

## ***Silver Creek Township***

Silver Creek Board of Supervisors met on Friday Dec 21, 2018 at 12:00 pm at the Silver Creek Town Hall located at 3827 134<sup>th</sup> Street NW, Monticello, Minnesota 55362, Wright County, and State of Minnesota to complete the organizational meeting. The meeting was tape recorded for transcribing purposes only.

Meeting called to order at 12:00 pm. There were 0 people in the audience at the start of the meeting.

### Board Members Present

Chris Klein, Supervisor	Mike Ludenia, Supervisor
Dan Ness, Supervisor	Barry Heikkinen, Supervisor
Sandy Forsman, Supervisor	Nancy Betzler, Clerk

Resolution number 2018-12-21 Authorizing Contract with interested officer Chris Klein

### **RESOLUTION AUTHORIZING CONTRACT WITH INTERESTED OFFICER UNDER Minn. Stat. § 471.88, subd. 5.**

**WHEREAS**, the Board of Supervisors (“Town Board”) of Silver Creek Township (“Town” or “Township”) rely on a Town Supervisor to perform various tasks for the Town that the Town does not otherwise have adequate staff to perform on its behalf, including, but not limited to, the following:

1. Miscellaneous items of work to keep the Town’s roads and right of ways free from debris and fallen limbs, etc.; and
2. Inspection of roads; and
3. Grading, snowplowing, and general maintenance of roads; and
4. Equipment operation, maintenance, repairs, grounds and building maintenance and repairs and general labor required for the position.

**WHEREAS**, Minn. Stat. § 366.01, Subd. 1, reflects the broad roles that Supervisors play in the functioning of a Township by stating that Supervisors shall have charge of “all town affairs not committed to other officers by law”; and

**WHEREAS**, Silver Creek Township wishes to retain the services of the Supervisor Chris Klein to perform various maintenance work on behalf of the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board, upon a unanimous vote of the Supervisors with the interested officer abstaining, finds that the hourly rate of \$ 25.00 plus full time benefits plus overtime as accrued in the Employee Policy Handbook that Supervisor Klein receives for his work performing road maintenance and general public works duties for the Township public works department as assigned by the Township Road Boss is as low as, or lower than, the price at which the services he provides could be obtained from other sources.

**BE IT FURTHER RESOLVED**, that the Town Board, pursuant to Minn. Stat. §§ 471.87-.89 does hereby authorize Supervisor Klein to perform road maintenance and general public works duties for the Township public works department as assigned by the Township Road Boss at the hourly rate of \$ 25.00 plus full time benefits; the first payment for such services to occur upon the filing of a proper affidavit by the interested officer.

**BE IT FURTHER RESOLVED**, that this resolution shall be effective from January 1, 2019 until December 31, 2019.

Adopted this 21st day of December, 2018.

Motion by Supervisor Ness that the Town Board unanimously approve this resolution for Chris Klein. Second by Supervisor Heikkinen. Motion passed 4 yes, 1 abstained Chris Klein, interested party.

**RESOLUTION NO. 2018-12-21A**

**RESOLUTION AUTHORIZING CONTRACT WITH  
INTERESTED OFFICERS UNDER  
Minn. Stat. § 471.88, subd. 5.**

**WHEREAS**, the Board of Supervisors (“Town Board”) of Silver Creek Township (“Town”) rely on the Supervisors to perform various tasks for the Town that the Town does not otherwise have staff to perform on their behalf, that are impractical to have performed by outside contractors due to the periodic and limited nature of the work to be performed including, but not limited to, the following:

1. Miscellaneous items of work to keep the Town’s roads free from debris and fallen limbs, etc.; and
2. Inspection of roads and conduct sign surveys; and
3. Grading, snowplowing, and general maintenance of roads; and
4. General labor.

**WHEREAS**, Minn. Stat. § 366.01, Subd. 1, reflects the broad roles that Supervisors play in the functioning of a Township by stating that Supervisors shall have charge of “all town affairs not committed to other officers by law”; and

**WHEREAS**, Silver Creek Township wishes to retain the services of Supervisor Mike Ludenia to perform various maintenance work on behalf of the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board, upon a unanimous vote of the Supervisors with the interested officer abstaining, finds that the hourly rate of \$ 20.00 that Supervisor Mike Ludenia receives for his/her work performing general maintenance work for Silver Creek Township is as low as, or lower than, the price at which the services he/she provides could be obtained from other sources. He/she is authorized to work as needed and hours will be determined by maintenance personnel; other than said supervisor or a designated member of the Silver Creek Township Supervisor Board. This resolution is valid for the year 2019.

**BE IT FURTHER RESOLVED**, that the Town Board, pursuant to Minn. Stat. §§ 471.87-.89 does hereby authorize Supervisor Mike Ludenia to perform general maintenance work for the Township at the hourly rate of \$ 20.00; the first payment for such services to occur upon the filing of a proper affidavit by the interested officer. Adopted this 21<sup>st</sup> day of December, 2018.

Motion by Supervisor Heikkinen that the Town Board unanimously approve this resolution for Mike Ludenia. Second by Supervisor Forsman. Motion passed 4 yes, 1 abstained Mike Ludenia, interested party.

Resolution number 2018-12-21B Authorizing Contract with Interested Officer Sandy Forsman. Same as 2018-12-21A resolution. Motion by Supervisor Ness that the town board unanimously approve Sandy Forsman to work on miscellaneous items of work to keep the Town's roads free from debris and fallen limbs, etc.; and Inspection of roads and conduct sign surveys; and grading, snowplowing, and general maintenance of roads; and general labor not to exceed rate of \$20.00 per hour. Resolution valid for the year 2019. Second by Supervisor Ludenia. Motion passed 4 yes 1 abstained, Supervisor Forsman, interested party.

Resolution number 2018-12-21C Authorizing Contract with Interested Officer Dan Ness. Same as 2018-12-21A resolution. Motion by Supervisor Heikkinen that the town board unanimously approve Dan Ness to work on miscellaneous items of work to keep the Town's roads free from debris and fallen limbs, etc.; and Inspection of roads and conduct sign surveys; and grading, snowplowing, and general maintenance of roads; and general labor not to exceed rate of \$20.00 per hour. Resolution valid for the year 2019. Second by Supervisor Ludenia. Motion passed 4 yes 1 abstained, Supervisor Ness, interested party.

Resolution number 2018-12-21D Authorizing Contract with Interested Officer Barry Heikkinen. Same as 2018-12-21A resolution. Motion by Supervisor Ness that the town board unanimously approve Barry Heikkinen to work on miscellaneous items of work to keep the Town's roads free from debris and fallen limbs, etc.; and Inspection of roads and conduct sign surveys; and grading, snowplowing, and general maintenance of roads; and general labor not to exceed rate of \$20.00 per hour. Resolution valid for the year 2019. Second by Supervisor Forsman. Motion passed 4 yes, 1 abstained, Supervisor Heikkinen, interested party.

The original resolution 2018-12-21 that was read was modified to more accurately reflect the needs of the interested party. Motion by Supervisor Ness for resolution 2018-12-21 that we accept the addition of the statement to the 4<sup>th</sup> paragraph plus overtime as accrued in the employee policy handbook. Second by Supervisor Forsman. Motion passed 4 yes, 1 abstained .Chris Klein, interested party.

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**Adjournment:** Motion to adjourn by Supervisor Forsman. Second by Supervisor Ness.  
All present in favor. Motion Passed. Adjourned at 12:25 pm.

Respectfully Submitted

Silver Creek Township Clerk  
Nancy Betzler  
12/21/2018 Minutes  
Approved by Board of Supervisors  
January 03, 2019

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