



Minnesota Counties Computer Cooperative

100 Empire Drive, Suite 201
Saint Paul MN 55103

Phone (651) 917-6969
Fax (651) 917-6989
www.mnccc.org

RULES AND REGULATIONS

OF THE

MINNESOTA COUNTIES COMPUTER COOPERATIVE

COUNTY ATTORNEY USER GROUP

Adopted 2/21/03
Approved May 14, 2007
Approved September 17, 2008

In accordance with Article V, Section 1, of the Minnesota Counties Computer Cooperative (MCCC) By-laws, the following supplemental rules and regulations governing the business of the County Attorneys User Group are promulgated.

ARTICLE I PURPOSE

Section 1. The purposes of the County Attorney User Group are to provide direction to the MCCC Executive Committee regarding vendor selection and vendor contracts, to determine and approve changes, modifications, or enhancements to existing software applications, to identify the need for and requirements of new software applications, and to conduct business necessary to the operation of the County Attorney User Group.

ARTICLE II MEMBERSHIP

Section 1. Minnesota counties and cities, with the approval by the County Attorney Executive Committee, are eligible to become members of the County Attorney User Group. Members of the County Attorney User Group are also owners of the software package MCAPS. All members must have either: 1) financially participated in the purchase or development of the application system or optional modules; or 2) paid all appropriate financial obligations for the application system or optional module. The amount of financial participation paid by members or the cost of distribution for an application system development project or optional module is determined by the User Group.

Section 2. MCAA Membership. As an option, Part-Time County Attorneys may participate in the MCAPS User Group under the Minnesota County Attorney Association membership. The MCAA members will have one shared vote. MCAA will designate a voting delegate and alternate to vote on behalf of the participating members. MCAA will pay membership dues, and the part-time attorneys will be responsible for any maintenance and support fees and enhancement fund fees as determined by the User Group. The MCAPS software will remain with the part-time office, not the individual attorneys. Part-time attorneys may also choose to pay membership fees to MCCC to be a full voting member of the County Attorney User Group.

ARTICLE III ORGANIZATION AND STRUCTURE

Section 1. The County Attorneys User Group shall be organized as a User Group, User Group Executive Committee, and designated Working Committees necessary to conduct the business of the User Group.

Section 2. The User Group Executive Committee is responsible for the day-to-day operations of the User Group and shall consist of:

- a. the Chairperson, Vice Chairperson, and Recording Officer of the User Group, elected by members of the User Group,
- b. one representative from each of the geographical regions established by the MCCC, elected by members of the User Group,
- c. one City representative, elected by those Cities which are members of the User Group, and
- d. the immediate past Chairperson of the User Group.

In electing the representatives to the User Group Executive Committee, the User Group shall take into consideration agency size and geographic location of the prospective members so that they are representative of the User Group as a whole.

Section 3. The Chairperson shall prepare an agenda for and conduct meetings of the User Group and Executive Committee and shall appoint members of the Working Committees. The Vice Chairperson shall conduct meetings in the absence of the Chairperson and shall succeed the Chairperson if the Chairperson resigns or is otherwise unable to complete his or her term. The Recording Officer shall keep minutes for all User Group Executive Committee and User Group Meetings.

Section 4. County Attorney User Group Officers, the Past Chair, Chairperson, Vice Chairperson, and Recording Officer shall each be one-year rotating positions. Each year, at the annual business meeting, the Recording Officer is elected. The past Recording Officer will move to Vice Chairperson, the Vice Chairperson will move to Chairperson, the Chairperson will move to Past Chairperson and the Past Chair will move off of the Executive Committee. Each position is a one-year position. In the event that one of the Officers leaves their position with more than six months remaining in the term, all officers will move up one position and the User Group (via meeting or email ballot) will elect a new Recording Officer to serve out the term. In the event that one of the Officers leaves their position with less than six months remaining in the term, all officers will move up one position and the Chairperson will appoint a temporary Recording Officer to serve out the term.

Section 5. Each member participating in the User Group is entitled to one vote.

Section 6. A designated alternate of a member may vote in the absence of the members's delegate at any User Group meeting and on behalf of a geographical or city representative at the User Group Executive Committee meetings.

Section 7. The User Group Executive Committee may form Working Committees to address issues important to the User Group. A member of the User Group Executive Committee shall serve as chair or co-chair of each Working Committee. Assigned staff from any User Group member may participate and vote as a member of a Working Committee; however, no member may have more than one vote on any Working Committee. The User Group shall adopt rules and prescribe procedures for the operation of Working Committees.

Section 8. Meetings of the User Group may be called by the User Group Chair, a majority of the User Group Executive Committee members, or upon written request of 30% of the User Group members. Meetings of the User Group Executive Committee may be called by the User Group Chair or a majority of the User Group Executive Committee members. All User Group, User Group Executive Committee, and Working Committee meetings will comply with the “open meeting laws” for the State of Minnesota. Meetings will be conducted according to “Robert’s Rules of Order” and these bylaws.

Section 9. A quorum shall consist of 50% plus one of the appointed representatives or delegates of the User Group, User Group Executive Committee, or Working Committee at a duly called meeting. A quorum is needed to conduct business of the User Group and User Group Executive Committee.

Section 10. The User Group Executive Committee shall prepare a detailed, annual budget for the User Group operations. The User Group shall, at its annual meeting, adopt a budget for the coming calendar year that will meet the User Group needs. This budget shall include an Enhancement Fund for to be used for unforeseen, mandated changes and program enhancements. The User Group Executive Committee may determine expenditures of the Enhancement Fund as long as the expenditures do not exceed the balance remaining in the Enhancement Fund. Expenditures beyond those budgeted or reserve funds must be approved by the User Group. Quarterly financial reports shall be provided to the User Group by the MCCC.

Section 11. All general business of the User Group, including increases in costs and fees, may be acted upon by a simple majority of members present at a duly called meeting when a quorum is present. Voting may also be conducted by mail, conference call, fax, interactive TV, or e-mail vote if authorized by the User Group Executive Committee. If a method of voting other than in-person voting is used, a majority of the User Group members must approve the action before it becomes effective.

Section 12. The MCCC Executive Committee, elected by and acting on behalf of the MCCC Board, approves all expenses and monetary commitments.

Section 13. Support for meetings, mailings, research, contracting, billing, vendor monitoring, and other similar services will be provided by the MCCC staff.

Section 14. Notice of User Group, User Group Executive Committee, and Working Committee meetings must be provided to members, at least ten (10) days prior to a meeting. Notice of meetings are sent out via MCCC's RSVP system. All members shall have at least one person signed up with RSVP to receive notices. Notice of a meeting may be waived, before, at, or after such meeting, in writing signed by the User Group member. Meeting minutes shall be generated for all User Group, User Group Executive Committee, and Working Committee meetings by the designated recording officer and shall be distributed to all User Group members via MCCC's RSVP.

Section 15. The User Group shall meet a minimum of one time per year to hold a business meeting in June to deal with policy, contract, and financial issues. To the extent possible and practical, User Group meetings shall be combined with training. Officers shall be elected and an annual budget adopted at the annual meeting. The User Group Executive Committee and Working Committees shall meet on an as needed basis. Meetings shall be held at times and locations determined appropriate by MCCC staff.

Section 16. Enhancements are changes or modification to existing systems, modules, or programs, or the development or purchase of new programs.

- a. A "participatory enhancement" is initiated at the request of, and available for the benefit of, a limited number of members. A participatory enhancement, and future updates of such enhancements, shall be paid for by those members who benefit from the enhancement.
- b. A "global enhancement" benefits all user group members and shall be paid for and supported by all members.

Any member can request an enhancement by completing a User Group Enhancement Request Form and forwarding it to the MCCC office. All enhancement requests will be sent to the User Group Executive Committee for its consideration or referral to an appropriate committee. Proposed enhancements will be explained on the MCCC website. All members are encouraged to view the proposed enhancements and actions, and to offer their comments and suggestions via the MCCC website. The User Group Executive Committee can implement a global enhancement only if there are sufficient monies in the Enhancement Fund to pay for the enhancement. Enhancement expenditures in excess of the balance in the Enhancement Fund, must be approved by the User Group.

Section 17. A training session will be held at least once per year in each of the four geographical regions established by the MCCC.

ARTICLE IV USER GROUP FEES

Section 1. Members of the User Group agree to pay the dues established by the MCCC Board of Directors as provided for in Article X, Sections 2 and 4 of the MCCC By-laws. (MCCC By-laws are available at the MCCC website, mnccc.org)

Section 2. All travel, lodging, and meal expenses incurred by members of the User Group shall be paid by their respective agencies, except mileage expenses incurred by members of the Executive Committee and Working Committees shall be paid by the User Group. User Group Executive Committee and Working Committee members shall submit mileage expenses quarterly to the User Group for reimbursement.

Section 3. The County Attorney User Group shall establish membership fees for User Group software under its management. Training fees will be set by the User Group.

ARTICLE V TERMINATION

Section 1. A member intending to end its participation in the User Group shall inform the MCCC office in writing not less than ninety (90) days prior to the User Group Annual Meeting. County Attorney User Group members are responsible for all fees and expenses incurred by the User Group prior to the date the withdrawal becomes effective.

Section 2. Any member who terminates participation must cease all use of the program, software, and peripherals; delete the software from all computers under their possession and/or control; and return to MCCC all originals and copies of the software, source code, etc. in their possession.

Section 3. Any member that leaves the User Group and later asks to rejoin the User Group shall pay the lower of a new financial ownership interest, full license fee, or the proportional share of all software improvements, including enhancements and development projects that have occurred since the agency terminated its involvement. In no case shall this financial obligation be less than that for which the agency would have been responsible if it had not terminated.

Section 4. A member that does not pay its assessed fees in a timely manner or violates the conditions of software agreements or licenses, may be terminated by majority vote of the User Group. Upon termination under these conditions, the member shall immediately terminate use and return all copies of the software or other products distributed by the User Group.

ARTICLE VI AMENDMENTS

Section 1. These Rules and Regulations may be amended by the User Group subject to approval by the MCCC Executive Committee. Notice of any proposed changes in the

Rules and Regulations must be provided **in writing** to each member agency at least thirty (30) days in advance of any vote to amend or change this document.