

# Chapter One

## *Introduction*



### § 1-1. Purpose of the Manual

Congratulations! The people of your township have put their trust in you and elected you as a township officer. As a public official, the law places numerous responsibilities on you, which can be overwhelming at times.

The purpose of this manual is to provide town officers with information that will assist them in their performing their official duties. The manual strives to be current, reflecting the most recent laws passed in the 2016 legislative session. It is possible, however, that some of the text does not capture recent legislative changes.

This manual is a combination of newly written materials and revisions of previously published articles. It is designed to provide you with an overview of topics you are likely to encounter in your role as a township officer. Not all topics are covered in this manual and those that are included are not covered in exhaustive detail. The length of discussion on a particular subject may not necessarily reflect its relative importance. Some of the most important subjects for town officials are too long and complex to be fully addressed here, although an attempt is made to indicate when officers need to pay particular attention to a subject.

Throughout the manual, reference is made to documents that are available to you in the **Minnesota Association of Townships Information Library**. The Information Library is a collection of in-house of materials the Association has written or gathered over the years. It is an invaluable resource to township officers. Materials are categorized by subjects and documents added as they become available and updated. An index with a brief description of the available documents, and their document numbers, is in the Manual's Index and on the Association's web page, [www.mntownships.org](http://www.mntownships.org).

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#### Special points of interest

Minnesota Association of Townships Information Library is a valuable resource to find memos, sample motions, sample resolutions, sample ordinances, and worksheets on issues important to township officials.

The library can be found on the [MAT website](http://www.mntownships.org)

## § 1-2. The Minnesota Association of Townships

The Minnesota Association of Townships (MAT) was formed in 1933 to give a united voice to township government. This was also partially a response to the Iowa Legislature eliminating the township form of government in that state. From its humble beginnings, the Association has grown steadily and now represents virtually all of the nearly 1,800 townships in the state.

MAT is incorporated as a non-profit organization and its mission is educational and charitable.

MAT aims to speak with a single, unified voice, instructing, training, and raising awareness about township government and township officers. This includes:

- 1) educating the public about the heritage and future of township government and its role in state government and the federal system
- 2) providing townships and their officers with access to educational programs and research-based materials, to help foster the delivery of efficient, effective, and economical township government
- 3) reducing the burdens of government by assisting township governments acquire vital resources, including but not limited to: intergovernmental cooperation and collaboration; bonding, recognizance, surety, and undertaking to guarantee against a loss resulting from a township clerk, treasurer, or other official; insurance policies and/or other coverages for townships and their officials; training; administrative materials; and other tools required by a township to function sustainably

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*Minnesota Association of Townships is "Grassroots Government."*

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### Got a Question?

MAT provides three staff attorneys to help township officers sort through a problem to find a solution. The information provided is intended to serve as general information related to the duties, powers, and authority of townships in Minnesota. It is not intended to be used, nor should it be used, as a substitute for competent legal advice regarding any particular situation that may arise within a township. Contact a MAT attorney if you have any general questions on township laws.

MAT's educational commitment is outstanding. Each year annual training sessions are held, with more than 6,000 attendees every year: 15 Spring Short Courses in March and April; a one-day Legal Short Course; eight Summer Short Courses in June; district meetings in each of the 13 MAT districts every summer; and an annual two-day educational conference and annual meeting in November.

MAT produces a quarterly publication, *Minnesota Township Insider*, with articles on topical subjects. In addition, every December a Special Calendar Edition of the *Township Insider* is published. The calendar contains various statutory deadlines for completing required actions, such as publishing notice of the town election and filing state reports and other important dates. It is exceptionally valuable to township clerks in the completion of their duties. Dates and locations of MAT training sessions are also included.

In addition to the Information Library on the MAT website, MAT has assembled many of the statutes relevant to townships in the Minnesota Township Law Book. Every township is given a copy of this publication. Additional copies can be purchased from Minnesota's Bookstore by calling 1-800-657-3757. An updated version is scheduled for publication in 2017.

## § 1-3. Additional Resources

Because township government was created by the Legislature, references to Minnesota statutes, and the procedures required by them, are made throughout this manual. It is not practical to reproduce the relevant statutes here. There are several ways to gain access to the statutes and rules.

- The Township Law Book, which MAT publishes. *See § 1.2.*
- Minnesota has made a concerted effort to make government information, including legal information, available on the internet. The primary access to state information is through its North Star website at: [www.state.mn.us](http://www.state.mn.us).
- Statutes and session laws created by the Legislature, and rules created by state agencies, are available at the website of the Minnesota Revisor: [www.revisor.leg.state.mn.us/pubs/](http://www.revisor.leg.state.mn.us/pubs/).
- Decisions of the Minnesota Supreme Court and Court of Appeals can be obtained at the Court website: [www.courts.state.mn.us](http://www.courts.state.mn.us).
- Each county also maintains a law library that is accessible to the public. So if you lack computer access, the law libraries contain bound volumes of the statutes as well as books containing the cases cited in this manual.

Please note that this manual does not discuss election procedures. Town clerks should make a point of locating the **Minnesota Election Law Book** distributed to towns by the Minnesota Secretary of State's office. The Secretary of State also provides a **Town Clerk Election Guide**. Both are very valuable resources and complement the election training conducted by the state. [www.sos.state.mn.us](http://www.sos.state.mn.us).



### Township Handbook

Officers may still find copies of the old "Townships Handbook" lying around the town hall. Updates to the Township Handbook are no longer provided and they are now only of historic value.

### Federal Resources

U.S. Constitution, <https://www.law.cornell.edu/constitution>

U.S. Code, <http://uscode.house.gov/>

Code of Federal Regulations, <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>

### Federal Court Decisions

Supreme Court Decisions, <https://www.supremecourt.gov/>

8th Circuit U.S. Court of Appeals, <http://www.ca8.uscourts.gov/>

MN Federal District Court Rulings, <http://www.mnd.uscourts.gov/>

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