

**BALDWIN TOWNSHIP SPECIAL MEETING  
CLOSED EMPLOYEE MEETING**

**November 29, 2010**

Notice is hereby given that the Town Board of Baldwin Township, Sherburne County, Minnesota, will hold a special meeting on Monday, November 29, 2010, at 8:00 p.m. at the Baldwin Town Hall to conduct a closed session as required by Minnesota State Statute § 13D.05, subdivision 3(a) to evaluate the performance of an individual who is subject to its authority. The person subject to the closed session has the option to request that it be open to the public. The Town Board may also open the meeting after the closed session in order to take action if it determines it may be warranted.

Dated this 24<sup>th</sup> day of November, 2010. Posted on November 24, 2010.

**Present** – Supervisors Larry Handshoe, Jeff Holm, Jim Oliver, Tom Rush and Jay Swanson. Also present was township attorney, Troy Gilchrist, Chuck Nagle, Mike Rademacher, Larry Boeke, Jeremy Evans and Scott Anderson.

**Call to Order** – The November 29, 2010 special meeting of Baldwin Township was called to order by Chairman Jim Oliver at 8:23 p.m.

**Pledge of Allegiance** – All present recited the Pledge of Allegiance.

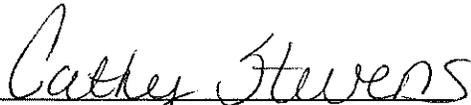
**Motion to Close the Meeting per Minnesota State Statute § 13D.05, subd. 3(a)** - Oliver questioned if Nagle wanted the meeting to be open or closed. Nagle stated that he would prefer a closed meeting with two witnesses. He has not idea of what the topic is tonight. Gilchrist stated that if Nagle would like other people here then it would have to be open. Nagle stated that he would like to know the topic to be discussed before he decides if he wants the meeting to be open or closed. Gilchrist stated the some of the issues identified is Nagle's current position and current suspension. He wants to sort through the issues and give the board some direction on how to move forward. He wants to discuss procedure as he has not seen any written documentation for the suspension. Nagle stated that if they would be talking about procedure then he would not need witnesses and he would prefer to have the meeting closed. Gilchrist stated that he wants to go through to ensure that the proper steps were taken to support suspension. Nagle questioned if he would have the opportunity to appeal the two suspensions at any time. Gilchrist responded that he is not seeing this as a hearing and wants to get a grounding as to where things are at. Nagle questioned if he will get an opportunity to appeal once he sees the documentation. Gilchrist responded that the way the handbook is worded, a suspension process does not provide for an appeal. Nagle stated that the board has overturned a suspension once it had been appealed (by a different firefighter). Rademacher stated that happened when a different handbook was in place. Nagle responded that it had very close to the same wording. Gilchrist stated that the suspension process in Section 12 of the document does not provide for an appeal. Section 11, grievance procedure, he would like to err on the side of giving more process than less. Allow it to run through the grievance process then to town board.

**Swanson/Rush unanimous to close the meeting at 8:35 p.m.**

The meeting may be opened at the request of the employee or may be opened by the Town Board to take further action if warranted.

**Motion to Reopen Meeting – Swanson/Rush unanimous to reopen the meeting at 11:05 p.m.**

**Adjourn/Recess – Swanson/Handshoe unanimous to adjourn at 11:06 p.m.**



Submitted By: (s/) Cathy Stevens  
Clerk/Treasurer  
Baldwin Township



Approved By: (s/) Jeffrey Holm  
Chairman, Board of Supervisors  
Baldwin Township