Pederson mentioned to the Burleigh County Weed Board a resident of Burleigh County asked if there were any cost share programs in place for residential or commercial land. Weed Officer Leon Pederson asked the Weed Board's thoughts on the matter. The Weed Board felt it would be a liability issue to cost share chemical or a contracted applicator for residential or commercial lands. Some of the reasons stated by the Weed Board were improper application or mixing of the chemical, lots being in close proximity of other lots which could cause off target or drifting applications and noncompliance with the herbicide label. HR Director Pam Binder agreed and stated it would cause a very big liability to Burleigh County. Weed Officer Leon Pederson asked the Weed Board their thoughts on herbicide to be used for cost share in 2024. After review and discussion from the Weed Board; Cole Anderson made the motion to table herbicide to be used for cost share until more information is gathered on other viable herbicides. Larry Falkenstein seconded. And the motion carried.

### **Open Discussion of Board Members:**

Chairman David Nehring called for Open Discussion of Board Members be opened for discussion.

- Burleigh County Weed Board Chairman David Nehring asked Burleigh County States Attorney Julie Lawyer for her opinion on the Burleigh County Weed Board's Open Records Policy violation. States Attorney Julie Lawyer did not form an opinion on the Weed Board's violation but did discuss Open Meeting and Open Records guidelines. Burleigh County HR Director Pam Binder clarified that Burleigh County does require all meeting agendas and minutes be posted on the Burleigh County Website and stated that Burleigh County posting requirements were not relayed to the Burleigh County Weed Officer or Weed Board. States Attorney Julie Lawyer stated she will be making a requirement list for all new department heads and boards.
- Burleigh County HR Director Pam Binder presented a Burleigh County Weed Board Policy Checklist enacted by former Burleigh County Commissioner Kathleen Jones for review.
- Burleigh County Commissioner Steve Schwab asked the Burleigh County Weed Board and specifically the Burleigh County Weed Officer if it was said that he signed off on the 2024 Preliminary Weed Board Budget. Weed Officer Leon Pederson stated he was told that Commissioner Steve Schwab had signed off on the 2024 Preliminary Weed Board Budget. Commissioner Steve Schwab stated he wanted to make it very clear he did not sign off on the 2024 Preliminary Weed Board Budget. Burleigh County HR Director Pam Binder explained the steps of what is expected when submitting a Preliminary Budget.
- Burleigh County Commissioner Steve Schwab asked why he cannot talk to Burleigh County Weed Officer Leon Pederson without a Burleigh County Weed Board Member present. Commissioner Steve Schwab asked to see the policy or NDCC code that states he cannot talk to Weed Officer Leon Pederson and to have that opinion to him no later than the end of the work day. Commissioner Steve Schwab asked Burleigh County States Attorney Julie Lawyer if he was able to talk to the Burleigh County Weed Officer Leon Pederson. States Attorney Julie Lawyer stated professionally yes you can. The Burleigh County Board stated he could talk to Weed Officer Leon Pederson but they want a Weed

Board member present for any meetings between the Weed Officer and the portfolio holder.

- Burleigh County Weed Board Chairman David Nehring asked Burleigh County States Attorney Julie Lawyer how can the Burleigh County Weed Board resolve the differences between themselves and the “Portfolio Holder” Burleigh County Commissioner Steve Schwab. States Attorney Julie Lawyer stated that the “Portfolio Holder” assignments for the Burleigh County Commissioners is assigned in December so if there is an issue it would be best to bring it up during that Burleigh County Commissioner Meeting.
- Burleigh County Commissioner Steve Schwab brought up a concern of area in Burleigh County that needed to be chemically treated because it was a line of sight hazard. Burleigh County Weed Officer Leon Pederson informed Commissioner Schwab the Burleigh County Weed Board can only chemically treat the 13 prescribed noxious weeds and anything outside of that would have to be budgeted because the Weed Board doesn’t have enough money to resolve those line of sight weed hazards. Weed Officer Leon Pederson also stated the Burleigh County Highway Department is responsible for those issues and he personally notified the Burleigh County Highway Supervisor. Burleigh County HR Director Pam Binder stated if the Burleigh County Weed Board is not following the NDCC and does chemically treat other plants it would be a liability issue and open Burleigh County to a lawsuit.

**Meeting Adjourned at 9:15.** Larry Falkenstein made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson



## **Burleigh County Weed Board Minutes**

On **July 21st, 2023 at 7:30 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at the Burleigh County Highway Department Building. Chairman David Nehring, Vice Chairman Denise Brown, Greg Anderson, Larry Falkenstein and Weed Officer, Secretary and Treasurer Leon Pederson made up the Burleigh County Weed Board in attendance. Burleigh County Weed Board Member Cole Anderson was absent. Burleigh County Weed Board Advisor Jim Heisler, Fertilawn Contractor Brad Jossart, Burleigh County Commissioner Steve Schwab and Thaddaeus Solhjem were present as visitors. Chairman David Nehring presided and the meeting proceeded as follows:

**Chairman David Nehring called the meeting to order at 7:30 AM**

### **Open Discussion for Visitors:**

- Thaddaeus Solhjem presented himself to the Burleigh County Weed Board and discussed his concerns with the Notice to Control he received and presented a plan to ensure all state prescribed noxious weeds will be controlled on the reported property. Mr. Solhjem will use his goat herd for control once his renter has vacated the reported property. Mr. Solhjem also expressed interest in becoming a contractor for the Burleigh County Weed Board, by using his goat herd, when Burleigh County residents would like a biological way to control their state prescribed noxious weeds. A fee for the afore mentioned control has not yet been decided but the Burleigh County Weed Board showed interest in his plan and asked that he come up with a contract plan and report back to the Weed Board.

### **Burleigh County Weed Board Minutes:**

- After review and discussion from the Burleigh County Weed Board; Greg Anderson made the motion to approve the minutes as read. Larry Falkenstein seconded. All approved and the motion carried. Minutes were signed by all Burleigh County Weed Board Members present.

### **Burleigh County Weed Board Bills:**

- After review and discussion from the Burleigh County Weed Board; Larry Falkenstein made the motion to approve all bills as presented. Denise Brown seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

## **Old Business:**

Chairman David Nehring called for Old Business be opened for discussion.

- No Old Business

## **New Business:**

Chairman David Nehring called for New Business be opened for discussion.

- **Budget/Financial Report**

Weed Officer Leon Pederson presented the Burleigh County Weed Board the Budget and Financial Report to the Burleigh County Weed Board. After review and discussion from the Weed Board; Vice Chairman Denise Brown made the motion to approve the Burleigh County Weed Board Budget and Financial Report as presented. Greg Anderson seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

- **Burleigh County Notice to Controls**

Weed Officer Leon Pederson presented sixty-five Notice to Controls served on behalf of the Burleigh County Weed Board to the following parties; Dean Terry ETAL, Jordan Huntley, Ruth & Greg Wanner, Gary & Amy Siverson, Dave Whitetail & Serena Thomas, Angela & Leray Paulson, Convent Community Church of God, Jeff & Nicole Duckwitz and MBR Properties LLC: all of **Lincoln Township**. Susan Gernz, Rh Murry Company LLC, Dan & Sandra Stephenson and Hammes Living Trust: all of **Riverview Township**. Bismarck Holdings LLC, TPR LLP, Section 9 Land LLC, Belfield Access Terminal LLC, Sanford of Bismarck and Farmers Union Oil: all of **Hay Creek Township**. Marlene Wilson, Patricia & Ronald Andahl, Michael Christiansen, Robert & Kimberly Nagel, Todd Schroeder and Thaddaeus Solhjem: all of **Cromwell Township**. Ham Development LLC, Lance Hagen, South 40 Land Development LLP and Frank's Ranch: all of **Apple Creek Township**. Albert Kershaw and Lewis & Sherry Heaton: all of **Logan Township**. Richard & Shelia Scholl of **Boyd Township**. John and Theresa Marquart, Meta Maynard, John & Debra Clarys, Todd Porter, Rodney & Wanda Binstock, Kenneth Wald, Raymond Wald, Raymond & Irene Goetz, Edward Schonert and Adam Vogel ETAL: all of **Trygg Township**. Daryn & Jody Gullickson, Jill Malsam & Jackie Burke, Michael Estey, Doug & Brenda Kraft, Gwyneth Binder Trust, Lucas or Jasper Kuleck, Patti Nordvall, Jebb & Michelle Schiele and 176 LLP: all of **McKenzie Township**. Monte Dralle, Lois Hohimer, Rodney Binstock, Cedric & Mary Theel and Kenneth Wald: all of Sibley Butte Township. Alan Houn of **Menoken Township**. Randall Fricke ETAL of **Crofte Township**. Several parties have contacted Weed Officer Pederson. All Noxious Weed Control Plans will be monitored by Weed Officer Pederson during the duration of the 2023 spray season.

- **Burleigh County Land Owner Assist Program.**

Burleigh County Weed Officer Leon Pederson presented thirty-two LAP Applications to the Burleigh County Weed Board. Weed Officer Pederson informed the Weed Board all LAP applications and land to be controlled for state prescribed noxious weeds have been inspected. After review and discussion from the Weed Board; Larry Falkenstein made the motion to approve all LAP applications as presented. Greg Anderson seconded. Chairman David Nehring called for a roll call vote. All approved and the motion carried.

- **Burleigh County Commissioner Steve Schwab.**

Burleigh County Commissioner Steve Schwab informed the Burleigh County Weed Board they were found in violation of the open records law. Commissioner Schwab stated he was very upset with the violation and it needs to be fixed. Burleigh County Weed Officer Leon

Pederson informed Commissioner Schwab the Weed Board was not in violation of the North Dakota Century Code Open Records Law but they were in violation of the Burleigh County Posting Code. Weed Officer Pederson also added himself and the Weed Board were not informed of the Burleigh County Posting Code and the violation has been remedied.

Commissioner Schwab stated that was not good enough and that we need a person to take notes, do the minutes and take care of all the postings for the Weed Board. Burleigh County Weed Board Chairman David Nehring, Vice Chairman Denise Brown, Contractor Brad Jossart and Weed Board Advisor Jim Heisler expressed their concerns with his findings and also stated that the Weed Officer and Weed Board should have been notified of the Burleigh County's posting rules. Commissioner Schwab stated he would like to see the Burleigh County Road Department take control of the Burleigh County Weed Board because it would benefit all parties involved. Weed Officer Pederson stated he already has a good working relationship with the Road Department. Vice Chairman Brown asked Commissioner Schwab if he could give the Weed Board an example of the benefits. Commissioner Schwab stated he would come up with a list if Vice Chairman Brown could come up with a list of non-benefits to be presented at the next scheduled Weed Board meeting. All Weed Board members expressed that Weed Officer Pederson is doing very well at his job and by keeping his job as assigned would be in the best interest of all involved. After much discussion by the Weed Board on all the concerns Commissioner Schwab had presented; Vice Chairman Denise Brown made the motion to table the hiring of a person to take notes write minutes and post publications for the Burleigh County Weed Board until the 18 August 2023 Burleigh County Weed Board meeting so more research can be done on the subject. Greg Anderson seconded. All approved and the motion carried.

- **New Meeting Location.**

Burleigh County Weed Officer Leon Pederson informed the Burleigh County Weed Board some discussion has come up about moving the Weed Board meetings to the Tom Baker Meeting Room in the City/County Office Building located at 221 N 5<sup>th</sup> Street in Bismarck ND. After much discussion from the Weed Board and Commissioner Schwab; Vice Chairman Denise Brown made the motion to table the request of a new meeting location until the Weed Board can see how the recently procured "Owl System" recorded the present meeting. Larry Falkenstein seconded. All approved and the motion carried.

- **Contractor/Weed Officer Report**

Fertilawn Contractor Brad Jossart informed the Burleigh County Weed Board this is one of the best spray seasons he has had in a long time. Contractor Jossart stated all of the Burleigh County Federal, State and County paved roads, some township roads and all but 5 LAP applications have been chemically treated for all state prescribed noxious weeds and a second application to all Federal, State and County roads will be performed in the fall. Contract Jossart also stated himself and Fertilawn Forman Chris Mallard have worked very well with Weed Officer Pederson to ensure timely applications are done. Weed Officer Pederson stated he is very happy with the results he is seeing from Fertilawn.

- **2024 Proposed Budget Update**

Burleigh County Weed Officer Leon Pederson presented the 2024 Burleigh County Weed Board Proposed Budget to the Burleigh County Weed Board. Weed Officer Pederson informed the Weed Board why the proposed amounts were added to each line item of the 2024 budget proposal and why the "board meeting" line was added. Weed Officer Pederson informed the Weed Board that more transparency was needed in the budget.



**Open Discussion Board Members:** None

**Meeting Adjourned at 9:15.** Larry Falkenstein made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson



## **Burleigh County Weed Board Minutes**

On **June 16th, 2023 at 7:30 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at The Burleigh County Highway Department Building. Vice Chairman Denise Brown, Greg Anderson, Cole Anderson, Larry Falkenstein and Weed Officer Leon Pederson made up the Burleigh County Weed Board in attendance. Chairman Dave Nehring was absent. Burleigh County Weed Board Advisor Jim Heisler and Fertilawn Contractor Brad Jossart were present as visitors. Vice Chairman Denise Brown presided and the meeting proceeded as follows:

**Vice Chairman Denise Brown called the meeting to order at 7:35 AM**

**Open Discussion for Visitors:** None

### **Burleigh County Weed Board Minutes:**

After review and discussion from the Burleigh County Weed Board, Larry Falkenstein made the motion to approve the minutes as read. Greg Anderson seconded. All approved and the motion carried. Minutes were signed by all Burleigh County Weed Board Members present.

### **Burleigh County Weed Board Bills:**

After review and discussion from the Burleigh County Weed Board, Greg Anderson made the motion to approve all bills as presented. Larry Falkenstein seconded. All approved and the motion carried. Bills were signed by Vice Chairman Denise Brown and Burleigh County Weed Officer Leon Pederson.

### **Old Business:**

Vice Chairman Denise Brown called for Old Business be opened for discussion.

- **2024 Budget Review**

Weed Officer Leon Pederson presented the proposed 2024 Burleigh County Weed Board Budget for review. After review and discussion from the Burleigh County Weed Board, Larry Falkenstein made the motion to approve the proposed 2024 Burleigh County Weed Board Budget as presented. Greg Anderson seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

## **New Business:**

Vice Chairman Denise Brown called for New Business be opened for discussion.

- **Budget/Financial Report**

Weed Officer Leon Pederson presented the Burleigh County Weed Board Budget and Financial Report to the Weed Board. After review and discussion from the Burleigh County Weed Board, Cole Anderson made the motion to approve the Burleigh County Weed Board Budget and Financial Report as presented. Greg Anderson seconded. All approved and the motion carried.

- **Burleigh County Notice to Controls**

Weed Officer Leon Pederson presented thirteen Notice to Controls to the Weed Board. The following parties have be served: S & S Squared LLP of Lein Township, James Weinmann of Harriet Township, Louise Dawson of Wing Township, James Fox of Rock Hill Township, Tammy Holm of Ecklund Township, Ray Jacobson of Glenview Township, Curt Coleman of Glenview Township, Lucas Senger of Lincoln Township, The Boutrous Group LLP of Lincoln Township, Connie Erickson of Naughton Township, Donald Schmid of Riverview Township, Gold Star Properties LLC of Gibbs Township, Glynn Haag of Gibbs Township. No parties have contacted Weed Officer Leon Pederson. All Noxious Weed control plans will be monitored by Weed Officer Leon Pederson for the duration of the 2023 spray season.

- **Burleigh County Land Owner Assist Program.**

Weed Officer Leon Pederson presented twenty-two LAP applications to the Weed Board. Weed Officer Leon Pederson informed the Weed Board all LAP applications and land to be controlled for state prescribed noxious weeds have been inspected. After review and discussion from the Burleigh County Weed Board, Cole Anderson made the motion to approve twenty-two LAP applications as presented. Larry Falkenstein seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

- **Weed Officer 6 Month Probationary and Compensation Review**

Weed Officer Leon Pederson advised the Weed Board the 6-month Probation and Pay Review period for the Burleigh County Weed Officer will mature on 23 June 2023. The Weed Board agreed to discus both topics during the 16 June 2023 Burleigh County Weed Board Meeting. After review and discussion from the Burleigh County Weed Board, Greg Anderson made the motion to approve Burleigh County Weed Officer Leon Pederson's 6 Month Probation Period be allowed to expire and appoint him as a full-time Burleigh County Weed Officer with a \$10 per hour pay raise to reflect the work the Weed Officer is doing as the Burleigh County Weed Board's Secretary and Treasurer with an effective starting date of 23 June 2023. Larry Falkenstein seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

**Open Discussion Board Members:** None

**Meeting Adjourned at 9:15.** Larry Falkenstein made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson



## **Burleigh County Weed Board Minutes**

On **May 19th, 2023 at 7:30 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at The Burleigh County Highway Department Building. Greg Anderson, Cole Anderson, Larry Falkenstein and Weed Officer Leon Pederson made up the Weed Board in attendance. Chairman Dave Nehring and Vice Chairman Denise Brown were absent. Burleigh County Weed Board Advisor Jim Heisler, Fertilawn Contractor Brad Jossart and Burleigh County Commissioner Steve Schwab were present as visitors. Burleigh County Weed Board Member Cole Anderson presided and the meeting proceeded as follows:

**Board Member Cole Anderson called the meeting to order at 7:30 AM**

**Open Discussion for Visitors:** Burleigh County Commissioner Steve Schwab asked that all future Burleigh County Weed Board meetings be recorded and all recordings be saved for seven years in accordance with the North Dakota Century Code.

### **Burleigh County Weed Board Minutes:**

After review and discussion from the Burleigh County Weed Board, Larry Falkenstein made the motion to approve the minutes as read. Greg Anderson seconded. All approved and the motion carried. Minutes were signed by all Burleigh County Weed Board Members present.

### **Burleigh County Weed Board Bills:**

After review and discussion from the Burleigh County Weed Board, Greg Anderson made the motion to approve all bills as presented. Larry Falkenstein seconded. All approved and the motion carried. Bills were signed by Board Member Cole Anderson and Burleigh County Weed Officer Leon Pederson.

### **Old Business:**

Board Member Cole Anderson called for Old Business be opened for discussion.

- **No Old Business**

### **New Business:**

Board Member Cole Anderson called for New Business be opened for discussion.

- **Budget/Financial Report**

Weed Officer Leon Pederson presented the Burleigh County Weed Board Budget and Financial Report to the Weed Board. After review and discussion from the Burleigh County Weed Board, Larry Falkenstein made the motion to approve the Burleigh County Weed

Board Budget and Financial Report as presented. Greg Anderson seconded. Board Member Cole Anderson called for a roll call vote. All approved and the motion carried.

- **North Dakota Department of Ag Technology Grant Acceptance**

Weed Officer Leon Pederson presented the NDDA Technology Grant acceptance form to the Burleigh County Weed Board. Weed Officer Leon Pederson informed the Weed Board it will be receiving \$7,600 from the NDDA with a percentage match from the Burleigh County Weed Board of \$2,533.33 carrying the total to \$10,133.33 NDDA Technology Grant. The Grant monies will be used to procure datalogging equipment, a yearly subscription for technology from Spray Sync Inc. and a data plan from Verizon wireless. Data loggers will be installed at the end of the 2023 spray season. All training will be provided gratis from Spray Sync Inc.

- **Burleigh County Notice to Controls**

Weed Officer Leon Pederson presented three Notice to Controls to the Weed Board. Jane Anderson of Gibbs Township, Ryan & Jennifer Hiatt of Burnt Creek Township and Katelyn Verdouw of Gibbs Township. Weed Officer Leon Pederson informed the Weed Board Jane Anderson and Ryan & Jennifer Hiatt have contacted him and a noxious weed control plan is in place. Katelyn Verdouw has not contacted Weed Officer Leon Pederson. All Noxious Weed control plans will be monitored by Weed Officer Leon Pederson for the duration of the 2023 spray season.

- **Burleigh County Land Owner Assist Program.**

Weed Officer Leon Pederson presented thirty-two LAP applications to the Weed Board. Weed Officer Leon Pederson informed the Weed Board all LAP applications and land to be controlled for state prescribed noxious weeds have been inspected. After review and discussion of all LAP applications, Greg Anderson made the motion to approve thirty LAP applications as presented. Larry Falkenstein seconded. Board Member Cole Anderson called for a roll call vote. All approved and the motion carried. Larry Falkenstein made the motion to deny Sharon Litton of Lincoln Township and Deb Johnson of Hay Creek Township since both lots are zoned residential. Greg Anderson seconded. Board Member Cole Anderson called for a roll call vote. All approved and the motion carried.

- **Burleigh County Herbicide/Chemical Bid**

Weed Officer Leon Pederson presented the Weed Board with bids from Nutrien Solutions and Van Diest Supply Company. After review and discussion of bids from Nutrien Solutions and Van Diest Supply Company, Larry Falkenstein made the motion to accept the bids of Plateau herbicide at \$118 per gallon, Venue herbicide at \$145 a quart, Milestone herbicide at \$70 a quart and Liberate surfactant at \$16.40 per gallon from Nutrien Solutions. Greg Anderson seconded. Board Member Cole Anderson called for a roll call vote. All approved and the motion carried. Larry Falkenstein made the motion to accept the bids of Freelexx herbicide at \$30 per gallon and Escort XP herbicide at \$2.01 per ounce from Van Diest Supply Company. Board Member Cole Anderson called for a roll call vote. All approved and the motion carried.

- **2024 Burleigh County Weed Board Budget Calendar**

Weed Officer Leon Pederson presented the 2024 Burleigh County Weed Board Budget Calendar to the Weed Board. Weed Officer Leon Pederson informed the Weed Board all budget requests must be submitted to the Burleigh Auditors Office by June 19<sup>th</sup> and the Weed

Board's budget hearing will be held on Tuesday June 20<sup>th</sup> 2023 in front of the Burleigh County Commissioners. Greg Anderson made the motion to appoint a Budget Committee be made up of; Burleigh County Weed Board member Greg Anderson, Burleigh County Weed Officer Leon Pederson and Burleigh County Weed Board Advisor Jim Heisler. Larry Falkenstein seconded. All approved and the motion carried.

**Open Discussion Board Members:** None

**Meeting Adjourned at 9:15.** Larry Falkenstein made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson



## **Burleigh County Weed Board Minutes**

On **April 21th, 2023 at 8:00 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at The Burleigh County Highway Department Building. Vice Chairman Denise Brown, Greg Anderson, Cole Anderson, Larry Falkenstein and Weed Officer Leon Pederson made up the Weed Board in attendance. Chairman Dave Nehring was absent. Visitors Perspective Burleigh County Weed Board Advisor Jim Heisler and Fertilawn Contractor Brad Jossart were present. Vice Chairman Denise Brown presides and the meeting proceeded as follows:

**Vice Chairman Denise Brown called the meeting to order at 7:57 AM**

**Open Discussion for Visitors:** None

### **Burleigh County Weed Board Minutes:**

Larry Falkenstein made the motion to approve the minutes as read. Greg Anderson seconded. All approved and the motion carried. Minutes were signed by all Burleigh County Weed Board Members present.

### **Burleigh County Weed Board Bills:**

Greg Anderson made the motion to approve all bills as presented. Cole Anderson seconded. All approved and the motion carried. Bills were signed by Vice Chairman Denise Brown and Burleigh County Weed Officer Leon Pederson.

### **Old Business:**

Vice Chairman Denise Brown call for Old Business be opened for discussion.

- **2023 Burleigh County Noxious Weed Control Contract**

Weed Officer Leon Pederson presented the 2023 Burleigh County Noxious Weed Control Contract to the Burleigh County Weed Board and the Fertilawn Contractor Brad Jossart. The Weed Board and Brad Jossart reviewed the contract and discussed the contract's terms and wording. After much discussion, Greg Anderson made the motion to approve the 2023 Burleigh County Noxious Weed Control Contract as read and approve the following financial compensation rates; spraying with spray unit on truck (1 man) \$110/hour, spraying with spray unit on truck (2 man) \$170/hour, spraying with 2.5-gallon backpack sprayer \$125/hour, Spraying with spray unit on boat (2 Man) \$300/hour and daily stipend per truck \$265/daily. Cole Anderson seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried. Old Business was concluded.



## **New Business:**

Vice Chairman Denise Brown called for New Business be opened for discussion.

- **Budget/Financial Report**

Weed Officer Leon Pederson presented the Burleigh County Weed Board Budget and Financial Report. After review and discussion from the Burleigh County Weed Board, Cole Anderson made the motion to approve the Burleigh County Weed Board Budget and Financial Report as presented. Larry Falkenstein seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

- **Consultant Agreement Contract**

Weed Officer Leon Pederson presented the Burleigh County Weed Consultant Contract to the Burleigh County Weed Board and the Perspective Burleigh County Weed Board Consultant Jim Heisler. The Weed Board and Jim Heisler reviewed the contract and discussed the contract's terms and wording. After much discussion, Cole Anderson made the motion to approve the Burleigh County Weed Consultant Contract with Jim Heisler. Larry Falkenstein seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

- **Earth Day Report**

Weed Officer Leon Pederson talked about the Earth Day Event that he attended at the Bismarck Civic Center. Leon stated the turnout was very bad and no one that stopped at the booth wanted to discuss noxious weeds. Leon does not feel this platform is the best to get the Weed Board's stance on weed control out to the public. Leon suggested that garden and lawn care expos would be a better platform. The Weed Board agreed and asked this agenda item to be tabled till a later date.

- **Educational Material Platform**

Weed Officer Leon Pederson asked the Burleigh County Weed Board their thoughts on noxious weed educational platforms. After much discussion the Weed Board thought the best platforms would be radio and a website. The Weed Board also thought word of mouth and the attendance of local forums and expos pertaining to noxious weed control.

- **North Dakota Weed Control Assoc. Sprayer School**

Weed Officer Leon Pederson informed the Burleigh County Weed Board he will be attending the NDWCA Sprayer School on May 30<sup>th</sup> 2023 in Dickinson ND. Leon informed the Weed Board this school has great educational benefits and asked if any Weed Board Members would like to attend with him. Cole Anderson showed interest.

- **North Dakota Department of Ag Mapping Technology Grant**

Weed Officer Leon Pederson informed the Burleigh County Weed Board he applied for the North Dakota Department of Agriculture Mapping Technology Grant. Leon informed the Weed Board this grant will give us the technology to make paperwork and mapping easier. Leon informed the Weed Board the State of North Dakota's contribution is \$7,600 with a Weed Board's match contribution of \$2,533.33 making the grant total \$10,133.33. The NDDA Mapping Technology Grant will be used to purchase noxious weed mapping equipment from SpraySync. Fertilawn Contractor Brad Jossart asked when this technology will be installed and if his company can wait till the 2023 spray season was over, in order for his team to obtain proper training on the equipment, so as not to interfere with their spray season. After much discussion, Cole Anderson made the motion to approve the North Dakota

Department of Agriculture Mapping Technology Grant as presented approving SpraySync as the procurement company of the mapping equipment and the installer on the Fertilawn equipment at the end of the 2023 spray season. Larry Falkenstein seconded. Vice Chairman Denise Brown called for a roll call vote. All approved and the motion carried.

- **Chemicals for Chemical Bid**

Weed Officer Leon Pederson asked the that the following chemicals be consider for use on all Burleigh County right of ways: Venue, Freelexx, Escort and Plateau. Leon informed the Weed Board we need to use different chemicals every 3 to 5 years so the noxious weeds will not develop resistance. After much discussion the Burleigh County Weed Board asked Weed Officer Leon Pederson to obtain bids for these chemicals, in an open bid form, and present them at the next Burleigh County Weed Board meeting for discussion and approval.

- **Election of Burleigh County Weed Board Officers**

Vice Chairman Denise Brown called for the election of Burleigh County Weed Board Officers. Larry Falkenstein called for a seize of all nominations and called for the nomination of the existing Burleigh County Weed Board Officers (Chairman Dave Nehring, Vice Chairman Denise Brown and Secretary/Treasurer Weed Officer Leon Pederson). Greg Anderson seconded. All approved and the motion carried. New Business was concluded.

**Open Discussion Board Members:** None

**Meeting Adjourned at 9:45.** Larry Falkenstein made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson



## **Burleigh County Weed Board Minutes**

On **March 17th, 2023 at 8:00 AM** the Burleigh County Weed Board held a meeting in the Apple Creek Room at The Burleigh County Highway Department Building. Chairman Dave Nehring, Vice Chairman Denise Brown, Greg Anderson, Cole Anderson and Weed Officer Leon Pederson made up the Weed Board in attendance. Larry Falkenstein was absent. Visitors Burleigh County Weed Board Advisor Jim Heisler, NDSU Extension Service Officer Tyler Kralicek, Burleigh County Commissioner Steve Schwab and Fertilawn Contractor Brad Jossart were present. Chairman Dave Nehring presides and the meeting proceeded as follows:

Chairman Dave Nehring called the meeting to order at 8:15 AM

Minutes were read. Denise Brown made the motion to approve the minutes as read. Greg Anderson seconded. All approved and the motion carried.

Bills were reviewed and signed. Cole Anderson made the motion to approve all bills as presented. Denise Brown seconded. All approved and the motion carried

**Old Business:** Chairman Dave Nehring called for old business to be opened for discussion. Weed Officer Leon Pederson presented himself to the board and discussed his plans for the future. The plans include more emphasis on controlling noxious weeds along all Burleigh County right of ways, taking over all secretarial and treasurer duties, help the NDSU Extension Office with training and public relations, will actively seek out grant opportunities, and ensure all duties of the Weed Officer are done in a professional and courteous manner. Old Business was concluded.

**New Business:** Chairman Dave Nehring called for New Business to be opened for discussion. Weed Officer Leon Pederson proposed to the board to use a per diem a day in lieu of an hourly travel rate on the Burleigh County Weed Control Contract. This change to the contract will help simplify the charge process for both the Contractor and the Weed Board. After much discussion from the Contractor and the Board, Cole Anderson made the motion to amend the Burleigh County Weed Control Contract to add a \$265 an hour per diem article in to the contract and eliminate the hourly travel article. Denise Brown seconded. Chairman Dave Nehring called for a roll call vote. All approved and the motion carried. Chairman Dave Nehring asked Burleigh County Commissioner Steve Schwab to address the board. The Commissioner addressed the board in manners that included the way he wishes to see over the board and that he puts full faith in the board to do their jobs. The Commissioner also stated he doesn't play favorites and wants everyone to treat others as their equal. Chairman Dave Nehring asked NDSU Extension Officer

Tyler Kralicek to address the board. The Extension Officer addressed the board in manners that included plans for working together with Weed Officer Leon Pederson on a Meet and Greet tour around Burleigh County and have the Weed Officer assist in recertification training both commercial and private applicator training. The Extension Officer also discussed plans for his department. Chairman Dave Nehring requested that Weed Officer Leon Pederson attend the Burleigh County Township Officers Meeting on March 15<sup>th</sup> and address the attendees. Chairman Dave Nehring asked the board to consider end the contract with Fronteer Professional Services Inc and allow Weed Officer Leon Pederson to take over the secretarial and treasurer duties. After much discussion from the board, Vice Chairman Denise Brown made the motion to approve terminating the contract with Fronteer Professional Services Inc and granting Weed Officer Leon Pederson the Secretary and Treasurer of the Burleigh County Weed Board. Cole Anderson seconded. Chairman Dave Nehring called for a roll call vote. All approved and the motion carried. New Business was concluded.

**Open Discussion Board Members:** None

**Open Discussion for Visitors:** None

**Meeting Adjourned at 9:25.** Cole Anderson made the motion to adjourn the meeting Greg Anderson seconded. All approved and the motion carried. The Burleigh County Weed Board meeting concluded.

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Dave Nehring – Chairman

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Denise Brown– Vice Chairman

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Larry Falkenstein

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Greg Anderson

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Cole Anderson

