

Minneapolis Neighborhood Revitalization Policy Board

MINUTES OF THE REGULAR MEETING OF

September 27, 2004

Present and Voting: Debbie Evans, Cam Gordon, Zachary Korb, Nicholas Kakos, Peter McLaughlin, Gail Dorfman, R.T. Rybak, Paul Ostrow, Jon Olson, Byron Laher, Ken Kelash and Rep. Joe Mullery, chair, presiding

Alternates Attending: Sean Wherley, Carol Pass, Jeffrey Strand, David Fey

Absent: Michael Opat, Dennis Schapiro, Emmett Carson, Tony Looking Elk, Diane Hofstede (excused)

Staff: Bob Miller, Peg Mountin, Carsten Slostad

Others Present: Rita Ulrich, Doug Walter, Virginia Bratton, Amy Lusebrink, Pat Halliday, William D. Carter, Jim Roth, Greg Baumgartner, Joan Pearson, Adele Della Torres, Jeff Schneider, Elizabeth Ryan, Judith Tennebaum, Jack Newton, Gary Arntsen and other interested citizens.

I. CALL TO ORDER

Representative Joe Mullery, chair, called the meeting to order at 4:40 p.m. in Conference Room C-2350 in the Hennepin County Government Center.

II. APPROVAL OF THE AGENDA

Upon a motion by Ken Kelash and seconded by Nicholas Kakos the agenda was adopted.

III. APPROVAL OF THE MINUTES

Upon a motion by Ken Kelash and seconded by Nicholas Kakos the minutes of the July 26, 2004 and August 23, 2004 meetings were adopted.

IV. ACTION ITEMS (Consent Agenda Items)

Upon a motion by Nicholas Kakos and seconded by Ken Kelash the consent agenda items were considered for adoption. Paul Ostrow asked that the Housing Policy Amendment be separated from the consent agenda items. The remaining items were then adopted as follows:

1. Hennepin County “Second 7.5%” NRP funds for Windom Park

[NRP / FR#2004-19]

RESOLVED: That the Minneapolis Neighborhood Revitalization Policy Board (Board) hereby approves the redirection of \$9,000 of Hennepin County “Second 7.5%” NRP funds to assist in providing opportunities for limited income residents to participate in Park & Recreation activities in the Windom Park neighborhood.

RESOLVED FURTHER: That the Board approves the use of \$5,000 of Hennepin County “Second 7.5%” NRP funds for creating and distributing a “welcome packet” in the Windom Park neighborhood.

2. 2005 Minneapolis & Saint Paul Home Tour

[NRP / FR#2004-20]

RESOLVED: That the Minneapolis Neighborhood Revitalization Policy Board (Board) agrees that the NRP should be the coordinator for the 2005 Minneapolis & Saint Paul Home Tour; and,

RESOLVED FURTHER: That the Board authorizes the Director to: (1) enter into any contracts or agreements needed to implement the 2005 Home Tour; (2) expend funds from the approved 2005 Administrative Budget for this purpose; (3) create the accounts and files needed to document the revenues received and the expenses incurred for the Home Tour; and (4) use the NRP name, logo and Web site to promote and advertise the Home Tour: and,

RESOLVED FURTHER: That the Director shall provide a full report on the revenues and expenditures, attendance and other relevant matters to the Board by July 31, 2005.

3. Lowry Hill Neighborhood Plan Modification #7

[NRP / FR#2004-21]

RESOLVED: That, in accordance with its policy on “Changing Approved Neighborhood Action Plans and Early Access Requests” (approved by the NRP Policy Board on June 6, 1994, and amended on September 5, 1995) the Minneapolis Revitalization Program Policy Board (Board) hereby approves and authorizes the Lowry Hill Residents, Inc. to modify the Lowry Hill Neighborhood Action Plan as follows:

1) Rename the “Crime and Safety” section of the Lowry Hill Phase I NRP plan and incorporate a new strategy under this section as follows:

Section 1: Housing and Safety

Goal 1.D: Support efforts to enhance the housing and safety of at-risk youth

Strategy 1.D1: *Support the rehabilitation and/or redevelopment of the facilities of the Bridge for Runaway Youth to better meet their mission.*

2) Reallocate \$26,000 of Lowry Hill Phase I NRP funds in the following manner:

From:

1.B.1 - Support Block Clubs	\$ 2,000.00
1.C.3 - Motion Detector Lights	\$ 5,793.79
4.A.1 - Parking Ramp Study	\$ 3,736.26
7.A.1 - Traffic Study	\$ 4,709.11
2.B.1 - Hennepin Avenue Lighting/Streetscape	\$ 7,074.32
7.B.1 - Traffic Calming	\$ 2,686.52

To:

1.D.1 - Bridge for Runaway Youth	\$26,000.00
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RESOLVED FURTHER: That the Board hereby authorizes the Director to request City approval of: 1) a new plan strategy in the Lowry Hill Phase I Neighborhood Action Plan and the reallocation of \$26,000 to this strategy; and 2) authorization for the appropriate City officers to enter into any contracts or agreements necessary to implement the activities above.

V. POLICY ITEMS (Discussion Items)

1. Housing Policy Amendment

[NRP / PR#2004-33]

This item, moved from the consent agenda at the request of Paul Ostrow, was discussed. He requested clarification on how neighborhoods keep their housing related administrative costs separate and how this calculation was done. Nicholas Kakos summarized that the allocation of administrative costs to housing is based upon the ratio of NRP funded housing projects to the total NRP dollars for the neighborhood. Upon a motion by Ken Kelash and seconded by Zachary Korb the following resolution was adopted. The Housing Policy as amended is attached to these minutes.

RESOLVED: That the Minneapolis Neighborhood Revitalization Policy Board ("Board") approves and adopts as NRP policy the "Housing and Housing Related Activities" Policy as Amended and presented to the Board on September 27, 2004.

2. By-Laws Revision

[NRP / PR#2004-34]

Ken Kelash, chair of the By-Laws Committee, presented the Committee's report. The committee met for a final review of the By-Laws on September 7th and decided that no further revisions were needed. Paul Ostrow again expressed his concern about Article V, Section 3, subdivision b, and passed out a memo from the City Attorney about this item. He then moved to separate this section for consideration. Ken Kelash moved to cut off debate and his motion carried. A vote was then taken on Article V, Section 3, subdivision b. The section as proposed by the By-Laws Committee was adopted with Paul Ostrow and R.T. Rybak voting against it. Then a vote was taken on the other By-Law revisions and those revisions were adopted. A copy of the revised and approved By-Laws is attached to these minutes.

3. Housing Funds Proposal

[NRP / PR#2004-35]

Bob Miller briefly presented the eight funds in the revised proposal. The revisions were the result of considerable review by the neighborhoods and recommendations from City staff and experts from the private sector. A discussion on the proposal was then held. Upon a motion by Ken Kelash and seconded by Cam Gordon, the following resolution was adopted.

RESOLVED: That the Minneapolis Neighborhood Revitalization Policy Board directs NRP staff to distribute the Housing Funds Proposal to the neighborhoods for their review and comment with a deadline for submission of comments of November 12, 2004.

4. NRP Procedure for Election of Neighborhood Representatives

This item was on the August agenda. The request was to make sure that the current election procedures for neighborhood representatives are consistent with the revisions proposed by the By-Laws Committee. Bob Miller reported that they were and referred members to the legal opinion that was included in the meeting materials packet.

VI. PRESENTATIONS & REPORTS

1. Proposed 2005 Administrative Budget

Bob Miller presented the proposed 2005 Administrative Budget to the Policy Board. A vote on the budget will be taken at the October or November meeting.

2. NRP Business Plan

[NRP / PR#2004-36]

Bob Miller presented the plan, which covers the next five years. He pointed out that continuation of NRP past December 31, 2009 would require additional funding. The business plan projects two alternate futures. A decision by the Board will have to be made as to the future of NRP. Upon a motion by Nicholas Kakos and seconded by Paul Ostrow the following resolution was adopted.

RESOLVED; That the Minneapolis Neighborhood Revitalization Policy Board ("Board") receives the Business Plan for 2005-2009 Draft of September 2004 from the Director, and

RESOLVED FURTHER; That the Board directs NRP staff to distribute the draft plan to the neighborhoods for their review and comment with a deadline for submission of comments of November 12.

3. NRP Neighborhood Representative Election

The candidates certified by the League of Women Voters for the Neighborhood Representative Election were announced. The election will be held on Thursday, November 18th.

4. Tangletown Phase I Plan Review

This item was received and filed.

5. Shingle Creek Phase I Plan Review

This item was received and filed.

VII. ADJOURNMENT

The meeting was adjourned at 6:05 p.m.

Carsten Slostad, Secretary Pro Tem

ATTEST: Joe Mullery, Chair

As Adopted by the Policy Board
On February 8, 1993,
Revised on April 22, 2002,
And Revised on September 27, 2004

BYLAWS
of the
MINNEAPOLIS NEIGHBORHOOD REVITALIZATION PROGRAM
POLICY BOARD

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**BYLAWS
OF THE
MINNEAPOLIS NEIGHBORHOOD REVITALIZATION PROGRAM
POLICY BOARD**

Preamble

In order to improve the quality of life and livability in the City of Minneapolis by revitalizing its neighborhoods, the Policy Board of the Minneapolis Neighborhood Revitalization Program enacts the following bylaws.

Article I

Name, Purpose, Authorization and Establishment

Section 1 Name

The name of the organization is the Minneapolis Neighborhood Revitalization Program Policy Board, hereinafter called the “Board”.

Section 2 Purpose

The purpose of the Board is to review, modify and approve for final action Neighborhood Action Plans prepared for the Neighborhood Revitalization Program, hereinafter called the “Program”; to provide a forum for the coordination of governmental and private efforts in the development and implementation of Neighborhood Action Plans; and to ensure an open process and promote citizen participation in all aspects of the “Program”.

Section 3 Authorization

The Program and Board are authorized by Minnesota Statutes 1990, Sections 469.1831 and 471.59.

Section 4 Establishment

Subdivision a: The Board is established by Chapter 419, Title 16 of the Minneapolis Code of Ordinances as required by Section 419.60 of the Minneapolis Code of Ordinances and by Resolutions of the Mayor and City Council of the City of Minneapolis, the Board of Commissioners of Hennepin County, the Board of Directors of Minneapolis Special School District No. 1, the Commissioners of the Minneapolis Park and Recreation Board and the Trustees of the Minneapolis Library Board (herein, the “Participating Jurisdictions”) which adopt the Neighborhood Revitalization Program Joint Powers Agreement.

Subdivision b: As authorized by the Joint Powers Agreement, the Board hereby establishes this body of governing principles and procedures as the bylaws of the Neighborhood Revitalization Program Policy Board.

Article II

Policy Board General Powers and Obligations

Section 1 General Powers

Subdivision a: The Board, in providing overall direction to the Program, shall review, modify where appropriate, and approve in whole or in part Neighborhood Action Plans. Upon approval by the Policy Board the appropriate sections of individual Neighborhood Action Plans are to be referred to Participating Jurisdictions for implementation.

Subdivision b: The Board recommends the expenditures of all funds delineated under Minnesota Statutes Section 469.1831 and Minneapolis Ordinances Chapter 419 and 421, any additional revenues received from the participating jurisdictions, and any program incomes derived from the use of NRP funds.

Subdivision c: The Board shall have the authority to establish a fund or funds to accomplish programs or activities that have been included by more than one neighborhood in their Neighborhood Action Plans if such activity can be more cost effectively or efficiently accomplished on a city wide basis.

Section 2 Review

The Board shall provide oversight of planning and implementation activities and expenditures of the Program.

Section 3 Responsibilities as a Public Entity

As the advisory body to the Participating Jurisdictions the Board is responsible for the expenditures of public funds. The Board shall require that all programs, activities, expenditures, and contractual arrangements be conducted in accordance with all applicable laws and statutes.

Section 4 Conflict of Interest

The Board shall have a Conflict of Interest Policy that shall govern Board members, Program employees and neighborhood organizations that contract with NRP.

Section 5 Financial Audits

The Board shall have an audit of its activities and expenditures conducted annually and make the audit report available to the Participating Jurisdictions and the public. The audit shall include financial statements for the Program’s fiscal year being reviewed.

Section 6 Limited Powers of Policy Board Members

No member of the Board shall in any way bind the Program or the Board except as permitted to do so by the Board or these bylaws.

Section 7 Suits

The Board shall have the authority to initiate suits. The settlement of all suits requires approval by a simple majority of all members of the Board.

Article III

Policy Board Membership

Section 1 Membership

The Policy Board shall consist of three (3) groups:

Subdivision a: The “Public Officials” shall be the Mayor of Minneapolis, the President of the Minneapolis City Council, the Chair of the Special School District No. 1 Board, the President of the Minneapolis Public Library Board, the President of the Minneapolis Parks and Recreation Board, three Commissioners of the Hennepin County Board, and one member each from the Minneapolis House and Senate State Legislative Delegation.

Subdivision b: The “Neighborhood Representatives” shall be four (4) residents of the city of Minneapolis elected in accordance with the Board's procedure for election of neighborhood representatives.

Subdivision c: The “Community Interests” shall be five (5) chief executive directors or presiding officers from organizations with a city wide area of interest such as labor, business, communities of color and philanthropic and charitable interests.

Subdivision d: Each of the above members of the “Public Officials”, “Neighborhood Representatives” and “Community Interests” shall have one vote.

Subdivision e: The Director shall be a non-voting member of the Board.

Section 3 Alternates

Subdivision a: Public Official and Community Interest members of the Board may designate in writing to the Chair an Alternate. Alternates for the Neighborhood Representatives shall be elected as prescribed in the procedures for the election of neighborhood representatives adopted by the Policy Board.

Subdivision b: Alternate members to the Board shall have no powers except in the absence of the Board member they are recognized to represent.

Subdivision c: If a neighborhood representative is not present, alternates shall be seated in the following order: 1) the alternate from the same neighborhood type; 2) the at-large alternate; and 3) alternates from the remaining neighborhood types, determined by lot.

Subdivision d: Alternates may participate in Board discussions but may not make motions or vote unless they have been seated for a member.

Section 2 Selection and Tenure

Subdivision a: The Mayor of Minneapolis, the President of the Minneapolis City Council, the Special School District No. 1 Board Chair, the President of the Minneapolis Public Library Board, and the President of the Parks and Recreation Board shall serve as long as they hold their positions.

Subdivision b: The Hennepin County Commissioners and the two members of the Minneapolis Legislative delegation shall be selected by their respective bodies.

Subdivision c: The Neighborhood Representatives shall be elected by the residents of Minneapolis for one-year terms to begin at the first Board meeting of January, pursuant to the procedures for the election of neighborhood representatives adopted by the Board. One (1) neighborhood representative and alternate shall be elected from each neighborhood type (Protection, Revitalization, and Redirection) and one (1) neighborhood representative and alternate shall be elected at large.

Subparagraph 1: If, subsequent to his/her election, a Neighborhood Representative (or Alternate) should move out of his/her neighborhood, but within the City of Minneapolis, s/he may complete his/her term.

Subparagraph 2: A seated Neighborhood Representative who resigns or moves outside the City of Minneapolis during his/her term shall be replaced by his/her elected Alternate as of the next meeting after the Representative vacates his/her seat.

Subparagraph 3: If a vacancy occurs for a Neighborhood Representative seat on the Policy Board for which there is no Alternate to be elevated, the Chair of the Policy Board shall choose a Representative by lot from the remaining neighborhood representative Alternates who are available and willing to serve.

Subdivision d: The Community Interest members shall be appointed by a majority of the total membership of the Public Official and Neighborhood Representative members on the Policy Board.

Subparagraph 1: The Community Interest members of the Board shall serve as long as they hold their positions provided they shall serve no more than three (3) consecutive years.

An exception may be granted by a vote of the majority of the Board members.

Subparagraph 2: The Board may withdraw a Community Interest organization's Board membership at any time by a majority vote of the Board. A Community Interest organization may also terminate its Board participation by written notice from the organization's board of directors.

Subdivision e: It shall be the responsibility of each Board member to inform his or her Alternate in a timely fashion that s/he will not be able to attend a meeting. If a Board member or their alternate fails to attend three consecutive meetings, the Policy Board may declare that member's seat on the Policy Board vacant and may move to identify another person or organization to sit in their place.

Section 4 Compensation and Expenses

Board members shall not be entitled to compensation for attending meetings or performing other services as members of the Board, but may be reimbursed for actual expenses incurred in accordance with policies of the Board.

Article IV

Policy Board Officers

Section 1 Officers

The Board shall have a Chair, a Vice-Chair and a Secretary

Subdivision a: The Chair shall be elected annually at the first Board meeting in February from among the Public Officials of the Board by a majority of the votes of the Board. The Chair shall have the power of general management of the business of the Board, shall preside over all meetings of the Board or delegate such responsibility to the Vice-Chair, shall carry out the duties of signatory agent for the program, and shall perform all duties as prescribed by the Board. The position shall be rotated among the representatives of the City, County and other public jurisdictions on the Board. A Chair shall serve no more than two consecutive terms.

Subdivision b: The Vice-Chair shall be elected annually at the first Board meeting in February from among the Neighborhood Representatives and the Community Interests Board members by a majority vote of the Board. The Vice-Chair shall be elected before the Secretary. The Vice-Chair shall, in event of the absence or disability of the Chair, assume all powers and duties of the Chair.

Subdivision c: The Secretary shall be elected annually at the first Board meeting in February from among either the Neighborhood Representatives or the Community Interests Board members by a majority vote of the Board. The Secretary shall sign and execute such documents as require the Secretary's signature and as may be necessary to transact the business of the Board, and shall ensure and attest that a fair record of all proceedings of the Board and its Committees has been kept in the appropriate minute book of the Board.

Subdivision d: In the event a Neighborhood Representative Board member is elected as the Vice-Chair, the Secretary shall be elected from among the Community Interest Board members, and vice versa.

Subdivision e: If an officer of the Board resigns their office or cannot (for any reason) complete their term of office, an election by the Board shall be held at the next Policy Board meeting to select a successor to fill the unexpired term from among the Board members eligible for that office.

Section 2 Assistant Secretary

The Assistant Secretary shall be selected by the Director. The Assistant Secretary shall be an ex-officio, non-voting member of the Board. The Assistant Secretary shall be the recording secretary of the meetings of the Board and shall maintain the minute book of the Board.

Article V

Director of Neighborhood Revitalization Program

Section 1 Appointment of Director

The Board shall select, hire, and fix the compensation, terms and conditions of employment of a Director who shall report directly to the Board, shall be evaluated annually, and shall serve at its pleasure. The Director shall have responsibility for the administration of the Program.

Section 2 Staff

Subdivision a: The Director shall be authorized to employ and dismiss, according to the personnel policies adopted by the Policy Board, such employees as may be necessary, and to fix the compensation of all its employees, for all positions authorized in the administrative budget pursuant to Article VI, Section 2.

Subdivision b: No staff member shall bind the Program or Board except as authorized to do so by the Board or the Director.

Section 3 Responsibilities of the Director

Subdivision a: The Director shall be the chief executive officer of the Program and shall assure that all orders and resolutions of the Board are carried out.

Subdivision b: The Director shall be responsible for coordinating the activities of the Program, administering implementation of the Neighborhood Action Plans, facilitating multijurisdictional partnerships, coordinating public relations efforts, conducting evaluations of the Program, and carrying out other activities as may be directed by the Board.

Subdivision c: The Director shall prepare and the Board shall adopt a personnel policy for all employees of the Program, and shall manage and direct all staff in accordance with this personnel policy of the Program.

Article VI

Financial Management and Administration

Section 1 Fiscal Year

The fiscal year of the Program shall be the calendar year.

Section 2 Administrative Budget

The Director shall prepare and submit to the Policy Board for its approval an annual administrative budget for the ensuing fiscal year by November 1 of each year. This budget shall show estimated expenditures needed for the administration of the Program.

Section 3 Expenditure Request Review

The Director shall review expenditures of Program monies and any funds established under Article II, Section 1, Subdivision c to ensure compliance with Neighborhood Action Plans and other actions adopted by the Board.

Section 4 Contracts and Expenditures

Subdivision a: The Director may enter into purchases and other contractual agreements for amounts up to \$50,000 in accordance with the budgets and limits set by the Board. Purchases and contractual agreements greater than \$50,000 may be entered into with approval of the Policy Board.

Subdivision b: The Director's authority to contract as set forth in this Article shall include the authority to contract for services necessary to carry out the powers granted to the Board by Article IV of the Joint Powers Agreement.

Section 5 Payment of Bills

The Director shall ensure and provide for the payment of all bills for goods and services incurred by the Board and Program, provided such bills can be paid from the current budget authorized by the Board.

Section 6 Contract Administration

The Director shall initiate, perform, enforce, and administer contracts in the name of, and on behalf of, the Board to carry out the purposes expressed in these bylaws and the Joint Powers Agreement.

Section 7 Other Revenues

The Board may accept and seek donations, in-kind services, grants and appropriations from governmental or non-governmental sources.

Article VII

Establishment of Committees

The Board shall establish such standing or special committees, as it may deem necessary and appropriate.

Section 1 Advisory Capacity

All Committees of the Board shall serve in an advisory capacity to the Board. Committees shall have no authority, unless explicitly given by the board, to approve or execute decisions or actions on behalf of the Board.

Section 2 Purpose and Members of Committees

The purpose, number of members, and selection criteria for committee officers and members of committees of the Board shall be determined by the Board or its Chair at the time the new committee is established.

Article VIII

Meetings of the Policy Board

Section 1 Regular Meetings

The Board shall fix the time and place for its regular meetings. The Board shall meet at such other times that it deems appropriate and necessary to conduct its business. The board shall hold a meeting at least once a year at which time officers shall be elected. The Board shall set the dates and times of its meetings for one year each year and publish public notice of all meetings of the Board.

Section 2 Special Meetings

Special meetings of the Board may be called by the Chair or by the Chair upon request in writing by five (5) Board members, with simultaneous notice given to the Director. Notice of special meetings shall be given at least three (3) business days in advance of the meeting day either by mail, telephone, e-mail or other personal communication method to all members of the Board. Public notice shall be posted in accordance with the open meeting law.

Section 3 Quorum

Any combination of Board members possessing a majority of all Board votes shall constitute a quorum for the transaction of business. Unless otherwise provided by these bylaws, a majority vote of the Board votes present at a meeting at which a quorum is present and voting shall be sufficient for approval of any action.

Section 4 Open Meetings

All meetings of the Board and its committees shall be subject to the Minnesota Open Meeting Law. Closure of meetings shall be permitted only to the extent authorized by law.

Section 5 Roberts Rules of Order

All meetings of the Policy Board and its committees shall be conducted pursuant to Roberts Rules of Order.

Article IX

Grievances

Section 1 Neighborhood Disputes

Subdivision a: The Program staff and/or Board will not be decision-makers within any neighborhood's grievance process. Each Program neighborhood shall be required to have a grievance and conflict resolution process.

Subdivision b: The Board may establish a procedure to address disputes and conflicts within a neighborhood. This procedure will be secondary to each neighborhood's grievance process.

Section 2 Grievances about NRP Processes

The Board shall have a grievance process that identifies the types of grievances that will be heard by the Board and the process that will be used to hear accepted grievances.

Article X

Amendments to Bylaws and Joint Powers Agreement

Section 1 Amendments to Bylaws

Any three (3) members of the Board may set forth a proposed amendment to the bylaws, in writing, to the Secretary of the Board. Written notice of the regular or special meeting to consider the amendment shall include the proposed amendment and shall be distributed to all Board members at least five (5) business days prior to the meeting. Adoption of the proposed amendment shall require a majority vote of two thirds (2/3) of all Board members present and voting.

Section 2 Amendments to Joint Powers Agreement

Any amendment to the bylaws which requires an amendment to the Joint Powers Agreement shall be forwarded, together with the requested amendment to the Joint Powers Agreement, to each of the Participating Jurisdictions. Until adoption of such an amendment to the Joint Powers Agreement by all Participating Jurisdictions, the amendment to the bylaws shall not be effective.

Article XI

Indemnification

The participating jurisdictions shall defend, hold harmless, and indemnify the Board, its members, the Director and employees from all claims, liabilities and judgements, including costs, expenses and attorneys fees, arising out of occurrences for which indemnification and defense would be allowed under provisions of Minnesota Statutes, Section 466.07