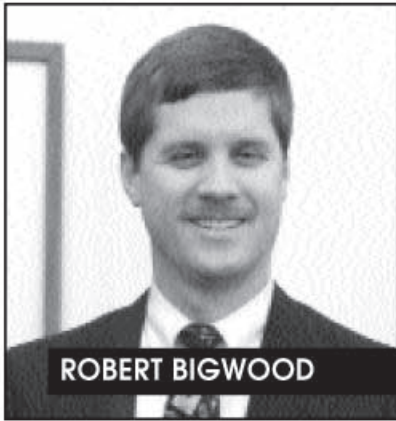




TOWNSHIP LAW

Bigwood speaks to township officers about road maintenance



ROBERT BIGWOOD

Robert Bigwood, a partner with the firm of Pemberton, Sorlie, Rufer and Kershner, recently spoke at the Minnesota Association of Townships 1999 Short Course held in Detroit Lakes, Minnesota. Bigwood's presentation was entitled, "Road Maintenance and Repair: Legal Limitations." Bigwood shared his experience and expertise in township law matters with the attendees, consisting primarily of township supervisors and officers. Nearly a record number of township officials were present at this annual event.

The presentation overviewed a variety of township road issues, including whether townships are protected by statutory immunity for road design and sign placement

decisions; vacation of roads; maintenance of minimum maintenance roads and municipal contracting law. Bigwood referred to governing and insightful case law, as well as particular statutory provisions, throughout his presentation. Because road issues lie at the heart of many heated disputes in townships, Bigwood fielded plenty of questions after his presentation.

Many of the questions which arose involved whether townships were required to improve roads that passed an individual's home, when that individual was the only homeowner on an extension of the road; establishing and maintaining cartways; rustic roads; trimming vegetation along such roads; the differences between maintenance and improvement of township roads; and whether townships can be held liable for ordinary negligence in the maintenance of its township roads.

In addition to his township law experience, Bigwood is a Real Estate Specialist certified by the Minnesota State Bar Association.

*prepared by
Jennifer O. Smestad*

FAIR PAY ACT OF 1999

Rengel presents the issues of pay equality at two forums

Mike Rengel, a partner with Pemberton, Sorlie, Rufer and Kershner, recently spoke in a round table discussion on PEG Access TV and to the Fergus Falls Association of Business and Professional Women. Rengel, who specializes in employment matters, focused on issues of pay equity between the sexes in his presentations. Pay equity issues have recently become a topic of interest to our national legislators. Rengel's presentation included the following information:

A federal law entitled the Fair Pay Act of 1999 is currently pending before the House and Senate which could have a great impact on private businesses. The Fair Pay Act of 1999 is a law proposed to beef up the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964.

The proponent's argument of this bill is based on statistics that women overall are paid 76 percent of what men are earning for equivalent positions. The hot debate is what exactly are "equivalent positions."

This law, if enacted, would require comparative worth in the private sector as we presently know it in the public sector (Minnesota Statutes Chapter 43A and

Minnesota Statutes 471). Reporting requirements would exist to prove internal and external comparisons showing equality in pay to various genders and races, as well as other factors. It is unknown what size organization must comply to this law.

If this law is passed, it could create a huge burden on private industry, forcing them to comply with the stringent requirements of the law. It is not unrealistic that a new, full-time position might be necessary within a moderately-sized company to accomplish the reporting requirements of this proposed legislation. Although the goals and reasoning behind the legislation are absolutely sound, the process to accomplish those goals is potentially very burdensome on private industries.

*prepared by
Jennifer O. Smestad*



MIKE RENGEL