

# **ROCHESTER ENERGY COMMISSION**

## **BY-LAWS**

### ARTICLE I – AUTHORIZATION

The authorization for the establishment of this Commission is set forth under Chapter 19A of the Rochester Code of Ordinances, as may be amended from time to time.

### ARTICLE II – OFFICERS

The officers shall consist of a Chair, Vice-Chair and Secretary. The Chair and Vice-Chair shall be elected by the Commission from among its members. The secretary may be elected from within the Commission, or may be a City employee assigned as staff to the Commission.

The Chair shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers.

The Vice-Chair shall act for the Chair in the absence of the Chair.

The Secretary shall keep the minutes and records of the Commission; attend to the correspondence of the Commission and carry out any other duties that may be assigned by the Commission, with the assistance of such staff as needed.

### ARTICLE III – ELECTION OF OFFICERS

An annual organizational meeting shall be held at the first regular meeting occurring after the appointment of new Commission members.

Nominations shall be made from the floor at the annual organizational meeting and election of the officers specified in Section 2 shall follow immediately thereafter.

A candidate receiving a majority vote of the entire membership of the Energy Commission shall be declared elected and shall serve for one year or until his successor shall take office.

New officers shall take office immediately upon election. Officers may serve a maximum of two consecutive terms in any one office. Vacancies in office shall be filled immediately by regular election procedure.

### ARTICLE IV – MEETINGS

Regular meetings of the Commission shall be held on the second Tuesday of each month. The date of any such regularly scheduled meeting may be changed upon approval of a majority of the Commission Members.

Notice in writing (including by email for any Commission Members having email accounts) of any meeting shall be sent to all Commission Members at least 5 days in advance of the meeting and shall state the time, place and purpose of such meeting.

Special meetings may be called by the Chair or at the request of at least 3 members of the Commission. The secretary shall notify all members of the Commission by any means not less than two days in advance of such special meeting.

Meetings shall be subject to the Minnesota Open Meeting Law, Minn. Stat. Chapter 13D, as may be amended from time to time.

#### ARTICLE V – MEETING PROCEDURES

Unless otherwise specifically designated, Robert’s Rule of Order, as most recently revised, shall govern meeting procedure, insofar as possible.

A quorum shall consist of 5 members; the ex officio member shall not be counted toward a quorum.

All voting shall be by voice or by a show of hands and the result of the voice or hand vote shall be kept as part of the minutes. Any matter before the Commission that does not get either five affirmative or five negative votes shall be considered tabled until the next regular Commission Meeting.

A motion from the floor must be made and passed in order to dispense with any item on the agenda.

No binding or final action may be taken on any matter not on the written agenda except by an unanimous vote of the members in attendance.

A tabling motion has the effect of laying the matter over until the next regular meeting unless otherwise specified.

Whenever a Commission Member shall have a direct or indirect personal or financial interest, in an application or petition before the Commission, such member shall declare such interest and shall not participate as a member of the Commission in any hearing, discussion or deliberations of such matter, and shall in no event vote on such matter. When there is a question on the existence of a conflict of interest, the Chair shall make a ruling thereon. Commission members shall be subject to the City of Rochester Ethics policies.

The Commission may temporarily suspend its rules by a two thirds vote of members in attendance.

ARTICLE VI – AMENDMENTS

These by-laws may be amended by the Commission by a majority vote of the entire membership of the Commission.

ADOPTED This date \_\_\_\_\_

ATTEST:

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Secretary

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Chair