

**BALDWIN TOWNSHIP
SPECIAL CLOSED EMPLOYEE MEETING
March 19, 2014**

Notice is hereby given that the Town Board of Baldwin Township, Sherburne County, Minnesota, will hold A special meeting on Wednesday, March 19, 2014, at 7:00 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(s) who are subject to the board's authority. The person(s) 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 13th day of March, 2014. Posted on March 13, 2014.

Present – Supervisors Jay Swanson, Kim Good, Larry Handshoe, Tom Rush and Randy Atwood.

Call to Order- The March 19, 2014 Baldwin Township Special Closed Employee Meeting was called to order by Chairman Jay Swanson at 7:00 p.m.

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

Swanson: In order to do this in proper order, this has been called for a closed meeting. We will close the meeting with a motion from the board to close the meeting. At that point in time we will ask the employee, in this case Cathy, if she wants to reopen the meeting. When we do close the meeting we will ask everybody to exit because if the employee, Cathy, doesn't want to reopen the meeting then it will remain closed. We will take it from there. So I need a motion at this point to close the meeting

Motion to Close Meeting Per MN State Statute § 13D.05, subdivision 3(a) – Rush/Atwood unanimous to close the meeting per MN State Statute § 13D.05, subdivision 3(a).

Swanson: Any further discussion? All those in favor signify by saying aye. Opposed the same sign. Motion carries. If everyone would step out into the hall. I don't know what Cathy is going to do. This may not be an open meeting.

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.

Swanson: Cathy, if you want to pull up to the table here ... and is there any reason you would like to have this meeting open?

Stevens: I do want it open.

Swanson: You do want it open.

Stevens: Yes.

Swanson. Okay. I need a motion to reopen the meeting per employee's request.

Motion to Open Meeting – Rush/Handshoe unanimous to reopen the meeting.

Swanson: It's moved and seconded. Any further discussion? Hearing none all those in favor signify by say aye. Opposed the same sign. Motion carries. We are open.

Swanson: Okay. We'll resume this. Mr. Handshoe you did call this meeting. Do you want to state why?

Handshoe: Well, my accusations are some things told to my girlfriend about me here. And I really didn't appreciate it. And it took me a month to find out about it before it got back to me. I don't know if anyone wants to hear about it this is the only way we can get the board and make the board aware of everything that's going on. So that's why I figure this is the way to call it. Otherwise there is no way we can talk between the five of us. And I just didn't appreciate some of the accusations that were told to her ... and

Swanson: And you're saying they were told to her by Cathy?

Handshoe: Yes.

Swanson: That's what you say?

Handshoe: Yup.

Rush: During ... during ...

Swanson: Business hours.

Handshoe: Uh huh.

Swanson: Okay. Have you spoken at all to Cathy about this?

Handshoe: No. No, I haven't.

Swanson: So at this point in time Cathy do you have anything to say about that? Or do you need more clarification as to what he's talking about?

Stevens: I remember when Elaine Byker resigned. I asked for her resignation in writing. It was a very non-event day to me. She rambled on about personal items that

were done of my business. I did not make any comments that you are thinking of. I have never walked out of this building second guessing what I have said as an employee of this township.

Handshoe: She told me it was said. If everyone wants to hear it I can ...

Stevens: He said. She said.

Swanson: At this point in time, too ... you know first of all the this he said/she said ... I don't know ... If we want to get involved in that we have people here that are interested in character witnesses probably. He said/she said ...

Handshoe: I'm not looking for this to because anything ... I just want it to stop.

Swanson: At this point what I'm saying is that the only thing this board can do is take what you're saying she did and have her respond to that because she has the opportunity to do that and we need to find out if this board to do is (a) is it a punishable offense and (b) if we as a board do believe it is a punishable offense can we punish her for those actions in what is written in our ...

Handshoe: I'm not looking for that. I just want it to stop. It's happened. It's done. And we can go on and this is where I want it to stay.

Good: I know what you had said ...

Swanson: Okay. Hang on.

Good: (inaudible)

Swanson: Hang on. Hold on. Hold on a minute. (Rapping gavel). I don't want this to go there. This can't go there. This absolutely can't. Larry called this. Kim, I don't know if you're involved or not. I do not know.

Handshoe: She is involved.

Swanson: Now you've made her now involved in this. Okay, so this being what it is I don't think it wise that this board go down the character assassination route and I like the fact that you say you just want it to stop. So I'm going to ask this.... I'm going to try to make this as painless as possible for everybody because it needs to be that way. What is your desired outcome of this meeting tonight?

Handshoe: Well, I just think we need to watch what comes out of the town hall. I mean they don't need to be talking about people.

Good: And it's more than that. There's more talking going on around here than that. There's talking about actually somebody in this room that you actually told me. And

because ... because Cheryl is Cathy's employee and that you actually told me that Tim Kane was abusive and you witnessed him hurting his children. And there's another ...

Swanson: Okay, wait a minute. (Rapping gavel). That is it ... no.. no.. no.. no we're not ...

Good: And another ...

Swanson: This is why ... I need a motion from somebody to close ... to shut ... this meeting down right now. Because ...

Good: (inaudible)

Swanson: Because if this is going to happen ... no ... no ... no ... hang on ... because if this is going to happen and you're going to bring those kind of things ... that has nothing to do with anything with what we have talked about or we have done. This is with Cathy. This is not with Cheryl. This is with Cathy. This is not with Cheryl. And if we are going to continue this meeting then what we need to do is we need to reset this meeting to a date and time certain and we are going to have our township attorney sitting here while this happens.

Good: I spoke to the township attorney.

Swanson: I know you did.

Good: And what ... what basically what it is ... is the atmosphere is ... it actually is not respectful behavior. Whether ... the behavior just needs to stop. It's not professional. And there are other people in the community that these things have been told to. And ... and we're not making this up. If the residents who have heard these things from this office need to come forward they do. Basically what it needs to do is stop. And what he recommended to me ... Mike Couri ... is our policy actually reflected that that kind of behavior is not going to be acceptable.

Stevens: I spoke with Mr. Kane today and was informed of what his statements were. And I had not heard that in this office ... ever.

Good: It was actually told to me and at least one other person.

Rush: Well, first of all I'm just disappointed that this is a waste of taxpayers' money and calling Wait .. wait... let me finish. I mean if something is with the happening with the employees it is me as a person ... I don't know what the allegations

Handshoe: This is the only way we can do it.

Rush: For me it would be to pull her aside and talk behind closed doors rather than dragging ... you know ... for the cost of this for the taxpayers and you know we got people out here in the audience ...

Good: I know what you're saying Tom ... but this didn't need to be a public ... this didn't need to be public meeting. This ... it was her choice to make it public. However there is no ... how to you ever find an opportunity to ever ... nobody can actually without violating an open meeting law have this conversation. It has to be a closed meeting to do it.

Atwood: Mr. Chair. This could have been done privately through the employee liaison. I guess I'm talking about locker room high school or something. This is crazy.

Good: Really! Do you ever consider that it might really be happening? Are the residents

Atwood: I'm just saying there is another process that could have been tried for.

Rush: I would have talked to her personally ... and then whatever was going on addressed her ... and say, "Hey, this needs to stop" and then if it continues then yes you did your due diligence by talking to the employee or the employee liaison. I agree with what Randy said ... and then if it continued well then I guess, you know, you would have a closed employee meeting or something. You know, two board members talk , you know ... that's just my two cents.

Swanson: So. Again, I guess, what is it you want out of this meeting.

Handshoe: Well, I just want it to stop. I want the whole board to be aware of what's going on and it just all needs to stop. That's all. And that's the main thing I'm concerned about. But we do need to decide if we're going to tell one employee what the meeting is about, we need to tell all of them. You know ...

Swanson: That's fine.

Handshoe: I think we need to be fair. You know, if we're going to tell one we need to tell them all ... or not tell any of them.

(inaudible)

Handshoe: No. It was between me and Jay. Jay informed her what it was all about. But that's fine ... I don't care either way we do it we just need to be doing it the same way to be fair to everybody. You know, that's all I ask. And I'm not trying to get nothing started or anything but I just think we need to get it to stop. And I figured that all five of us board members needed to be aware of it and ... you know.

Swanson: So, all right ... then there is no reason for us to take any action at this point.

Handshoe: No, I don't want any action taken or anything. I just wanted everybody to be aware of it ... and it's a problem that can be stopped. That's all I want to do with it.

Swanson: Okay, then you're satisfied with that outcome. You're satisfied with that.

Handshoe: Yup.

Swanson: Everyone else is satisfied with that? It's been brought to our attention ...

Rush: You say Supervisor Good is involved with this as well ... or no.

Swanson: He did say she was involved with it.

Handshoe: Well, the accusation was between the two of us. About the two of us.

Swanson: You're in agreement

Good: I just want it to stop. I think ... I really think that the policy ... I think our policy does address this ... and let's just say for argument's sake it's all rumor. Let's just say that. It still would be disrespectful. This would fall under our disrespectful ... in our disrespectful behavioral policy because it covers every single person from volunteers to town board members to employees ... temporary even ... that we won't accept offensive behavior. And this would be offensive to any reasonable person and our policy says so. This kind of behavior if it's believed ... and I'm telling you what I know is true would be considered offensive behavior to the reasonable person. It just can't go on. It's just not a professional environment. I would just like to see it stopped.

Swanson: Okay, so from this meeting with no action taken is that ... is that enough for you at this point to have said that?

Good: I think the policy should be changed to address it. If you don't ... because if you ... and basically because you said you don't feel that our policy is strong enough to cover this kind of thing.

Swanson: I said we need to make that determination. I'm also going to say when we move forward with more things ... but we don't need to go there. If this is all you guys are desiring to get out of this tonight. Having spoken to the board. That this has happened and also to make Cathy aware of the fact.

Stevens: One sided.

Swanson: Correct. So now I'm going to ask is Cathy do you want to say anything in your defense at this point in time or address these allegations.

Stevens: I did not say anything. She was venting to me. It was unsolicited about her domestic situation which I was just ... whoa. I didn't want to hear that. It was a non-event. I went home. Didn't think anything else of it. That's my side of the story.

Handshoe: Hmm hmm. Well, there are two sides to every story.

Stevens: Right.

Handshoe: And we just need to get it to stop. That's all that I'm asking. That's all we have to do.

Stevens: And I wished personal phone calls coming in to me would stop to because it's not But when they come in and vent about their family life ... I don't need to hear that. If I had told her, I would have told the whole township.

Handshoe: Well, it took a month for it to get back to me. Everyone knew before I did. I'm not getting into any squabble but ...

Good: It's really not ... I don't really think it's funny. And you can think ...

Stevens: I don't think it's funny either.

Swanson: I think this is thing is rather tragic ... you know what I mean.

Stevens: I do, too.

Swanson: So what I'm trying to do is save face for everybody here at this point in time. And if you're satisfied where this is ...

Handshoe: Yea.

Swanson: Tell me. Tell this board. Tell us if you're satisfied with the outcome of having vented whatever that is and we're moving on from here. If that's satisfied enough otherwise you ask to take action and we'll have to decide what that action is going to be.

Good: No, but I would like to hear ... because I do believe it even if you say you didn't because you say the people were involved ... I want to believe. And I think saying I'd never do something like that ... and you know, to hear you actually say that ... I'm sorry ... but to accuse me of that because I'd never do anything like that. I'm sorry, but ...

Stevens: I've never been accused of anything like that in my life. I don't mess in other people's lives.

Swanson: I would agree. You okay with that Larry? You all right with that Kim?

Handshoe: Yup.

Good: Yup.

Swanson: Is there anything anyone else wants to say?

Rush: I just wished this was pulled aside and talked to individually. This is just a waste of taxpayers' money. Just a waste of taxpayers' money to me. This meeting could have been done behind closed doors, been resolved between the employee and two board members sitting down and liaison sit down with the employee to talk about whatever is going on and ...

Atwood: I agree it's a waste of money and I will not be charging for this meeting.

Rush: Me either.

Swanson: Me either.

Handshoe: I won't either. But I just wanted it ... this is the only way that all five of us could talk, you know.

Swanson: That is true.

Handshoe: So that's why I did it this way. So ... I don't have a problem just as long as we can take care of it. Solve the problem and go on.

Swanson: Okay, the meeting is open. I think we have decided that no further action needs to be taken. Cathy, you're satisfied as can be at the moment?

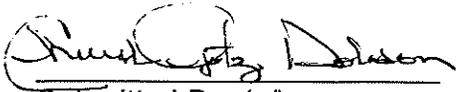
Stevens: Yes.

Swanson: Kim, Larry you're satisfied as can be at the moment?

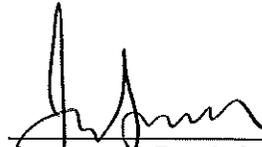
Good: Yup.

Swanson: All right. We need a motion to adjourn.

Adjourn – Atwood/Rush unanimous to adjourn at 7:16 p.m.



Submitted By: (s/)
Cheryl Goetz Dobson
Deputy Clerk
Baldwin Township



Approved By: (s/)
Jay Swanson
Chairman, Board of Supervisors
Baldwin Township

4-7-2014

Date

Attendees: Tim Kane, Carol Swanson, Scott Case, Mike Rademacher, Justin Suckut,
Robin Fischer, Chuck Nagle, Dick Dobson, Elaine Philippi