



## Washington County Board of Commissioners Operating Procedures and Guidelines

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### I. Overview

The County Board functions within the statutory framework of Minnesota law. General duties, powers, and responsibilities are found in Minnesota Statutes Chapters 370, 373, and 375, among others. Minnesota Statutes supersede all bylaws, rules, and policies established by the County Board of Commissioners.

The County Board makes decisions through the adoption of policies, ordinances, resolutions, and votes by the County Board at public meetings.

### II. County Board Meetings

#### A. *Meetings of the Board*

At the first meeting of each year, the County Board shall adopt a schedule of regular board meetings for the year. The schedule may be amended during the year by a vote of the board at a regular meeting. Evening meetings may be added to the board's schedule as necessary to provide for additional public input and participation on specific agenda items.

As required by law, at the first meeting of the year, the County Board shall provide for the oath of office for its members (if required) and elect a chair and vice-chair for the year.

All regular meetings of the County Board will be conducted at the Washington County Government Center, 14949 62nd St. N., Stillwater, Minnesota, unless otherwise stated in the public notice of the meeting.

#### B. *Election of Chair and Vice Chair*

It is the practice of the County Board to rotate the position of chair and vice-chair amongst its members. At the first meeting, the county administrator shall provide the members with a document showing a list of previous chairs and vice-chairs for at least the last 10 years, including the district number of each individual serving as chair and vice-chair.

#### C. *Role of the Board Chair*

The board chair is responsible for leading the County Board meetings, including board workshops, in a manner that maintains order and allows for the opportunity for all members and the public to be heard. The chair may represent the county at legislative hearings and public functions and may act as the chief spokesperson for the county when appropriate. The board chair signs resolutions, letters, and other documents as directed by and on behalf of the board. The board chair shall review and approve the agenda prior to its publication. The vice-chair of the board shall take on the responsibilities of the chair in the chair's absence.

#### D. *Robert's Rules of Order*

Although not adopted formally, the County Board generally utilizes the parliamentary procedures found in the most recent edition of Robert's Rules of Order during the meetings of the board. The County Board recognizes that as a small board (five members), it may benefit from some flexibility from the formalities

found in Robert's Rules of Order. The County Board also recognizes that utilizing the procedures found in Robert's Rules of Order allows for the efficient processing of county board work and promotes decorum.

Unless otherwise noted on a board item, the County Board requires:

- All motions to be seconded.
- All resolutions are to be voted on by a roll call vote.
- All members are to be recognized by the chair prior to making a motion or speaking on an issue.
- The use of the amendment process to change or alter a motion or resolution.

#### *E. Video Recording of Board Meetings*

In addition to the creation and formal approval of minutes from each board meeting, unless otherwise directed by law, all regular meetings of the Washington County Board of Commissioners are video recorded, and livestreamed through the county's website. If a meeting cannot be video recorded, best efforts will be made to capture the meeting with another recording device. The video recordings are not the official minutes of the board meeting.

#### *F. Board Meeting Minutes*

Following each board meeting, official minutes shall be prepared by the board clerk. The minutes should identify all the actions and votes taken by the board on each item. The minutes are not a verbatim transcript of the meeting but rather a compilation of the official actions that occurred during the meeting (Minn. Stat. § 331A.01). The official minutes of a meeting shall be adopted at a subsequent meeting and, as required by law, will be retained permanently. Official proceedings of County Board meetings shall be published in the official county newspaper and shall be available in the Office of Administration and on the county website.

#### *G. Public Participation*

The public is invited and encouraged to attend and participate in County Board meetings. Notice is provided for all meetings as required by law.

Visitors may share their comments or concerns on any issue that is the responsibility or function of Washington County Government, whether or not the issue is listed on this agenda. People who wish to address the County Board are requested to fill out a comment card before the meeting begins and give it to the board clerk or the county administrator. The County Board chair will ask speakers to come to the podium, state their name and city of residence, and present comments. Comments must be addressed exclusively to the board chair and the full Board of Commissioners. Comments addressed to individual board members will not be allowed. Individuals are encouraged to limit their presentation to no more than five minutes. The board chair reserves the right to limit an individual's presentation if it exceeds the allowable time limit, becomes redundant, repetitive, overly argumentative, or if it is not relevant to an issue that is part of Washington County's responsibilities.

#### *H. Disruption of Meeting*

If any meeting of the board is willfully interrupted or disrupted by a person or group of people so as to render the orderly conduct of the meeting unfeasible, the chair may recess the meeting or order the person or group willfully interrupting the meeting to leave the meeting or be removed from the meeting.

#### *I. Requested Resolutions and Proclamations*

The Washington County Board of Commissioners is a nonpartisan body that does not advocate for or against positions or policies that do not have a direct, unambiguous, and explicit relationship to the county's programs, services, policies, or budget.

The County Board may consider resolutions regarding state or federal policy that are directly related to the county budget, programs, and services. The board may also consider proclamations or resolutions that honor individuals who have served in public office, public awareness campaigns, or arts and cultural celebrations.

The County Board will not consider resolutions or proclamations related to the following:

- Expressing an opinion on matters of political or ideological controversy.
- Expressing an opinion on issues generally identified and known as supported by one political party and/or opposed by a political party.
- Expressing an opinion or position on topics that have no direct, unambiguous, and explicit relationship to the County's programs, services, policies, or budget.

A request for a board action on a proclamation or resolution of support should be made to the county administrator or other staff in the Office of Administration. Staff shall consult the guidelines and determine the appropriateness of the request. The county will provide a reply to the requester. These guidelines do not prevent anyone from being heard or bringing their concerns to the board. Anyone may contact an individual board member(s) or appear before the board under public comments.

### **III. County Board Agenda**

#### *A. Preparation and Distribution*

It is the responsibility of the county administrator to prepare the proposed agenda and supporting material for each meeting of the board. The proposed agenda is shared with the board chair prior to distribution for their review and approval. The board agenda must be published for the public to view at least three days prior to the board meeting. The board agenda should be shared with the County Board members and department directors a day prior to publication to the public.

#### *B. Board Agenda Preview*

The county administrator shall prepare and distribute to County Board members weekly a preview of upcoming board items, actions and workshops. The preview does not include all board actions and items but is intended to provide advance notice of significant items and issues that will be coming in front of the board.

#### *C. Requests for Agenda Items*

Individual board members may make a request to the board chair or county administrator for an item to be placed on an upcoming board meeting agenda. If after a request has been made, the item has not been placed on an agenda, the board member may make a request at a regular meeting of the board during their commissioner report or General Administration for the item to be added to an upcoming agenda. If there is consensus from the board, or an affirmative vote of the board to direct the item to be placed on an upcoming agenda, the item shall be placed on an agenda by the county administrator.

#### *D. Orders of Business*

The order of business for each regular meeting of the County Board shall be as follows:

1. Roll Call
2. Pledge of Allegiance
3. Comments from the Public
4. Approval of the Agenda

5. Consent Calendar
6. Regular Agenda Items
7. General Administration
8. Commissioner Reports
9. Board Correspondence
10. Adjournment

Any workshops to be held on the same day as a County Board meeting shall be either prior to or after the adjournment of the regular meeting.

*E. County Board Workshops*

The County Board regularly utilizes workshops to review county issues and items that may appear on subsequent board agendas. Workshops are open to the public and noticed pursuant to Minnesota Statutes Chapter 13D. The public is invited and encouraged to attend and participate in County Board workshops. Workshops generally occur in Conference Room 5599 but may be conducted in the County Board Room or other meeting rooms as necessary. Workshops, except for workshops for departments to present their proposed annual budgets, generally are not video recorded. No formal votes will be taken, and any direction from the board will be in a consensus format. A list of attendees and the topics discussed are included in the County Board minutes for that day.

*F. Consent Agenda*

The consent agenda will consist of routine agenda items that are not likely to require additional debate and discussion. Examples include, but are not limited to, contract approvals and renewals, appointments to citizen boards and commissions, and policies or actions previously reviewed and recommended by the Personnel Committee or Finance Committee.

A board member may ask for an item to be removed from the consent calendar to allow for discussion, debate, and individual vote on that item. The consent calendar is typically approved by a roll call vote of the board.

*G. Closed sessions*

The County Board may only meet in closed session as allowed under state law. Examples include meetings for purposes of labor negotiations, discussion of physical or information technology security briefings and reports, review of appraisals related to property acquisition, discussion of active litigation, and providing direction related to labor negotiation strategy.

Closed sessions, except for those closed under the attorney-client privilege, must be recorded and retained as required by state statute.

No members who are part of closed-session discussions shall disclose the content of those discussions until or unless the information becomes public under state statute.

*H. Commissioner Reports*

Commissioner Reports are intended as an opportunity for board members to update other members and the public on county activities and issues. Commissioner reports should be brief and summary in nature. Reports may include topics and issues of county significance from advisory boards, committees, and commissions that board members are appointed to by the County Board. Commissioners should refrain from reporting on partisan or election-related activities or events, except for reporting on county election administration activities or events.

## *I. General Meeting Guidelines & Expectations*

County Board members shall preserve order and decorum during meetings and follow the rules of the governing body.

The board chair shall preside over debate, ensuring equality and fairness in discussion. The board chair should be referred to as “Chair (last name)” and members of the board should be addressed as “Commissioner (last name).”

The county administrator, or their designee, attends and participates in all board meetings and workshops. The county administrator may participate in the discussion, answer questions from board members, and recommend actions or resolutions to an issue as appropriate.

A County Board member desiring to speak shall address the chair and not proceed until being recognized.

A County Board member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order, or to ask the member to stop, cease, or pause speaking by the board chair. No member shall interrupt another in debate without her/his consent. To obtain such consent, a member shall first address the chair.

Upon recognition of the chair, the board member making the motion has precedence to address the board first in discussion to explain the reason or reasons why the motion was made. The member who seconded the motion may be called upon next for discussion. Subsequently any member may address the board.

County Board members should show respect for other viewpoints and refrain from verbal attacks on other board members, county staff, or members of the public. Board members should be allowed adequate time to present their views and opinions. Discussion should be confined to the current issue or policy being debated.

County Board members should be prepared to contribute meaningfully by reviewing materials prior to the meeting.

County Board members should actively participate by contributing ideas, asking questions, sharing their perspectives, and focusing on finding the best solution for the county.

County Board members should stay on topic, communicate respectfully, and avoid interruptions.

Following the adoption of a position or decision by the full board, that position becomes the position of the board.

## **IV. Commissioner Code of Conduct**

### *A. Ethical Actions and Considerations*

Effective county government operations require leadership from the elected board members, which is to be respected by the public and staff. Washington County expects its employees to abide by its Respectful Workplace Policy (5008) and its Code of Ethical Conduct (1005). While Policy 5008 does not apply to board members, County Board members are expected to operate and communicate in a respectful and ethical manner in all interactions with the public, county staff, and other board members.

In execution of their official duties, all County Board members shall strive to:

- Adhere to the laws, rules, and policies that govern the county.
- Maintain and respect the confidentiality of private and confidential information.

- Avoid discrimination against any person on the basis of race, color, creed, religion, national origin, sex, gender identity, marital status, disability, status with regard to public assistance, sexual orientation, familial status, or age; and others defined by law.
- Comply with the ethical obligations imposed by law, including Minnesota Statutes 10A.07 (Conflicts of Interest), Chapter 13D (Open Meeting Law), 10A.071 (Gift Prohibition), 382.18 (Interest in Contracts), 471.87-.895 (Sales, Contracts, & Gifts), including when appropriate, disclosing conflicts of interest, abstaining from decision making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Avoid offensive behavior that has a negative impact on the work environment of the board, such as rudeness, exclusionary behavior, angry outbursts, bullying, inappropriate joking, vulgarities, obscenities, personal attacks, name-calling, and disrespectful language.
- Allow citizens, staff, or colleagues to have sufficient opportunity to present their views.
- Be tolerant, respectful, and attentive.
- Avoid comments, body language, or distracting activity that conveys a message of disrespect for the presentations or comments from the public, staff, or other County Board members.
- Avoid questioning the motives of and refrain from personal attacks on another County Board member, member of the public, or county staff member.
- Understand the position of others and disagree professionally and respectfully.
- Support the position of the County Board after a vote is taken and a board position is adopted.
- Support and represent the decisions by the board when speaking on behalf of the county to federal, state, or local officials. A member may note that they did not support the position when the vote was taken, but that the vote by the board is the county position. Members are expected not to undermine or sabotage the implementation of ordinances, policies, or rules that have been passed by a majority vote of the board.
- Respect, not belittle, minority opinions and votes of County Board members
- Remain focused on the board's role of setting the direction and policy for the county and understanding the county staff's role in managing county operations and implementing board direction.

*B. Interacting with Department Heads and County Staff*

County employees work for the county and at the direction of the board as a whole, not at the direction of individual County Board members. Individual County Board members should not give direct orders to or supervise county employees, unless directed to by the County Board.

County Board members are encouraged to work with county staff to address constituent questions and concerns. Requests for assistance can be made to the county administrator, deputy administrators, or support staff in the Office of Administration.

If a County Board member contacts a department head related to a constituent request or county issue, it is requested that the board member inform the county administrator or deputy county administrators to ensure a timely response.

If a County Board member contacts a county staff person within a department, it is requested that the County Board member also notify or inform the department head or department deputy director prior to contacting the staff person. If the contact is made by email, the County Board member should copy the department head or department deputy director.

Unless it is an emergency or an issue requires immediate attention, a County Board member should refrain from contacting staff by phone or text message (except for the county administrator or deputy county administrators) outside of normal work hours (8 a.m.-4:30 p.m. Monday through Friday). A County Board

member may send an email outside of normal work hours to a staff person with the expectation that staff will follow up or reply the following business day.

In the event of any emergency or urgent matter arising, county staff should utilize a phone call or text message to communicate with a board member, when possible. Email should not be utilized, especially after normal working hours or over a weekend.

It is expected and acceptable for County Board members to communicate directly with county staff related to issues of scheduling or the operations of committees, boards, or commissions on which they serve and when working directly with a staff person who has been assigned to support the board member in addressing a constituent question or concern.

### *C. Accountability*

It is the responsibility of the County Board members to hold each other accountable for acting in a respectful and ethical manner. A County Board member should discuss with another member if they feel a comment, statement, action, or behavior of that member does not meet the expectations laid out in this section. After communicating or attempting to communicate with the other member, a member may notify the board chair if they feel another member's actions contradict this section.

Board members may choose to utilize the county's Employee Assistance Program (EAP). EAP provides confidential, short-term counseling at no cost for personal concerns that may affect your work (or home) life.

Contact Information:

- Phone: **800-550-6248** (available 24/7)
- Website portal: AllOne Health <https://mylifeexpert.com/> (Use company code: MNCIT)
- Live chat available 7 a.m.-4 p.m. Monday through Friday (through online portal)

State law provides official immunity to protect board members from lawsuits based on discretionary actions performed in the course of their official duties. Official immunity may not protect a board member if a member acts outside the scope of their duties.

The County Board shall review this document annually and the County Board shall adopt its operating procedures and guidelines each year during the first meeting in January.

Adopted: April 15, 2025 (pending)