

**RULES AND PROCEDURES OF THE
HENNEPIN COUNTY BOARD OF COMMISSIONERS
(Adopted March 1993)
(Amended March 1996 -Res. No. 96-3-111R2; and
October 2018 – Res. No. 18-0405R2; and
March 2020 - Res. No. 20-0034R2)**

**I.
INTRODUCTION**

The purpose of the Rules and Procedures of the Hennepin County Board of Commissioners (the “Board”) is to facilitate the transaction of business before the Board and its committees and to promote cooperation and harmony among its members in their representation of the citizens of Hennepin County. The following principles shall guide the Board in its interpretation and application of these rules.

- A. Equality of Rights.** All Board members have equal rights, privileges and obligations.
- B. Majority Decision.** An affirmative vote of at least four members decides.
- C. Minority Rights.** The rights of the minority must be respected.
- D. The Right of Discussion.** Full and free discussion of every proposition presented for decision is an established right of members.
- E. The Right of Information.** Every member has the right to access information and staff. Every member has the right to know the meaning of the question before the Board and what its effect will be.
- F. Fairness and Good Faith.** All meetings of the county board must be characterized by fairness and by good faith.
- G. Public Access.** To the fullest extent possible, members of the public shall have the right to be informed of the Board’s process and decisions and the opportunity to present their views to the Board.
- H. Public Courtesy.** Members shall not consume food while the Board or a committee is in session, will minimize the use of social media, and will accord all speakers to the Board/Committee the courtesy of their attention.

II. RULES AND PROCEDURES

- A. Applicability of Rules.** These rules apply to all meetings of the Board at which the Board is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law, including committee meetings, and special meetings.
- B. Public Participation.** The Board has adopted the Hennepin County Rules of Public Participation, which govern all aspects of public participation at meetings, as well as decorum for members of the public that attend meetings. These Rules may be found on the Hennepin County website, and are attached as Exhibit A.
- C. Schedule of Meetings.**
1. **Open Meeting Law.** All meetings of the Board are subject to Chapter 13D of Minnesota Statutes, the Open Meeting Law.
 2. **Term of Office.** Commissioners are elected for four-year terms, unless elected to fill a vacancy of an unexpired term or if a shorter term is required by law. The term of office for commissioners is controlled by Section 204D.02, subd. 2 of Minnesota Statutes. Commissioners serve from the date they are sworn in until midnight (12:00 a.m.) on the first Monday in January in the year after the election in which their commissioner district is on the ballot. The chair and vice-chair of the Board serve in those capacities until they are no longer commissioners or someone else is elected as chair or vice-chair.
 3. **Organizational Meeting.** On the first Tuesday after the first Monday in January newly elected members of the Board shall take and subscribe the oath of office and then the Board shall meet to organize itself and to conduct business.
 - a. Until a new chair is elected, the meeting shall be called to order and presided over by the previous chair, previous vice-chair, or the longest serving commissioner in the following order:
 - i. The commissioner elected chair of the Board in the previous year;
 - ii. If the previous chair of the Board cannot call the meeting to order, the commissioner elected vice-chair of the Board in the previous year; or
 - iii. If neither the previous chair nor vice-chair can call the meeting to order, the longest serving commissioner whose term has not expired. If more than one commissioner are tied for the longest serving, the commissioner with the lower district number.

- b. At the first meeting in January following a non-general election year (when no county commissioners are elected), the first order of business shall be for the Board to elect a chair and a vice-chair.
- c. After a chair and vice-chair are elected, the Board shall conduct other business as needed, including the selection of a chair and vice-chair to each of its standing committees.

4. Regularly Scheduled Meetings.

- a. **Regular Meetings.** The Board shall adopt a calendar of regular scheduled meetings for its board and committee meetings. This calendar can be updated by a resolution approved by the Board.
- b. **Hennepin Health and Hennepin Healthcare Systems, Inc.** The Board shall also meet regularly to conduct business related to Hennepin Health, and Hennepin Healthcare Systems, Inc. The Board's calendar shall include the regular meetings of the Board on these topics.
- c. **Board Briefings.** The Board's calendar shall also include "Board Briefing" meetings. These meetings are informal meetings where information is presented to the Board for discussion. The Board shall not take official action on anything during a Board Briefing.
- d. **Additional Meetings.** The Board may schedule additional meetings by resolution adopted by the Board. In addition, special meetings of the Board can be scheduled pursuant to Section II(C)(5) of these Rules.

- 5. **Chair Authority.** The chair of the Board has authority to cancel meetings when it is appropriate and shall inform Board members of the reason for such cancellations. Upon request of the county administrator or counsel to the Board, the chair has authority to schedule special meetings when there is insufficient time for the Board at a regularly scheduled meeting to consider a resolution scheduling the special meeting. Under these circumstances, the chair will provide as much notice as possible of the special meeting to commissioners. All special meetings will be noticed in compliance with the Minnesota Open Meeting Law.

6. Order of Business for Meetings.

- a. **Board Meetings.** The agenda for Board meetings shall include:
 - i. Pledge of Allegiance
 - ii. Approval of the Agenda
 - iii. ~~Public Comment~~ Open Forum on Agenda Items
 - iv. Hennepin Highlights
 - v. Minutes from Previous Meetings
 - vi. Referral of Correspondence and Department Communications

- vii. Commendations
- viii. Commissioner Communications/Updates
- ix. Claims Register
- x. Consent Items
- xi. Non-consent Items
- xii. Progressed Items
- xiii. Old Business
- xiv. Immediate Approvals

The Board agenda shall include an “Open Forum on Agenda Items” agenda category. Open Forum on Agenda Items is an opportunity for individuals to address the Board for up to three minutes on a topic on the Board’s agenda. At the Chair’s discretion, a person seeking to address the Board during this time may be asked to hold his/her their comments until the relevant item is under consideration by the Board. ~~relevant to Hennepin County that is not a board agenda item for which there is an opportunity for public input. Open Forum will not be televised. The remainder of the Board meeting will be televised.~~

- b. **Committee Meetings.** The agenda for committee meetings shall include items referred to the committee and other items germane to the committee as directed by the chair of the committee. Committee agendas will identify items on which the committee will solicit comments from member of the public. Each person desiring to address the agenda item is limited to up to three minutes.
 - i. One of the committees’ agendas shall include an “Open Forum” agenda ~~item~~ category. Open Forum is an opportunity for individuals to address the committee for up to three minutes on a topic that is relevant to Hennepin County, and that is not a committee agenda item for which there is an opportunity for public input. ~~Open Forum will not be televised. The remainder of the committee meetings will be televised.~~
- c. **Hennepin Health and Hennepin Healthcare Systems, Inc.** The agenda for meetings to conduct business related to Hennepin Health, and Hennepin Healthcare Systems, Inc. will be circulated in advance of meetings and may include items deemed confidential pursuant to Minn. Stat. § 383B.217 Subd.7 (b)(c)(d).
- d. **Special Meetings.** The topic for discussion at special meetings will be described in compliance with Minn. Stat. § 13D.04, subd. 2.

D. County Board Authority to Act. Except when a super majority is required, as described in paragraph V, no final or binding action may be taken by the Board unless voted for by at least 4 members. The minimum number of commissioners that must be

present at any meeting for the proper conduct of business is four, which shall constitute a quorum.

E. Committee Action. The minimum number of commissioners that must be present at a committee meeting to conduct business is four. A majority vote of the committee members present is required for the approval of a resolution in committee.

F. Chair of the County Board of Commissioners.

1. The chair shall preside at Board meetings and sign all documents requiring signature on behalf of the county. It is the responsibility of the chair to assure that unpopular views are given a fair hearing.
2. The chair's signature, attested by the clerk of the county board, shall be binding as the signature of the Board.
3. In the case of the absence or incapacity of the chair, the vice-chair shall perform the chair's duties. If the chair and vice-chair are absent from any meeting, all documents requiring the signature of the Board shall be signed by a majority of it and attested by the clerk.
4. The chair may make a motion and has the same voting rights and responsibilities as other members.
5. The chair shall have the authority to nominate members of the Board to standing and special committees.

III. MEMBERS

A. Authority. No member of the Board has the right to speak or act for the Board unless specifically authorized by law or by the Board.

B. Recognition to Speak. Any member who desires to speak at a meeting must obtain recognition from the chair of the Board or committee before speaking.

C. Ad Hominem Discussion Prohibited. The chair shall rule out of order any discussion by members of the Board that becomes personal. Members should refrain from commenting upon the motives, competence or character of other members.

IV. AGENDA

- A. Preparation.** The county administrator shall prepare the agenda for each regular meeting. The county administrator or counsel to the Board shall prepare the agenda for special and emergency meetings.
- B. Timing.** The agenda for regularly scheduled committee and Board meetings shall be published on the Hennepin County website and communicated to commissioners at least three days before a meeting. The county administrator may add items to committee agendas after they are published and shall update the agenda and communicate that to commissioners. Immediate approval items may be added to the Board agenda if they meet the criteria of section V(C) of these rules.
- C. Board Member Resolution.** Any board member may, by a timely request as described in Section V(D), have an item placed on an agenda.

V. RESOLUTIONS; MOTIONS

- A. Resolutions; Main Motions.** The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the 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 Board.
- B. Writing Required; Second Required.** All resolutions and proposed amendments shall be presented in writing by any member or members of the Board including the chair and shall require a second. However, a proposed amendment which is brief in length may be made verbally by any member. With the consent of the author, any member(s) may timely join in offering a resolution. In the event a resolution is offered and a substitute resolution is submitted on that subject, the author of the substitute resolution becomes the chief author of the resolution, unless another author is designated by the Board.
- C. Resolutions: Committee; Immediate Approval.** All resolutions introduced at the Board level shall be automatically referred to the next meeting of the appropriate standing committee. Items brought in for “Immediate Approval” to a Board meeting must meet one or more of the following guidelines:
1. Be a commendation resolution;
 2. Be recommended for immediate approval by the county administrator because immediate approval is needed or authorized by a Board adopted policy;
 3. Be non-controversial in nature (no commissioner objects);
 4. Be brought in by a commissioner at the Board meeting pursuant to Section V(D)(3).

Any member may object to an immediate approval item being considered. If an objection to immediate action being taken at that time is made, the Board shall vote to determine if the matter should be considered. If two or more commissioners vote against considering the item, it is automatically referred to the appropriate standing committee.

D. Commissioner Resolutions. Commissioners may introduce resolutions for consideration in several ways. While commissioner sponsored resolutions may be introduced in different ways, the preferred method is described in D(1) below.

1. **Referral to Committee.** If a commissioner provides a copy of the resolution to county administration at least four days preceding a scheduled Board meeting, it will be included in the “Referral of Correspondence and Department Communications” section of the Board’s agenda that includes a recommended referral to the appropriate standing committee. Alternatively, a Commissioner may introduce the resolution during the “Commissioner Communication/Updates” section of the Board’s agenda, provide copies to the Clerk and other Commissioners, and the item will be added to the identified committee’s agenda.
2. **Addendum to Committee Agenda.** If a commissioner resolution was not introduced at a Board meeting and referred to the appropriate committee pursuant to the procedure outlined in Section V(D)(1), a commissioner may request the county administrator include a new resolution on a committee agenda as an addendum prior to publication of committee agendas. If committee agendas have been published, the committee chair may request county administration prepare and distribute a revised agenda, which adds the additional resolution as an addendum to the agenda. The county administrator will add such resolutions as an addendum to the committee agenda.
3. **Immediate County Board Approval.** A commissioner may seek to add a resolution to the “Immediate Approval” section of the Board agenda for immediate approval. Commissioners are responsible for distributing copies of any immediate approval resolution to each commissioner, clerk of the Board, and administration before or at the Board meeting. The resolution will be added to the “Immediate Approval” section of the Board agenda if a motion to amend the agenda to add this resolution passes with no more than one commissioner voting “no.” If more than one commissioner votes “no” on the motion to amend the agenda, the resolution will be automatically referred to the next meeting of the appropriate standing committee. If the agenda is amended to include the resolution, when considered by the Board, the resolution is approved if at least four commissioners vote affirmatively.

VI. VOTING

A. Voting Method. Unless a Commissioner signifies an abstention or voted in the negative on any given issue, the Clerk of the Board shall be directed to record that each

Commissioner present has voted in the positive on that particular matter which is before the Board.

B. General Consent. The chair may conduct voting on uncontested items by general consent by asking the question of its members as to whether there is any objection. If an objection is made, a formal vote must be taken.

C. Roll Call Votes. At the request of any Commissioner, a roll call vote will be taken.

VII. APPOINTMENT POWER; VACANCIES

Vacancies on various boards over which the Board has appointment authority, including positions to be filled from among members of the Board, shall be filled according to the County's Open Appointments Policy.

VIII. ENDING DISCUSSION; ADJOURNMENT

A. Ending Discussion. The general rule is that no motions to close or limit debate are allowed. However, if it becomes necessary to end discussion when a determined minority wants to continue, the chair shall not take such action, rather, four members acting upon a properly proposed motion may close debate.

B. Adjournment. The chair of the Board may declare a meeting of the Board adjourned and such declaration shall be effective unless contested by a majority of its members present at the meeting. A committee chair may declare a committee meeting adjourned and such declaration shall be effective unless contested by a majority of its members present at the meeting.

IX. COMMUNICATION AND PUBLIC OUTREACH

A. Notice. The agendas for board and committee meetings will be published on the Hennepin County website. County administration shall publish draft agendas and a final agenda with as much notice as possible.

B. Meetings Outside the Government Center. The Board may hold some meetings at a location in Hennepin County outside of the Government Center as provided by law.

X. PARLIAMENTARY AUTHORITY

The latest edition of Robert's Rules of Order shall govern the procedure of the Board in all situations not otherwise provided for by law or by the adopted rules of the Board.

XI. AMENDMENT OF RULES

These rules and procedures may be amended from time-to-time, but only upon a 5/7 vote of the members.