

**PEMBINA COUNTY COMMISSION
RESOLUTION OF POLICY
REGARDING PUBLIC COMMENT REQUIREMENTS AT REGULAR MEETINGS**

WHEREAS, the Pembina County Commission (the "Commission") is a North Dakota County Commission and political subdivision under Chapter 11-11 of the North Dakota Century Code.

WHEREAS, as a North Dakota political subdivision, the Commission is subject to North Dakota's open meetings requirements under Chapter 44-04 of the North Dakota Century Code.

WHEREAS, during the 2025 Legislative Session, the North Dakota Legislature approved SB 2180, a bill that includes a new public meeting requirement in Chapter 44-04 for cities, counties, townships, school districts, park districts, and water resource districts (the "Public Entities").

WHEREAS, under SB 2180, at every regularly scheduled meeting, the Public Entities must include an opportunity for members of the public to provide comments.

WHEREAS, SB 2180 directs the Public Entities to implement policies that include rules for public comments, including time limits for public speakers, total meeting time limitations for public comment, rules regarding permissible topics, and rules of decorum.

WHEREAS, as a county commission, the Commission must comply with SB 2180 and approves this RESOLUTION OF POLICY in compliance with the public comment policy requirements under SB 2180.

NOW THEREFORE, BE IT RESOLVED that this RESOLUTION OF POLICY represents the Commission's official policy regarding public comments at regular board meetings as mandated under SB 2180.

BE IT FURTHER RESOLVED that the Commission's policy under this RESOLUTION OF POLICY ensures the public's right to speak at a regular meeting and ensures the public comment process is orderly, efficient, and respectful.

BE IT FURTHER RESOLVED that the Pembina County Commission approves the following policy regarding public comments at the Commission's meetings, under SB 2180:

1. The Commission will include a public comment agenda item as the first non-procedural agenda item at all regular meetings of the Commission.
 - a. "Regular" meetings include the Commission's regularly scheduled monthly meetings, as approved by the Commission and filed with the Pembina County Auditor, all as required under N.D. Cent. Code § 44-04-20(3).

2. Each person interested in providing public comments at a meeting must submit a speaker card, in person or via email, to the Pembina County Auditor two (2) business days prior to the meeting being called to order that includes:
 - a. the person's name;
 - b. the person's address; and
 - c. an agenda item from the current meeting agenda or the previous meeting agenda that the person seeks to address.
3. If a speaker card does not include all three items above, the person is disqualified and the person may not speak at the meeting.
4. The Commission will afford each person two (2) minutes to provide comments. The Commission will notify each speaker when the two (2) minutes have expired and the speaker will promptly conclude.
5. To ensure orderly and efficient meetings, the Commission will limit the public comment agenda item to a total of sixteen (16) minutes, regardless of how many people have submitted speaker cards.
6. The County will call on each person who has properly submitted a completed speaker card to present public comments, in the order of submission(s) received.
7. All comments must:
 - a. address the agenda item identified on the speaker card, from the current meeting agenda or the previous meeting agenda; and
 - b. be pertinent to the Commission.
8. Comments may not:
 - a. be defamatory, abusive, harassing, or unlawful;
 - b. include information that is exempt or confidential under North Dakota open records or open meetings law; or
 - c. interfere with the orderly conduct of the Commission's meeting.
9. Speakers may not yield their allotted time to another person.
10. Anyone unable or unwilling to speak in-person may submit written comments to the County Auditor prior to the meeting; the written comments must include the person's name and address and must be pertinent to an agenda item from the current meeting agenda or the previous meeting agenda. If a person submits written comments to the County Auditor at least twenty-four hours prior to the Commission's meeting, the Auditor will circulate and distribute the comments to the Commissioners prior to the meeting and the Commission will address and discuss the comments at the meeting. If a person submits written comments to the County Auditor less than twenty-four hours prior to a meeting, the Commission will not address or discuss the comments at that meeting and the County Auditor will circulate and distribute the comments to the County Commission after the meeting.

BE IT FURTHER RESOLVED that this RESOLUTION OF POLICY supersedes any of the Commission's previous policies or practices regarding public comments at the Commission's meetings.

Date Approved: August 5, 2025

Pembing COUNTY COMMISSION

D. B. [Signature]
_____, Chair

ATTEST:

Melissa Kapp

County Auditor