



# Pennington County Board of Commissioners

County Administration Building

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## PENNINGTON COUNTY POLICY & PROCEDURE

### Public Comment Periods

It is the statutory duty of the Pennington County Board of Commissioners (hereinafter called "County Commission"), as the governing body of Pennington County, SD to allow time for members of the public to discuss or express concerns to the County Commission on policies and issues affecting County government and its function.

All public comments given in person (verbally) or submitted in writing as part of a Commission meeting become part of the Commission's public record. The Commission's public record includes the recording of the meeting and the public meeting packet. It does not include the minutes as prepared by the Auditor's Office.

#### **PUBLIC COMMENT: 'ITEMS FROM THE PUBLIC'**

##### **Per SDCL § 1-25-1 Official meetings open to public--Exceptions--Public comment:**

The public body shall reserve at every official meeting a period for public comment, limited at the public body's discretion as to the time allowed for each topic and the total time allowed for public comment, but not so limited as to provide for no public comment.

Public comment is not required at official meetings held solely for the purpose of meeting in executive session, an inauguration, swearing in of newly elected officials, or presentation of an annual report to the governing body, regardless of whether the activity takes place at the time and place usually reserved for an official meeting.

At each official meeting of the County Commission, members of the public shall be afforded time, subject to reasonable restrictions, to comment or ask questions of the County Commission under an agenda item called '**Items from the Public**'. Action will not be taken during 'Items from the Public' on any issues brought forth that have not been properly noticed according to statute.

Speaker request forms are utilized for 'Items from the Public' and for specific agenda items. The forms are located in the back of the Commission Chambers in the bookshelves. Citizens are asked to complete the form and return to the Commission Office Staff prior to the start of the agenda item.

## **'ITEMS FROM THE PUBLIC' COMMENT RULES**

### In-person (verbal) public comment rules are as follows:

1. The Chair will invite each speaker to the podium and their comments will only be recognized after the speaker states their name for the record;
2. Comments must be directed to the County Commission and not to individual Board members, Staff, other speakers or audience members;
3. Comments must be presented in a professional demeanor and not in a threatening, profane, vulgar or abusive manner;
4. Comments shall be concerning matters within the scope of the jurisdiction of the County;
5. Individuals who engage in repetitive or threatening comments will be asked to refrain and/or yield the floor;
6. Public comments may be limited to three (3) minutes per speaker dependent upon the length of the meeting agenda as determined by the Chair or the County Commission.

It shall be the decision of the County Commission if it is appropriate to respond to a comment or question presented under 'Items from the Public' and which Board member will respond.

Public comments given verbally under 'Items from the Public' shall be recorded in the minutes of the meeting by listing the name of the speaker and their area of interest as identified on the speaker request form. The speaker's narrative and/or opinion shall not be included. Any documents submitted under 'Items from the Public' shall not be added to the public meeting packet.

### Public comments on properly noticed **specific agenda items**:

Public comments may be given in person on specific agenda items after submitting a speaker request form.

Public comments may also be submitted in writing via email or other written means. Comments are encouraged to be submitted to Commission Office Staff at least 24 hours prior to the meeting in order for the Board to have time to give the comments meaningful consideration. Comments and supporting documents submitted in writing will become part of the Commission's public meeting packet.

### Audio/Video public comment:

Public comments may be given by other electronic means such as Zoom provided that all other applicable rules identified above are followed with the exception of submitting a speaker request form. Anyone wishing to participate via Zoom must contact Commission Office Staff at least 24 hours prior to the meeting to make the necessary arrangements.



## **SPECIAL PUBLIC HEARINGS OR WORK SESSIONS**

In addition to the applicable rules listed above, the following additional rules are established for special public hearings or work sessions:

1. A single special speaker request signup sheet may be utilized by Commission Office Staff;
2. Speakers must be identified by name on the speaker request signup sheet prior to the start of the hearing or work session;
3. Comments may be limited to three (3) minutes per speaker unless otherwise determined by the Chair or the County Commission;

### Special Conditions:

This policy shall be considered a general policy only and shall not prohibit the County Commission from deviating from this policy if special conditions exist which justify the deviation.

Approved this 17<sup>th</sup> day of October, 2023.

  
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Lloyd LaCroix, Chair  
Pennington County Board of Commissioners

Approved on April 19, 2022  
Amended on October 4, 2022  
Amended on December 20, 2022  
Amended on October 17, 2023