

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 2018 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 Township's Information Library**. The Information Library is a collection of in-house 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.

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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.

§ 1-2. The Minnesota Association of Townships

The Minnesota Association of Townships (MAT) was formed in 1934 to give a united voice to township government. From its humble beginnings, the Association has grown steadily and now represents 1,779 of the 1,781 townships in the state. Over 9,000 town officers belong to MAT.

MAT is guided by a 13-member board of directors representing 13 state districts. The Directors are elected at District Meetings held annually in August, which were attended by 963 town officers in 2018. The MAT office is located in Saint Michael, Minnesota and is managed by an executive director with a staff of 12 employees.

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: inter-governmental cooperation and collaboration; bonding, recognition, 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.

Based on the most recent estimate from the state demographer's office, approximately 909,953 residents of Minnesota live in a township. Townships provide a variety of services to these residents including being responsible for the maintenance of approximately 55,000 miles of roads, more than any other single level of road authority in the State.

Got a Question?

MAT provides 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.

Minnesota Association of Townships' Mission:

To secure for township officers and office holders full recognition and enjoyment of their rights to administer their responsibilities in a just and professional manner; to secure the tools necessary for them to fulfill their obligations as public servants; and to strengthen and extend our form of township government in such a way as to provide to the citizens the services they are entitled.

Education and Training

MAT offers a robust education and training program. The following programs are offered:

- Spring Short Courses conducted in March and April in 15 locations. In 2018, 3,295 town officers attended.
- Town Law Review held in April in Burnsville, or Otsego. In 2018, it was held in Burnsville and 113 town officers attended.
- Summer Specialized Training conducted in June in 8 locations. In 2018 1,208 town officers attended.
- MAT's Annual Educational Conference and Business Meeting in November. In 2018, the event was held in Duluth and attended by 279 MAT delegates.
- Specialized Training programs at the MAT Office Training Center in St. Michael. Four clerk trainings were held in 2018 and attended by 114 township officers. MAT also worked with the State Auditor's office to hold One-on-One Sessions with 22 townships on completing the Annual Report for the State Auditor.

MAT Scholarship Program

MAT awards six (6) \$1,000 scholarships to juniors currently attending a Minnesota public, private, or parochial high school or a home-study program that plan to further their education at a college, university, or vocational school. Applicants must write an essay of up to 500 words concerning the theme of the Annual Educational Conference. Applications are due May 1. We average over 100 scholarship entrants each year.

Publications

The *Minnesota Township Insider* is MAT's official publication. It is published five times a year and is an informational and educational tool for town officials throughout the State. Each issue focuses on a special topic. Past topics include: emergency planning, noxious weeds, roads, sustainable water, and energy. Regular columns are featured from the Executive Director, President, a

District Director, MATIT, Staff Attorneys, and the Education Director. Updates for clerks-treasurers as well as "Quick Questions" are also featured.

Township Calendar

The December issue of the *Minnesota Township Insider* features a calendar containing important dates, statutory deadlines for elections and other governmental requirements for towns.

Directory of Minnesota Township Officers

An updated version of this directory is made available annually and lists the name, address, office, and term of each Minnesota town officer as well as an alphabetical list of all Minnesota townships and their respective populations.

Law Book

The Minnesota Township Law Book was updated for 2016. The Law Book includes a descriptive index along with a complete copy of the statutes most pertinent to the governing of Minnesota townships. Each township was provided a Minnesota Township Law Book through the MAT. A limited number of the Township Law Books are also available for purchase through the Minnesota Bookstore in St. Paul.

Website

The official website of the Minnesota Association of Townships can be found at: www.mntownships.org. It is continually updated with news and alerts, notices of training events, important resources, and valuable tools for township officials. One of the biggest components of the website is the MAT Information Library. The Information Library contains a collection of papers, articles, and other materials designed to provide township officials with information relating to township laws and procedures. The documents in the Library are available on the website for download or print. An index of materials is provided on the website as well as the appendix of this publication. It is updated as new documents are added or revised.

There is also a directory of pictures of town halls. Feel free to contribute a picture of your Town Hall to the MAT website.

Advocacy

Legislative and Research Committee

Town officials from each county are eligible to serve on MAT's Legislative and Research Committee that meets twice a year to discuss, research, and plan the issues requiring legislative or administrative action by MAT. All resolutions are approved at the Annual Business Meeting.

Lobbying

MAT represents the interest of town government during each legislative session by: seeking to enact actions approved by the Legislative and Research Committee; reviewing all bills introduced for possible impacts on townships; providing legislators, the Governor, and other individuals as needed with information necessary for making appropriate changes to Minnesota laws affecting town government; and by working with state agencies regarding rulemaking and enforcement efforts affecting townships. MAT seeks to work collaboratively with other local government associations, like the Big 4, and other groups with an interest in rural Minnesota issues. MAT also works on federal issues through our membership in the National Association of Towns and Townships (NATaT).

Additional Resources

Minnesota Resources:

Statutes and session laws, rules created by state agencies, Minnesota Revisor of Statutes:

www.revisor.leg.state.mn.us/pubs/

Minnesota Supreme Court and Court of Appeals decisions:

www.courts.state.mn.us.

Minnesota Township Clerk Election Guide, www.sos.state.mn.us



Federal Resources

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

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

Code of Federal Regulations, <https://www.govinfo.gov/help/cfr>

Federal Court Decisions

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

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

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