

## AGENDA



### REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA

**Tuesday, July 11, 2023, 9:30 A.M.**

**Camp 5 Township  
Melgeorge's Elephant Lake Lodge Resort  
6376 County Road 180  
Orr, Minnesota**

**DIRECTIONS:** *Follow Hwy. 53 until turning onto County Road 180 heading East. Melgeorge's Elephant Lake Lodge and Resort will be on your right in approximately 9.5 miles.*

**ANNIE HARALA**  
First District

**PATRICK BOYLE - CHAIR**  
Second District

**ASHLEY GRIMM**  
Third District

**PAUL McDONALD**  
Fourth District

**KEITH MUSOLF**  
Fifth District

**KEITH NELSON - VICE CHAIR**  
Sixth District

**MIKE JUGOVICH**  
Seventh District

County Auditor  
Nancy Nilsen

County Administrator  
Kevin Gray

County Attorney  
Kimberly Maki

Clerk of the Board  
Phil Chapman

Citizens can appear at the meeting in person or submit comments for the public comment portion or for specific Board agenda items prior to the meeting by e-mailing them to [publiccomment@stlouiscountymn.gov](mailto:publiccomment@stlouiscountymn.gov).

Comments to individual Commissioners or staff are not permitted. The St. Louis County Board promotes adherence to civility in conducting the business of the County. Civility will provide increased opportunities for civil discourse in order to find positive resolutions to the issue before the Board. Tools of civility include: pay attention, listen, be inclusive, do not gossip, show respect, be agreeable, apologize, give constructive criticism and take responsibility [County Board Resolution No. 560, adopted on September 9, 2003]. Speakers will be limited to five (5) minutes.

**\*\*In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Administration Department 72 hours prior to the meeting at (218) 726-2450.\*\***

All supporting documentation is available for public review in the County Auditor's Office, 100 North 5th Avenue West - Room No. 214, St. Louis County Courthouse, Duluth, MN, during regular business hours 8:00 A.M. - 4:30 P.M., Monday through Friday. Agenda is also available on our website at <http://www.stlouiscountymn.gov/GOVERNMENT/BoardofCommissioners.aspx>

**AGENDA**  
**St. Louis County Board of Commissioners**  
**July 11, 2023**  
**Page 2**

9:30 A.M.      Moment of Silence  
                    Pledge of Allegiance  
                    Roll Call

**CITIZEN COMMENTS**

At this time, people will be allowed to address the board on items not on the agenda. Speakers will be limited to 5 minutes each. We ask that you direct your remarks to the entire board, refrain from personal attacks, and abide by the county's policy regarding use of civility in the conduct of county board meetings. A copy of the policy is available for inspection along with the printed meeting materials.

For items listed on the board agenda or committee of the whole agenda, citizens will be allowed to address the board at the time a motion is on the floor.

**CONSENT AGENDA**

Approval of business submitted on the consent agenda.

**REGULAR AGENDA**

**Finance & Budget Committee – Commissioner Nelson, Chair**

1. American Rescue Plan Act Revenue Loss funding for the St. Louis County Agricultural Society 4-H Building project. **[Without recommendation.]**

**Central Management & Intergovernmental Committee – Commissioner Grimm, Chair**

2. Amendments to the Standing Rules and Bylaws of the County Board. **{23-278} [Without recommendation.]**
3. Reschedule locations and times for the 2024 Board Budget Workshop meetings. **{23-281} [Has not been to committee; requires consent of the Board for consideration.]**

**ADJOURNED:**

**American Rescue Plan Act Revenue Loss Projects Funding  
St. Louis County Agricultural Society**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, On March 11, 2021, the President of the United States signed into law the \$1.9 Trillion American Rescue Plan Act (ARPA) to provide continued relief from the impact of COVID-19 pandemic; and

WHEREAS, Approximately \$350 billion of the ARPA funding was allotted to assist state, local tribal, and territory governments in responding to the COVID-19 pandemic; and

WHEREAS, Funds received are required to be used in accordance with the Coronavirus Local Fiscal Recovery Fund (CLFRF) requirements as provided within the guidance issued by the United States Treasury:

- To respond to the public health emergency
- To address its negative economic impacts
- To serve the hardest hit
- To make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, St. Louis County has been awarded \$54,536,596 in ARPA funds to be used in accordance with the above requirements; and

WHEREAS, The St. Louis County Agricultural Society/4-H has identified a project and approached the County seeking financial assistance; and

WHEREAS, The County has unallocated funds remaining as part of its American Rescue Plan Act Revenue Loss funds that could be used to support the projects.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the use of up to \$250,000 of American Rescue Plan Act Revenue Loss funds to assist with the St. Louis County Agricultural Society 4-H Building project.

RESOLVED FURTHER, That the St. Louis County Agricultural Society shall comply and submit all necessary information, documentation and reporting materials required by the County to ensure that the project meets any and all conditions as required under the program.

RESOLVED FURTHER, That the appropriate County officials are authorized to enter into an agreement with the St. Louis County Agricultural Society and/or related recipients for this project with funds for the above project payable from Fund 239, American Rescue Plan Act Revenue Loss.



## St. Louis County Board of Commissioners Request for Board Action 23 - 278

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Committee: **Intergovernmental & Central Management** Date: June 27, 2023  
From: Brian Fritsinger, Deputy Administrator Attachments: yes no  
Reviewed by: Kevin Z. Gray, County Administrator Consent: yes no

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### **ITEM: Amendments to the Standing Rules and Bylaws of County Board**

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#### **Background/Overview:**

The County Board, similar to most counties in Minnesota, adopt standing rules and bylaws to detail how the Board shall conduct its business and perform its duties as a County Board. Those standing rules were first adopted in 1987 and have been amended numerous times since that time.

Over the past several years the County Attorney's office and Administration have been reviewing the rules for consistency in practice, error corrections and statutory requirements/changes. The County Board has met on two occasions to review proposed changes and provide feedback as to the possible changes to be considered. The attached amended document reflects those discussions.

In the future, staff would propose that these rules and bylaws be reviewed on an annual basis as part of the annual meeting in January. This would provide an opportunity for the Board to reaffirm the policies and procedures as well as consider any changes that might be suggested.

#### **Policy Objectives:**

Minn. Stat. §§ 370 to 403 along with others provide for County governance and powers. Article I, Section 5 of the Standing Rules requires that the rules and bylaws can be amended by a five-sevenths (5/7) vote of the members of the Board and that the Commissioners shall have a minimum of 5 days to review the proposed rules, bylaws and amendments.

#### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

There is no specific budgetary impact resulting from the proposed changes.

#### **Recommendation:**

It is recommended that the St. Louis County Board approve the amended Standing Rules and Bylaws of the County Board.

## **Amendments to the Standing Rules and Bylaws of County Board**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The St. Louis County Board adopted Resolution No. 607 in 1987 establishing/amending the Standing Rules and Bylaws of the County Board; and

WHEREAS, The County Board on several occasions since the initial adoption considered and approved amendments to such rules and bylaws; and

WHEREAS, The County Attorney's office and Administration have reviewed the rules for consistency with current practices and changes in statutory processes and have recommended changes.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board approves the amendments to the Standing Rules and Bylaws of the County Board.

RESOLVED FURTHER, That the St. Louis County Board rescinds Resolution No. 607 of 9/28/87, Resolution No. 777 of 12/14/87, Resolution No. 32 of 1/12/88, Resolution No. 762 of 10/4/88, Resolution No. 1 of 1/8/91, Resolution No. 99 of 1/21/97, Resolution No. 809 of 10/21/97, and Resolution No. 980 of 12/23/97 and any other resolutions previously adopted by the County Board that pertain to the Standing Rules and Bylaws.

RESOLVED FURTHER, That per Article I, Section 6 of the Rules and Bylaws, all amendments shall become effective immediately upon approval of the Board.

STANDING RULES AND BYLAWS OF THE  
ST. LOUIS COUNTY BOARD OF COMMISSIONERS

Adopted July 13, 1987 - Res #467

Amended by:

Res #607 of 9/28/87; Res #777 of 12/14/87; Res #32 of 1/12/88;  
Res #762 of 10/4/88; Res #1 of 1/8/91; Res #99 of 1/21/97  
RES #809 of 10/21/97; Res #980 of 12/23/97; Res #\_\_\_\_ of \_\_/\_\_/23

ARTICLE I. INTRODUCTION

Section 1. Purpose

The St. Louis County Board of Commissioners (the “Board”) desires to conduct its business and perform all of its responsibilities and duties in an orderly, efficient, uniform, fair, and lawful manner. These Rules and Bylaws are established for that purpose. The Board also desires that the general public have available to it the Rules and Bylaws that will be in force at Board meetings and hearings.

Section 2. Application of Rules and Bylaws

Unless otherwise specifically indicated, these Rules and Bylaws shall apply to the transaction and administration of all Board meetings and hearings.

Section 3. Compliance with Applicable Law

The Board intends for these Rules and Bylaws and all Board actions to comply with all relevant law and the hearing and notice provisions of St. Louis County Ordinances.

Section 4. Non-Exclusivity of Rules and Bylaws

These Rules and Bylaws are not and cannot be the totality of regulations of Board activity. Federal law, state law and relevant county ordinances may also be applicable to Board matters.

Section 5. Adoption, Amendments

These Rules and Bylaws may be amended by a five-sevenths (5/7) vote of the members of the Board present and voting at a public meeting. All proposed Rules and Bylaws and amendments thereto shall be presented in

writing to all Commissioners. All Commissioners shall have a minimum of five (5) days to review the proposed Rules and Bylaws and amendments thereto. These Rules and Bylaws and all amendments shall become effective immediately upon approval by the Board.

Section 6. Available to the Public

Copies of these Rules and Bylaws shall be available for public review at the Commissioners' offices in Duluth, Hibbing, Virginia, and Ely.

ARTICLE II. MEETING RULES AND BYLAWS

Section 1. Time and Place of Meetings

The Board shall meet as required by Minn. Stat. § 375.07 on the first Tuesday after the first Monday in January, at 9:30 a.m. to conduct organizational and regular business, and if a special board of equalization is not appointed, during the month of June as required by Minn. Stat. § 274.14, at the County Board Room, Courthouse, Duluth, Minnesota. Regularly scheduled board meetings will be held on the first, second, third, and/or fourth Tuesdays of the month in any facility located in the county so long as the facility is open to the public, pursuant to Minn. Stat. Chapter 13D, as amended from time to time (the "Open Meeting Law"). Additional meetings may be scheduled upon approval of the Board.

All Board meetings, including Committee of the Whole meetings and Board workshops, shall be held upon notice given in accordance with the Open Meeting Law, and shall be held in facilities that are compliant with the Americans with Disabilities Act As Amended (ADAAA). Persons requiring accommodation under the ADAAA to attend Board meetings should contact County Administration at least 72 hours prior to the meetings at (218) 726-2450.

Section 2. Agenda

2.01. General

Regular Protocol. Every resolution or matter considered by the Board shall be in writing with an accompanying explanation of its purpose from the County Administrator. No matter or resolution shall be placed upon the agenda of business for routine consideration at any regularly-held meeting of the Board unless the same has been considered by the Committee of the Whole at its regular meetings. Resolutions and other agenda items may be referred by the Committee of the Whole to the Board meeting with or without recommendation for passage. If referred to the Board either without a unanimous vote or without recommendation, the resolution shall be placed on the regular agenda.

Special/Urgent Protocol. Any resolution or matter not considered by the Committee of the Whole may be considered by the Board if it is included in the agenda transmitted to the Board no later than the previous Thursday, and upon suspension of the rules in accordance with Article II, Section 18 below. The resolution or matter shall be in writing with an accompanying explanation of its purpose from the County Administrator.

Emergency Protocol. Any resolution or matter not included on the agenda may be considered by the Board if it is presented in writing and upon suspension of the rules in accordance with Article II, Section 18 below.

Please see the attached Protocol for the Introduction of Resolutions for County Board Action for a depiction of these processes.

## 2.02. Consent Agenda

A consent agenda shall be prepared by the Clerk in consultation with the County Administrator and consist of routine, noncontroversial actions that can be grouped together and handled in one motion by the Board. Any consent agenda items considered by the Committee of the Whole do not require an accompanying explanation of purpose when presented to the Board at the regular meeting. The consent agenda items shall be scheduled and considered as one item of business at the next regular Board meeting. In the minutes of the meeting, the actions passed in the consent agenda motion shall be recorded individually and in full. Consent agenda items shall not be discussed separately unless any Commissioner requests that an item be removed from the consent agenda, in which case it will be considered separately as part of the regular agenda.

## 2.03 Communications

When the Clerk transmits the agenda to the Commissioners, the Clerk shall also provide the Commissioners with a list of all petitions and communications received since the previous Board meeting.

## Section 3. Officers

### 3.01. Election of Officers

The Board shall elect a Chair and a Vice Chair each year at the meeting on the first Tuesday after the first Monday in January. The County Auditor will conduct the election of the Chair. The Chair, once elected, will conduct the election of the Vice Chair.



The person conducting the election will call for nominations. In order to be considered, a nomination must be seconded. If more than one nomination is made and seconded, the nominees are voted upon in the order they were nominated. If the first nominee receives an affirmative vote by a majority of the Commissioners present and voting, the remaining nominees are not voted upon. All votes shall be by voice vote unless a Commissioner demands a roll call. Any nominee is entitled to decline their nomination.

3.02 Presiding Officer

The Chair shall preside at meetings of the Board, and in case of nonattendance, the Vice Chair shall preside. If both are absent, the Board shall appoint a chair from the Commissioners present.

Section 4. Quorum

At all meetings of the Board, four Commissioners shall constitute a quorum.

Section 5. Roll Call

At the hour appointed for any meeting, the presiding officer shall call the meeting to order, and the Clerk shall proceed to call the roll, note the absentees, and announce if a quorum is not present. The Clerk shall note in the minutes the time and point in the proceedings when any Commissioner absent for roll call takes a seat in the Board Room, or when any Commissioner leaves prior to adjournment.

Section 6. Order of Business in Regular Board Meetings

The Board shall proceed to the business before it in the following order:

1. Roll call, determination of quorum, and introductory activities
2. Special events, if any
3. Opportunity for citizens to be heard on items not appearing on the agenda
4. Hearings, if any
5. Consent agenda
6. Regular agenda
7. Recess or adjournment

Section 7. Public Comment

Any citizen desiring to be heard on an appropriate matter may be given reasonable amount of time, not to exceed five minutes, for such purpose. Citizens desiring to be heard on an item listed on the agenda will be allowed to address the Board at a time a motion is on the floor. Citizens are expected to state their name and address for the record, address their remarks to the entire County Board, refrain from personal attacks, and abide by the county's policy regarding use of civility in the conduct of County Board meetings (County Board Resolution No. 560, adopted on September 9, 2003).

Section 8. Duties and Privileges of the Chair

The Chair shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Board.

Section 9. Restriction on Private Discussion

When a Commissioner is speaking, other Commissioners shall not engage in private discussions.

Section 10. Calls to Order

A Commissioner called to order shall immediately suspend remarks unless permitted to explain. If no appeal is made, the decision of the Chair shall be deemed conclusive. If a Commissioner chooses to appeal from the decision of the Chair, the Board shall decide the point without debate.

Section 11. Special Rules of the Board

To the extent not addressed in these Rules and Bylaws, Board activities are governed by Robert's Rules of Order. Special rules of the Board are as follows:

1. Motion to table: A motion to table a resolution may be made (1) to a date certain; or (2) without identification of a date upon which it will be taken off the table.

A motion to table to a date certain will lay the matter on the table until the date identified in the motion. The motion may be taken up from the table either on the date certain or prior to the date certain upon majority vote.

A motion to table without identification of a specific date upon which it will be taken off the table must be taken off the table upon majority vote at the next Board meeting or the motion dies.

Motions to table must be seconded and shall be decided without debate. Motions to table may only be made at Board meetings, not at Committee of the Whole meetings. At Committee of the Whole meetings, if Commissioners do not want to act on a particular matter after it has been moved and seconded, there shall be a motion to send the matter back to County Administration. Motions to send a matter back to County Administration must be seconded and shall be decided without debate.

2. Board files: As a receptacle for voluminous information that supports resolutions, county staff may refer to board files in board letters and resolutions; such references incorporate the contents of the board files into the board letters and resolutions. If a Commissioner requests revision to a board file and no other Commissioners object, county staff may revise the contents of board files between the Committee of the Whole and Board meetings to reflect the Commissioner's request. If any Commissioner objects to a requested revision, the board file may only be revised by formal amendment. When a resolution is considered at a Board meeting that was previously approved at the Committee of the Whole, county staff may recommend or a Commissioner may request revision to a board file. If no Commissioners object to the suggested revision, the board file may be revised without formal action. If any Commissioner objects, the board file may only be revised by formal amendment. Information that may be provided in a board file includes, but is not limited to: (1) a list of tax forfeited properties that the Land and Minerals Department recommends for auction; and (2) lengthy legal descriptions of properties being acquired or conveyed. Board files are maintained by the County Auditor.
3. Friendly amendments: In the course of debate on a proposed resolution, any Commissioner may offer a friendly amendment that the Commissioner believes is noncontroversial. If no Commissioners object to the proffered friendly amendment, the resolution may be revised accordingly. If any Commissioner objects to the proffered friendly amendment, the resolution will not be revised unless the amendment is approved through the formal amendment process.
4. Directive motions: The Board, by consensus of the Commissioners, may make a directive motion to County Administration to take a particular action in accordance with the Board's direction. Directive motions include, but are not limited to, directives to County Administration to send specific correspondence on behalf of the Board.

5. Motion to Reconsider: Any Commissioner who voted with the prevailing side may move to reconsider an action of the Board, provided no property rights that have vested will be jeopardized. A motion to reconsider must be made no later than the next regular meeting after such action was taken. A motion to reconsider shall be in order at any time except when a motion on another question is pending. A motion to reconsider may be made only once on any matter or subject, and the same number of votes shall be required to reconsider any action as was required to pass or adopt the same.
6. Division of question: If a question in debate contains several distinct propositions, any Commissioner may have the same divided.
7. Adjournment: A motion to adjourn shall be entertained only after the completion of the formal agenda and shall be decided without debate.

#### Section 12. Appropriations by Resolution

Every resolution appropriating any amount of money must also contain a statement indicating the amount of the appropriation from the proper fund and item for the payment of the resulting obligation, pursuant to Minn. Stat. § 383C.013.

#### Section 13. Voting

The manner in which each Commissioner votes upon all propositions shall be entered in the journal of the proceedings of the Board, but it shall not be necessary to call for the yeas and nays on every proposition unless a Commissioner demands a roll call. If roll call is not demanded, the Chair or other presiding officer of the Board shall direct the Clerk of the Board to enter in the journal of the proceedings that the vote on any such proposition was taken. A Commissioner may abstain from voting on a question only upon demonstration of a conflict of interest, such abstention being noted before the vote is taken. If any Commissioner suspects that a fellow Commissioner has a conflict of interest relative to any question, the suspecting Commissioner may make a point of order. The Chair may then rule on the point of order, in which case it is not subject to debate, but the Chair may allow any Commissioner an opportunity to explain their position. The decision of the Chair may be appealed to the Board. Alternatively, the Chair may submit the point of order to the judgment of the Board, in which case the point of order becomes debatable.

#### Section 14. Committees

The standing committees of the Board of Commissioners are as follows:

1. Central Management and Inter-Governmental Committee. The Committee shall consider methods of centralizing county administration, deal with labor relations and litigation, and provide for communication and cooperation between the Board, the County Administrator, and departments in line with the organizational structure resolution adopted by the Board. Further, this Committee shall consider all matters relating to state and federal legislation, administrative rules, and government operations and any impact these may have on the county and its administration.
2. Finance and Budget Committee. The Committee shall consider budget and finances, taxes, abatement applications, levies, assessments, licenses, and the purchase and sale of all property, buildings, supplies, and equipment.
3. Environment and Natural Resources Committee. The Committee shall consider all matters relating to environmental services, solid waste, land, zoning, land-use planning, plats, tax-forfeited lands, forestry, and agriculture.
4. Public Works and Transportation Committee. The Committee shall consider all matters relating to construction, repair and maintenance of highways, and all related buildings, vehicles, transportation, supplies, and equipment.
5. Public Health and Human Services Committee. The Committee shall consider all matters relating to public health, economic services and supports, and social service programs.
6. Public Safety and Corrections Committee. The Committee shall consider all matters concerning law enforcement, emergency communications, emergency management, and community corrections, including but not limited to related joint powers entities and task forces.

All standing committees of the Board shall consist of all Commissioners. Each Commissioner, except the Chair, shall be appointed the chair of one standing committee. The standing committee chairs shall serve as the liaison between the Board and departments, shall be appointed by the Board Chair, and shall report to the Committee of the Whole.

St. Louis County has adopted the County Administrator form of government. Pursuant to Minn. Stat. § 375A.06 and the St. Louis County Administrative Procedure, the County Administrator is charged with properly administering the affairs of the county. Accordingly, all resolutions are provided by the County Administrator to the Board via the

Committee of the Whole agenda, which is transmitted to the Board on the Thursday prior to the Board meeting. The standing committee chairs shall sponsor the resolutions provided by the County Administrator relating to their respective committees. If they refuse to do so, the Board Chair shall designate another Commissioner to sponsor that particular resolution. A standing committee chair who refuses to sponsor a resolution shall so notify the Board Chair at the Committee of the Whole prior to the regular Board meeting.

Please see the attached Protocol for Resolutions to be placed on the Committee of the Whole Agenda for a depiction of this process.

#### Section 15. Committee of the Whole Meetings

The Board shall schedule regular times for Committee of the Whole meetings. The Board Chair shall preside over Committee of the Whole meetings but shall designate individual chairs of standing committees to chair their respective committees. The schedule of Committee of the Whole meetings shall be adopted by resolution of the Board. The standing committees of the Board will meet at Committee of the Whole meetings. The order of business for Committee of the Whole meetings is as follows:

1. Roll call, determination of quorum, and introductory activities
2. Consent agenda
3. Regular agenda
4. Time specific and special events
5. Commissioner reports
6. Adjournment

#### Section 16. Special Committees

Special committees may be created by the Board Chair for a term of one year; the chair and members of special committees shall be appointed by the Board Chair or, if the Board Chair desires, by majority vote of the Board. Special committees shall report to the Board at a Committee of the Whole meeting. Matters referred to special committees shall be acted upon without undue delay. Special committees are subject to the requirements of the Open Meeting Law.

Section 17. Closed Session Protocol

Meetings may only be closed to the public for certain purposes enumerated in the Open Meeting Law. In order to request a closed session, County Administration, in conjunction with the county department desiring the closed session, shall submit a board letter outlining the basis and need for a closed session, accompanied by a resolution to close the Committee of the Whole meeting. If the subject of the closed session requires Board action, County Administration and county staff shall also submit a board letter and resolution approving the requested action.

At the Committee of the Whole meeting, if the resolution to close the meeting is approved, the Chair will close the Committee of the Whole meeting to the public. After completion of the closed meeting, the Chair will reopen the meeting. If county staff submitted a board letter and resolution requesting certain action, it will then be considered in accordance with the protocol set forth in Article II, Section 14 above.

Section 18. Suspension of Rules

These rules may be suspended by a five-sevenths (5/7) vote of the members of the Board present and voting, except as to those matters that are provided for by law.

Section 19. Use of Speaker Phones and Interactive Technology

Commissioners' in-person attendance is preferred at County Board meetings and workshops. However, Commissioners may, from time to time, attend Board meetings by speaker phone or interactive technology, provided that such attendance is in compliance with the requirements of the Open Meeting Law.

ARTICLE III. HEARING RULES AND BYLAWS

Section 1. Notice

Notice of all hearings of the Board shall be made in a manner in accordance with all statutory and ordinance notification requirements by the Clerk of the Board. If the County Attorney determines that additional notice is necessary to comply with constitutional procedural due process requirements, the Clerk will provide whatever additional notice is recommended.

## Section 2. Hearing Records

### 2.01. Open Hearings

All hearings of the Board shall be open to the public. The votes of the Commissioners on any matter shall be recorded and shall be available to the public.

### 2.02. Exhibits

All exhibits submitted to the Board for hearing purposes become the property of St. Louis County.

### 2.03. Record Maintenance

The Clerk shall be required to maintain all records created at public hearings. The Clerk shall preserve or dispose of the records in accordance with state law.

### 2.04. Hearing Records

A verbatim record of all public hearings will be made by means of tape recording or electronic means, or if deemed appropriate by the Chair, by means of a court reporter. The public is specifically allowed to preserve and record the proceedings of the Board at any of its hearings by using voice recording instruments, court reporters, stenographers, or other reasonable means of record preservation.

## Section 3. Hearing Continuances and Postponements

### 3.01. Postponements

Postponements after personal or published notice will not be permitted.

### 3.02. Continuances

The Board may continue a hearing if it determines a need exists for additional information or if fairness dictates the need for additional time.

## Section 4. Conduct of Hearing

### 4.01. General

The Chair shall commence and direct the hearing. All parties shall have the right to present evidence, rebuttal testimony, and argument with respect to the issues, and to cross-examine witnesses.



#### 4.02. Quorum Needed for Hearing

There shall be no fewer than four Commissioners in attendance to hold any public hearing.

#### 4.03. Order of Hearing

The following procedure shall govern the order of persons appearing before the Board:

1. The county staff report, if any, shall be given and include, but not be limited to, a description of the request or issue, analysis of the facts, communications received, conclusions, and recommendations. All appropriate county departments may present information relevant to the matter at this time.
2. The party to be affected or a representative.
3. Representatives of other governmental units or agencies that may be appropriate, such as the local town or state agency.
4. Others in favor of the proposal.
5. Others opposed to the proposal.
6. Other comments or evidence from the public.
7. Final statements from county staff, if any.

#### 4.04. Evidence

##### a. Admissibility

The Board may admit and consider all evidence which possesses probative value and may exclude incompetent, irrelevant, immaterial and repetitious evidence.

##### b. Record

All information which is offered and accepted into evidence by any party to the hearing shall be made a part of the hearing record. No factual information or evidence shall be considered in the determination of any matter unless it is part of the record.

c. Documentary Evidence

Any witness offering written materials such as letters, records, reports, plans, studies or any other documents must provide a copy for each Commissioner, the Clerk, other parties, and a copy available for public inspection at the location of the hearing. Where copies of evidence are not practically available, the Chair, in his or her discretion, may accept one copy and make it available for inspection or allow a witness to read a document into the record.

d. Official Notice

The Board may take notice of general facts within its knowledge by a unanimous vote but any party shall have the right to contest the facts so noticed. The Commissioners may utilize their experience and knowledge in the evaluation of the evidence in the hearing record.

4.05. Examination of Witnesses

a. Commissioners may question any witness during that witness's testimony or at the end of all testimony.

b. Any individual may make a request to cross-examine a witness. If possible, this should be accomplished by directing suggested cross-examination questions to the Chair. If specifically requested, the Chair may allow individuals to personally cross-examine witnesses. The Chair may act to prevent repetitive, argumentative or irrelevant questions and to expedite the cross-examination to the extent consistent with disclosure of all relevant testimony and information.

Section 5. Deliberations

5.01. Board Letters and Resolutions

County Administration and staff shall prepare a board letter and resolution relative to each hearing for consideration by Commissioners. Such board letters and resolutions shall be provided to the Commissioners with the agendas for the Board meetings at which the hearings are scheduled; these resolutions are not required to be approved at the Committee of the Whole prior to consideration by the regular Board.

5.02. General

Deliberations shall be made in public. However, no additional testimony may be offered after the close of the public hearing. Commissioners may

ask specific questions, provided that the questions are intended to clarify information that is already in evidence. The Chair shall not allow any new information or arguments to be offered at this time. The County Attorney, acting as legal advisor and parliamentarian, shall be permitted to ask questions to clarify motions or information that is in the record.

#### 5.03. Timing

Unless the hearing is continued or reopened, deliberations on a matter shall take place after the close of the public hearing.

#### 5.04. Continued Deliberations

If the Board desires to continue deliberations, it may do so. However, no additional testimony or information may be provided to the Board unless the public hearing is reopened. Commissioners may inspect any relevant geographical site or evidence without reopening the hearing.

#### 5.05. Voting

Only those Commissioners attending the hearing, either in person or by speaker phone or interactive technology, may deliberate and vote. If a hearing is continued to or reopened in a subsequent meeting, a Commissioner's attendance at all portions of the hearing is required in order for that Commissioner to deliberate and vote.

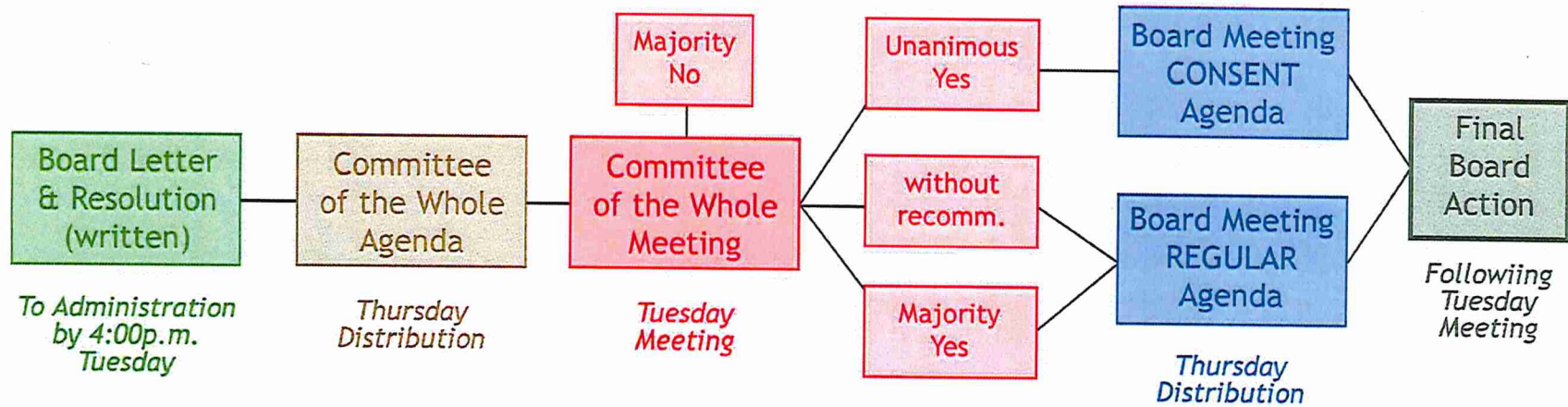
The provisions of Article II, Section 14 of these Standing Rules are incorporated herein and shall apply to all votes taken in connection with Board hearings.

### Section 6. Findings of Fact

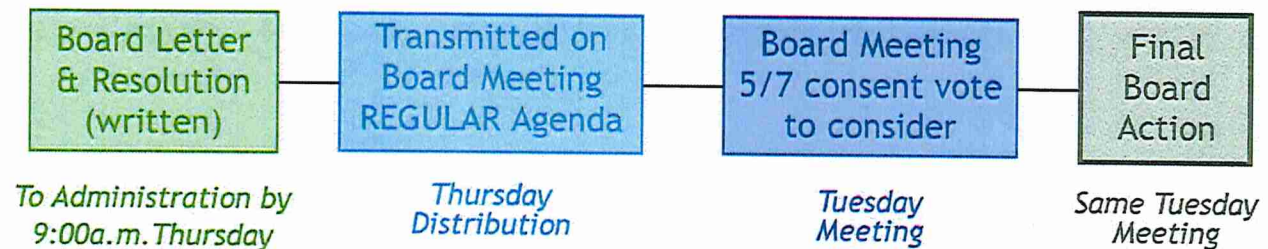
Findings of fact shall be approved and made a part of the Board file in all cases when required by law or deemed necessary by the County Attorney. Proposed findings of fact may be set forth in the board letters and resolutions provided to the Board as set forth in Article III, Section 5.01 above.

# Protocol for the Introduction of Resolutions for County Board Action

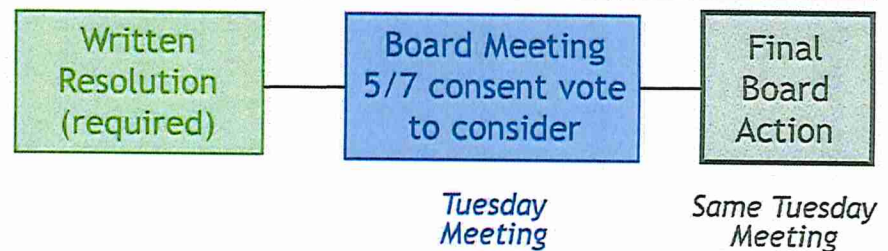
## 1. REGULAR PROTOCOL



## 2. SPECIAL/URGENT PROTOCOL



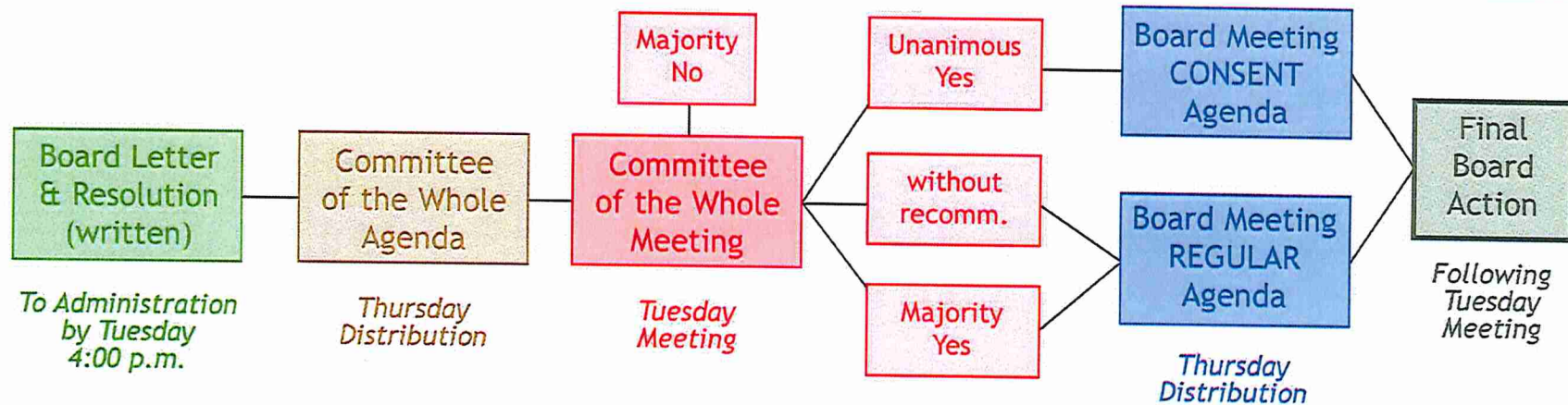
## 3. EMERGENCY/TIME SENSITIVE PROTOCOL



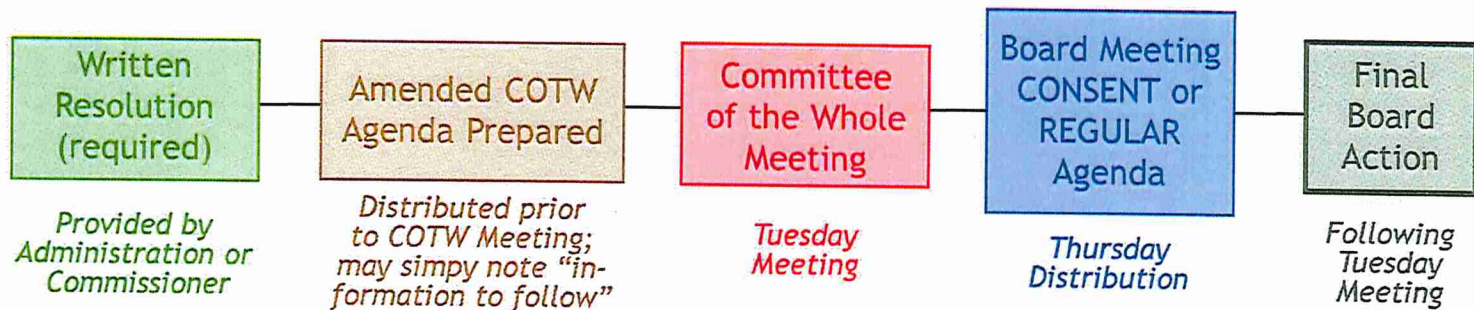
# Protocol for Resolutions to be placed on the Committee of the Whole Agenda

"The COTW Agenda will be prepared by the County Administrator and transmitted to the Board on the Thursday prior to the Board meeting."

## 1. REGULAR PROTOCOL



## 2. SPECIAL/URGENT PROTOCOL





## St. Louis County Board of Commissioners Request for Board Action 23 - 281

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Committee: **Central Management & Intergovernmental** Date: July 11, 2023  
From: Brian Fritsinger, Deputy Administrator Attachments:  yes  no  
Reviewed by: Kevin Z. Gray, County Administrator Consent:  yes  no

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### **ITEM: Reschedule Locations/Times for 2024 Board Budget Workshop Meetings**

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#### **Background/Overview:**

Each year the County Board sets the location and time for its Board Workshop meetings. The Board is currently scheduled to hold its 2024 Budget Workshop meetings on July 17 and July 18, 2023.

The County was notified of an opportunity to meet with the Chairs of the State Transportation Committee to discuss regional transportation projects at the St. Louis County Heritage & Arts Center. This meeting currently conflicts with the Workshop meeting currently scheduled in Virginia.

In order to provide an opportunity for participation in the Transportation meeting, the Board may wish to consider switching the locations of the workshops and the start times.

#### **Policy Objectives:**

Under the Rules and Bylaws of the County Board, all County Board meetings shall be held upon notice given in accordance with Minn. Stat. § 471.705.

#### **Fiscal/Budget Impacts/Funding Source/FTE Considerations:**

None.

#### **Recommendation:**

It is recommended that the St. Louis County Board authorize the necessary steps to reschedule the locations and times of its July 17 and July 18, 2023, Board Budget Workshop meetings as follows:

- July 17, 2023, Duluth Government Services Center, St. Louis River Room, Duluth – 10:30 a.m.
- July 18, 2023, Iron Range Resources & Rehabilitation – Administration Building, Conference Room, 4261 Hwy 53 South, Eveleth – 9:30 a.m.

## **Reschedule Locations/Times for 2024 Board Budget Workshop Meetings**

BY COMMISSIONER \_\_\_\_\_

WHEREAS, The St. Louis County Board previously scheduled two Board Workshop meetings for the purpose of discussing its preliminary 2024 operating budget; and

WHEREAS, The County has received notice of a meeting with the State Transportation Committee on July 17, 2023, which conflicts with the scheduled Board Workshop; and

WHEREAS, Members of the County Board have expressed interest in attending the Transportation Committee meeting.

THEREFORE, BE IT RESOLVED, That the St. Louis County Board authorizes the necessary steps to reschedule the locations and times of its July 17 and July 18, 2023, Board Budget Workshop meetings as follows:

- July 17, 2023, Duluth Government Services Center, St. Louis River Room, Duluth – 10:30 a.m.
- July 18, 2023, Iron Range Resources & Rehabilitation – Administration Building, Conference Room, 4261 Hwy 53 South, Eveleth – 9:30 a.m.