

**BALDWIN TOWNSHIP REGULAR MEETING
CONTINUATION OF MAY 1, 2017**

May 4, 2017

Present – Supervisors Brad Schumacher, Jay Swanson and Larry Handshoe. Supervisor Bryan Lawrence arrived at 7:01 p.m. Supervisor Tom Rush absent.

Call to Order – The continuation of the May 1, 2017 regular meeting of Baldwin Township was called to order by Chairman Brad Schumacher at 7:00 p.m.

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

Motion to Reopen Regular Meeting – Swanson/Handshoe unanimous to reopen the May 1, 2017 regular meeting of Baldwin Township at 7:00 p.m.

Discuss Financing of Projects/Equipment – The Town Board reviewed the email from township attorney Mike Couri. The board has approved the purchase of a grass rig and approved a tanker truck contingent upon financing. On the grass rig the township has paid for the tires. Couri stated that a reimbursement resolution would be needed at the next township meeting. He recommends using Fryberger (law firm from Duluth) and work with Mary Frances Skala. The cost to issue one certificate would be \$3,250 and \$4,250 to issue three certificates. Couri believes that is a very reasonable cost. Couri will work with the bank. There is an advantage to do 3 bonds as it is more transparent on the interest rate side (2-1/2% on the shorter bond and 3% on the longer bond). Couri will also work with the bond counsel.

Schumacher asked if there would be any issues in putting the bonds together. Couri responded that it would be one bond issue and would be broken down by use of the money. It is transparent. Discussion regarding the use of USDA financing. Couri stated that there are higher costs with government loans.

The grass rig would be a 5 year repayment. Years 6-10 Frontier Trails and the tender would stay in. It is cheaper to conglomerate projects. Swanson stated that he does not see a number for 136th Street and that would be \$1.1 million. Couri stated that there is a debt limit for general debt. Do you have any debt outstanding? The subordinate service district (Frontier Trails) would be exempt. Another route would be to issue a capital improvement bond but those require a 5 year capital improvement plan and hold a public hearing. Schumacher stated that our debt is approximately \$340,000. Couri stated that you do not typically bond until you have gone out for bid. Probably looking at a 60 day process if done as a capital improvement bid. Would need the money by the latest the end of September. Schumacher stated that the board has not approved the joint powers agreement with the county for the 136th Street project. Swanson stated that the township also has the option to opt out and not accept the bid. Couri stated that a reverse referendum would be the wild card.

Fire Chief, Scott Case, stated that if the chassis is paid for between September 5th to October 5th we will get a discount of \$3,850. Lawrence asked if we received a discount for the grass rig if we paid for it up front. Brian Torborg stated 'no, just the DNR grant'. Couri stated that if you issue the tanker in September you will be about \$3,500 in interest at 2-1/2% so the discount may be a wash. Couri stated that, with a capital improvement plan, the board should call for a public hearing in late June and estimate the cost and then pass a resolution. The reverse referendum will go all through July. Then free to issue the bond in August.

Swanson stated that, in regards to Frontier Trails, Septic Check (the winning bidder) is ready to go and we are looking at \$415,000. Schumacher stated that the township is \$90,000 in the red in that account. Couri stated that a bank may not be able to handle \$1.1 or \$1.2 million. With a \$2 million limit it may be worthwhile to go out for bids. The downside to that is you would pick up \$10,000 in fees. It is possible to split the bonds or go out on the open market. Couri will find out when he speaks to the Bank of Elk River. Start with bond counsel and work with the bank. This is normal routine stuff. We just need to make sure the township is comfortable with the payments. Usually payments are February and August. That first February one will not have a principal payment due. Lawrence asked if it was more cost effective to split and use local banks. Couri responded it usually comes in cheaper locally if under \$1 million. Couri is confident that the township will get financing.

Lawrence stated that his intent would be that Road and Bridge funds would be the first-third payments. Couri stated that the treasurer should give an analysis from last year on the December of June balance. How low is it? Really want to look at November and June and what the balance is. Swanson stated that he believes we will have to levy in our Debt Service Fund and could take between \$50,000-\$75,000 from Road and Bridge. Discussion on regular maintenance such as chip sealing and crack sealing and being behind in that process.

Discuss Draft Ordinance for Establishing Fees for Emergency Services & Fee Schedule – Couri brought a sample ordinance for the board to review. He stated the draft ordinance that the township has it not bad. Mutual aid does not get reimbursed. All of Wright County will have the same ordinance as his sample. You can pick and choose who you want to charge and who you don't. You want to do all cars, medical, grass fires and some of the hazardous stuff in the township. Schumacher asked how crossing county lines would work. Couri responded that you would have to get everyone to buy in. The entire county and, if you could, Princeton. He is seeing more and more cities and townships adopt this. You would not charge your residents. Case stated that they go on 60-70% medical calls. Can we do anything with that? Couri responded that you can't say you can only charge if you have insurance. Case stated he is looking at the legality of first responder fire departments charging \$25 for a call. Couri stated that you can do that, yes, and referenced Minnesota State Statute 366.011. Case asked if it is better to have a set fee schedule or rate per hour. Couri responded that you can do either from a law standpoint.

Schumacher stated that the board had made a motion to talk about it internally before we sent it to you.

Discuss Employee Non-Specific Issues - Lawrence asked if we talked to Couri about doing employee reviews. Does Couri have forms available? Couri responded that they usually get involved only when there is a problem. Discussion on the township's current employee handbook being based on the League of MN Cities model. Swanson asked if it was better to be as vague as possible when it comes to employee handbooks. Couri responded that it is better to go for specific because, if vague, the employee will win. Case asked about having a township employee handbook and a firefighter handbook and/or SOPs. They are contradictory somewhat. He wants to redo the SOPs and the fire department employee handbook. Couri stated that they should almost be the same. There are specific things with firefighters but his advice would be to harmonize the two or but a line between the two with one specific for the fire department and other not for the fire department. Swanson asked about being an at-will employment state. Couri responded that it does not pertain in public employment. You have to have a reason to fire a public employee and it is not an arbitrary decision. Discussion regarding infractions and how a defined process must be adhered to. Case asked if a probationary period allows to fire without cause. Couri replied that a lot of places do that. The manual should call for a probationary period. Lawrence asked to what extent to document? Couri responded that all of the stuff that goes through the step process. The manual should say with some certainty that is when you could get fired. Lawrence asked if the township supervisors or other person is in charge. Couri stated that there is a provision for the town administrator and they can be delegated to hire and fire otherwise it is the town board.

Fire Pension Process – Schumacher stated that the town board has approved \$2,000 per year. They relief association has approved \$2,300 per year of service. Couri responded that the statute reads that if you up that number to \$2,400 you have to fund to a certain percentage for all of those firefighters who are eligible. You can't have a dual system. If the board approves it then it is the obligation of the township. If the fire relief approves it and if there is not enough money in it, it reverts back to the original dollar amount approved. You can't pay out below legal obligation. If the stock market tanks then the township still may be liable. It could come back to bite you. There is an actuarial calculation that is done annually. There is a change in law recently where the fire relief association can be turned over to the state to be managed by PERA. It is portable and goes to whatever department. There has to be 2 on their board consisting of the clerk and someone else. He suggests attending those meetings. Discussion on closed meeting infractions. Of all the meetings of the fire department only the fire relief meeting needs to be an open meeting.

Adjourn – Lawrence/Handshoe unanimous to adjourn at 9:01 p.m.

Cathy Stevens

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

BS

Approved By: (s/) Brad Schumacher
Chairman, Board of Supervisors
Baldwin Township

6-5-17

Date

Attendees: Scott Case, Phil Holland, Michael Sundeen, Mike Couri, Brian Torborg