

RESOLUTION ESTABLISHING AN ADMINISTRATIVE POLICY

Whereas, the town board (Board) is the governing body of Salem Township (Town) charged by law with certain powers and duties to conduct the affairs of the Town:

Whereas, the Board determines the adoption of an administrative policy will enhance the effectiveness of its 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 Town, which include, but are not limited to, the following: the Town is rural in nature; has a limited budget which is set by the town electors at the annual meeting; does not employ any administrative personnel; does not maintain regular office hours; has limited office facilities; holds only one regular town board meeting a month; does maintain a web site:

NOW, THEREFORE BE IT RESOLVED, that the town board of Salem Township, Olmsted County, Minnesota hereby adopts the following administrative policy:

ADMINISTRATIVE POLICY

1. **Scope.** The procedures established in this policy shall apply to the regular board meetings of the Board and, to the extent practicable, special board meeting and Board 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 purpose of this policy, the term “meeting” shall be read as including, to the extent practicable, hearings conducted by the Board.
 - 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 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 Time and Location.** The Board conducts one regular Board Meeting a month on the First Wednesday of each month, at 7:00 p.m. at the town hall located at 8433 Salem Road SW, Byron, MN 55920. If the regular meeting falls on a holiday, or for some other reason may not be held on the regularly scheduled day, the meeting will then be held on the following Wednesday 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 not be considered holidays and so public business may be transacted on those days.

3. **Calling a Special Board Meeting.** Any supervisor may upon his or her own initiative call a special meeting of the Board to address an issue or issues that require consideration before the next regular Board meeting. The supervisor shall contact the town clerk of the need for a special Board meeting and the town clerk shall notify the other supervisors of the date, time and place of the meeting. The town clerk shall provide notice of the meeting as required by the open meeting law.
4. **Presiding Officer.** The Board chairperson shall be the presiding officer of Board meetings. In the absence of the chairperson, the vice chairman shall preside. The presiding officer shall have the power to preserve order and decorum at the meetings, enforce rules of procedure, and determine without debate, subject to the final decision of the board on appeal, all questions of procedure and order.

4.1 Appeal of Presiding Officer's Ruling. Any member of the Board may appeal from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely to the question(s) involved and the presiding officer may explain his or her ruling. But no other Board member shall participate in the discussion. A majority vote of the Board shall determine the question.

4.2 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.

5. **Order of Business.** At the appointed time for the meeting, the presiding officer shall call the meeting to order. If a quorum is present, the Board shall proceed with its business in the following order.

1. Call to Order and Roll Call
2. Review and Approval of Claims for Payment
3. Reading and Approval of Minutes
4. Reading and Approval of Treasurer's Report
5. Zoning Administrator
6. Old Business
7. New Business
8. Citizen Comments
9. Adjournment

5.1 Varying Order of Business. The presiding officer may vary or alter the order of business.

5.2 Consent Agenda. The Board may employ the use of a consent agenda to approve matters of a routine or non-controversial nature.

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

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

7. Committees. Committees or subcommittees of the board may only be established by motion adopted by 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. Citizens addressing the Board shall 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.

8.1 Spokesperson. 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 the spokesperson has spoken on behalf of a group, the presiding officer may limit the number, and/or the time other persons are allowed to speak to present similar opinions.

8.2 Audio and 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.

8.3 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. 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.

9.1 Tape Recording. Unless the board expressly states otherwise in the minutes of a 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.

9.2 If the Board is taping a meeting, the Board may make a motion at the meeting to make the tape 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.

10. 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.

11. 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.

11.1 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 shall 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.

11.1.1 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 \$40.00 per hour with a one hour minimum charge. All requests must be paid in advance.
- (2) **Photocopying:** The fee for photocopying shall be charged at a rate of \$.25 per page for up to 100 pages and copies in excess of 100 pages, actual cost-plus labor.
- (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.

11.1.2 Prepayment of Fees. All costs whether estimated or actual must be paid in advance of the work being performed. 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.

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

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

Adopted this Second Day of January 2019

Town Chairperson

Attest: _____
Town Clerk

Resolution No. 2019-1

**RULES OF PARLIAMENTARY PROCEDURE FOR
TOWN BOARD MEETINGS.**

The following are the rules of parliamentary procedure the town board (Board) of Salem Township, Olmsted 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 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 the 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.

SALEM 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 any 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

This 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 \$40.00 <div style="display: flex; justify-content: space-between; width: 100%;"> # Hours Hourly Rate </div>	_____	_____
Photocopying \$.25 up to 100 copies <div style="display: flex; justify-content: space-between; width: 100%;"> Rate Hourly Rate </div>	_____	_____
Mailing _____	_____	_____
Other Costs _____	_____	_____
Tape Recording (if Official) \$40.00 / copy	_____	_____
Totals	_____	_____
Difference	_____	
		() to be paid by requester () to be refunded by Town

***All costs whether estimated or actual must be paid in advance of the work being performed. 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 requester. If the actual cost is more than the estimated cost, the requester must pay the additional amount before receiving the copies.**