

MERCER COUNTY PUBLIC COMMENT POLICY

Purpose

The Mercer County Board of County Commissioners welcomes and values public input during its regular meetings. Pursuant to North Dakota Century Code 44-04-20.1, every regular meeting of the Board shall include an opportunity for public comment. This policy establishes procedures for public comment to ensure all individuals have a fair opportunity to be heard while maintaining an orderly and efficient meeting environment. Under NDCC 44-04-20.1, individuals providing public comment must provide their name and address in writing; however, the address is an exempt record and is not subject to public disclosure.

1. Public Comment Agenda Item

A public comment agenda item shall be included on the agenda at a set time for all regular meetings of the Mercer County Board of County Commissioners or other boards acting in an official capacity of Mercer County, such as Planning and Zoning, Weed Board, etc.

2. Speaker Registration

To provide public comment, an individual must submit a speaker card to the County Auditor before the meeting is called to order. The speaker card must include:

- a. The individual's name;
- b. The individual's address (which shall be treated as an exempt record pursuant to NDCC 44-04-20.1);
- c. Address an agenda item from the current meeting agenda or item from prior immediate meeting agenda.

3. Time Limits

At the discretion of the Chairperson of the Commission, each individual shall be allotted three to five minutes to provide comments. The presiding officer may notify the speaker when the allotted time has expired.

4. Total Public Comment Period

The Board may establish a total time limit of up to 30 minutes for the public comment portion of the meeting. The Board shall determine the total time allotted at the beginning of the public comment agenda item. NDCC 44-04-20.1 authorizes governing bodies to limit public comment by speaker time, total comment time, or both.

6. Permissible Comments

Comments must:

- a. Address an agenda item from the current meeting agenda or item from prior immediate meeting agenda;
- b. Be pertinent to Mercer County business;
- c. Be directed to the Board as a whole and not to individual board members, staff, or members of the public.
- d. Be directed toward business for future commission meetings.

7. Prohibited Comments

Comments may not:

- a. Be defamatory, abusive, harassing, threatening, or otherwise unlawful;
- b. Include confidential, exempt, or protected information under North Dakota law;
- c. Address matters for which an alternative statutory or administrative process exists;
- d. Be otherwise prohibited by law.

The presiding officer may interrupt or terminate comments that violate these provisions. NDCC 44-04-20.1 specifically authorizes governing bodies to adopt such limitations.

8. Transfer of Speaking Time

An individual may not transfer, assign, or yield any portion of their allotted speaking time to another person.

9. Written Comments

Individuals who are unable or unwilling to speak in person may submit written comments to the County Auditor.

- a. Written comments received at least twenty-four (24) hours before the meeting will be distributed to the Board members before the meeting.
- b. Written comments received less than twenty-four (24) hours before the meeting will be distributed to the Board members following the meeting.
- c. Written comments must include the individual's name, address, and identify the agenda item from the current or immediately preceding meeting agenda being addressed.

10. No Board Response Required

Public comment is an opportunity for the Board to receive information from the public. Unless otherwise required by law, the Board is not obligated to engage in discussion, debate, or take action on matters raised during public comment.

11. Enforcement

The Chairperson or presiding officer shall be responsible for enforcing this policy. Any individual who disrupts the meeting, refuses to comply with the policy, or otherwise interferes with the orderly conduct of the meeting may be ruled out of order and may be removed from the meeting as authorized by law.

Adopted on the 1ST day of July 2026

Damee Fox - vice chair
Mercer County Chairperson

ATTEST: Carmen Reed
Mercer County Auditor

Mercer County
Public Comment Speaker Card

Name: _____

Address: _____

Agenda item: _____

Mercer County
Public Comment Speaker Card

Name: _____

Address: _____

Agenda item: _____

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