



# **Board of Commissioners Board Operating Rules**

Adopted  
January 2, 2024

# **I. Overview**

## **A. Purpose**

The Carver County Board of Commissioners is the body charged by law with the management of the affairs of Carver County. The County Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the confines of state and federal law.

The County Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, and 375. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

## **B. Statement of Principles**

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the following Carver County Strategic Plan.

### **I. Vision**

Where the future builds on the past in keeping Carver County a great place to live, work, and play for a lifetime for all residents .

### **II. Mission**

To meet the service requirements and special needs of our residents in a fiscally responsible and caring way. We will plan the county's growth to preserve its uniqueness and will encourage rural and urban compatibility. We will protect our history while planning for a dynamic future.

### **III. Goals - Summarized**

To help define each goal statement, there is a distinctive and characteristic word which summarizes each goal. These five goals are designed to serve as the foundation for all future strategies, work and priorities of the County.

**I. Communities:** Create and maintain safe, healthy, and livable communities.

**II. Customer Service:** Continue the County's delivery of high value, timely service and support.

**III Culture:** Provide an organizational culture which

fosters individual accountability to achieve goals and sustain public trust and confidence in County government.

**IV Connections:** Develop strong public partnerships and connect people to services and information.

**V. Finances:** Improve the County's financial health and economic profile.

**VI. Growth:** Manage the challenges and opportunities resulting from growth and development.

## **C. Effective Date**

These rules shall become effective upon passage by the County Board.

# **II. Amendments to the Operating Rules**

During the statutory meeting, the County Board shall review, amend if necessary, and adopt the operating rules for the year.

Any time throughout the year, the County Board may amend (or suspend) the operating rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

Any member of the County Board or the County Administrator may initiate action to amend the operating rules.

Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

# **III. County Board Organization**

## **A. Membership**

The County Board of Commissioners consists of five (5) members elected from single-member districts apportioned on the basis of population as provided by law.

## **B. Commissioner Districts**

The boundaries of commissioner districts, including the procedures to follow in the event that a redistricting is needed, are established pursuant to Minn. Stat. §375.025.

## C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minn. Stat. §375.03.

## D. Vacancy

A vacancy in the office of County Board is filled at a special election not less than 30 nor more than 90 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term (Minn. Stat. §375.101).

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn. Stat. §375.101).

## E. Officers

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), elects from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature of the County Board. The Chair's signature, attested to by the County Administrator or designee, is binding as the signature of the County Board.

The County Board elects from its membership a Vice-Chair at the same time and place and in the same manner as provided for the election of the chair. The Vice-Chair performs the duties of the chair when the chair is unable to perform those duties.

The process to open nominations for Chair shall be as follows:

1. Open the floor for nominations
  - Recognition by the Chair is not required to make a nomination
  - After each nomination, the County Administrator repeats the name of the nominee to the members.
  - Nominations do not have to be seconded, but it is not out of order for members to second a

nomination

- A person can nominate himself or herself.
- A member can decline the nomination during the nominating process.

2. Close the nominations

- A motion to close is not necessary as the nomination process continues until no one wishes to make further nominations
- When the nomination stops, the County Administrator calls three times for more nominations and declares nominations closed after making sure that no more nominations are forthcoming.
- A motion to close nominations is out of order if any member still wishes to make a nomination.

3. Vote on nominations

- Nominations are decided by majority vote.
- A voice vote will be used, and the voting is over when someone wins the nomination by majority vote.
- Voting on each nominee is conducted in the order in which they were nominated.
- After naming the first nominee, the County Administrator will announce the votes.
- This procedure continues until someone receives a majority vote.
- If there is a tie vote or no one receives a majority vote, members keep voting until someone is elected.

Following the election of the Chair, the Chair will conduct the nomination of the Vice Chair and follow the same process.

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn. Stat. §375.13).

At the statutory meeting (and if applicable during the year), the Chair of the County Board shall have the authority to recommend committee chairs and appoint members of the County Board to standing committees and other County Board-member appointed committees, organizations and groups, subject to approval by the County Board.

## F. Compensation

County Board members receive as compensation for services an annual salary as set by resolution of the County

Board. (The salary must be established prior to the end of the preceding year and is effective January 1 of the new year.)

Prior to the effective date of a new salary, each County Board member shall have the option to accept or reject any salary increase in writing and submit it to Employee Relations.

## **G. Monthly Expense Allowance**

Each member of the County Board is allowed a monthly expense allowance as determined by the County Board for expense while doing business for Carver County. (This expense allowance is provided for under Minnesota Laws, Chapter 66, adopted in 1981.) Typical expenditures for this allowance are mileage, parking, and meals while in the seven county metropolitan area for conferences, seminars and meetings. Expenses included in this allowance are generally considered to be ones that the Board Member deems to be necessary in order to fulfill the duties of office.

The County Board, by resolution, determines the annual expense allowance level. Within the seven county metropolitan area, this allowance is in lieu of traditional reimbursement plans including per diem expenses. The expense allowance is paid to the Board Members in twelve equal monthly installments.

Outside the seven county metropolitan area, all costs deemed necessary by the Board Member to fulfill the duties of office, are covered by County Financial Policy and Administrative Policy Manuals' reimbursement guidelines. This would include reimbursement for actual costs while performing duties of the office of County Commissioner. In addition, outside the metro area, all overnight expenses associated with conferences, seminars, and meetings are costs eligible for reimbursement.

Each Commissioner shall be allocated an annual conference and training budget with an amount to be determined according to the annual budget process. Conference and training funds not used by an individual Commissioner during each respective budgetary year may be used by another Commissioner within that budget year upon mutual agreement between the Commissioner requesting the funds and the Commissioner providing the funds. Any out of state travel must meet the requirements outlined in the Elected Officials Out of State Travel policy included in the Carver County Administrative Policy Manual.

Cell phone expenses are costs eligible for reimbursement according to County Financial Policy and Administrative

Policy Manuals' reimbursement guidelines.

## **H. County Board Budget**

The County Board is allocated an annual budget which includes salary and benefits and general operating expenses (office supplies and other miscellaneous expenses).

# **IV. County Board Meetings**

## **A. Regular Meetings**

Members of the County Board are entitled to ten days' notice of regular Board meetings (Minn. Stat. §375.07). At the annual statutory meeting, the County Board shall adopt a schedule of regular board meetings for the upcoming year. The schedule will include the location, date and time of the meetings. During the year the schedule may be amended by general consensus or a vote if necessary of the County Board. Evening meetings may be added to the Board's schedule as is necessary to ensure adequate public participation and input on specific agenda items.

Unless otherwise stated, all regular meetings of the County Board will be convened at the Carver County Government Center. The Board Room is located on the second floor of the Human Services Building. All regular meetings of the County Board are open to the public.

## **B. Statutory Meeting**

The County Board meets in the County Board Room located at the Carver County Government Center, for the transaction of business on the first Tuesday after first Monday in January. The County Board transacts organizational business during this meeting, including:

1. Administrate oath of office (if required);
2. Elect officers;
3. Appoint commissioners to commissions committees and boards;
4. Appoint voting members to AMC;
5. Appoint members to Metropolitan Counties Computer Consortium;
6. Appoint advisory committee members.

## **D. Closed Meetings**

The County Board may by motion convene in closed session for the purposes of transacting business. Business

which may be considered in closed session are as follows.

- In accordance with the attorney/client privilege;
- To consider strategy for labor negotiations;
- To consider real estate negotiations;
- To consider security measures;
- Or as otherwise required or permitted by the Minnesota Open Meeting Law.

## **E. Special/Emergency Meetings**

The Carver County Board may establish a special or emergency meeting. Procedures to schedule a special or emergency meeting shall be in accordance with Minn. Stat. Chap. 13D.

Adjourned or reconvened meetings may be held at any specific time, date and place the Board may adopt without additional notice. However, the time, date and place must be publicly specified by the Board prior to adjourning the meeting in which the time, date and place are established.

The County Board may schedule work sessions, retreats, forums or additional meetings. A schedule of such meetings shall be maintained in the County Administration Office. Work sessions and other informal meetings of the Board, not regularly held, shall be subject to the same notice requirements of the Minnesota Open Meeting Law.

A joint meeting with the County Board and any other political subdivision may be held within the boundaries of either subdivision and will be specified in the meeting notice.

Meetings of the County Board may also be conducted by interactive technology according to Minn. Stat. §13D.02.

## **F. Public Hearings**

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the County Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public or issues under consideration.

The order of business for public hearings generally follows this procedure:

1. Presiding officer opens the hearing and states the purpose;
2. Brief description of issue by County staff or other appropriate persons;
3. Presentation, if applicable, by affected or

- interested persons;
4. Public hearing closed by the Board;
5. Decision of the County Board.

At any time during the process, the County Board may address questions as deemed appropriate.

The County Board may alter the public hearing procedure as needed to assure that the hearings are conducted in an orderly, fair and expeditious manner, including establishing reasonable time limits for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard, and to ensure that no individual is denied their right to free speech.

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing.

## **G. Meeting Conduct**

The following meeting conduct rules shall apply for all Board meetings:

1. Respect the dignity of each individual.
2. Respect one another's facts, opinions and right to speak.
3. We choose to deal with conflict in a healthy manner.
4. Listen respectfully - no interruptions.
5. In the interest of time, time limits may be established.
6. Questions may be asked of the presenters during the time allotted.

## **H. Broadcasting**

Unless otherwise directed by law, all regular meetings of the Carver County Board of Commissioners are streamed live and recorded for on-demand viewing via YouTube, from calling to order of the meeting to the adjournment of the meeting's regular session. Regional Rail Authority, Ditch Authority and Public Health Board meetings are also videotaped from calling to order to adjournment of the meeting. In the event that a meeting cannot be videotaped (i.e. technical malfunction, etc.), best efforts will be made to record the meeting with another recording device for future reference.

The County broadcasts and records all Board of

Commissioners meetings via its YouTube channel. Local cable access channels can rebroadcast the meetings via these recordings. Residents can view the meeting recordings via YouTube, or from the links placed on the Board of Commissioners' webpage at [www.co.carver.mn.us](http://www.co.carver.mn.us). The public can also view meetings on computers at Carver County Library branches

The Carver County Administration Department retains a copy of the broadcast for a period of two years and one week after the meeting date. These recordings are not the official minutes of the Carver County Board of Commissioners.

## **I. Quorum**

A quorum shall be necessary for the transaction of business. A majority of the members of the Board shall constitute a quorum and no business shall be transacted unless voted on by a majority (three votes) of the whole County Board (Minn. Stat. §375.07). Less than a majority of members may convene a meeting, but no business may be transacted.

Any County Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the County Board Chair or the County Administrator to indicate his or her planned absence.

## **J. Role of Presiding Officer**

The presiding officer of the meeting will be the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer shall include the following:

1. Preside at all meetings of the County Board.
2. Call for a meeting recess without a vote if necessary.
3. Preserve order and decide questions raised by members subject to appeal to the Board.
4. Require the vote on all questions regularly moved and to announce the result.
5. Review and comment on the draft agenda for each regular and special meeting of the Board.
6. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

## **K. Addressing the Chair**

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022, Jan 3, 2023; Jan 2, 2024

Formal protocol will be used when speaking to the County Board. The County Board Chair shall be addressed as "Mr./Madam Chair." Members of the County Board shall be addressed as "Commissioner (last name)."

## **L. County Administrator**

The County Administrator or designee shall attend all meetings of the County Board. The County Administrator represents the Board at the meetings. The County Administrator may participate in the discussion or recommend a resolution or action to the County Board. A member of the Board may call on the County Administrator to participate in the discussion or provide a verbal recommendation on any subject pending before the Board.

The County Administrator or designee shall prepare a written agenda for all regular and special meetings of the County Board. The County Administrator or designee acts as the clerk of the board and shall also: 1) make regular entries of all Board resolutions and decisions upon all questions; 2) record the vote of each member on any question submitted to the Board; 3) preserve and file all business acted upon by the Board; 4) certify copy any and all resolutions or decisions of the Board; and 5) perform such further duties as designated by the Board.

## **V. CONDUCT OF DEBATE**

### **A. Principles**

The Rules of Parliamentary Practice embodied in Robert's Rules of Order (hereafter referred to the Rules of Order) shall guide the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes. In all cases, except where Minnesota Statutes dictates, a majority vote will prevail when deciding a question.

### **B. Parliamentarian**

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

### **C. Role of the Chair**

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may

restate or ask the County Administrator or designee to restate who made the motion, who seconded the motion, and announce the result of the vote.

#### **D. Suspension of the Rules**

Any member of the Board may make a motion for a suspension of the Rules of Order at any time during the debate and, if in order and duly seconded, the Board will vote on the request.

#### **E. Main Motion**

The main motion shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the

Board member(s) may call upon staff for additional information prior to introduction of the motion.

The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions permitted in the Rules of Order.

#### **F. Second Required**

All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

#### **G. Amended Motion**

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

#### **H. Division of the Question**

Upon the request of any Board member, a motion or resolution in debate may be divided and separated into more than one action provided that the Chair rules that the motion or resolution will allow such a division. Each of

the resulting motions or resolutions must be complete to allow independent consideration and action.

#### **I. Withdrawal of Motion**

After a motion has been stated by the Chair, it is deemed to be in the possession of the Board, but may be withdrawn by the member introducing the motion at any time before a vote. The Chair must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

#### **J. Discussion Procedures**

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.
2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently the floor is open to any member of the Board.
3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

#### **K. Adoption**

A motion or resolution shall be adopted if approved by a majority of the whole Board (Minn. Stat. §375.07).

#### **L. Procedural Motion**

In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules that are most often used.; it is not intended to be a complete list.

These motions shall be considered in the following order of precedence as taken from Robert's Rules of Order:

1. Motion to Adjourn;
2. Motion to Recess;
3. Motion to Suspend the Rules;
4. Motion for Division of the Question;
5. Motion to Defer Consideration (Motion to Lay

- on the Table);
- 6. Call of the Previous Question;
- 7. Motion to Postpone to Certain Time or Day;
- 8. Motion to Refer to Committee;
- 9. Motion to Amend;
- 10. Motion to Reconsider.

## **M. Voting**

It is the duty of every member to vote. Voting shall be recorded as a "yes" or "no" vote by the County Administrator and duly noted in the minutes. Unless a Commissioner signifies an abstention or vote in the negative on any given issue, the County Administrator shall be directed to record that each Commissioner has voted in the positive on that particular matter which is before the Board. A roll call, if requested by any member, shall be called by the Administrative Assistant alphabetically (from A-Z) by last name, and rotating with each resolution voted upon.

## **VI. TYPES OF COUNTY BOARD ACTION**

### **A. Resolution**

The County Board takes formal action by resolution (Minn. Stat. §373.02) or ordinance (Minn. Stat. §375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the County Board.

The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the County Board for consideration and action. Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the County Board. (See Section V.)

### **B. Ordinance**

The County Board may take formal action by ordinance (Minn. Stat. §375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the county. County Board action shall be taken by ordinance when required by law.

### **C. General Consensus**

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a

matter which will require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

## **D. Policy Development**

Authority for the development of policies in Carver County is granted to the County Board through Minn. Stat. Chapter 373 (Counties, Powers, Duties, and Privileges) and Minn. Stat. Chapter 375 (County Boards) and other statutes. With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by the Board.

## **VII. COUNTY BOARD AGENDA**

### **A. Preparation and Distribution**

The County Administrator shall prepare the proposed agenda and supporting material for each regular and special meeting. Members of the Board may direct that an item be placed on the proposed agenda by informing the County Administrator. The County Administrator shall include an item on the proposed agenda if a member directs that the item be placed on the proposed agenda at least three (3) days prior to the meeting for which the agenda is to be prepared. Placement of requested item on the proposed agenda requires County Board Chair approval. The final agenda shall be formally approved by the County Board.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Monday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material shall be made available to the County staff, public and media as appropriate. A distribution list shall be maintained in the County Administration Office. Members of the public who are interested in following issues considered by the Board may register their name and address with County Administration for placement on the agenda distribution list.

If possible and if time avails, Board members are encouraged to identify and request future agenda topics. Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, and



provide background information sufficient to inform the Board.

## **B. Order of Business**

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order (start of cablecast)
2. Pledge of Allegiance
3. Public Comments
4. Approval of Agenda
5. Approval of Minutes
6. Community Announcements
7. Consent Agenda
8. Regular Agenda
9. County Administrator Report
10. Adjourn Regular Session (end of cablecast)

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the County Administrator subject to County Board consensus.

## **C. Consent Agenda**

The Consent Agenda will consist of routine agenda items which are not likely to require additional debate and discussion. Examples of consent agenda items include, but in no circumstances are limited to, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract approvals and renewals.

The Consent Agenda shall be considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually.

Prior to approval of the Consent Agenda, any member can propose removing an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. Placement of an alternate item on the final agenda requires formal approval by the County Board.

## **D. Regular Agenda**

The Regular Agenda will consist of items which are likely to and/or require additional discussion and review. Items of business within the Regular Agenda shall be considered individually and in the order of business as noted on the agenda.

## **E. Official Records**

The County Administrator or designee shall prepare the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statutes in order to provide an accurate record of County Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions (Minn. Stat. §331A.01).

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board Meeting. Official proceedings of County Board meetings shall be published in the official County newspaper (Minn. Stat. §375.12). The

Official Board Proceedings are distributed to staff and interested parties and are also available on the Carver County website at [www.co.carver.mn.us](http://www.co.carver.mn.us).

The official minutes of County Board meetings shall be available in the County Administration Office. The resolutions shall be numbered consecutively followed by the last two digits of the calendar year.

# **VIII. ADVISORY COMMITTEES AND OTHER STATUTORY APPOINTMENTS**

## **A. Policy**

The County Board appoints individuals to various boards, committees or commissions, (hereinafter referred to as Committees) which have been established by the County Board or pursuant to Minnesota Statute. Authority for establishment of the committees is prescribed in Minnesota Statutes and in Board Policy. County Administration will maintain a complete list of committees and their underlying source of creation.

## **B. Advisory Committees**

Advisory Committees or Boards do not establish county or department policy, determine budget or resource allocations, or direct the operations of the department. These remain the sole responsibility of the County Board. Advisory Committees perform their duties and responsibilities as delegated by the County Board, they report to the County Board, and are under the County Board's jurisdiction.

A list of advisory committees includes, but is not limited

to:

1. Arts Committee
2. Board of Adjustment
3. Library Board
4. Mental Health Advisory Committee
5. Minnesota Extension Committee
6. Park Commission
7. Personnel Board of Appeals
8. Planning Commission
9. Water Management Organization

## **C. Appointments to other Public Bodies**

The County Board also makes appointments to entities that are created by special act and which, upon their establishment, are public bodies, corporate and politic, with all the powers, duties and authority as provided for in statute.

Term lengths, term limits and other operational procedures of these public bodies are governed by Minnesota Statute and/or the entity's by-laws.

A list of these public bodies includes, but is not limited to:

1. Community Development Agency
2. Lower Minnesota River Watershed District
3. Minnehaha Creek Watershed District
4. Riley-Purgatory-Bluff Creek Watershed

## **D. Role and Purpose of the Committees**

Each Committee serves a statutory, policy, or operational purpose within Carver County. Each committee has specific staff assigned and designated to support its function. The function and reporting relationship to the Board will vary from committee to committee.

Committees are established to serve a variety of functions. The fundamental purposes for utilizing Committees in support of County government are:

1. To involve members of the public in the decision-making process.
2. To meet requirements of state law.
3. To ask residents to help define community standards and norms.
4. To provide technical expertise in certain areas.
5. To serve as advocates for the County.
6. To provide an independent sounding board for issues, ideas, and policy matters.

## **E. Operating Procedures**

Carver County Board Operating Rules

Adopted May 26, 1998

Amended Jan 2, 2001; June 19, 2001; Oct 9, 2001; Jan 8, 2002; Jan 6, 2004; Jan 3, 2006; Jan 2, 2007; Sept 25, 2007; Jan 8, 2008; Jan 6, 2009; Jan 5, 2010; Jan 4, 2011; March 22, 2011, Jan 3, 2012; Jan 8, 2013; Jan 7, 2014, Jan 6, 2015, Jan 5, 2016, Jan 3, 2017, Jan 2, 2018; Jan 8, 2019; Jan 7, 2020, Jan 5, 2021, Jan 4, 2022, Jan 3, 2023; Jan 2, 2024

An open appointment policy governs the process for recruiting applicants to committees. The actual appointments are made by the County Board.

Individuals appointed by the Board to Committees receive a per diem reimbursement for attendance at regular or special meetings of such committees unless otherwise stated by the County Board. The per diem level is established from time to time by Board and/or Minnesota Statute.

## **F. Appointments**

Unless mandated statutorily, appointments to the extent possible will be made by commissioner district. The Board will use discretion in this area and instances may occur when appointments will not follow district boundaries due to the target group the committee represents, availability of applicants, or other factors. The Carver County Board will attempt to select those candidates who will best represent the county and the committee's needs.

When a vacancy exists due to resignation or other reasons, the Board will follow the open appointment process. For the purpose of maintaining uniform length of terms the new appointee's partial term will be assumed to be a full term regardless of actual time remaining in the unexpired term.

The Carver County Library Board and Park Commission may each have a youth member (18 and under at the time of appointment) to the Library Board/Park Commission. The youth appointment will be an at large appointment; serve as a nonvoting liaison and not receive a per diem payment. Youth appointments will be for one year with a three year term limit

## **G. Attendance Policy**

Advisory committee members missing three (3) consecutive meetings in a year without the formal consent of the advisory committee shall be deemed to constitute a resignation of a member and a vacancy thus created shall be filled thereafter as provided by the open appointment process.

## **H. Residency Requirement**

Applicants are not always restricted to Carver County residents.

## **I. Notification**

County staff shall inform all appointees to committees at the initial yearly meeting or at the first meeting attended by a member of the contents of all applicable attendance policies, residency requirements and other pertinent information needed to perform the duties of a committee member.

## **J. Terms**

Unless mandated statutorily, with the exception of the Youth Appointment to the Library Board and Park Commission, the County Board has standardized the length of term and number of terms each member to serve. The length of term is 3 years and the maximum number of consecutive terms each member may serve is 3. The Board's Township appointment to the Planning Commission shall serve after the expiration of his/her term until a successor is appointed and qualified.

## **K. Appointment of Chairs**

Chairs of various committees are selected according to committee bylaws.

## **L. Reporting Requirements**

The Committees shall report their activities to the designated Board member or the County Board as needed on a periodic basis.

# **IX. CODE OF ETHICS**

It is the belief of the County Board that the trust bestowed upon them as elected officials is of utmost importance in the relationship between themselves and the public. With this belief, the following statements further emphasize the priority and commitment the County Board has placed on Ethical Standards.

In the execution of their official duties, all County Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §10A.07, 10A.071, 382.18, 471.87-.895, including, where

- appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.
- Place cooperation, trust, and respect at the heart of all that is done.
- Behave ethically as daily responsibilities are carried out.
- Support one another at and beyond the County Board table.
- Operate as an effective team, continually
- Improving that effectiveness.
- Work for "win-win" situations instead of "win-lose."
- Actively listen, keep an open mind and suspend judgment.
- Be pro-active in the exercise of the office.
- Do the best to answer questions posed by one another, the employees, and the community.
- Honor "discussion" before "decisions."
- Be consistent in process and operation.
- Be honest and candid with one another.
- Disagree agreeably and professionally.
- Realize and honor varying work styles, personalities, and process needs.
- Share information and avoid surprises.

# **X. CITIZENS**

## **A. Citizen Participation**

The public is invited and encouraged to attend and participate in County Board meetings. All approved minutes of Board meetings are published in the official county newspaper and agendas and minutes are available on the County website at [www.co.carver.mn.us](http://www.co.carver.mn.us).

## **B. Audience/Citizens Requests**

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate agenda.

If an individual seeks to appear before the County Board he/she should notify the County Administration Office of

his/her intention and the issue to be presented. Staff will confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate agenda.

### **C. Audience Participation at Board Meetings**

To the extent possible, interested citizens shall notify the County Administrator of their interest to speak at the meeting and the issue to be discussed. The County Administrator will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the County Board recommends that citizens first contact staff to try to resolve matters before coming formally to the County Board meeting. Questions directed to the Board may not be answered immediately, however, whenever possible, all appropriate questions will be responded to in a timely and effective manner by the Board and/or County staff.

The Carver County Board wishes to provide an opportunity for the public to address the County Board. The County Board Chair has the discretion to request public input on issues that are included as part of the agenda. A person desiring to speak on an item on the agenda, after being recognized by the Chair, shall come to the podium, and state his/her name and address. Comments will be limited to five minutes and limited to the specific topic on the agenda. The Board will not address other specific requests not related to the agenda item. On unrelated issues, the Board will consult with staff administration and/or the County Attorney and address them at a later date.

For citizens who desire to discuss issues which are not on the agenda, every regular Board meeting has a Public Comments section.

It is the intention of the Board, by adoption of the following rules, to ensure that its affairs are conducted in an open, orderly, and efficient manner, that persons desiring to address the Board on matters pertaining to the agenda or germane to County business are afforded an opportunity to speak, that persons in attendance may observe and hear the proceedings without distraction, and that the Board is able to transact County business with minimal disruption.

1. A person desiring to speak may only speak if acknowledged by the Board Chair and if they are being respectful and civil. All remarks shall be addressed to the County Board as a whole, not to any specific member(s) or to any person who is not a member of the County Board.

2. Comments are limited to a period of five (5)

minutes. Additional time may be granted at the discretion of the Chair.

3. Copies of written materials must be provided to the County Board members, the County Administrator, the County Attorney, and any media present at the meeting. Handouts provided to the County Board members become government data and are thereafter under classifications designated in the Minnesota Government Data Practices Act and/or other privacy laws.

4. If there are a number of individuals present to speak on the same topic, all persons must sign in and designate a spokesperson or two.

5. Board members will listen to comments but will not engage in discussion, nor answer specific questions, during the Public Comments section of the agenda. Board members will listen to learn and understand, not to argue debate or discuss during the public comments portion. Board members or County staff may ask questions in order to gain a thorough understanding of concerns, suggestions, or requests. If follow-up to a person's comments is requested or required the Board Chair will direct the County Administrator or County Attorney to do so after they have had time to gather the facts, follow up on any legal issues if necessary and review the matter thoroughly.

6. Disruptive and/or disrespectful behavior will not be allowed. Examples of such behavior include arguments, obscenity, profanity, insults or attacks against a person in his or her personal capacity, physical violence or threat thereof, repetitious references, or such other comments or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting. The Chair will address such a speaker, give them a warning and/or use appropriate means to remove such a person from the meeting up to and including the use of law enforcement.

### **D. Responding to Correspondence/Inquiry/Processing of Complaints from Citizens**

County Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the citizens of Carver County.

Upon receipt of a written inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Administrator or designee, staff will confer with the member to determine the appropriate course of action.

The inquiry will be handled timely as directed with the County Administrator or designee advising the Board member upon completion.

Incoming telephone calls requesting a specific Board member should be forwarded to the Board member per his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the Board members and their constituents.

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate Division. Customer service is of primary importance to the County Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

## **XI. Staff**

### **A. County Administrator**

The County Board adopted the County Administrator form of government on August 6, 1985.

The position of County Administrator is established pursuant to Minn. Stat. §375A.06. The County Administrator is the administrative head of the County, responsible for the administration of the affairs of the County delegated to him/her by Minnesota Statute and the County Board. The County Board has approved a job description which outlines in detail the duties and responsibilities of the County Administrator.

In general, the County Administrator shall exercise supervision of the divisions which function under the jurisdiction of the Carver County Board. The County Administrator shall coordinate the various activities of the County, unify the management of its affairs, and make recommendations to the Board regarding the structure of County functions, including reporting relationships, physical facilities and locations. The County Administrator is accountable for hiring, training, advising, motivating, and appraising the performance of subordinates. The County Administrator recommends the annual budget and long-range capital expenditure programs to the Board for approval.

The County Administrator recommends to the Board proposed policies concerning the administrative affairs of the County. The County Administrator will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the County and,

as directed by the Board, will represent the County in its relations with other governments. The County Administrator will serve as the leader of the County Management teams, recommend short and long term goals to the Board, and periodically measure organizational and individual accomplishments against goals, objectives, and timetables.

### **B. Role of Staff**

The County Administrator with the support of staff will, in a timely and responsible manner, answer inquiries and requests regarding issues and concerns brought by Board members or the citizens of Carver County. In certain instances, Board members may want assistance or County staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program change are encouraged to first present such requests to the appropriate Division.

Functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed by the Board or individual member, to the County Administrator or designee for action.

### **C. Legislative Protocol for Staff and Citizen Members of Appointed Boards**

This following policy applies to all staff/citizen members and respective appointed Board members that lobby as a representative of Carver County.

Staff/citizen members who choose to lobby on a policy issue that would affect the operations of the County, are expected to confine their efforts to the County's current legislative agenda.

Staff/citizen member participation should be immediately communicated to the Board appointed designee or the County Administrator. If the issue has not been addressed by the County's legislative agenda, a County Board position should be sought prior to any lobbying effort on your part.

The Board appointed designee, County Administrator, or designated personnel, will organize the county's efforts. Staff/citizen members should presume that s/he speak for the County Board, unless s/he has reviewed their positions or have checked with them on specific issues.

When the County is paying the dues for membership in a professional association, staff/citizen members shall not take a position within that professional association that is inconsistent with County Board policy.

All staff/citizens members and appointed representatives shall notify the County Board and/or the County Administrator of a pending appointment to an advisory board or task force initiated outside of the scope of County Board authority.