

Resolution 2017-006

A Resolution to Update the ADMINISTRATIVE POLICY for

Board Meetings and Access to Public Information

(This resolution will replace the former Administrative Policy via Resolution #2016-006)

WHEREAS, the Harris Town board is the governing body of Harris Township (the Town) charged by law with certain power and duties to conduct the affairs of the Town; and

WHEREAS, the board determined the adoption of an administrative policy regarding board meetings and access to public information will enhance the effectiveness of meetings and establish uniform procedures for the Board in how it conducts its business, and for those wishing to attend the proceedings; and

WHEREAS, this policy takes into consideration the particular circumstances of the Towns, which include but are not limit to, the following: The Town is *rural in nature, has a limited budged which is set by the town electors at the Annual Town Meeting, does not employ any administrative personnel, does not maintain regular office hours, has limited office facilities and accessibility, and schedules only one Regular town meeting and one Planning and Development meeting per month.*

NOW THEREFORE, BE IT RESOLVED that the Town Board of Harris, Itasca County, Minnesota, hereby adopts the following updated administrative policy, replacing resolution #2003-008, regarding board meetings and access to public information:

1. **Scope:**

The procedures established in this policy shall apply to all regularly scheduled meetings of the Town Board, and to the extent practical, work sessions, special meetings and board hearings. This policy shall not apply to annual town meeting, some special meetings, closed meetings, onsite inspections, or any committee or subcommittee meetings.

1.1 **Data Practices Act.**

While Harris Township did adopt Urban Powers in 2004, it is not an urban township located in the seven county metropolitan area, and therefore is exempt from the Minnesota Government Data Practices Act (a decision made by the legislature in recognition of the fact that most townships do not have the type of staffing required by the Act).

As such, the Board is not bound by the requirements of the Minnesota Data Practices Act and nothing herein is intended to adopt, or shall be interpreted as adopting, the restrictions or requirements of the data practices act. Without limiting the forgoing, to the extent the Board is aware it has information that would be classified by the data practices act as something other than public data, it will take reasonable steps to limit its release.

2. **Meeting times and location:**

The Board schedules and conducts 2 meetings a month: The Regular meeting on the second Wednesday of each month, beginning at 7:30 p.m., and the Planning and Development (aka P&D) meeting on the fourth Wednesday of each month, beginning at 7:30 p.m., at Harris Town Hall.

a. **Exceptions:**

- The November P&D meeting will be held the third Wednesday of the month, when the fourth Wednesday occurs during the week of Thanksgiving.
- The December P&D meeting will only be held if the board deems necessary, on the third Wednesday of the month due to the Christmas holiday.

The Board develops and adopts a yearly calendar of the dates of these meetings, publishes them in the Herald Review once, and posts on the town hall bulletin board for the entire year. If for some reason the board finds it necessary to change any published meeting date, they will publish notice of the change in the official newspaper, and post the change at least three days prior to the originally scheduled meeting date.

3. Holidays

Township meetings or business will NOT be conducted on any official federal holiday, as provided in Minn. Stat 645.44 subd.5.

4. Calling a special board meeting, emergency meeting, or work session:

The Board will generally call for special meetings or work sessions during a Regular or P&D meeting. However, the board Chairperson may, upon his/her own initiative, call a special meeting of the Board to address an issue or issues that requires consideration before the next board meeting. The Chairperson shall contact the Town Clerk for the need of a special board meeting or work session, and the Clerk will notify the other Board members of the date, time and place of the meeting. The Chairperson will try to arrange the meeting date and time so that all board members can attend. The Town Clerk shall also post notice of the meeting at least 5 days in advance, as required by the open meeting law.

- A) An Emergency meeting may be called at any time if there is an immediate situation that poses any harm to the Public Safety, Roads and Waterway of the Township. In the instance of calling an Emergency Meeting we refer to Statue 13D.04 subdivision 3; the above order for calling the meeting still stands. Public Notice will be given on Facebook, a phone call will be made to the Herald Review of Grand Rapids, Minnesota and other attempts to post the meeting shall be done if time allows. The minutes of the Emergency meeting may be recorded by a Supervisor present and will be included in the next Regularly Scheduled meeting agenda packet.

5. Presiding officer:

The Board chairperson shall be the presiding officer of Board meetings. In the absence of the Chairperson, the Vice-Chairperson shall preside. The presiding officer shall have the power to preserve Order and decorum at the meeting, enforce rules of procedure, and determine without debate, subject to the final decision of the Board on appeal, all questions of procedure and Order.

a. Appeal of presiding officer's ruling:

Any member of the Board may appeal the ruling of the presiding officer. If the appeal is seconded, and after discussion and explanations are given, the majority vote of the Board shall determine the question.

b. Rights of presiding officer:

The presiding officer is a full member of the Board and retains all of the rights to speak, make and second motions, and to vote on matters of town business to the same extent as any other town supervisor.

6. Order of business:

6.1. The Regular Meetings:

An agenda will be prepared by the Clerk for each Regular meeting. All agenda items will need to be submitted to the Clerk by 5:00 PM the Friday prior to the next meeting. A proof of the agenda will be sent to the Chair via e-mail prior to the Supervisors. The purpose of the agenda being sent to the Chair is for the adding of additional items, changes, and recommendations. The Chair will return corrections to the Clerk within 24 hours of receiving the agenda. No additions after this point will be added to the agenda until the night of the meeting. The Clerk

will provide by the close of Monday complete agenda packets, in hard copy, at the Town Hall for Supervisors to pick up. All supporting materials that the Clerk has in possession will be included in the packet. When the packets are complete the Supervisors will receive a text from the Clerk indicating they are ready and a complete packet will be uploaded to the website. Copies of the agenda and supporting materials will also be available for the public at each meeting.

The presiding officer will call the meeting to Order, and if a quorum is present will proceed with its business in the following order:

1. Pledge to the flag, followed by the reading of the township mission statement
2. Additions and Corrections
3. Approve the minutes of the Regular Meeting and any work sessions or special meetings held after the last P & D meeting.
4. Business from the floor
 - * Please come up to the podium and state you name and address for the record
5. Consent Agenda
6. Roads
7. Recreation Correspondence
8. Correspondence
9. Old Business
10. New Business
11. Treasurer's Report
12. Approve payment of bills for the month
13. Public Input (limit of 5 minutes)
 - * Please come up to the podium and state you name and address for the record
14. Upcoming meetings listed
15. Adjourn

If someone contacts the clerk and asks to be placed on the agenda, they will generally be included in #4. Business from the floor.

6.2. The Planning & Development (P&D) Meetings:

An agenda will be prepared by the Clerk for each P & D meeting. All agenda items will need to be submitted to the Clerk by 5:00 PM the Friday prior to the next meeting. A proof of the agenda will be sent to the Chair via e-mail prior to the Supervisors. The purpose of the agenda being sent to the Chair is for the adding of additional items, changes, and recommendations. The Chair will return corrections to the Clerk within 24 hours of receiving the agenda. No additions after this point will be added to the agenda until the night of the meeting. The Clerk will provide by the close of Monday complete agenda packets, in hard copy, at the Town Hall for Supervisors to pick up. All supporting materials that the Clerk has in possession will be included in the packet. When the packets are complete the Supervisors will receive a text from the Clerk indicating they are ready and a complete packet will be uploaded to the website. Copies of the agenda and supporting materials will also be available for the public at each meeting.

The presiding officer will call the meeting to order, and if a quorum is present will proceed with its business in the following order:

1. Pledge to the flag, followed by the reading of the mission statement
2. Additions and Corrections
3. Approve the minutes of the previous P&D Meeting, and any work sessions or special meetings held after the last Regular meeting.
4. Business from the Floor
 - * Please come up to the podium and state you name and address for the record
5. Consent Agenda
6. Roads
7. Recreation Correspondence
8. Town Hall Report – for month/date/year to month/date/year
9. Maintenance Report
10. Old Business
11. New Business
12. Public input (limit of 5 minutes)
 - * Please come up to the podium and state you name and address for the record
13. Upcoming meetings listed
14. Adjourn

a. Varying order of business:

The presiding officer may vary or alter the order of business for the convenience of the public or the board.

b. Consent agenda:

The board may employ the use of a consent agenda during the Regular meeting and P & D meeting, to approve matters of a routine or non-controversial nature, or items that have already been discussed at a prior board meeting and agreed to be placed on the consent agenda.

7. Rules of parliamentary procedure:

The list of parliamentary procedures that follow as **attachment A** is made a part of this policy, and shall guide meetings of the board.

8. Public participation:

Members of the public may address the Board at the time designated in the order of business for citizen comments and at such other times during the meeting as may be allowed by the presiding officer to address specific issues before the Board. Unless further time is granted by a vote of the Board, remarks from the public shall be limited to five minutes per speaker. When addressing the Board, Citizens shall come up to the podium and state their name and address for the record and confine their remarks to the specific matter under debate.

Everyone who attends a meeting shall at all times conduct themselves in a professional manner and shall *not*: speak until recognized by the presiding officer; engage in disorderly conduct; disrupt the proceedings; speak longer than the allotted time; speak to matters beyond the scope of the particular matter currently before the Board; use profane language; or engage in any other activity which disturbs the peace and good order of the meeting. Any person who persists in disturbing the meeting after having received a warning from the presiding officer may be asked to leave the meeting. If the person does not leave, the presiding officer or other town officer may contact law enforcement to have the person removed from the meeting.

a. Spokesman

The presiding officer may ask a group attending a meeting that wishes to address the Board on the same subject to appoint a spokesperson for the group to expedite matters and avoid repetition. The person speaking on behalf of a group may be allowed additional time if needed to fully present the opinion of the group. After a spokesperson has spoken on behalf of a group, the presiding officer may limit the number and/or the time other persons allowed to speak to present similar opinions.

b. Recording by the public

Those attending meetings may use sound or video recording devices provided their use does not interfere or disrupt the meeting and does not violate the constitutional rights of others.

c. Written materials

Citizens may submit written comments or materials to the Board before or at a meeting and may ask that they be added to the record. The Board shall enter the information into the record as requested unless doing so would be unduly burdensome.

9. Record of meetings:

Minutes of all public board meetings shall be kept in a journal (binder). The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute. We will keep all minutes of all the other meeting the board members attend in a binder.

10. Audio Recordings:

Unless the board expressly states otherwise in the minutes of a particular meeting, any tape recordings made of meetings by the Board are solely for the purpose of assisting the clerk to develop accurate minutes. Such tapes are not part of the Town's official records and, after approval of the minutes of the meeting to which a tape applies, will be recycled for use at future meetings. If the Board is taping a meeting, the Board may make a motion at the meeting to make the tape recording part of the official record of the meeting. If a motion is passed to make a tape a part of the official record, the Town clerk shall preserve the tape as part of the official record and make it available in the same manner as written minutes.

11. Continue Meetings:

The Board may by motion continue a meeting to a later time by announcing as part of the motion and recording in the minutes the date, time, and place of the continued meeting. Whether notice of the continued meeting will be provided is left to the discretion of the Board.

12. Access to public information:

It is the intent of the Board to provide reasonable means of access to public information held by the Town. Information in the possession of the Town shall be considered public unless the Board determines the information to be non-public. Access to information determined by the Board to be non-public shall be limited to Town officers and those who have a right to access the information by law.

A. Request for Information.

Anyone may request, either verbally or in writing, to inspect or to receive photocopies of public information held by the Town. Those wishing to inspect public records should contact the Town Clerk to make arrangements to view the information either at a Board meeting or at such other time as may be mutually convenient. Those wishing to obtain photocopies of public documents shall complete an Information Request Form (**Appendix B**) detailing the information requested.

a. Fees for Photocopies.

The following fees may be charged for photocopies of public information from the Town:

- (1) **Labor:** The time spent by those acting on behalf of the Town to satisfy the request for photocopies, including the time to search for, compile, and photocopy the information, shall be charged at a rate of the current allocated labor rate of the clerk.
- (2) **Photocopying:** The fee for photocopying shall be charged at a rate of \$0.25 per page.
- (3) **Mailing:** The fee for mailing photocopies shall be the postal rates in effect at the time together with the actual cost of envelopes or other packaging materials.

(4) **Other Costs:** Any other actual costs the Town incurs to provide the photocopies shall be charged to the person making the request including, but not limited to, mileage and office supplies or other items that need to be used to satisfy the request.

b. Prepayment of Fees

If the total estimated amount of the fees to satisfy a request for photocopies exceeds \$30.00, the person requesting the photocopies must pay the total estimated amount of the fees to the Town before it will undertake to provide the photocopies. If the actual fees incurred to provide the photocopies are less than the estimated fee amount, the Town shall reimburse the difference at the time of providing the photocopies. If the actual fees incurred to provide the photocopies are more than the estimated fee amount, the person making the request must pay the Town the difference before receiving the photocopies.

13. Amending or updating the policy:

The Board may amend this policy by resolution.

14. Severability:

If any part or portion of this policy is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the policy.

Adopted this 29th day of November, 2017

Town Chair

Attest: _____
Cari Ann Alleman, Clerk

Appendix A

RULES OF PARLIAMENTARY PROCEDURE FOR TOWN BOARD MEETINGS

The following are the rules of parliamentary procedure the town board (Board) of Harris Township, Itasca County, Minnesota has adopted for use at its board meetings.

Voting:

A majority vote of those supervisors present and voting shall be required to pass a motion unless a greater number is required by law or ordinance. Abstentions from voting shall reduce the number considered voting on the motion, shall not be considered as a vote either for or against the matter under consideration, and shall be recorded in the minutes of the meeting along with a reason for the abstention.

Method of taking action:

All actions of the Board shall be taken by motion, including the adoption of resolutions and ordinances. A supervisor may raise a point of order without making a motion. The following are permitted motions:

Action	Description	Requires Second	Amendable
Main Motion	Used to bring an item of business before the Board.	Yes	Yes
Amend	Used to amend the wording of a main motion.	Yes	Yes
Call the Question	Used to immediately end debate on a motion.	Yes	No
Lay on the Table	Used to postpone debate or a vote on an issue either indefinitely or to a certain time or a certain occurrence mentioned as part of the motion.	Yes	Yes
Point of Order	Used to raise a question of parliamentary procedure to the presiding officer.	No	No
Roll Call	Used with respect to a particular issue before the Board to require each supervisor's vote on the issue to be recorded in the minutes of the meeting.	Yes	No
Suspend Rules	Used to suspend the rules of parliamentary procedure in exceptional circumstances to facilitate the Board taking action on a particular issue.	Yes	No
Appeal Ruling	Used to appeal a ruling of the presiding officer.	Yes	No

If an issue of parliamentary procedure arises that is not addressed in this policy, the presiding officer may seek guidance from the most current edition of Robert's Rules of Order to help resolve the issue.

Appendix B

**HARRIS TOWNSHIP
INFORMATION REQUEST FORM**

Persons requesting photocopies of public information from the Town must complete this form, return it to the town clerk, and pay the applicable fees as indicated below.

Requester's Name: _____ Date of Request _____

Requester's Address: _____

Requester's Phone Number: _____ Signature _____

Description of the Information Requested: _____

Town Use Only

The request is: Approved, Approved in Part, or Denied. Reason(s) for a partially approval or a denial: _____

Fees applicable to the request:

			Estimated Cost	Actual Cost
Labor	_____ x \$ _____ # Hours Hourly Rate		_____	_____
Photocopying	_____ x _____ Rate Hourly Rate		_____	_____
Mailing	_____		_____	_____
Other Costs	_____		_____	_____
	_____		_____	_____
		Totals: _____ *	_____	_____

Difference: _____ To be paid by requestor.
 To be refunded by Town.

* If the total estimated cost exceeds \$30, the requestor must pay the entire estimated amount before the Town will undertake to satisfy the request. If the actual cost is less than the estimated cost, the Town will refund the difference at the time the copies made available to the requestor. If the actual cost is more than the estimated cost, the requestor must pay the additional amount before receiving the copies.

NOTICE:

Harris Town Board,

Has an office in the Town Hall. We will be coming in a conducting township business in the office.

Please know we do not want to interrupt your time here, so we will be going into the office to work. We are not trying to be rude, we just want to be respectful of your time here.

Cari Ann Alleman, Clerk

Posted 12/13/17

NOTICE:

Harris Town Board

NOTICE OF A POSSIBLE QUORUM

of the Harris Township Supervisors

Board members of Harris Township will be attending the Itasca County Association of Township Meetings on the following dates:

January 9 (Tuesday)
February 12
March 12
April 9
May 14
June 11
July 9
August 13
September 10
October 15 (8th is a holiday)
November 12
December 10

The Harris Township Board of Supervisors will not conduct, take any action concerning Harris Township Business during this event.

Posted on December 13, 2017

Cari Ann Alleman, Clerk