

Work Session
January 10, 2018
Meeting with Attorney about clerk position

Present were: Jim Kelley, Ken Haubrich, Peggy Clayton, Mike Schack, Attorney Andy Shaw, Clerk Cari Ann Alleman, resident Dan Butterfield

Opened meeting at 4:45 pm Pledge of Allegiance

Continuation of the agenda from December 6, 2017. Clerk duties and discussion with the township attorney, Andy Shaw.

The main question that has arisen is: what can the clerk talk to the attorney about and who on the board can call him?

In the past; the old board, did everyone have the permission to call the attorney or just the clerk and the chairman. The clerk is the one who contacts the attorney as they are in the receiving end of all the paperwork. Then it comes back to the question; who has the authority to spend money? When is it appropriate to contact the attorney? Ultimately the board holds the purse strings. Rather than Andy answer the question, have him contact MAT (Minnesota Association of Townships.) The clerk has a whole host of legal issues that come up that needs to be handled right away. On vacate or variance, time sensitive in long term deal, you have 30 days to set a hearing date. Other things need to be done and there are questions on if the attorney needs to be contacted on. There are certain things the attorney has to handle, and the clerk needs to give him right away. There are also questions that come up from the clerk that need to be answered by the Attorney. The board asks that the clerk contact the MAT attorneys first to see if this is something that can and should be handles by the board, or if we should contact the town attorney. The clerk needs to know when I can and can't call...any legal proceeding we have to contact the attorney. The clerk is the one who receives all the notices, legal or otherwise in the township, clerk is in the guts of the business. In the past there is not a lot of times when the town attorney needs to be contacted. Examples are: if we are to do roads, or fixing a plat, questions on elections, or when it might lead to controversy call the town attorney. He makes sure the proper preceding are done and the board members are covered. He makes sure that everything is done, and if it might end up a controversy we might have a court reporter here to do it. It can't be arbitrary or prestigious decisions; we need to make sure the proper procedures are done, and are done correctly. When anything looks like a fight call the town attorney. The clerk should be able to call the attorney whenever we need the communication. Will take it at a time by time basis, to be able when do we need to be able the, regardless of yes or no to the question when the clerk can contact the attorney. The town attorney would like an agreement of when we it's appropriate for the clerk to contact him. The board asks that they get notified from the clerk when she contacts the ton attorney.

Motion to adjourn made by Supervisor Clayton seconded Supervisor Schack Passed by all.

Submitted by Cari Ann Alleman, Clerk

