

**Isanti County**  
**Board of Commissioners**



**Operating Guidelines**

**2020**

*Amended 3/1/2017*

# **Isanti County Board of Commissioners**

**2020**

District 1 - Dave Oslund

District 2 - Terry Turnquist

District 3 - Greg Anderson

District 4 - Mike Warring

District 5 - Susan Morris

County Administrator – Julia Lines

Deputy County Administrator – Lindsey Giese

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## **I. OVERVIEW**

### **A. Purpose**

The Isanti County Board of Commissioners hereinafter may also be referred to as “Board” or “County Board”, is the body charged by law with the management of the affairs of Isanti 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.

The Operating Guidelines of the County Board are intended to facilitate the transaction of business by the County Board, County staff, and the established committees. The following principles shall guide the County Board in its interpretation and application of the Guidelines.

### **B. Statement of Principles**

The Operating Guidelines are designed to produce a procedural balance that considers all principles and articulates a specific process by which those principles interact and work.

### **C. Effective Date**

These guidelines shall become effective upon passage by the County Board on July 2, 2013.

## **II. AMENDMENTS TO THE OPERATING GUIDELINES**

Any member of the County Board may initiate action to amend the Operating Guidelines. Amendments to the Operating Guidelines may also be initiated by the County Administrator.

During the annual meeting, also known as statutory meeting (see page 9), the County Board shall adopt the Operating Guidelines for the year.

At any time throughout the year the County Board may amend the Operating Guidelines by an affirmative vote of the members. Changes shall be effective immediately upon passage.

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

### III. COUNTY BOARD ORGANIZATION

#### A. Membership

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

#### B. Commissioner District

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

#### C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minnesota Statutes 375.03.

#### D. Vacancy

A vacancy in the office of County Board is filled pursuant to Minnesota Statutes 375.101:

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in subdivision 3, a vacancy in the office of County Commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The County Board may by resolution call for a special election to be held according to the earliest of the following time schedules:

- (1) Not less than 120 days following the date the vacancy is declared, but no later than 12 weeks prior to the date of the next regularly scheduled primary election;
- (2) Concurrently with the next regularly scheduled primary election and general election; or
- (3) No sooner than 120 days following the next regularly scheduled general election.
- (4) 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. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Subd. 2. **When victor seated immediately.** If a vacancy for which a special election is required occurs less than 120 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at that election

for the ensuing term who shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

**Subd. 3. Inability or refusal to serve.** In addition to the events specified in section 351.02, a vacancy in the office of County Commissioner may be declared by the County Board when a commissioner is unable to serve in the office or attend Board meetings for a 90-day period because of illness, or because of absence from or refusal to attend Board meetings for a 90-day period. If any of the preceding conditions occurs, the County Board may, after the Board by resolution has declared a vacancy to exist, make an appointment to fill the vacancy at a regular or special meeting for the remainder of the unexpired term or until the ill or absent member is again able to resume duties and attend County Board meetings, whichever is earlier. If the original member is again able to resume duties and attend Board meetings, the Board shall, by resolution, so determine and remove the appointed officeholder and restore the original member to office.

**Subd. 4. Vacancies of less than one year; appointment option.** Except as provided in subdivision 3, and as an alternative to the procedure provided in subdivisions 1 and 2, any other vacancy in the office of County Commissioner may be filled by Board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. If one year or more remains in the unexpired term, a special election must be held under subdivision 1. If less than one year remains in the unexpired term, the County Board may appoint a person to fill the vacancy for the remainder of the unexpired term, unless the vacancy occurs within 90 days of the next county general election, in which case an appointment shall not be made and the vacancy must be filled at the general election. The person elected to fill a vacancy at the general election takes office immediately in the same manner as for a special election under subdivision 1, and serves the remainder of the unexpired term and the new term for which the election was otherwise held.

**Subd. 5. County Boards vacancy appointment; public hearing.** Before making an appointment to fill a vacancy under subdivision 4, the County Board must hold a public hearing not more than 30 days after the vacancy occurs with public notice given in the same manner as for a special meeting of the County Board. At the public hearing, the Board must invite public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of prospective appointees to fill the vacancy. Before making an appointment, the Board also must notify public officials in the affected district on the appointment, including town board and city council members, and must enter into the record at the Board meeting in which the appointment is made the names and addresses of the public officials notified. If after the public hearing, the Board is unable or decides not to make an appointment under subdivision 4, it must hold a special election under subdivision

1, but the time period in which the election must be held begins to run from the date of the public hearing.

**E. Officers**

The County Board, at its annual meeting, elects from its members a Chair and a Vice Chair. The Chair presides at the County Board meetings, decides on questions of order, and signs all documents requiring signature on the Board's behalf. 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 the duties.

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 County Administrator (Minnesota Statutes 375.13). Robert's Rules of Order defines majority as "'more than half" of the votes cast by persons entitled to vote, excluding blanks or abstentions, at a regular or properly called meeting."

**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. The resolution shall contain a statement of the new salary as defined on an annual basis and must be published in the official County newspaper.

**G. Indemnification**

Isanti County Board members are protected by the defense and indemnification provisions through Isanti County's membership in the Minnesota Counties Intergovernmental Trust.

**IV. COUNTY MEETINGS**

**A. Regular Meetings**

Members of the County Board are entitled to ten (10) days' notice of regular Board meetings (Minnesota Statutes 375.07). At the annual organizational meeting of the Board, 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 vote of the County Board.

Unless otherwise stated, all regular meetings of the County Board will be convened in the Board Room of the Isanti County Government Center in Cambridge, Minnesota. All regular meetings of the County Board are open to the public.

Anyone attending a County Board meeting, excluding emergency response personnel, will be required to have cell phones or any other electronic device on silent mode. This includes all meetings of the County Board referenced in Section IV. of the Operating Guidelines.

According to the Open Meeting Law, at any meeting that must be open to the public, there must be at least one copy of any printed materials relating to the agenda available for inspection in the meeting room.

**B. Statutory Meeting**

By state law (Minnesota Statute 375.07) the County Board must meet at the county seat on the first Tuesday after the first Monday in January, which is when the terms of new Board members begin. The County Board transacts the following organizational business during this annual meeting:

1. Administration of the Oath of Office (if required).
2. Election of Officers.
3. Appointments of Commissioners to commissions, committees, and boards.
4. Appointment of voting delegates to AMC.
5. Awarding of Official County Newspaper.

**C. Open Meeting Law**

All meetings of the County Board and Board Committees are subject to the Open Meeting Law (Minnesota Statutes 13D).

**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.

Before closing a meeting, the Board will state, on record, the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

**E. Special/Emergency Meetings**

The Isanti County Board may, by Board action, establish a special or emergency meeting. Special meetings shall be preceded by three (3) days' notice, including a

posting of the meeting notice on the Isanti County website and either (1) mailed or delivered notice to persons who have requested such notice, or (2) publication of the notice in the official newspaper (Minnesota Statutes 471.705). Procedures to schedule a special meeting shall be in accordance with Minnesota Statutes.

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.

**F. Work Sessions and Informal Meetings**

From time to time, the The County Board may schedule work sessions, workshops, retreats, forums, or additional meetings at such times and concerning such subjects as may be established by action of the Board. 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 Open Meeting Law.

At the beginning of each year, the County Board will schedule a time, at a regular Board meeting or a work session, to discuss and review topics of importance such as the County's Strategic Plan, the County's financial status, current and future levies, County goals and priorities, and other department or committee/commission topics/issues.

**G. 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.
3. Presentation, if applicable, by affected or interested persons.
4. Open discussion by members of the general public.
5. Discussion by the County Board.
6. Public hearing closed by Chair.
7. Decision of the County Board.

At any time during the process, the County Board may address any 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 embarrassed by exercising the right to free speech.

All comments by members of the public shall be made at the microphones, if available, and individuals making comments shall first give their name and address. This is required for an official record of the public hearing. Members of the public interested in addressing the County Board are requested to sign in and make it known at the appropriate time that they wish to speak.

**H. Audience/Citizen 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 County Board agenda.

If an individual seeks to appear before the County Board, he/she should notify County Administration 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 County Board agenda.

Isanti County also has a public comment session at the beginning of each regular Board meeting. At the call of the Chair and after signing in, individuals will have an opportunity to address concerns to the County Board. The Rules of Conduct for the public comment session are posted in the County Board Room.

**I. Board Committees**

For the purpose of assisting the Board in carrying on its business, committees shall be formed and shall be composed of members as determined by resolution of the Board. Minutes of the committee meetings shall be kept and shall become official upon approval of the committee. All actions of the committees are considered recommendations to the County Board or appropriate committee.

**J. Quorum**

A quorum is necessary for transaction of business. A majority of the members of the Board constitutes a quorum and no business shall be transacted unless approved by a majority (three votes) of the whole County Board (Minnesota Statutes 375.07). Less than a majority of members may convene a meeting, but no business may be transacted. Less than a majority may adjourn the meeting.

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.

**K. Role of Presiding Officer**

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

1. Preside at all meetings of the County Board.
2. Preserve order and decide questions raised by members subject to appeal to the Board.
3. Vote all questions regularly moved and announce the result.
4. Serve as representative of the Board in execution of contracts, orders, determinations, and minutes of the Board.
5. The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

**L. Addressing the County Board**

Formal protocol is used when speaking to the County Board. The County Board Chair is addressed as Mr./Madam Chair and other Commissioners are addressed as Commissioner or Commissioner "last name". Members of the public may speak on any matter before the County Board when recognized by the Chair and within established procedures as outlined in the guidelines.

**M. County Administrator**

The County Administrator or designee shall attend all meetings of the County Board. The County Administrator represents the staff 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 request 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 shall also:

1. Makes regular entries of all Board resolutions and decisions upon all questions.
2. Records the vote of each member on any question submitted to the Board.
3. Preserves and files all business acted upon by the Board.
4. Certifies, under seal of the County, copies of any and all resolutions or decisions of the Board.
5. Performs such further duties as designated by the Board.

## **V. RULES OF PROCEDURE**

### **A. Statement of Purpose of the Board**

The County Board is the body charged by law with the ultimate management and control of all of the affairs of Isanti County. As such, it operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the framework of state and federal law and ordinances the County Board may adopt. The various elected and appointed officials charged by law or the County Board with the operation of substantive areas of service delivery must conduct the management of their respective departments within the limits established by law and the County Board.

### **B. Statement of Principles of the Rules**

The foundation for Rules of Order lies in the basic and enduring principles of rights. Specifically enunciated, these rights include the right of the majority to rule, the right of the minority to be heard, and the right of the individual to participate in the decision-making process. Along with these rights are important canons of efficiency; namely, attend to one matter at a time, and the balancing of the affirmative and negative factions to a pending matter.

Finally, the Rules foster courtesy and decorum, holding firm to the maxim that one must debate motions, not members. All members should conduct themselves in a professional manner at all times.

### **C. Statement of Purpose of the Rules**

The 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 principles, both to give specific guidance on method and to provide a reasonable compromise in the event of conflict.

IF AN ISSUE IS NOT COVERED UNDER THE ISANTI COUNTY BOARD OF COMMISSIONERS RULES OF PROCEDURE, ROBERT'S RULES OF ORDER (NEWLY REVISED) WILL APPLY.

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

### **A. Resolution**

The County Board takes formal actions by resolution (Minnesota Statutes 373.02), ordinance (Minnesota Statutes 375.51), or a motion, second and majority support by members of the Board. 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 postponed only when no other motions are before the County Board.

**B. Ordinance**

The County Board may take formal action by ordinance (Minnesota Statutes 375.51.) An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the County Board. Action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

**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. 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 Isanti County is granted to the County Board through Minnesota Statutes Chapter 373 (Counties, Powers, Duties and Privileges), Minnesota Statutes Chapter 375 (County Boards) and other statutes.

With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate. These delegations on authority may be rescinded at any time by the Board.

The County Board may at any time refer an item or resolution to the appropriate Committee for further review and deliberation.

**VII. COUNTY BOARD AGENDA**

**A. Preparation and Distribution**

The County Administrator shall cause preparation of the agenda and supporting material for each regular and special meeting. Members of the Board may request an item to be placed on the agenda by informing the County Administrator.

Copies of the agenda and supporting material are made available to County staff, public, and media as appropriate. A distribution list is 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 to be placed on the agenda distribution list.

The agenda and minutes are available on the Isanti County web site at [www.co.isanti.mn.us](http://www.co.isanti.mn.us).

**B. Order of Business**

The order of business for each regular meeting of the County Board shall be as follows:

1. Call to order
2. Pledge of Allegiance
3. Public comment session
4. Approval of agenda
5. Approval of minutes
6. Committee reports/Commissioner updates (monthly)
7. Business
8. Miscellaneous
9. Adjournment

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 Chairperson, any members of the Board, or the County Administrator, subject to County Board consensus.

**C. Agenda**

The agenda consists of all items which require discussion, review, or action. Items of business within the agenda are considered individually and in the order of business noted on the agenda or at the discretion of the Board Chairperson.

**D. Committee Reports/Commissioner Updates**

Commissioners will give reports or updates on various meetings attended on a monthly basis.

**E. Official Records**

The County Administrator shall cause preparation of the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statute 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.

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 (Minnesota Statutes 375.12). The official Board proceedings are distributed to staff and interested parties, and are also available on the Isanti County web site at [www.co.isanti.mn.us](http://www.co.isanti.mn.us).

The official public record of County Board meetings is available in the County Administration office.

While unofficial, an audio recording of all regular County Board meetings will be posted on the Isanti County website at [www.co.isanti.mn.us](http://www.co.isanti.mn.us).

## **VIII. COUNTY BOARD COMMITTEES**

### **A. Special Committees**

The Board may establish a special committee or task force as deemed necessary. A special committee or task force shall advise the Board as directed and may report recommendations to the Board for appropriate action. Unless expressly stated in the creation of the special committee or task force, it shall automatically dissolve when its work is accepted by the Board.

## **IX. ADVISORY COMMITTEES**

### **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 Statutes and in Board policy. The County Administrator will maintain a complete list of committees and their underlying source of creation.

The current list of committees is available in the office of the County Administrator.

### **B. Role and Purpose of Committees**

Each committee serves a statutory, policy, or operational purpose to further the interests of Isanti County. Each committee may have specific staff assigned and designated to support its function. The function and reporting relationship to the Board varies 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.

**C. Operating Procedures**

Appointments are made by the County Board. Individuals appointed by the County Board to committees are authorized to receive a per diem reimbursement for attendance at regular or special meetings of such committees. An annual resolution establishing the per diem rate is adopted by the County Board at the annual organizational meeting.

Additionally, Minnesota Statutes 375.06 provides, in part, that “members of the County Boards in counties other than Hennepin, Ramsey, and St. Louis may be paid a per diem pursuant to section 375.055, subd.1, for each day necessarily occupied in the discharge of their official duties while acting on any committee under the direction of the Board...” Furthermore, the Minnesota Attorney General has concluded:

Thus, County Commissioners are authorized to receive annual salaries and may also be paid “per diem” for performing the duties of office, including work on committees “under the direction of the Board,” and individual services as commissioners “when required by law.”

Compensation shall not be authorized for public officials or employees of other jurisdictions who serve on such committees or advisory bodies by virtue of their office.

**D. Resignations**

All written and verbal resignations of committee members are acknowledged by the Board and authorization is given to begin the open appointments process to fill the vacancy.

**E. Terms**

The terms of the appointees to the various committees vary per committee, pursuant to Minnesota Statutes or at the discretion of the County Board. The County Administrator maintains a complete list of all committees, including information on member terms and applicable term limits. Annually, the County Administrator will request all advisory committee members to express their interest in remaining on their respective committee.

**F. Ex-Officio Members**

Ex-Officio members on any committees are non-voting members.

**G. Appointment of Chairs**

Chairs of various committees are selected according to committee bylaws.

## **X. CODE OF ETHICS**

Effective county government is premised upon public respect and confidence in the integrity and principles of the elected Board members. **Attachment A** is the Isanti County Code of Ethics which was adopted from the Association of Minnesota Counties (AMC) Model Ethics Policy.

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 serve to augment the Code of Ethics and 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 confidentiality or private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minnesota Statutes 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, attentive and professional at all times. Avoid comments, body language, or distracting activity that conveys a message of disrespect for the presentations from citizens, staff, or colleagues.

## **XI. CITIZENS**

### **A. Public Communication**

*Individual Citizen Outreach.* The County Board believes members of the public have the right to be informed of the Board's process and decisions and should have the opportunity to present their views to the Board. Meetings are open to the public. Board agendas are available on the county website, by email, or mailed to interested parties at their request. The County Board encourages the residents of Isanti County to participate in all aspects of the Board's business, including citizen committees, commissions, and advisory groups.

*Information/News Media Outreach.* Isanti County information is distributed through announcements to local news media and in articles provided by staff to

local news publications. Information is also available on the Isanti County web site.

*Public Hearings Outreach.* The County Board is interested in securing optimal public input on matters of business. In addition to hearings required by law, public hearings and open forums may be conducted at the discretion of the Board.

**B. Open Meeting Law**

All regular and committee meetings of the County Board and notice of such meetings are subject to Minnesota Statutes 471.705: Open Meeting Law.

The County Board may hold closed meetings as authorized by Minnesota Statutes 471.705. Before closing a meeting, the Board will state on record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

**C. Audience Participation at Board Meetings**

It is the intention of these rules to support the interest of the general public in following Board business during their meetings.

*Audience/Citizen's Comments.* Interested citizens have an opportunity to appear and speak on any issue or topic related to County Board business in accordance with the Rules of Conduct.

To the extent possible, interested citizens shall notify the County Administration office of their intent to speak at the meeting and the issue to be discussed. 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.

*Distribution of the Agenda.* Members of the public who are interested in following issues considered by the County Board may register their name and email address with the County Administrator to be placed on the agenda distribution list. The agendas are emailed prior to the regularly scheduled County Board meeting. As previously stated, the agenda and supportive materials are made available to the public at the County Board meeting.

**D. Responding to Correspondence/Inquiries/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 Isanti County.

*Written.* Upon receipt of a written inquiry, request for information, or complaint about Isanti County business which has been sent to a Board member, upon notification and directions from the County Administrator or designee, staff will

confer with the member to determine the appropriate course of action. The inquiry will be handled as directed with the County Administrator or designee advising the Board member(s) upon completion.

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

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate department. Customer service is of primary importance to the County Board and staff.

## **XII. STAFF**

### **A. County Administrator**

The position of County Administrator is established pursuant to Minnesota Statutes 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 Statutes 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 supervises the departments which function under the jurisdiction of the Isanti County Board. The County Administrator coordinates the various activities of the County, unifies the management of its affairs, and makes recommendations to the Board regarding the structure of County departments and 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 has authority over the non-elected department heads, recommends short and long-term goals to the Board, and periodically measures organizational and individual accomplishments against goals, objectives, and timetables.

The County Board is responsible for annually evaluating the performance of the County Administrator and will review the evaluation with the Administrator. The evaluation results will be reviewed with the County Board and a copy of the evaluation will be placed in the Administrator's personnel file. During the course of the year, if Commissioners have performance concerns regarding the Administrator, they are encouraged to discuss said concerns with the Chair and Vice Chair.

**B. Role of Staff**

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

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**

Staff participation should be immediately communicated to the County Administrator.

If a member of staff lobbies in a professional capacity, either at the request of a legislator or a professional association, she/he must note in testimony that she/he is speaking as a professional, not as a County representative. Any testimony given or contacts made by staff should be communicated to the County Administrator. Staff should not presume to speak for the County Board unless the Board's positions have been reviewed or staff has checked with the Board on specific issues.

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

Staff and appointed representatives shall notify the County Board of a pending appointment to an advisory board or task force initiated outside of the scope of County Board authority.

Amended: 3/1/2017;

WPDOCS\County Board\Operating Guidelines 2018

# ATTACHMENT A. CODE OF ETHICS

## Code of Ethics for Public Officials in Isanti County

### SECTION 1. DECLARATION OF POLICY

The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the government structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

In recognition of these goals, there is hereby established a Code of Ethics for all Public Officials of Isanti County. The purpose of this Code is to establish ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interests of the county, and by directing disclosure by such officials of private financial or other interests in matters affecting the county. The provisions and purpose of this Code and such rules and regulations as may be established are hereby declared to be in the best interests of Isanti County.

(Optional) Recognizing that education on ethics in government is the key to having good government, this code requires that yearly seminars be held to discuss the meaning of this code with new public officials, and in addition such seminars shall involve trained experts on government ethics that are outside of County. The County Administrative shall be the coordinator for these seminars. These seminars will keep the subject of ethics in government fresh in everyone's mind.

### SECTION 2. DEFINITIONS OF TERMS

**PUBLIC OFFICIAL:** Any person that has been elected to office, appointed by the County Board, appointed to a County Committee or Commission or hired by the County to serve as a department head or assistant department head. This list includes the following:

- A. A member of the County Board or other elected official.
- B. The department head and assistant department head of each County department.
- C. A member of any County Committee or Commission.
- D. The County Administrator or like position.
- E. Consultants retained by the County and those individual professionals (such as but not limited to engineers, architects, lawyers, auditors and appraisers) in the consultant's firm who perform work for the County.

**ANYTHING OF VALUE:** Money, real or personal property, a permit or license, a favor, a service, forgiveness of a loan or promise of future

employment. It does not mean reasonable compensation or expenses paid to a public official by the government of Isanti County for work performed.

**COMPENSATION:** A payment of "anything of value" to an individual in return for that individual's services of any kind.

**ASSOCIATION:** A business entity of any kind, a labor union, a club or any other group of two or more persons other than the immediate family.

**IMMEDIATE FAMILY:** A reporting individual, spouse, minor children, minor stepchildren, or other person residing in the same household.

**GIFT:** The payment or receipt of "anything of value" unless consideration of greater or equal value is provided in return.

**COUNTY ADMINISTRATOR:** The person that heads up the administration of the operating government of the county.

### SECTION 3. ETHICAL CONSIDERATIONS

Public officials are to serve all persons fairly and equitably without regard to their personal or financial benefit. The credibility of Isanti County government hinges on the proper discharge of duties in the public interest. Public officials must assure that the independence of their judgment and actions, without any consideration for personal gain, is preserved.

Specific ethical considerations are enumerated below for the guidance of public officials, but these do not necessarily encompass all the possible ethical considerations that might arise.

- A. **Other Offices or Employment.** An elected public official shall not hold another incompatible office as that term has been interpreted from time to time by statute, the courts, and by the Attorney General. Employed public officials shall not hold such incompatible office nor shall they engage in any regular outside employment without notice to and approval by the County Board. Elected and appointed public officials shall not hold other office or employment which compromises the performance of their elected or appointed duties without disclosure of said office or employment and self-disqualification from any particular action which might be compromised by such office or employment.
- B. **Use of Confidential Information.** No public official shall use information gained as a public official which is not generally made available to and/or is not known to the public, to directly or indirectly gain anything of value.

- C. Solicitation of or Receipt of Anything of Value. A public official shall not solicit or receive anything of value from any person or association, directly or indirectly, in consideration of some action to be taken or not to be taken in the performance of the public official's duties.
- D. Holding Investments. No public official shall hold any investment which might compromise the performance of the public official's duties without disclosure of said investment and self-disqualification from any particular action which might be compromised by such investment, except as permitted by statute, such as Minnesota Statutes 471.88.
- E. Representation of Others. A public official shall not represent persons or associations in dealings with the county in consideration of anything of value.
- F. Financial Interest. Where a public official or a member of the public official's immediate family has a financial interest in any matter begin considered by the public official, such interest, if known to the public official, shall be disclosed by the public official. If the public official has such a financial interest or if the minor child of a public official has such a financial interest, the public official shall be disqualified from further participation in the matter.
- G. County Property. No public official shall use county owned property such as vehicles, equipment, or supplies for personal convenience or profit except when such property is available to the public generally, or where such property is provided by specific county policy in the conduct of official county business.
- H. Special Consideration. No public official shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
- I. Authority. No public official shall exceed his or her authority or breach the law, or ask others to do so. Giving Anything of Value. No elected public official shall give anything of value to potential voters in return for their votes, promises, or financial considerations which would be prohibited by the State Minnesota Fair Campaign Practices statute.
- J. Public Funds, etc. No public official shall use public funds, personnel, facilities, or equipment for private gain or political campaign activities.
- K. Expenses. Public officials shall provide complete documentation to support requests for expense reimbursement. Expense reimbursement shall be made in accordance with County policy.
- L. Donations. No public official shall take an official action which will benefit any person or entity because of a donation of anything of value to the County by such person or entity.
- M. Official Action. No public official shall take an official action which will benefit any person or entity where such public official would not have otherwise have taken such action but for the public official's family relationship, friendship, or business relationship with such person or entity.
- N. Compliance with Law. Public officials shall comply with all local ordinances and State and Federal Statutes including, but not limited to, the Criminal code, Fair Campaign Practices Act, and laws governing the functioning of counties and municipalities, their elected and appointed officials, and employees.

#### SECTION 4. SPECIAL CONSIDERATIONS

Situations can arise where a member of a Commission, a Board, or a Committee abstains from voting because of a conflict of interest, but his or her abstention becomes a vote either for or against the matter because a majority are required to pass or reject that matter. This can happen where four-fifths vote is needed to pass an issue, or the vote has to be a clear majority and a split vote does not pass or reject.

When this happens, the County Attorney must be consulted and the final vote should carry a public notice explaining what took place, and how it was resolved.