

Policy: Public Comment at Regular Meetings

Type of Policy: Administrative
Effective Date: August 2025
Last Revised: August 2025

1. Reason for Policy

North Dakota Century Code has been amended to reflect public comment requirements set forth in a new law signed by Governor Kelly Armstrong in April 2025. The new law, resulting from passage of Senate Bill 2180 through the North Dakota 69th Legislative Assembly Regular Session, requires local governing bodies to allow public comment during regular meetings and to develop a policy regarding public comment rules. The law is effective August 1, 2025.

2. Policy Statement

Bismarck-Mandan Metropolitan Planning Organization welcomes and values public input during its meetings. This policy outlines the procedures for public comment to ensure that all individuals have a fair opportunity to be heard while maintaining an orderly and efficient meeting environment.

3. Scope

This policy applies to items on the agendas of regularly scheduled meetings of the Bismarck-Mandan MPO TAC, Policy Board, and Bike-Ped Subcommittee, excluding those items indicated as public hearing items. This policy applies to items included on the current meeting agenda or one preceding meeting agenda only. This policy does not apply to ad hoc committees or working groups.

4. Definition(s)

Public Entity	<p>"Public entity" means all:</p> <ul style="list-style-type: none"> a. Public or governmental bodies, boards, bureaus, commissions, or agencies of the state, including any entity created or recognized by the Constitution of North Dakota, state statute, or executive order of the governor or any task force or working group created by the individual in charge of a state agency or institution, to exercise public authority or perform a governmental function; b. Public or governmental bodies, boards, bureaus, commissions, or agencies of any political subdivision of the state and any entity created or recognized by the Constitution of North Dakota, state statute, executive order of the governor, resolution, ordinance, rule, bylaw, or executive order of the chief executive authority of a political subdivision of the state to exercise public authority or perform a governmental function; and c. Organizations or agencies supported in whole or in part by public funds or expending public funds.
Governing Body	<p>The multimember body responsible for making a collective decision on behalf of a public entity. "Governing body" also includes any group of persons, regardless of membership, acting collectively pursuant to authority delegated to that group by the governing body.</p>

5. Procedures

- A public comment agenda item will be the first non-procedural agenda item at all regular meetings of the Bismarck-Mandan MPO Technical Advisory Committee (TAC), Policy Board, and Bike-Ped Subcommittee.
- To provide public comments, each commenting individual must sign a speaker sheet prior to the meeting being called to order that includes the individual’s name. A reasonable accommodation will be made for those requiring it pursuant to the Bismarck-Mandan MPO’s Title VI policy for Reasonable Accommodations.
- Each individual will be allotted up to five (5) minutes to speak; the time may be extended at the discretion of the Chair. The individual will be notified when the time has expired.
- An individual may not yield their time to another individual.
- The meeting time dedicated to the public comment agenda item will be limited to thirty (30) minutes total time, regardless of how many individuals have signed the speaker sheet. The initial thirty (30) minutes may be extended at the discretion of the Chair, but each speaker will continue to be limited to five (5) minutes.
- All comments must address an item of the current agenda or the agenda of one preceding meeting.
- Comments must pertain to the public entity holding the meeting.
- Comments may not:
 - Be defamatory, abusive, or unlawful;
 - Include information that is exempt or confidential under North Dakota open records law;
 - Interfere with the orderly conduct of the meeting.

6. Enforcement/Renewal

Policy guidance will be executed at each regular meeting of Bismarck-Mandan MPO governing boards or advisory committees, including the TAC, Policy Board, and Bike-Ped Subcommittee.

7. Related Information

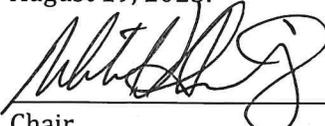
Agency	Supporting Resource
State of North Dakota	North Dakota Century Code 44-04-20.1. Public comment – Regular meetings of a public entity Chapter 44-04 Duties, Records, and Meetings

8. Policy History

Revision Date	Author	Description
08/19/2025	Kim Riepl, MPO Executive Director	Initial Policy Approval

9. Certificate:

The undersigned, duly elected chairperson of the Bismarck-Mandan Metropolitan Planning Organization Policy Board, certifies that the forgoing policy was adopted at a legally convened meeting of the Bismarck-Mandan Metropolitan Planning Organization Policy Board held on August 19, 2025.



 Chair

Bismarck-Mandan MPO Policy Board

8/19/25

 Date