**Unapproved**

**November 7, 2024**

**Rockford Township**

**Regular Meeting Minutes 7:04 p.m.**

**Call to Order**

Supervisor Dale Otten made an announcement prior to calling the meeting to order. Otten informed everyone that was in attendance must sign the Meeting Sign-in Sheet. No one is allowed to speak unless they raise their hand and wait to be called and only if they complete and submit a Public Comment Form prior to the start of the meeting. Otten stated everyone that doesn’t listen, they will be shown the way out by the two Wright County Deputies who were present. Otten asked everyone if they understood, and some attendees agreed.

Chairperson Supervisor Dale Otten called the meeting to order at 7:04 p.m. at the Rockford Township Hall. Present were Supervisor Dale Otten, Dennis Beise, Troy Beise, and Nancy Norsby present via zoom located at 3828 Saddle Brook Way Sevierville TN 37862, Clerk/Treasurer Rachelle McDougall, and Maintenance Crew Allen Valentine.

**Agenda**

A **motion** was made by Supervisor Dennis Beise and seconded by Supervisor Troy Beise to approve the agenda with the addition of **Motion carried unanimously**.

**Meeting Minutes**

**August 19, 2024, Employee Handbook Work Session Minutes**

A **motion** was made by Supervisor Dennis Beise and seconded by Supervisor Otten to approve the August 19, 2024, Employee Handbook Work Session Minutes as printed. **Motion carried unanimously.**

**Continued Items** – None

**Maintenance**

Maintenance Crew Allen Valentine was present and did not have anything to discuss. Supervisor Otten asked if they had been grading roads and Valentine stated they had been grading until dark after the previous rain event.

**Public Comments** – None

**New Items**

**Planning Commission Recommendations from November 7, 2024**

A **motion** was made by Supervisor Dennis Beise and seconded by Supervisor Troy Beise to approve the Planning Commission Recommendations from November 7, 2024. **Motion carried unanimously.**

**Complaint – 3196 Brandis Ave. SE – Unlicensed Vehicle and Hazardous waste**

The board had not viewed this address prior to the meeting. The Board read through the complaint form that was submitted and would like clarification about the items listed on the complaint noting the number of multiple gasoline cans. Supervisor Otten suggested pictures can be helpful and Supervisor Troy Beise stated he will view this location and take a picture if possible. Supervisor Otten recommended the board continue this item and discuss at the next regular meeting on November 19, 2024, and the board agreed.

**Joel Kjome Supervisor SEAT A Resignation dated 10/24/2024.**

Supervisor Otten stated Joel Kjome submitted his resignation on 10/24/2024 and as a board we are accepting the resignation since there isn’t anything they can do to change it. Supervisor Dennis Beise stated if he wanted to quit it was up to him.

Supervisor Otten informed the other Supervisors that he had a conversation with resident Bill Daluge who was previously a Town Board Supervisor. Otten stated Bill Daluge agreed he could fill the vacancy for the remainder of the term ending in March 2025. Clerk McDougall interjected recommending resident Larry Otto fill the vacancy. The Board did not have any comments about the recommendation of Larry Otto.

A **motion** was made by Supervisor Otten and seconded by Supervisor Norsby to approve appointing Bill Daluge to Supervisor SEAT A for the remainder of that. **Motion carried unanimously** by Supervisors Otten, Norsby, Troy Beise, Dennis Beise. Clerk McDougall interrupted for the record she voted nay on the motion to appoint Bill Daluge for Supervisor SEAT A. Supervisor Otten then called the motion again with four Supervisors in favor and Clerk McDougall voting not in favor. **Motion passed 4 to 1.**

A **motion** was made by Supervisor Troy Beise and seconded by Supervisor Otten to accept the resignation date 10/24/20024 by Joel Kjome for Supervisor SEAT A. **Motion carried unanimously.**

**Larry Otto Presentation regarding Pay Equity Points, ADA Non-Compliant Restrooms, Emergency Declarations the Board Makes and related issues.**

**Pay Equity Job Points and Employee Wages** - Resident Larry Otto noted he prepared a statement he would read and also refer to a document called Pay Equity Pay Step Plan. Larry stated the board had received and approved this previously and it was originally adopted by the Board in June 2019. Larry referred to the Pay Equity Pay Step Plan document when explaining how pay equity job points can be adjusted. The assigned pay equity job points are allowed to be adjusted if a position has additional responsibilities or if responsibilities have been removed from that position. If another employee receives more pay steps than the Clerk with a higher percentage that could be a violation when submitting the Pay Equity Report and also fail to pass for compliance.

The previous full-time maintenance employees were five pay steps ahead of the Clerk/Treasurer based on their years of service. since the maintenance employees have retired, the Board has to maintain their five step standard by keeping the Clerk/Treasurer five steps ahead of new maintenance employees based on her years of service. At the township's regular meeting on March 1, 2022, the Board formally set forth the standard that was in place by keeping five pay steps between new maintenance employees and the Clerk/Treasurer.

The pay equity job points were adopted in 1996 by the Rockford Town Board. The points were assigned based on how the State of Minnesota and other townships assigned points. In 1985 the township hired a Maintenance Supervisor and when adopting the point system, the Maintenance Supervisor was set at 213 points. The non-supervisor maintenance employee was assigned previously 149 and then assigned to 200 pay equity job points. In 2024 the Board assigned the maintenance employees both with213 pay equity job points. This made them both Supervisors and at the same level.

When the Board adopted the Pay Step Plan in June 2019 it set forth hourly wages and pay increases which consistently maintained a five-step differential considering years of service. In March of 2019 a new maintenance worker was hired and started at the same pay step as the Clerk/Treasurer who had over 14 more years’ service. In June 2019 the Board moved the Clerk two steps ahead of the new maintenance employee but kept the other maintenance employees five steps ahead of her until they retired after 44 and 34 years of service in 2019 and 2020.

In January of 2021 the board moved both maintenance workers and the Clerk/Treasurer three steps. In January 2022 the Board moved the maintenance employees’ seven steps and the Clerk/Treasurer five steps. This put them all on the same step. In March of 2022, the Board moved the Clerk/Treasurer five steps ahead bringing her to the five step differential based on her years of service.

October 17, 2023, the Board moved one maintenance workers five steps and the other maintenance worker six steps. This placed them both on step 20 which again was the same step as the Clerk/Treasurer.

On the same date, October 17, 2023 the Board increased pay for the part-time maintenance workers by 20%( $25-$30 per hr.) and an almost 15% pay increase for full-time maintenance workers. The Clerk/Treasurer has not had a wage increase since January 2022 which was retroactive from March of 2022. The Deputy Clerk and Deputy Treasurer have also not received pay increases since January of 2022.

Larry stated on October 17, 2023, only the male maintenance employees both part-time and full-time received pay increases and no female employees received pay increases. Larry stated this should be a major concern when pertaining to pay equity.

**ADA Restrooms** - The second item Larry spoke about was in regards to the building and not having ADA compliant restrooms. The Americans with Disabilities Act was signed into law by President Bush. Larry had not read the complete law but assumed that it allowed time to become compliant. Using 30 years of noncompliance, the law allows $75,000 penalty for first violation and up to $150,000 for each additional violation. If it is determined that this township has violated 30 violations this would be a penalty of up to $4.5 million. Additionally this township can be sued civilly by anyone who can prove failure to follow the law. This could be millions of additional dollars for this township.

This board and previous boards have been aware of this for many years. Their excuses for not complying with a law has been because it was too expensive. This current board and previous boards didn’t have a problem spending money in 2013 when they had a wash-bay constructed for of over $250,000. Larry questions how much money was spent over the past 34 years on equipment and feels it is hundreds of thousands of dollars. Recently there was over $100,000 spent on a new roof for the Town Hall which still leaks. This board spent over $600,000 for a few miles of road repaving none of which was mandated by law.

Larry directed this statement to anyone present and if they would believe that a civil jury would think that any of the items listed above, which is just a partial list, are more important than following a 34 year-old law for the ADA restrooms.

The township could not hire a person with a physical disability which could be discrimination and would allow a lawsuit against the township. Larry recommends that the board authorize the Clerk/Treasure to enter into a contract with a portable restroom provider to supply the town hall with a wheelchair accessible restroom. This contract stays in effect until new ADA compliant restroom are completed. This may possibly keep the township from being sued or at least show a good faith effort to comply with the law.

**Township Attorneys** - Larry Otto then addressed concerns about the township paying three different attorneys at around $250 per hour. Larry stated he could not recall ever having the need for three different township attorneys and can only assume this meant the Township is involved in multiple legal actions. The vagueness of the Board about what is being discussed with the attorneys is very concerning.

During the October 15, 2024 regular meeting Supervisor Troy Beise stated he received an email from one of the attorneys. Some of the Board members stated they didn’t know what he was talking about. After some vague discussion the board then voted to hire the third attorney.  Larry stated from the response of the Clerk/Treasurer he can only assume that it had something to do with her.

This board should address these concerns at a regular meeting after it is placed on the agenda and not under Supervisors, which is a common practice with the current Board. Larry stated it seems underhanded when the Board does not list something on the agenda that the Board is making decisions about under their Supervisor time. Items should be placed on the agenda to make the public aware.

Larry stated it has been the practice of Rockford Township Boards in the past, that no board member can contact the township attorney without prior board approval. There are members of the current board that don’t follow this practice. This practice of contacting the township attorney whenever you please, has over doubled the legal cost to this township.  Larry stated by the end of the year it will be four or five times higher than the original budget. The budget is $6,000 and the township has spent over $17,000 on attorney fees this year.

**Emergency Declarations -** Fifth Street washout repair on June 18, 2024. This board declared that the fifth street washout was an emergency. This emergency declaration allowed the board to award the repair work to John Vidmar without getting any additional quotes for the record. The township asked Mr. Vidmar to look at the washout after doing so he gave them a price to fix it. The problem is if it was an emergency, why did it take a month before the repair was started it was up to this board to inform Mr. Vidmar, that the repairs must be started in a timely fashion. In my opinion a month is not timely.

**Supervisors**

**Supervisor Nancy Norsby** – None

**Supervisor Troy Beise** – None

**Supervisor Dennis Beise** – None

**Supervisor Dale Otten** – Supervisor Otten stated he was not going to address any of it.

**Clerk/Treasurer**

Clerk/Treasurer McDougall informed the Board she spoke with resident Mary Wetter regarding possible available funds to help cover costs for running election precinct 2 (P2). Mary Wetter was present and stated she spoke to Senator Bruce Anderson, who suggested contacting the Secretary of State’s Office for more information. Clerk McDougall will look into possible funds which may be available for Rockford Township to cover the added expense for Election Precinct 2 (P2)

Clerk McDougall informed the Board the grant funds have been received from Wright County for the paving project in the amount of $91,118. These will be placed back into the general fund.

**Funds Report** – None

**Review of Claims**

A **motion** was made by Supervisor Troy Beise and seconded by Supervisor Dennis Beise to approve claims #5385 to claim #5459 for $74,310.46 including payroll. **Motion carried unanimously.**

**Adjournment**

Supervisor Otten adjourned the meeting at 7:25 p.m.

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Dale Otten (Chairperson)

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Rachelle McDougall (Clerk/Treasurer)