

- The power to determine sub-regions within the region where enhancements to the backbone (coverage or capacity) provide substantial benefit to more than one political sub-division or entity within that sub-region.
- The power to provide for user fees in contracts with system users and to assess user fees upon system users within the region for capital and operational costs for regional and sub-regional enhancements and for administrative costs of the Board in accordance with any Agreements with system users.
- The Board may exercise other powers granted by the legislature to emergency communications boards and to counties and cities under Minnesota Statutes, Chapter 403, or any other law related to emergency services systems.

Section 2. Membership, Appointment, and Term.

Subd. 1. Requirements for Participation. Participation in the Board is restricted to counties, cities and federally recognized Indian tribes that meet the following minimum requirements:

1. A County within or immediately adjacent to the Northeast Minnesota HSEM Region 2 that has committed to participation in regional communications planning activities and planned, authorized, developed or implemented a local sub-system or integration of dispatch facilities into a cooperative communications system.
2. A City within or immediately adjacent to the Northeast Minnesota HSEM Region 2 that has committed to participation in regional communications planning activities and has planned, authorized, developed or implemented a local sub-system.
3. A Tribal Government located wholly or partially within the Northeast HSEM Region 2 that has committed to participation in regional communications planning activities and has planned, authorized, developed or implemented a local sub-system or provided equipment and services intended to provide interoperability with other parties to this Agreement.

Subd. 2. Application for Participation. The Board will establish policies and procedures for application for participation in the Board.

Any County, City or Tribal entity meeting the requirements and criteria for participation may request participation in the Board in accordance with policies and procedures established by the Board.

Subd. 3. Initial Participants. Initial participants include Aitkin, Carlton, Cass, Cook, Crow Wing, Itasca, Kanabec, Koochiching, Lake, Pine, and St. Louis counties and the cities of Duluth, Hibbing, International Falls and Virginia. Each of these agencies is deemed to meet the minimum requirements for participation in the Board.

Subd. 4. Membership. The members of the Board shall be:

- One County Commissioner from each county party to the Agreement.
- One City Council member from each city party to the Agreement.
- One representative appointed by the Tribal Council from each tribal entity party to the Agreement.

Subd. 5. Appointment - Members Representing Counties and Cities. The members representing counties and cities shall be appointed by their respective governing bodies from the membership of that governing body. A successor must be appointed no later than sixty (60) days following the date a member is no longer an elected official.

Subd. 6. Term - Members Representing Counties and Cities. The term shall be for one year and until a successor is duly appointed; however, a member so appointed shall serve at the pleasure of that member's appointing governing body. There shall be no limit on the number of terms a member may serve.

Subd. 7. Appointment and Term – Members Representing Tribal Entities. The members representing tribal entities shall be appointed by their respective governing bodies. A successor must be appointed no later than sixty (60) days following the date a member is removed by the tribal entity. The term shall be for one year and until a successor is duly appointed; however, a member so appointed shall serve at the pleasure of that member's appointing governing body. There shall be no limit on the number of terms a member may serve.

Subd. 8. Alternates - Members Representing Counties, and Cities and Tribal Entities. Each appointing authority may designate an alternate who shall be authorized to act in the absence of the member.

Subd. 9. Other Members of the Board. In addition to those members previously defined the following shall also be voting members of the board:

- A member of the Northeast Minnesota Regional Advisory Committee.
- A member of the Northeast Minnesota Regional Radio System User Committee.
- A member of the Northeast Minnesota Owners and Operators Committee.
- A member of the Northeast Minnesota Emergency Management Advisory Committee.

Subd. 10. Selection, Term, and Alternates - Other Members of the Board. The member of each of the committees designated to serve as members of the Board shall be selected by majority vote of the entire committee membership on an annual basis. There shall be no limit on the number of terms a committee member may serve on the board. Each of these committees shall select by majority vote, an alternate who shall be authorized to act in the absence of the member of the board. Committee members elected

to serve as Board members and alternates shall serve a term of one year and until a successor is duly elected. If an individual elected to serve as a Board member or alternate ceases to be a member of the committee by resignation or action of the appointing authority or any other cause, the committee shall meet within sixty (60) days of notification of change and select, by majority vote, a replacement.

Subd. 11. User Committee Board Advisors. In addition to the positions defined herein the Board may authorize the Northeast Minnesota Regional Radio System User Committee to appoint not more than two additional representatives to advise the Board. Not more than one shall be a representative of a law enforcement agency and not more than one shall be a representative of a fire service or EMS agency. Any representative so appointed shall have the right to participate in discussion or debate and advise the Board on matters relative to pending issues but shall not be empowered to initiate any issue or matter or have a vote on any issue or matter before the Board.

Subd. 12. Modification to Board Composition. Modification of the composition of the Board subsequent to its initial creation shall only be through the process established for the amendment of this Agreement.