



BOARD OF DIRECTORS

January 21, 2011 Minutes

The Association of Minnesota Counties (AMC) Board 10:00 a.m. A quorum was present. The following were in attendance:

EXECUTIVE COMMITTEE

President, Duane Bakke (Fillmore)	<u> </u>	X
1st Vice President, Randy Maluchnik (Carver)	<u> </u>	X
2nd Vice President, Joe Vene (Beltrami)	<u> </u>	X
Secretary/Treasurer, John Baerg (Watonwan)	<u> </u>	X
Immediate Past President, Jon Evert (Clay)	<u> </u>	X

DISTRICT DIRECTORS

District I	Kevin Adee (Koochiching)	<u> </u>	X	District IX	Bruce Kubicek (Steele)	<u> </u>	X
District II	Todd Beckel (Lake of the Woods)	<u> </u>	X	District X	Rhonda Sivarajah (Anoka)	<u> </u>	X
District III	Bill Montague (Polk)	<u> </u>	X	District X	Jim Ische (Carver)	<u> </u>	X
District IV	Larry Sayre (Stevens) <i>Alt.</i>	<u> </u>	X	District X	Liz Workman (Dakota)	<u> </u>	X
District V	Jack Russek (Wright)	<u> </u>	X	District X	Peter McLaughlin (Hennepin)	<u> </u>	
District VI	Gary Hendrickx (Swift)	<u> </u>	X	District X	Rafael Ortega (Ramsey)	<u> </u>	X
District VII	Tom Warmka (Faribault)	<u> </u>	X	District X	Barbara Marschall (Scott)	<u> </u>	X
District VIII	Marvin Tinklenberg (Pipestone)	<u> </u>		District X	Lisa Weik (Washington)	<u> </u>	X

NACO REPRESENTATIVES

Tony Bennett (Ramsey)	<u> </u>	
Randy Johnson (Hennepin)	<u> </u>	
Harlan Madsen (Kandiyohi)	<u> </u>	X
Paul Wilson (Olmsted)	<u> </u>	X
Leigh Lenzmeier (Stearns)	<u> </u>	*SP

POLICY COMMITTEE CHAIRS

ENRPC:	Victoria Reinhardt (Ramsey)	<u> </u>	X
GGPC:	Tom Warmka (Faribault)	<u> </u>	*SP
HSPC:	Toni Carter (Ramsey)	<u> </u>	X
TPC:	Don Jensen (Pennington)	<u> </u>	X
PSPC:	Nancy Schouweiler (Dakota)	<u> </u>	

AFFILIATE MEMBERS

Molly O'Rourke (Washington) (MACA)	<u> </u>	X	Mandy Landkamer (Nicollet) (MACPZA)	<u> </u>	
Timothy Fox (Wilkin) (MCAA)	<u> </u>	X	Jim Franklin (MSA)	<u> </u>	
Doug Fischer (Anoka) (MCEA)	<u> </u>		Randy Ehlers (Rock) (MACSSA)	<u> </u>	X
Mark Lohmeier (Becker) (MACLC)	<u> </u>		Richard Walter (Houston) (MACS)	<u> </u>	
Lowell Johnson (Washington) (LPHA)	<u> </u>		Jim Gorgart (Le Sueur) (MACVSO)	<u> </u>	
Randy Johnson (MWCA)	<u> </u>		Bob Swanberg (Stearns) (MAPCED)	<u> </u>	
Bev Wangerin (McLeod) (MAGIC)	<u> </u>	X	Carol Roberts (Ramsey) (MACCAC)	<u> </u>	
Robyn Sykes (MCIT)	<u> </u>		Deb Paige (Washington) (AMEM)	<u> </u>	X
Mjyke Nelson (Washington) (MNCLITA)	<u> </u>		Elissa Lindquist (Halleland Habicht PA) (MACHP)	<u> </u>	
Patty O'Connor (Blue Earth) (MACO)	<u> </u>	X	Gloria Stevenson (Todd) (MCGISA)	<u> </u>	

STAFF

Jeff Spartz, Executive Director	<u> </u>	X
Laurie Klupacs, Membership Services Manager	<u> </u>	X

GUESTS

Robin West (Anoka)	<u> </u>	X
Gayle Degler (Carver)	<u> </u>	X
Jim Halstrom (AMEM)	<u> </u>	X

**SP denotes attendance via speaker phone.*

Staff: Sue Bowman, Patricia Coldwell, Ryan Erdmann, Annalee Garletz, Joe Mathews, Ryan O'Connor, Eric Ratzmann, Toni Smith

CALL TO ORDER

President Duane Bakke called the AMC Board of Directors' meeting to order at 10:05 a.m. on Friday, January 21, 2011 in the AMC Board Room.

Representative Thissen, Minority Leader, addressed the Board of Directors and noted that he appreciates AMC's positive input into how to do business better.

PRESIDENTS REPORT

President Bakke reported on the NACo State Executive/Presidents meeting held last week in Washington D.C. with executive director Jeff Spartz.

NACo President Glen Whitley announced several initiatives that are important to him. Among the initiatives is a National memorial effort seeking photos of fallen Vietnam soldiers. President Bakke stated that he is committed to do whatever he can to assist in getting photographs of all Minnesotans who have died in Vietnam. The photos are being collected to be part of a permanent digital display at an education center planned near the Vietnam Veterans Memorial Wall in Washington D.C.

Bakke then reported on an "Initiative to Raise Awareness and Understanding of Counties" by NACo President Glen Whitley. Minnesota counties are encouraged to take part in an initiative to make the American public, who are beneficiaries of government services, and officials at other levels of government, who are partners in delivering those services, more knowledgeable and positive about the contributions of county government. It is clear that counties have a story to tell. That story is this: County Government Works. This initiative has put in place the tools for county officials to use to ensure that the story is told well and told often. These tools include presentations for civic and community groups; curricula for students; publications, videos and brochures; information on websites, have open houses at county facilities and generate other programs.

Bakke stated that the majority of AMC member counties are paid up on dues for both AMC and NACo. District Directors were asked to send letter to counties in their district thanking them for participating in AMC and NACo.

The AMC Executive Committee held a meeting yesterday where many issues were discussed, including how, when and why we hold certain AMC meetings and events. Specific meetings discussed were the Annual conference, Board of Directors vs. Legislative Steering Committee, annual Leadership Summit and Board Strategic Planning.

After Board discussion, there was consensus to postpone this year's August Leadership Summit and move it to January 2012, and offer the Summit every other year. This way, January of the odd numbered years there will be a newly elected official's conference and the even numbered years, the Leadership Summit would be held.

The Board of Directors Strategic Planning Retreat should be held sometime in the odd numbered years, which would coincide with AMC's biennial Legislative Platform.

APPROVAL OF AGENDA

MOTION by Victoria Reinhardt; seconded by Todd Beckel to approve the January 21, 2011 AMC Board of Directors' Agenda as presented. The motion carried.

SECRETARY/TREASURER REPORT

MOTION by John Baerg; seconded by Harlan Madsen to approve the December 5, 2010 Board meeting minutes as presented. The motion carried.

MOTION by John Baerg, seconded by Jack Russek to approve the 2010 AMC Annual Meeting Minutes as presented. The motion carried.

MOTION by John Baerg; seconded by Victoria Reinhardt to approve the October 2010 Financial Statement pending the AMC 2010 annual audit. The motion carried.

INTERGOVERNMENTAL SERVICES REPORT

AMC’s Intergovernmental Services staff reported on the following issues: budget bill, drug courts and potential revenue options, Medicaid expansion, community corrections expansion, environmental streamlining, and bonding bill.

MEMBERSHIP SERVICES REPORT

Laurie Klupacs reported that the AMC Annual Conference was successful but for some major construction concerns that happened at the St. Cloud Civic Center that had adverse affects on the AMC vendors. Klupacs will be working on gaining a satisfactory resolution with the Civic Center.

A post conference survey was sent to all attendees and consistent messages include shortening the length of the conference and keeping the conference location in St. Cloud as it is the most central location. The Board requested that a poll be taken at the spring district meetings asking the membership if they would prefer the conference be held Sun-Tuesday or Saturday-Monday.

EXECUTIVE DIRECTOR REPORT

MOTION by Liz Workman, seconded by Paul Wilson to adopt the Guiding Principles for the 2011 Legislative Session as presented. The motion carried.

The following AMC Bylaw changes were presented to the Board for comment. AMC Bylaws state that any changes must be noticed to the Board with 30 days notice.

ARTICLE IV

BOARD OF DIRECTORS

SECTION 2. BOARD OF DIRECTORS. There shall be organized a Board ~~of up to twenty-two (22) members~~ consisting of sixteen (16) District Directors elected in accordance with Article IV, Section 3; one Director selected by each county with a population in excess of 400,000 persons; the Executive Committee of the Association, the National Association of County Officials (NACO) delegate(s) and the immediate Past President of the Association. Chairpersons of all AMC Policy Committees shall serve as ex-officio members of the Board. The Board may designate additional ex-officio members to the Board provided that the ex-officio members are not entitled to vote on any matter before the Board. Officers of the Association may not simultaneously serve as District Directors.

Board membership is defined in the Bylaws and is currently greater than 22 members.

SECTION 6. REGULAR MEETINGS. The Board may provide by resolution the time and place for holding regular meetings of the Board. The Board shall hold at least two (2) regular meetings each year. ~~A written notice of every meeting of the Board shall be sent mailed to members of the Board at their last known address, postage prepaid,~~ at least five (5) days in advance of the meeting and a general statement of the business to come before it.

SECTION 9. SPECIAL MEETINGS OF THE BOARD. Special meetings of the Board may be called by or at the request of the President or any five (5) directors. The person or persons authorized to call special meetings of the Board may fix the place within the state of Minnesota as a place for holding any special meeting of the Board called by them. Each Director shall receive at least four (4) days notice of such special meeting; ~~a certified letter to the address of the Director shall be deemed as notice, but notice may also be given by telephone.~~

Email is a more efficient manner of communication. The process in which notice is given should not be specified in the Bylaws.

SECTION 4. NOMINATING PROCESS.

Subd. 4. ~~The candidate nomination screening committee shall hold an organizational meeting at least five months prior to the annual meeting or at such time(s) designated by the President to conduct the nomination process.~~ The nomination screening committee shall hear presentations from candidates for office prior to elections during the AMC Annual Conference.

ARTICLE IX**ANNUAL ASSOCIATION MEETING**

SECTION 1. ANNUAL MEETING. The Association shall hold an annual business meeting which may be combined with the annual convention, the time and place of which shall be determined by the Board. Notice shall be given to all county delegates not less than thirty (30) days prior to the opening session. ~~Such notice shall be given either by letter to each county delegate or in the official publication of the Association stating the time and place of the meeting.~~

ARTICLE XII**AMENDMENT OF BYLAWS**

Upon 30 days' ~~written~~ notice ~~delivered by regular U.S. mail~~, the Board, by a vote of 60 percent of the membership of the Board may from time to time adopt, amend, or repeal all or any of the Bylaws of this Association. If, in the judgment of the President, time permits, notice of such proposed amendments shall be provided in a regular publication of the Association transmitted to all members.

MOTION by Jon Evert, seconded by Bruce Kubicek to forward the proposed changes to the general membership for action at future board meeting. The motion carried.

LEGISLATIVE STEERING COMMITTEE/BOARD OF DIRECTORS

President Bakke reported that due to the very similar makeup of both the Legislative Steering Committee and the Board of Directors, and the fact that the AMC President appoints the Legislative Steering Committee, he proposes that the Board of Directors serve as the Legislative Steering Committee. The biggest difference between the two is the fact that AMC Past Presidents are all on the Legislative Steering Committee.

Currently all AMC Past Presidents are on the Board of Directors in some capacity, as listed below, with the exception of Past President Jim McDonough.

- 2010 Past President Jon Evert (Clay) – Immediate Past President; on Executive Committee/Board of Directors'
- 2009 Past President: Jim McDonough (Ramsey) – Not currently on Board of Directors'
- 2008 Past President: Paul Wilson (Olmsted) – NACo 12th Largest State Membership Representative; on AMC Board of Directors'
- 2006 Past President: Nancy Schouweiler (Dakota) – Public Safety Policy Committee Chair; on AMC Board of Directors'
- 2005 Past President: Harlan Madsen (Kandiyohi) – NACo Delegate; AMC Board of Directors'
- 2002 Past President: Tony Bennett (Ramsey) – Appointed Member-at-Large to NACo Board; on AMC Board of Directors'
- 1997 Past President: Peter McLaughlin (Hennepin) – Hennepin County Representative on AMC Board of Directors'

As currently present in the AMC Bylaws under Section 2. Board of Directors. The Board may designate additional ex-officio members to the Board provided that the ex-officio members are not entitled to vote on any matter before the Board. Officers of the Association may not simultaneously serve as District Directors.

MOTION by Victoria Reinhardt, seconded by Jim Ische to appoint the two most recent AMC Past Presidents to the Board of Directors as ex-officio members of the Board per Article IX, Section 2 of the AMC Bylaws. The motion carried.

President Bakke requested a further change in the Bylaws that would allow for the two ex-officio appointed members of the Board (currently two most recent past presidents) and the AMC Policy Committee chairs to be voting members instead of ex-officio members. As background information, currently the AMC Past Presidents and the AMC Policy Committee Chairs are voting members of the Legislative Steering Committee and not the Board.

MOTION by Victoria Reinhardt, seconded by Jim Ische to recommend approval of a Bylaw change that would allow for Board appointed ex-officio members and policy committee chairs to have voting status on the AMC Board of Directors. The motion carried.

SECTION 2. BOARD OF DIRECTORS. There shall be organized a Board ~~of up to twenty-two (22) members~~ consisting of sixteen (16) District Directors elected in accordance with Article IV, Section 3; one Director selected by each county with a population in excess of 400,000 persons; the Executive Committee of the Association, the National Association of County Officials (NACO) delegate(s) and the immediate Past President of the Association. Chairpersons of all AMC Policy Committees shall serve as ~~ex-officio~~ members of the Board. The Board may designate two additional most recent AMC Past Presidents that are not on the Board in another capacity ~~ex-officio members~~ to the Board. ~~provided that the ex-officio members are not entitled to vote on any matter before the Board.~~ Officers of the Association may not simultaneously serve as District Directors.

NACo UPDATE

There are 43 people from Minnesota registered for the NACo Legislative Conference scheduled for March 5-9. The following arrangements have been made for Minnesota participants:

- A **Minnesota Federal Issues Briefing** will be held on Sunday, March 5, 2011 from 5:00 – 6:30 p.m. in the Harding Room (Mezzanine Level) of the Washington Marriott® Wardman Park. A cash bar will be available, but no food will be served at this event. Lockridge Grindal Nauen, AMC's federal liaisons, will be on hand to brief Minnesota county officials on pending federal issues. AMC members on NACo steering committees will also be asked to give a brief update on committee activities.
- A **Minnesota Congressional Breakfast** will be held on Wednesday, March 9, 2011 from 8:30 a.m. – 10:30 a.m. in the Montpelier Room at the Library of Congress in the James Madison Building. Each county will be billed \$25 per person.
- **Reception:** Dennis M. McGrann & the Federal Relations Group from Lockridge Grindal Nauen P.L.L.P. is inviting all Minnesota attendees at the NACo Legislative Conference to a reception on Saturday, March 5, 2011 to honor and celebrate the 112th Congress at the Home of Dennis and Elena McGrann on Capitol Hill. RSVP's are requested.

One of the key legislative priorities for NACo is repealing the 3% tax-withholding requirement which is addressed below:

Save jobs by repealing the 3-percent tax-withholding requirement: Congress should immediately repeal Section 511 of PL 109-222 requiring local government to collect for the IRS a 3 percent withholding tax for goods and services contracts. This costly unfunded mandate takes effect Jan. 1, 2012, requiring action in this first session of the 112th Congress. Counties must act as agents of the IRS and begin purchasing equipment, begin training and create systems to begin collecting taxes for the IRS with no federal assistance. This is an unacceptable unfunded mandate that even the business community agrees is onerous in creating and maintaining jobs.

ADJOURN

The AMC Board of Directors adjourned at 2:30 p.m.

Prepared by Laurie Klupacs, for John Baerg, Secretary/Treasurer of the AMC Board of Directors, at the direction of Jeff Spartz, AMC Executive Director.

Jeff Spartz, Executive Director

John Baerg, AMC Secretary/Treasurer