

Commissioner Gaalswyk offered Resolution No. 01-21 and moved its adoption, Commissioner Bruns seconded:

WHEREAS, the County of Cass annually reviews and adopts rules of procedure governing the conduct of Cass County Board of Commissioner's meetings.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the following County Board Meeting Rules of Business are hereby adopted:

COUNTY BOARD MEETING RULES OF BUSINESS

Rule 1. Regular Meetings. The Board shall hold regular meetings on the first and third Tuesday of each month.

Regular meetings shall commence at 9:00 A.M. at the Cass County Courthouse for the first Tuesday of the month and 9:00 A.M. at the Land Department Building, Backus MN for the third Tuesday of the month except the regular meetings from May through September shall be scheduled during 2021 at various locations throughout the Board of Commissioner Districts and shall commence at 6:00 P.M. (January 4, 2005 amendment) (January 2, 2007 amendment).

Rule 2. Special Meetings. The Chair or three members of the Board may call special meetings. Such meetings shall be called with a twelve hour advance notice to all available Board members and members of the news media. If time will allow, published notice in the official newspaper shall be given to the public.

Notwithstanding any other requirements, notice shall be published on the County Courthouse bulletin board. Either or both notice shall specify: (1) the specific item or items to be considered at the special meeting, and (2) the date, time, and place of the meeting. Special meetings of the County shall be held in the County Courthouse, unless the Board has determined that other facilities are to be used. All specials meetings of the Board shall be limited to the specific item or items set forth in the notice.

Rule 3. Presiding Officer. Roll Call. The Board Chair, or in the Board Chair's absence, the Vice Chair of the Board shall take the chair at the time appointed for the meeting and call the Board to order. The Board Chair or Vice Chair calling the meeting to order shall be the Presiding Officer for the balance of the meeting.

Rule 4. Quorum. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board Chair shall be a member of the Board, and shall have the right to vote on all matters coming before it, but shall have no veto power.

Rule 5. Minutes. The Administrator shall prepare written copies of the minutes of the preceding meeting of the Board of Commissioners and distribute them to its members no later than the start of its current session. One or more copies of the minutes shall be available in the Office of the Administrator for examination by members of the public. Upon the appearance of a quorum at a Commissioners Board Meeting, the Board Chair shall inquire of the Board whether they wish to approve, disapprove, or amend the minutes of the previous meeting of the Board of Commissioners as prepared by the Administrator. Any mistake or omission in the minutes may then be corrected by the Board.

Rule 6. Order of Business. The Board Chair or Vice Chair of the Board shall preserve order and decorum. The Administrator shall act as parliamentarian and the Board Chair shall decide questions of order, subject to an appeal to the Board. The Administrator shall prepare a written agenda in advance of all board meetings and shall place Call to Order as Item No. 1; and thereafter other items of business in the order of presentation which the Administrator deems best or as directed by the Board of Commissioners. Members of the public or County staff wishing to place an item of business upon the agenda shall advise the Administrator of the particular item of business not later than Tuesday immediately preceding the Board meeting. The Administrator shall release the proposed agenda not later than the Wednesday immediately preceding the Board Meeting. Further, the Administrator shall release the Board information packet not later than the Thursday immediately preceding the Board Meeting. (January 8, 2008 amendment)

A person requesting that an item be placed on the agenda shall furnish sufficient details so as to enable the Administrator to enter the item on the board meeting agenda in a summary adequate to alert the public as to the nature of the matter to be discussed. If the Administrator is unable, from the information received, to prepare a summary, the Administrator may refuse to place the matter on the agenda.

The Board by majority vote may amend the proposed agenda. After approval of the proposed agenda no amendments will be made except upon a 4/5th vote of the Board.

A citizen comment period will be provided during the regular board meetings which will allow citizens to address the Commissioners for up to three minutes about a topic that is not on the agenda. In order to use the citizen comment period, the individual must sign up before the Board approves the proposed meeting agenda. The Board of Commissioners may take action on subjects brought up during the citizen comment period. (January 3, 2006 amendment).

Rule 7. Recognition by Chair. Every Board member or member of the public shall respectfully address the Chair by the appellation of "Mr. Chairman" or "Madame Chair", and shall not speak further until recognized the Chair. Once a member of the audience has been recognized by the chair as requesting to address the Board of Commissioners, the Chair shall require the individual to identify themselves by stating their name and address.

Rule 8. Designation by Chair. When two or more members request to speak, the Chair or Presiding Officer shall designate who is first to speak, but in all cases the member who shall first address the Chair shall speak first.

Rule 9. Debated Motion. No ordinary motion shall be debated, or put, unless the same is seconded by a board member (or the chair). (Amended on March 20, 2001). The Chair or Presiding Officer shall restate any motion if requested to do so by a member of the Board of Commissioners. Items on the agenda may be debated prior to the submission of an ordinary motion. The withdrawal of either the motion or the second to a motion shall terminate debate on the motion. (January 6, 2009 amendment).

Rule 10. Motion Being Debated. Privileged Motion. When a question is under debate, no motion shall be received other than the following privileged motions: a) to lay on the table; b) to divide the question; c) to postpone indefinitely; d) to postpone to a certain day; e) to refer; f) to adjourn. The privileged motion shall have precedence in the order in which they are arranged. All privileged questions shall be decided immediately without debate. A Board member may make a negative motion to defeat a resolution or ordinance. This "objection to the consideration" of the matter is considered a privileged motion and requires a second, and must pass by a simple majority. If no motion is made on an item, the matter automatically dies or does not pass. (January 6, 2009 amendment).

Rule 11. Presentment of Petitions and Communication. Petitions and communications on the agenda may be presented by a member of the Board or by the Administrator.

Rule 12. Voting. Excuse. Failure. When a question is put by the Chair, every member present shall vote; unless the Board, for special reason, shall excuse a member prior to the calling of the roll or a legal conflict of interest prohibits a member voting. Any member, who being present when his or her name is called fails to vote upon any then pending proposition, unless previously excused by the Board, shall be counted as having voted in the positive. In all cases, the call of the roll shall be alphabetically by the family surname of each Board member except that the Chairman or Presiding Office shall vote last.

Rule 13. Calling Vote. The ayes and nays shall be called upon the passage of ordinances. Unless a member requests, other items will be by voice vote. When a vote is called for and a Board member is silent, the Board member will be recorded as voting in the affirmative on the question. A member may demand a roll call vote at any time prior to the assumption of other business.

Rule 14. Ordinances. Requests for consideration of an ordinance or ordinance amendment shall be submitted in writing to the County Board. Every proposed ordinance shall be considered at two public hearings referred to as first reading and second reading. Requests related to land use shall be referred by motion of the County Board to the Planning Commission for the purpose of conducting the first reading public hearing and adopting a singular recommendation for submittal to the County Board. The County Board will conduct the first reading public hearing in all other matters.

Any ordinance drafts referred by the Board to the Planning Commission or others shall be posted on the Cass County website; and written notice of a 30 day comment period for all proposed ordinances or amendments thereto shall be provided to all county departments, all municipalities in Cass County, adjacent counties, the Leech Lake Band of Ojibwe, the Minnesota Departments of Natural Resources and Transportation, the Mississippi Headwaters Board, and any individual, agency or organization requesting such notice. All proposed ordinances or amendment thereto shall be posted on the Cass County website for viewing. Within 60 days of the close of the comment period the first reading public hearing shall be held. Written notice of time, place and purpose of the public hearings shall be published in the official County newspaper designated by the Board and posted on the County website at least ten (10) days prior to the hearing date.

Amendments may be offered at either first or second reading public hearings when the ordinance is under consideration, however shall not be acted upon until the next regular meeting. If amendments are made, the sections of the ordinance amended shall be read as amended before the question of its passage is taken. Approval of the second reading of the ordinance shall constitute final adoption of all ordinances. When a proposed ordinance fails to pass, a motion to reconsider the same may be made, but such motion must be made at the session at which the same failed to pass and action thereupon shall be postponed to the next regular session. (May 3, 2005 amendment) (February 19, 2008 amendment).

Rule 15. Absent Member. Every member of the Board which anticipates being absent for a Board Meeting shall notify the Administrator.

Rule 16. Journal. It shall be the duty of the Administrator to keep the journal of the proceedings of the Board and perform such duties as may be required by the Board of Commissioners. The Administrator shall not allow the official journal of the County to be taken from the custody of the Administrator without the knowledge and consent of the Board. Audio taping or video taping of the board meetings may be made for reference by the Administrator, but approved minutes shall be the official record of board meetings.

Rule 17. Robert's Rules of Order. The rules of parliamentary practice, embraced in Robert's Rules of Order shall govern the Board in all cases in which they are applicable, and in which they not inconsistent with State Statute or the Standing Rules of the Board.

Rule 18. Board Committees. Any member of a Board Committee may call a committee meeting. Committee meetings shall be called with a 24-hour advance notice to all members, posted at the courthouse, and time permitting public notice provided on the "web site". Items to be studied by a Board Committee shall be those items contained in the notice and any other item may be presented that is within the scope of the Committee's description. Committees shall report to the Board of Commissioners within 90 days after the item has been referred to committee. The Board shall then act on the item referred or request the Committee to continue the study. (January 16, 2007 amendment)

Rule 19. Suspension or Amendment of Rules. No rule of the Board shall be suspended, altered, or rescinded except upon the affirmation vote of four members of the Board, unless notice of such change shall have been given at a previous meeting in which case only a majority shall be required.

Rule 20. Publication of Minutes. The regular Board of Commissioners Meeting minute summary shall be published in the official county newspaper so as to provide the public with timely and accurate notice of the regular County Commissioners Board Meeting action.

Rule 21. Agenda is Public. Any member of the public or the news media requesting copies of any regular or special meeting agenda shall be provided the same pursuant to M.S. 13D. (January 8, 2008 amendment)

Rule 22. Board Appointments. In effort to maximize citizen participation in County government, all citizen appointments by the Board of Commissioners shall be subject to term limits. No reappointment shall be considered for any individual that has served three (3) consecutive terms or nine (9) consecutive years, whichever is more. In the event that no qualified successor is available for appointment, the term limit may be waived by the Board in one (1) year increments until a successor is appointed. (January 16, 2007 amendment)

Rule 23. Room Rental Payments. No rental payments shall be made for the use of space utilized for meetings of Cass County without specific approval of the Board. (January 2, 2007 amendment)

Section 2. That these rules shall take effect and be in force from and after their adoption by the Board of Commissioners, and any and all prior rules are hereby rescinded.

Resolution No. 01-21 was adopted by majority vote: Ayes: Bruns, Kangas, Peterson, Haaland, Gaalswyk Nays: None Absent: None

STATE OF MINNESOTA }
County of Cass } ss.
Office of County Administrator }

I, Joshua D. Stevenson, Administrator of the County of Cass, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 5th day of January A. D. 2021, and the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF MY OFFICE at Walker, Minnesota, this 5th day of January, A. D. 2021.



Joshua D. Stevenson
County Administrator