

**BOARD OF COMMISSIONERS**  
NEAL MESSER, Chairman  
PAUL CLARYS, Vice-Chairman  
BERNIE MARSH  
DEAN FRANCHUK  
CORY WHITE



**AUDITOR**  
KAREN RICHARD

**DEPUTY AUDITOR**  
LANA JAHNER

PO Box 130  
Dickinson, ND 58602-0130  
[www.starkcountynd.gov](http://www.starkcountynd.gov)

Phone: (701) 456-7630  
Fax: (701) 456-7634

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**STARK COUNTY BOARD OF COUNTY COMMISSIONERS  
RESOLUTION OF POLICY  
REGARDING PUBLIC COMMENT REQUIREMENTS AT REGULAR MEETINGS**

WHEREAS, the Stark County Board of County Commissioners is a board that governs the political subdivision of Stark County pursuant to Chapter 11-11 of the North Dakota Century Code.

WHEREAS, as a North Dakota political subdivision, Stark County 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 political subdivision, Stark County must comply with SB 2180 and the Stark County Board of County Commissioners 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 Stark County Board of County Commissioner's official policy regarding public comments at regular board meetings as mandated under SB 2180.

BE IT FURTHER RESOLVED that the Stark County Board of County Commissioner'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 Stark County Board of County Commissioners approves the following policy regarding public comments at Stark County Commission meetings, under SB 2180:

1. The Stark County Board of County Commissioners will include a public comment agenda item as the last agenda item at all regular meetings of the Stark County Board of County Commissioners.
  - a. “Regular” meetings include Stark County’s regularly scheduled monthly meetings, as approved by the Stark County Board of County Commissioners and filed with the Stark 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 Stark County Auditor 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 speaker must be a resident of Stark County or have business pertinent to Stark County.
5. The Stark County Board of County Commissioners will afford each person three minutes to provide comments. The Chairperson, acting Chairperson, or the Chairperson’s designee, will notify each speaker when the three minutes have expired and the speaker will promptly conclude.
6. To ensure orderly and efficient meetings, the Stark County Board of County Commissioners will limit the public comment agenda item to a total of thirty minutes, regardless of how many people have submitted speaker cards.
7. The Stark County Board of County Commissioner’s Chairperson, acting Chairperson, or the Chairperson’s designee will call on each person who has properly submitted a completed speaker card to present public comments, in the order of submission.
8. 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 Stark County; and
  - c. be an actionable or potential actionable item for the Stark County Board of County Commissioners
9. 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 Stark County Board of County Commissioner’s meeting.

10. Speakers may not yield their allotted time to another person.
11. Anyone unable or unwilling to speak in-person may submit written comments to the Stark 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 Stark County Auditor at least twenty-four hours prior to the Stark County Commission meeting, the Auditor will circulate and distribute the comments to the Stark County Board of County Commissioners prior to the meeting and the Stark County Board of County Commissioners will address and discuss the comments at the meeting. If a person submits written comments to the Stark County Auditor less than twenty-four hours prior to a meeting, the Stark County Board of County Commissioners will not address or discuss the comments at that meeting and the Stark County Auditor will circulate and distribute the comments to the Stark County Board of County Commissioners after the meeting.

BE IT FURTHER RESOLVED that this RESOLUTION OF POLICY supersedes any of the Stark County Board of County Commissioner's previous policies or practices regarding public comments at the regularly scheduled meetings.

Date Approved: July \_\_\_, 2025

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Neal Messer, Chairman of Stark County Board of  
County Commissioners

ATTEST:

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Karen Richard, Stark County Auditor