



CHARTER COMMISSION MEETING AGENDA
June 10, 2015 - 8:00 AM
Hjemkomst Center - Elm Board Room

Call to Order

Roll Call

1. Administer Oaths of Office

Approval of Minutes

2. March 11, 2015 Charter Commission Meeting Minutes

Reports of the Chair, Officers, Commissions and Committees

Public Comment

Unfinished Business

New Business

3. Charter Commission Bylaws

Adjourn



**City of Moorhead
Charter Commission
Meeting Minutes
March 11, 2015 at 8:00 AM
Hjemkomst Center - Elm Board Room**

Roll call of the members was made as follows:

Call to Order

Roll Call

Roll call of the members was made as follows:

| | | |
|---------------|--------------------|----------------------|
| Board Member: | Eldon Wollman | Present |
| Board Member: | Russ Hanson | Absent until 8:20 am |
| Board Member: | Francine Gilmore | Present |
| Board Member: | Ken Tangen | Present |
| Board Member: | Jim Danielson | Present |
| Board Member: | Darvin Landa | Present |
| Board Member: | James Steen | Present |
| Board Member: | Athena Gracyk | Present |
| Board Member: | Ronald Hagemann | Present |
| Board Member: | Tom Krabbenhoft | Absent |
| Board Member: | Doug Fagerlie | Absent |
| Board Member: | Yoke-Sim Gunaratne | Present |
| Board Member: | Michael Friesen | Present |

Introduction of New Member(s)/Administer Oath of Office

Athena Gracyk (Ward 2)

Michelle French, City Clerk, administered the Oath of Office to Athena Gracyk.

Approval of Minutes

March 11, 2015 Meeting Minutes

Motion to approve minutes of March 11, 2015 by Steen seconded by Landa; motion approved by unanimous vote.

Reports of the Chair, Officers, Commissions and Committees

No reports were made.

Public Comment

No public comment.

Unfinished Business

New Business

Approval of Moorhead City Charter Commission 2014 Annual Report

Motion to approve the Moorhead City Charter Commission 2014 Annual Report by Steen seconded by Friesen; motion approved by unanimous vote.

Election of Officers: Chair, Vice Chair, Secretary

Motion to keep all officers the same by Landa seconded by Danielson; motion approved by unanimous vote.

Secretary: Ronalad Hagemann

Vice Chair: Doug Fagerlie

Chair: Russ Hanson

Motion to authorize the City Attorney to research bylaws for clarification by Hanson seconded by Gracyk; motion approved by unanimous vote.

Adjourn

Meeting adjourned at 8:42 am

*Respectfully submitted by:
Michelle French, City Clerk*

MEMORANDUM



TO: Moorhead Charter Commission
FROM: John T. Shockley
DATE: June 3, 2015
RE: Moorhead Charter Commissioner Term Limits

The Moorhead Charter Commission Bylaws provide that the “terms of a commissioner shall be four years and a commissioner shall serve only two consecutive terms, excluding filling an unexpired term.” *See* Bylaws, Section III(C).

QUESTION

Does the above-cited provision mean that Moorhead Charter Commissioners are prohibited from serving more than two four-year terms in a lifetime, or that Charter Commissioners are permitted to serve more than two four-year terms in a lifetime so long as there is a period of non-service in between two consecutive four-year terms?

ANSWER

State law does not expressly cap the number of four-year terms a charter commissioner may serve in a lifetime. *See* Minn. Stat. § 410.05, subd. 2 (providing only that “[c]harter commission members shall hold office for the term of four yours, and until their successors are appointed and qualify . . .”). However, the City of Moorhead’s “Policies for Appointments and Removal for Citizen Advisory Groups” indicate that citizens should not serve more than two full terms in one position. *See* City of Moorhead: Resolution 87-513, Section I(A)(10) (indicating that, with the exclusion of an appointment to fill an unexpired term, citizens of Moorhead are only eligible to serve in one position for two full terms).

When the Moorhead Charter Commission Bylaws are read in conjunction with Moorhead’s policies for citizen advisory groups, it appears that Moorhead Charter Commissioners are prohibited from serving more than two four-year terms in a lifetime, excluding time served under an appointment to fill an unexpired term.¹

¹ Keep in mind that state law requires charter commissioners to serve until their successors are appointed, so any Moorhead Charter Commissioners who have exceeded the two-term limit but are still currently serving should continue to serve until qualified successors can be properly appointed.

POSSIBLE AMENDMENT OF BYLAWS

The Moorhead Charter Commission should consider amending its Bylaws to clarify the term limit policy. Below is a proposed amendment to Section III(C) of the Bylaws:

III. Membership

...

C. The terms of a commissioner shall be four years and a commissioner shall serve ~~only two consecutive terms, excluding filling an unexpired term~~ no more than two (2) terms in a lifetime, except that a commissioner appointed to complete an unexpired term shall be eligible to be appointed for two (2) full four-year terms in addition to serving out the unexpired term.

This proposed amendment to the Moorhead Charter Commission Bylaws would not require approval of the Moorhead City Council. Instead, the amendment could be made at any meeting of the Moorhead Charter Commission by a two-thirds (2/3) vote of those Commissioners present at the meeting, provided that the proposed amendment must be submitted in writing to the Commissioners at least two weeks prior to the adoption of the amendment. *See* Bylaws, Section IX.