

**OLMSTED COUNTY ENVIRONMENTAL COMMISSION BY-  
LAWS**

ARTICLE 1

NAME OF COMMISSION

The name of this organization shall be the Olmsted County Environmental Commission.

ARTICLE II.

AUTHORIZATION AND PURPOSE

Section 1. AUTHORIZATION. The authorization for county oversight of certain environmental protection issues which can be facilitated by the establishment of this Environmental Commission (EC) is set forth under Minnesota Statutes Sections 103I.111, 115.55, 145A.11, and 400.04

Section 2. PURPOSE. The Commission is responsible for formulating and recommending environmental policies and monitoring program implementation to assure coordination and integration of county functions that impact the environment.

Members of the Environmental Commission will be appointed to represent the views and interests of the citizens at large. They will approach environmental issues with a focus on the health, safety, and welfare of Olmsted County residents. The EC members will work cooperatively with the board of other community agencies and governmental units in a continuing effort to meet environmental needs beyond the scope of County resources.

ARTICLE III.

APPOINTMENT AS COMMISSION MEMBERS

Section 1. MEMBERSHIP REQUIREMENTS. The EC shall consist of eleven members of which two will be County Commissioners. All members shall be residents of Olmsted County. All Commission members shall be appointed by the Olmsted County Board of Commissioners and shall serve at the pleasure of the Olmsted County Board. The County Board will strive to provide diversity in its appointment of Commission members.

Section 2. PROHIBITION ON SERVICE BY CURRENT COUNTY EMPLOYEES. Current County employees are prohibited from serving on the Commission to avoid potential conflicts of interest, though employees who have retired are eligible to be appointed and serve one year after their date of retirement.

Section 3. PROHIBITION ON SERVICE WHERE CONFLICTS OF INTEREST EXIST. Employees or members of organizations with whom the County is currently under contract to provide mandated services are prohibited from serving on the Commission to avoid potential conflicts of interest only if:

- 1) these individuals provide mandated services to the County through their work for a County contractor and
- 2) in their service as a Commission member, they would oversee or directly influence the services to be provided by the contractor to the County.

Section 4. SERVICE BY MINORS. The County Board may, at its option, choose to permit minors to serve as ex officio members of the Commission, provided a majority of the Board members are satisfied that a prospective member who is a minor is of sufficient maturity to properly understand and participate in the proceedings of the Commission. All minors who wish to serve as a Commission member shall complete an application and include at least one letter of recommendation from an adult who knows the minor well for consideration by the Board. Minors who meet these criteria must apply using the application from the Youth Commission and be approved by a Deputy County Administrator. No more than 2 minors may serve on the Environmental Commission at any time and they shall serve as ex-officio members of the Commission.

#### ARTICLE IV

##### SERVICE ON THE COMMISSION

Section 1. TERMS OF SERVICE - Each member shall be appointed for a term of three years and shall serve until his/her successor is appointed. Terms will be staggered to maintain continuity. Commission members shall serve for no more than two consecutive three-year terms. The six consecutive years shall not include years of appointment to fill an unexpired term. Commission members wishing to serve a second term shall verbally express their interest to the staff supporting the Commission and Deputy County Administrator and, with their approval, may continue to serve a second term without re-application. All non ex-officio members shall have the right to vote on matters which come before the Commission for action.

#### ARTICLE V

##### OFFICERS

Section 1. The Commission shall elect a Chair and Vice Chair. Nominations shall be made from the floor at the annual organization meeting and election of officers. Each officer will be elected by a majority of the Commission members in February of each year and serve an annual term in the office elected. An officer may serve no more than 2 consecutive years in the elected position.

## ARTICLE VI

### COMMISSION MEETINGS

Section 1. The Commission shall meet the third Wednesday of each month at 7:15 p.m. or at such time and place as has been designated by prior notice.

Section 2. A quorum shall consist of six members. In order for the EC to pass any motion or resolution, there must be a majority of the members present voting in the affirmative. Provided a quorum has been established, all subsequent actions and decisions shall be deemed to be valid even if a quorum is lost before the end of the meeting.

Section 3. Voting shall by voice or show of hands. If there is a question regarding a vote, a verbal vote with roll call may be requested by any member. A record of the rollcall vote shall be kept as part of the minutes.

Section 4. All meetings or portions of meetings at which official action is taken shall be open to the general public in accordance with the requirements of the Minnesota Open Meeting Law.

Section 5. Special Meetings may be called by the Chairperson, or by any three members. The secretary shall notify all members of the Commission in writing not less than three days in advance of such special meetings.

Section 6. The Environmental Management Team will meet prior to the meeting to set a proposed agenda for the Environmental Commission. Environmental Resources staff will coordinate with the Chairperson to finalize the agenda.

Section 7. Special Committees may be appointed by the Chairperson, with the concurrence of the Commission, for such special duties as circumstances warrant.

Section 8. Members are expected to safeguard protected information, which comes to them as a result of their position as members.

Section 9. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of the EC.

## ARTICLE VII

### HEARINGS

Section 1. The Commission may periodically be called upon to hold public hearings concerning specific issues to be addressed by the Commission. When a public hearing is to be held, the Chair shall open the public hearing and shall solicit input on the topic from staff and from members of the public in attendance. Persons wishing to be heard by the Commission shall provide their name and address to the Commission prior to providing

comments. The Chair may establish limits on public comments including limiting the duration of each comment and curtailing comments when speakers have already spoken about a topic previously during the hearing.

Section 2. When all public comment has been solicited and no one else steps forward to speak after the Chair asks 3 times if anyone else wishes to speak, the Chair shall entertain a motion to close the public hearing. Once the public hearing is closed, the Chair shall ask staff if it would like to provide any additional input after hearing the public comment provided on the topic at issue. Once any additional staff comment has been provided, the Chair shall entertain a motion seeking action on the matter before the Commission. Any action shall be supported by findings of fact, conclusions of law and order prepared by staff which shall be approved by the Commission within 60 days of the meeting when the public hearing was held.

## ARTICLE VIII

### AMENDMENTS TO BYLAWS

Section 1. AMENDMENT OF BYLAWS. Amendments to these Bylaws may be provisionally approved by a two-thirds vote of Commission Members, provided that any such proposed amendment shall first have been delivered to each Commission member at least five days prior to the meeting at which such amendment is considered and is in accordance with the enabling resolution adopted by the Olmsted County Board of Commissioners. However, the proposed amendments shall not become final and binding until they have been approved by a majority vote of the Olmsted County Board of Commissioners following approval by the Commission.

Revised: 3-16-21

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*Stephanie Padulke*  
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