

OLMSTED COUNTY PARKS COMMISSION BY-LAWS

ARTICLE I.

Section 1. NAME OF COMMISSION

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

ARTICLE II.

Section 1. AUTHORIZATION

The authorization for the establishment of this Parks Commission is set forth under Minnesota Statutes Section 398.36, as amended. Certain powers and duties concerning management of county parks pursuant to Minnesota Statutes Section 398.32-398.35 were delegated to the Park Commission by the Board of Commissioners of Olmsted County by resolution on March 22, 1966, in accordance with Minnesota Statutes Section 398.36 originally passed in 1961.

ARTICLE III.

COMMISSION MEMBERSHIP

Section 1. Number of Members. Effective January 1, 2019, the system of County Parks Commissioner Districts which corresponded to County Board of Commissioner Districts are abolished. Membership shall consist of nine persons to be appointed by the Olmsted County Board of Commissioners. All members shall be selected at large without regard to the former Parks Commission Districts. One of the members shall be an appointed member serving on the County Board. At least one of the members shall be a resident of an incorporated city within the County. The County Board will pursue diversity of members including but not limited to geographic, economic and ethnic diversity to the extent possible in making appointments to the Parks Commission.

Section 2. Current County Employees Prohibited. 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. Limits on Members Employed by Contractors. Employees or members of organizations with whom the County is currently under contract to provide mandated services to the County Parks Department are prohibited from serving on the Commission to avoid potential conflicts of interest only if:

- a) these individuals provide mandated support services to the Parks Department through their work for a private contractor and
- b) 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. Members Who Are 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 County 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 County Board. Minors who meet these criteria must apply using the application from the County Youth Commission and be approved by a Deputy County Administrator. No more than 2 minors may serve on the Commission at any time and they shall serve as ex-officio members.

Section 5. Member Term Limits. Commission members shall serve for no more than two consecutive three-year terms. However, if a Commission member is appointed to complete the term of another member who left the Commission, that period shall not count toward the two consecutive three-year term limit. Initial terms will be staggered to provide for an orderly turnover of members at the end of their terms. Commission members wishing to serve a second term shall verbally express their interest to the Parks staff supporting the Commission and Deputy County Administrator and, with their approval, may continue to serve a second term without re-application.

Section 6. Member Attendance. Commission members shall regularly attend Commission meetings and any other Commission member assigned duties. Commission members shall be permitted two unexcused absences for each year of Commission service. If a Commission member incurs three unexcused absences within one year, this matter shall be referred to a Deputy County Administrator on behalf of the Commission for further action pursuant to the procedure set forth in Section 8G below.

Section 7. Member Compensation. Commission members shall be paid per diem compensation as determined by resolution of the Olmsted County Board of Commissioners for their attendance at Commission meetings and for any other Commission member duties as assigned. County elected officials who are assigned to serve on the Commission shall not receive per diem compensation for Commission duties.

Section 8. Member Conduct.

A. It is critically important that members of the public who have business before the Commission feel confident that the Commission will treat them fairly and impartially without regard to their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation and their local human rights commission activity status. By choosing to serve as a Commission member, members shall refrain from engaging in speech or conduct that will reasonably tend to make members of the public with business before the Commission feel the Commission will not treat them fairly and impartially without regard to their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation and their local human rights commission activity status.

B. Commission members shall also comply with the following County policies pertaining to their Commission service:

- 1) Accepting Donations
- 2) Conflict of Interest Legal and Ethical Practices
- 3) Diversity and Inclusion Policy
- 4) Gifts - Gratuities
- 5) Political Activity (during Commission service times)
- 6) Solicitation on Premises (during Commission service times)
- 7) Tobacco Free Grounds (during Commission service times)
- 8) Weapons in the Workplace (during Commission service times)
- 9) Animals in the Workplace (during Commission service times)

C. Commission members are also prohibited from representing to others that they speak on behalf of the entire Commission, or the Olmsted County Board of Commissioners, unless the Commission has authorized the member to do so, though members may continue to speak in their role as an individual member serving on the Commission.

D. If a Commission member is convicted of a criminal offense which directly relates to the administration of laws or ordinances by a County Department which come before the Commission for action, this shall be grounds for removal of the Commission member pursuant to the procedure outlined in Section 8G below. Examples of this would include a County Parks Commission member being convicted for violating the County Parks Rules and Regulations Ordinance. A member once removed shall be eligible to be reappointed to the Commission however after the passage of 5 years or proof of rehabilitation from the conviction, whichever occurs first.

E. Ex parte communications between members of the Commission and members of the public who have business pending before the Commission for official action concerning that matter is discouraged in order to ensure that all nonpublic information pertinent to Commission matters is produced in an open meeting to which all of the Commission members and the public have access.

F. Commission members are discouraged from publicly stating their positions in advance on matters of official business coming before the Commission because of the perception by the public that they no longer retain an open mind to listen to all sides of matters of official business. If Commission members do state their positions in advance, they will be precluded from participating when the matter of official business is brought up for discussion and a vote by the Commission.

G. The Commission Chair and Vice Chair shall investigate the allegations brought against a Commission member with the assistance of County staff and the County Attorney's Office as needed. The Commission member shall be given an opportunity to present information relevant to the allegations. If the Board Chair and Vice Chair determine a Commission member has engaged in speech or conduct which violates this standard, the Commission Chair shall notify the Deputy County Administrator of the pertinent facts which support its conclusions and a recommendation concerning disciplinary action. If the allegations are proven by a preponderance of the evidence to the Deputy County Administrator, the Commission may, depending on the facts which are proven, choose to 1) censure the member privately, 2) issue a public censure of the member and establish a probationary period for further disciplinary action if violations continue, or 3) may recommend that the County Board remove the member from the Commission and appoint a suitable replacement.

ARTICLE IV.

COMMISSION OFFICERS

Section 1. Designation of Officers. The officers of the Parks Commission shall consist of a Chair, and Vice-Chair. Each officer will be elected by a majority of the Commission members in January of each year and serve an annual term in the office elected, or until a successor has been elected and qualified, whichever comes first. No former Olmsted County Parks Superintendent or Parks Administrator shall serve as an officer of the Commission. An officer may serve no more than 2 consecutive years in the elected position.

Section 2. Chair. The Chair shall preside at all meetings and hearings of the Parks Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall approve the agenda of regular and special meetings set by staff.

Section 3. Vice – Chair. The Vice-Chair shall act for the Chair in his/her absence.

Section 4. Vacancies. Vacancies in office shall be filled at the next meeting of the Commission by following the procedures set to elect officers at the annual organization meeting.

Section 5. Official Records of the Commission. County Parks staff shall keep the minutes and records of the Commission; and with the assistance of such paid staff as is necessary, provide notice of all meetings to commission members, arrange for proper and legal notice of hearings, attend to correspondence of the Commission, and complete such other duties as are normally carried out by a secretary. Minutes will be approved by the Commission once prepared by staff.

ARTICLE V.

COMMISSION MEETINGS

Section 1. Meeting Schedule. Meetings shall be held on the third Tuesday of each month at such time as designated by the board. In the event of a conflict with holidays or other events, a majority of the members present at any meeting may change the date of said meeting.

Section 2. Special Meetings. Special meetings may be called by the chair or by a majority of members of the Commission. County Parks staff shall notify all members of the Commission in writing not less than five days in advance of such special meetings.

Section 3. Commission Members Attendance. Commission members shall regularly attend Commission meetings and any other Commission member assigned duties. Commission members shall be permitted two unexcused absences for each year of Commission service. If a Commission member incurs three unexcused absences within one year, this matter shall be referred to a Deputy County Administrator on behalf of the Commission for further action pursuant to the procedure set forth in Article III, Section 8G above. Any Commission member may voluntarily resign membership at any point prior to the expiration of his or her term. Resignation shall be given by written or e-mailed notice to the Chair and the County Parks Superintendent.

Section 4. Quorum and Voting at Meetings. A quorum shall consist of a simple majority of the currently appointed Commission members. A quorum is necessary in all voting by the Commission. Each Commission member present shall be entitled to one vote. All non-ex-officio members shall have the right to vote on matters which come before the Commission for action. Any action taken or decision made shall be by a majority vote of the Commission members present, provided a quorum has been established. Once 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 5. Public Participation at Meetings. Members of the public are welcome to attend Commission meetings and address the Commission. The Commission shall specify the limits of time and rules for participation and shall also have discretion to limit public involvement as deemed necessary to facilitate the orderly conduct of Commission business.

Section 6. Open Meeting Law Compliance. 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 7. Robert's Rules of Order. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at meetings of the Commission.

ARTICLE VI.

COMMISSION MEETINGS ORDER OF BUSINESS

Section 1. Order of Business. The order of business at regular meetings shall be:

- a. Ascertain Commission members present by Parks staff. Approval of minutes of previous meeting
- b. Public Comment
- c. Communications
- d. Reports of officers and committees
- e. Old business
- f. New business
- g. Adjournment

Section 2. Matters other than public hearings that may come before the Commission.

- a. Annual budget - required
- b. Physical facilities
- c. Staff appointment or consideration
- d. Natural Resources

Section 3. Motions to Dispense Agenda Items. A motion from the floor must be made and passed in order to dispense with any item on the agenda.

Section 4. Adjourning Commission Meetings. Any Meeting of the Commission may be adjourned by the Chair to be reconvened to continue at a time and place to be established by the Chair.

ARTICLE VII.

COMMISSION PUBLIC HEARINGS

Section 1. When Public Hearings Held. In addition to those required by law, the Commission may hold public hearings when it decides that such hearings will be in the public interest.

Section 2. Notice of Public Hearings. Notice of the time, place and purpose of such hearing, shall be published in at least one newspaper of general circulation located within Olmsted County at least ten days prior to the hearing

Section 3. Conduct of Public Hearing. The matter before the Commission shall be presented in summary by a member of the Commission designated by the Chair, and persons wishing to address the Commission on the subject of the public hearing shall be given a reasonable opportunity to address the members of the Commission.

Section 4. Record of Public Hearing. A record shall be kept of those speaking before the Commission at such hearings.


ARTICLE IX.

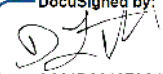
AMENDMENTS


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.

ADOPTED this date 7/29/2020 | 11:16 AM CDT

ATTEST:

DocuSigned by:

5A1F9CC00C2245D...

DocuSigned by:

AC81BC848F2C4AF...
Chair, Olmsted County Parks
Commission

DocuSigned by:

141C092CF65344C...
Chair, Olmsted County Commissioners

7/30/2020 | 9:38 PM CDT