

## Regular Meeting

Date / Time, Location of Scheduled:	04,29,2025 7:00 p.m. Burleigh County Highway Department		
Date / Time of Call to Order:	7:00 p.m.	Date / Time of Adjournment:	8:45 p.m.

1. Call to Order at 7:00 p.m. by Bruce Schirado. Members present – Bruce Schirado, Paul Gjellstad, Curt Kadramas, Heidi Schirado, Debbie Staloch and Tim Fast.
  - Guests – Gerald Miller, Tim Staloch, Cordell Staloch, Brandi Staloch, Dan Schriock, Josey Milbradt, Corissa Fischer Kayla Schuh.

2. Attendance (Roll Call): Quorum consists of two elected supervisors (Board of Supervisors - BoS), and the township clerk or the appointed clerk of the meeting.

Position	Name	Date Elected / Appointed (initial)	Current Term Period
Supervisor Chairperson: (3-yr Term)	Bruce Schirado	2025	2025-2026
Supervisor: (3-yr Term)	Paul Gjellstad	2025	2025-2028
Supervisor: (3-yr Term)	Curt Kadramas	2021	2021-2027
Deputy Clerk: (2-yr Term)	Deb Staloch	2022	2022-2026
Treasurer: (3-yr Term)	Heidi Schirado	2022	2022-2026
Assessor: (3-yr Term)	Allan & Kimberly Vietmeier	N/A	Contracted *
Overseer of Highways:	Tim Fast	2025	Appoint:
Weed Board Rep:			Appoint:
Bis/Man Zoning Board Rep:			Appoint:

- Approval of the Minutes from the previous Meeting  
Motion by Curt and Second by Paul to approve the minutes from 4-15-2025 meetings. Motion passed.
- Clerk Report – None
- Treasurer's Report – Account Balances -report by Heidi.
  1. Motion to pay bill for Crack Sealing bill in the amount of \$8,654.68 by Paul and 2<sup>nd</sup> by Curt. Motion passed.
  2. Received a refund from BCHD
  3. Received the prairie dog fund in the amount of \$9,406.00
- Area Reports – None

- Old Business – Lambeau Lane

**The County assisted in presenting potential resolution options at the meeting on 4/25/2025.**

**See options below:**

1. The Township can pursue claiming the existing private roadway by purchasing the roadway easements.
2. The Township has the option to reconstruct the roadway within the public Right-of-Way.

\*Burleigh County suggested the Township pursue claiming the roadway through easements for the other 40' parallel to the Right-of-Way, provide maintenance, and establish a cul-de-sac for school buses, blades, etc.

3. The Township can take no action to claim the roadway and leave the dispute to the private parties.

**The board decided to take no action and not claim the roadway, or provide maintenance. The dispute is left to the private parties.**

#### Guest contested easement decision of Gibbs Township

00:58:31 **Tim Staloch-land owner**

So that brings up a question I guess would ask, would the Township entertain purchasing an Easement from Mark Stenerson if he was willing to do that? For future usage.

00:58:42 **Bruce Schirado-President**

No!

00:58:43 **Heidi Schirado-Treasurer**

No!

00:58:54 **Gerald Miller-Advisor**

I would say you got to tie in that whole area up there.

00:59:03 **Tim Staloch-land owner**

Yeah, I know, but I guess I'm not. I'm just thinking about this because if there was an opportunity now you might not be able to do the whole thing at one time. So, you start taking baby steps, So if you have a chance to buy that piece of it, one of the three pieces, we'll say, you can buy one now.

00:59:12 **Tim Fast - Overseer of Highways**

Right.

00:59:22 **Tim Staloch-land owner**

Then it's done, then 10 years from now, 50 years from now, whatever it is that you buy, you only have to buy two Instead of trying to buy all three. That's why I asked the question. Mostly for the gain of the Township, so the remaining so they don't have to come back to this down the road, but evidently you guys made the decision. You don't want to have anything to do with that, so I'm just asking the question.

Land owner legal access discussion - The question of “Do you have legal access to build a drive way in the right of away”? was brought up multiple times from guests.

Discussion on relocating the access point to 66<sup>th</sup> street, (Paul stated that Ryan is in favor of 66<sup>th</sup> street access point. Ryan was not present at this meeting.) 66<sup>th</sup> street is a Non access line. Discussion on access point on the South lots of Aster Ridge, or going through Corissa and Dave Fischer’s private property (family/neighbor.)

Rebuttal by **Tim Staloch and Cordell Staloch** is that the City of Bismarck has already designated legal access to be using Lambeau Lane.

00:13:51 **Cordell Staloch -Land owner**

I guess at this time I only have one legal right of access, which is Lambeau lane designated by the City. Is there any option that I have to use Lambeau lane without going on Paul's roughly 300 square foot of property that actually occupies the road? The rest of which is Mark Stenerson's property.

00:14:18 **Corissa Fischer-resident**

Do you not have legal access to build in the Right of Way? Is that up for question?

00:14:26 **Deb Staloch**

Yes or no, can we build in the road Right of Way? (inquiring about an Approach/driveway)

00:14:32 **Gerald Miller-Advisor**

The Right of Way is not fully developed; it's only a 40-foot Right of Way versus an 80-foot Right of Way without having a fully 80 ft Right of Way you can't get the proper road that you're supposed to have (inaudible).

**Discussion on asking Ness’s, Stenerson’s and Paul Gjellstad about obtaining easements, and if an easement could not be obtained from Paul what could the landowner do?**

00:53:43 **Deb Staloch**

But we still need some answers moving forward. So, you're suggesting we get together and talk about this.

00:53:52 **Bruce Schirado-President**

Well, I think we have to table it until you get your (Heidi starts talking)

00:53:55 **Heidi Schirado - Treasurer**

What’s the township's only involvement? Is what, Bruce?

00:54:01 **Bruce Schirado-President**

Well, they (Staloch’s) are asking to put an approach there, but we’re asking them to get the easements in place. Marks and from Ness’s and it would be a lot easier if we get one from Paul also, and we need the report for the water.

00:54:24 **Heidi Schirado - Treasurer**

And that will lead to whether or not you can make a decision as to whether they can build an approach in the Right of Way.

00:54:29 **Gerald Miller-Advisor**

You should have some type of access plan. How they're coming off their property with this approach because it's not a normal approach. I mean, it's not just going across a Right of Way, it's going perpendicular with the Right of Way and then tie into a (for lack of better terms) private road. So, I'd say you want that also.

00:55:02 **Heidi Schirado - Treasurer**

And as far as easements go, the discussion of the value or any of that, the Township has nothing to do with that. Right?

00:55:09 **Bruce Schirado-President**

No, no.

00:55:10 **Heidi Schirado - Treasurer**

OK, just making sure I understood.

00:55:16 **Deb Staloch**

And if you don't have an easement from Paul? Then?

00:55:21 **Gerald Miller-Advisor**

Make your plan to go around his property.

00:55:24 **Deb Staloch**

So, we don't have to have an easement from Paul?

00:55:27 **Gerald Miller-Advisor**

no, you don't have to.

00:55:30 **Heidi Schirado - Treasurer**

You will have more road to build that way.

00:55:30 **Dan Schriock- County Engineer**

If Mark and Paul grant an easement, you don't have to do a storm management plan other than move Ryan's culvert.

00:55:42 **Dan Schriock- County Engineer**

I take that back; the stormwater management plan amendment would probably be smaller.

00:55:46 **Dan Schriock- County Engineer**

Because you allow us. (inaudible)

00:55:50 **Dan Schriock- County Engineer**

Because your main. (inaudible)

00:55:52 **Dan Schriock- County Engineer**

This Culvert right here (Dan is showing a map) is going to be the biggest concern coming from here, just tying up right here, even if you got an easement from Paul? And you're just tying in, right. You're teeing in right here, that culvert still has to have something done with it. And maybe that's just an extension of the culvert to get the water to go past the driveway to the West or something. But somebody's going to make that determination via hydraulic analysis. But that's the least impact to everybody from what I could tell. But that would require 2 easements. Privately between you and Paul and Mark. And if all three of you went in on Mark's that would be the cleanest.

- Tim and Debbie Staloch have a road approach permit dated 1995 with access along the east lot line onto Flickertail Drive. 250' south of 71<sup>st</sup> Ave NE. (which is in the same location as the current access driveway permit for Lambeau Lane that was recorded with the Burleigh County Recorder)
- An access driveway permit has also been obtained from Burleigh County Highway Department in 2023 for Subdivision Aster Ridge, address of the access point is Lambeau Lane and has been recorded with the Burleigh County Recorder's Department.

### **Private landowner dispute**

The Townships only involvement is that we are requesting a storm water management plan, also design plan on the driveway/approach that will be constructed in the Right of way on Lambeau Lane, and inquire on easements.

This conversation was after the treasurer report and at the beginning of Old Business.

00:02:14 **Josey Milbradt** ----So is this a private landowner dispute?

00:02:18 **Paul Gjellstad- Supervisor**----Yes

00:02:19 **Josey Milbradt-resident**----So then why are we having a Township meeting about it?

00:02:24 **Bruce Schirado-President** ----Because we were asked to be present at it.

00:02:36 **Josey Milbradt- resident**---- I mean, if the Township can't do anything about it, isn't it a landowner issue that they have to settle themselves.

00:02:43 B **Bruce Schirado-President** ----Yes, it is. Be honest with you

Bruce Schirado-President of Gibbs Township asked that the Staloch's inquire about easements and the Water plan to move forward.

Motion by Curt Kadramas and 2<sup>nd</sup> by Bruce Schirado to table discussion until they get the information.

### Private drive clarification

00:03:24 **Dan Schriock- County Engineer**

The portion that is not in the Township right of Way is considered a private drive.

00:03:29 **Paul Gjellstad - Supervisor**

Correct, which is the ditch. For Lambeau Lane.

00:03:32 **Dan Schriock - County Engineer**

**No**, the gravel portions that Exist today. It's private! Because it's not in the Township right of way. If the Township said, hey, "we're going to build a 12 foot and 5 roadway, not put it on maintenance, but it's a Township Road. You can do that! The Township has the road authority over that 40-foot swath. To determine whatever, they want.

### Easements

No easements presently in place that we know of.

There are three residents in the right of way--- Paul Gjellstad, Ryan Rykowski and (Cordell Staloch who is a new resident with an approach/driveway permit with access point of Lambeau Lane right-of-way.)

00:58:02 **Dan Schriock- County Engineer**

You can have a public private easement. You can have a private easement as long as it's called an access easement. Or we would call it a roadway easement, if we were going to purchase it, I would call it a roadway easement. If it's a private easement. It can be called an axis easement.

00:56:59 **Dan Schriock- County Engineer**

Private easements are recorded to the land and they are forever.

00:57:03 **Tim Staloch-land owner**

Because they get tied to the land, correct?

00:57:05 **Dan Schriock- County Engineer**

They're recorded and then recorded to the land.

- New Business

Shoal Drive discussion - Paul asked if anyone else had reviewed the emails regarding Shoal Drive. Complaints about pot-holes and resident concerns about the condition of the roads.

### Guest Complaint

Guest Josey Milbradt expresses his disapproval of Paul Gjellstad being on the Gibbs Township Board. He states that he remembers prior to the election, Paul was at a meeting contesting the Staloch's approach, then ran for a position on the Board. Josey accuses Paul of joining the Board to pursue his personal motives. Disapproval is expressed by several others after Josey's statement. Corissa Fischer states that she agrees. Corissa comments that a board member should want to serve the community and that Paul deceived those who attended the election meeting. Joey Milbradt continues to comment on his disapproval. He points out that Paul is in a paid position and is getting paid to serve his personal dispute. Paul does not deny these claims. He states that before he was on the board, his dispute was not getting addressed, and now that he is, the matter is being discussed. Josey addresses Paul Gjellstad directly and requests that Paul "step down and resign his position." This comment is seconded by several other guests in attendance. Corissa Fischer speaks first and states, "I agree"

- Next Meetings at the Burleigh County Highway Department
  - June 10, 2025 is the Audit Meeting at 7:00 p.m.
- Adjournment
  - Meeting was adjourned at 8:20 p.m.
  - Motion to adjourn by Curt Kadramas, Second by Paul Gjellstad.





