BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
RESOLUTION NO. 07-07

RESOLUTION ESTABLISHING AN ADMINISTRATIVE POLICY

WHEREAS, the Board of Supervisors (the "Board") is the governing body of Baldwin Township (the "Town") charged by law with certain powers and duties to conduct the affairs of the Town;

WHEREAS, the Board is authorized to adopt rules regarding how it conducts its business at its meetings and how the public may participate in those meetings; and

WHEREAS, the Board determines the adoption of an administrative policy is in the public interest because it will enhance the effectiveness of its meetings and establish uniform procedures for the Board in how it conducts its business;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Baldwin Township, Sherburne County, Minnesota hereby adopts the following administrative policy:

ADMINISTRATIVE POLICY

1. **Scope.** The procedures established in this policy shall apply to regular Board meetings, special Board meetings (to the extent practicable), and Board conducted hearings. This policy shall not apply to annual Town meetings, special Town meetings, closed meetings, on-site inspections, or any committee or subcommittee meetings. For the purposes of this policy, the term "meeting" shall be read as including, to the extent practicable, hearings conducted by the Board. Also, the term "Chairperson" shall include the Vice Chairperson in the Chairperson's absence.

   1.1 **Data Practices Act.** 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 foregoing, 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, but cannot guarantee the data will not be released.

2. **Meeting Time and Location.** The Board conducts two regular Board meetings a month on the first Monday and Tuesday of each month, at 7:00 p.m., at the Town hall located at 30239 – 128th Street, Princeton, Minnesota. If the day of a regular meeting falls on a holiday, or for some other reason may not be held on the regularly scheduled day, the

meetings will then be held on the following Monday and Tuesday at the same time and place unless notice is posted indicating the meeting will be held at a different time or place.

2.1 **Holidays.** As provided in Minn. Stat. § 645.44, subd. 5, Christopher Columbus Day and the Friday after Thanksgiving shall be considered holidays and so public business will not be transacted on those days except in cases of necessity.

3. **Calling a Special Board Meeting.** The Board Chairperson may, upon his or her own initiative, call a special meeting of the Board to address an issue or issues that, in the Chairperson's determination, require consideration before the next regular Board meeting. The Chairperson shall contact the Clerk/Treasurer of the need for a special Board meeting and the Clerk/Treasurer shall notify the other supervisors of the date, time, and place of the meeting. The Clerk/Treasurer shall provide notice of the meeting as required by the open meeting law.

4. **Rules of Parliamentary Procedure.** The list of parliamentary rules attached hereto as Exhibit A is made a part of this policy and shall govern regular and special Board meetings.

4.1 **Effect of Tie Votes.** For all purposes, including application of the 60 day rule under Minn. Stat. § 15.99, ties votes of the Board means the motion fails and shall constitute a denial of any requests to which the motion applies.

5. **Committees.** Committees or subcommittees of the Board may only be established by motion adopted by the Board.

6. **Public Participation at Meetings.** Members of the public may address the Board at its meetings by: (1) requesting to speak during the public comment portion of a regular meeting; (2) requesting to be recognized to speak to an agenda item at the time the matter is being discussed by the Board; (3) requesting to be placed on the agenda of a regular meeting; or (4) submitting written comments to the Board. Comments made during the public comment portion of the meeting, or upon recognition by the Chairperson to speak on an agenda item, shall be limited to three minutes.

6.1. **Public Comment Portion**. Those wishing to speak during the public comment portion of the meeting must complete the Public Comment Request Form attached hereto as Exhibit C and submit the completed form to the Town Chairperson or Clerk/Treasurer prior to the public comment portion of the meeting. The Chairperson shall review the Public Comment Request Form and has the discretion to deny a person from making a comment if the Form is not fully completed, it lists a subject that is outside of the Board's authority, or otherwise does not comply with this Policy. The entire public comment period for a meeting is limited to 20 minutes. Speakers not heard at the meeting will be allowed to present first at the public comment portion of the next Board meeting, or the Board can choose to place the person at the end of the current meeting

agenda. A person will only be allowed to speak once a month during the public comment portion of the meeting unless the Chairperson approves more than one Public Comment Request Form from the person to speak on a different issue. Only those comments relevant to matters within the scope of the Board' authority, as determined by the Chairperson, will be allowed and the comments made must be limited to those listed on the Public Comment Request Form. Anyone failing to comply with this Policy shall forfeit their opportunity to comment at the meeting. The Board will decide what action, if any, is appropriate to respond to the comments made.

6.2. **Public Comment on Agenda Items**. Anyone in attendance at a meeting may ask to be recognized by the Chairperson to speak to an item on the agenda at the time the matter is before the Board. Those recognized by the Chairperson to speak must confine their comments to the matter before the Board.

6.3. **Requests to be Placed on the Agenda**. Anyone interested in being placed on the agenda of a Board meeting must complete the Agenda Request Form attached hereto as Exhibit D and submit the completed form to the Clerk/Treasurer at least three business days prior to the Board meeting at which the person would like to be placed on the agenda. The Chairperson will review all such requests and determine whether the request will be granted. All denied Agenda Request Forms will be provided to the Board either as part of their packet for the meeting or at the outset of the meeting. A Supervisor may make a motion to allow a requested item on the agenda despite the Chairperson's denial. If a majority of the Supervisors vote in favor of allowing the requested item, the item will be placed on the agenda of the meeting, if the person that made the request is present, or at a future meeting. If a majority of the Supervisors do not vote in favor of the motion, a request to place a similar item on the agenda may not be submitted for four months.

6.4. **Written Materials.** Anyone interested in submitting written comments to the Board may do so and may request that the submitted comments or documents be entered into the record of a meeting. The Board shall consider the written comments and documents as it determines is appropriate and will enter the information into the record if requested unless doing so would be unduly burdensome or otherwise inappropriate.

6.5. **Rules of Decorum**. Everyone who attends a meeting shall at all times conduct themselves in a professional manner and shall not: speak until recognized by the Chairperson; 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 Chairperson may be asked to leave the meeting. If the person does not leave, law enforcement may be called to have the person removed from the meeting.

6.6. **Spokesperson.** The Chairperson 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 Chairperson may limit the number and/or the time other persons allowed to speak to present similar opinions.

6.7. **Audio or Video Taping.** 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.

7. **Record.** Minutes of all public Board meetings shall be kept in a journal. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.

7.1 **Audio Recording.** The Board audio records its regular meetings. The recordings are retained in an electronic format as part of the record and copies of the recording can be obtained by contacting the Clerk/Treasurer. A $10.00 per compact disc charge will apply together with a charge for the time to make the requested copies at $___ per hour.

7.2 **Video Recording.** The Board video tapes its regular meetings. The video tape is not part of the Town's official record, but the tapes are generally retained and copies of the tape can be obtained by contacting the Clerk/Treasurer. A $10.00 per tape charge will apply together with a charge for the time to make the requested copies at $___ per hour.

8. **Continuing 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 reconvened meeting. Whether notice of the reconvened meeting will be provided is left to the discretion of the Board and will only be provided as directed by the Board.

9. **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. If the Clerk/Treasurer believes data to be non-public or is uncertain as to whether it is public, he or she shall bring the matter to the Board for a determination. The Board may consult with the Town Attorney to assist in making its determination. 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. Matters under negotiation, subject to pending litigation or related to town personnel, will not be discussed during the public comment portion of the meeting, unless the Board directs otherwise.

9.1 **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 may do so during the regular office hours held by the Clerk/Treasurer. Those wishing to obtain photocopies of public documents shall complete an Information Request Form attached hereto as Exhibit B detailing the information requested.

9.2 **Fees for Photocopies.** The following fees shall be charged persons requesting photocopies of public information from the Town and must be paid in full before receiving the photocopies:

(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 $_____ per hour.

(2) **Photocopying:** The fee for photocopying shall be charged at a rate of $____ 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.

9.3 **Prepayment of Fees.** If the total estimated amount of the fees to satisfy a request for photocopies exceeds $30, 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.

10. **Amending the Policy.** The Board may amend this policy by resolution.

11. **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 7TH day of August, 2007.

BY THE BOARD

Town Chairperson

Attest: Cathy Stevens
Clerk/Treasurer

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Exhibit A

RULES OF PARLIAMENTARY PROCEDURE FOR TOWN BOARD MEETING

The following are the rules of parliamentary procedure the Town Board (Board) of Baldwin Township, Sherburne County, Minnesota has adopted for use at its regular and special 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 offer may seek guidance from the most current edition of Robert's Rules of Order to help resolve the issue.

Exhibit B

BALDWIN TOWNSHIP
INFORMATION REQUEST FORM

Persons requesting photocopies of public information from the Town must complete this form, return it to the Clerk/Treasurer, 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 partial approval or a denial:_____

Fees applicable to the request:

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

Difference:_____ [ ] To be paid by requester.
[ ] To be refunded by Town.

* If the total estimated cost exceeds $30, the requester 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 are made available to the requester. If the actual cost is more than the estimated cost, the requester must pay the additional amount before receiving the copies.

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Exhibit C
PUBLIC COMMENT REQUEST FORM

As a courtesy, the Board provides a public comment period as part of the agenda of its regular meetings. This is your chance to address the Board on matters not on the agenda. Persons may address the Board during the public comment period, provided they do so in compliance with the Town's Administrative Policy.

Those wishing to address the Board at the public comment portion of the meeting must comply with the following:

1. Fill out the form below, detach, and present to the clerk/treasurer or chairperson prior to the public comment portion of the meeting.
2. Public comment section is limited to 20 minutes and each speaker is limited to three minutes.
   - Speakers not heard will be first to present at the next Board meeting or can be placed at the end of the current meeting agenda.
   - A person may only speak during the public comment period one time per month unless the chairperson approves another request form from the person to speak on a different subject.
3. Comments must relate to matters within the Board's authority and be limited to the subject listed on the submitted request form.
4. The chairperson will review the request forms and will not allow a person to speak during the comment period if their request is not consistent with the Administrative Policy. Any commenter that fails to limit their comments to the listed subject, to the allowed time, or otherwise does not act in accordance with the Administrative Policy forfeits their opportunity to present to the Board.
5. No one will be allowed to disrupt a Board meeting.
6. The Board will decide what action, if any, is appropriate to respond to the comments made.

Thank you!

TO ALL PERSONS ADDRESSING THE TOWN BOARD AT PUBLIC COMMENT:

DATE: _____

In order to accurately record your name and address for the official minutes of this meeting, please complete the following and hand it into the clerk, before addressing the Board.

NAME: _____

ADDRESS: _____

PHONE: _____

SUBJECT TO BE PRESENTED TO THE BOARD:

_____

_____

_____

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Exhibit D

AGENDA REQUEST FORM

(Please print)

DATE:

NAME:

ADDRESS:

PHONE NUMBER:

REASON FOR REQUEST:

BACKGROUND INFORMATION:

REQUEST HAS TO BE RECEIVED NO LATER THAN 3 WORKING DAYS PRIOR TO THE TOWN BOARD MEETING.

THE BOARD CHAIR HAS THE RIGHT TO DETERMINE IF A REQUEST WILL BE ON THE AGENDA.

Thank you!

Baldwin Town Board