

## **Motion Concerning Policy Regarding Public Comments at the Commissioners' Public Meetings**

A Motion is requested to adopt and approve the following Policy regarding the manner by which comments from the public may be made at the workshop sessions and regular board meetings of the Board of County Commissioners (the "Commissioners").

The Commissioners have four meetings per month, two workshop sessions and two regular meetings (the "public meetings") total. The conduct of these meetings must comply with the Open Meetings Law, the "Sunshine Act", Act of July 3, 1986, PL388, No. 84 65 P.S. 271 et sec., as amended. The Sunshine Law requires that a reasonable opportunity at each public meeting be provided for residents and/or tax payers of Schuylkill County to comment on matters of "local concern, official actions or deliberation which are or may be before the Board", whether the meeting is held in person or in a virtual format.

In order to conduct all public meetings in an orderly manner and to provide for public participation at such meetings, the Commissioners desire to establish the following policy regarding Public Comments at public meetings, including public meeting rules and regulations. In that regard, it is hereby provided as follows:

1. The Agenda for each public meeting will be provided on the County's internet on or before 10:00 AM on the day before the meeting. This is intended to provide an opportunity for residents and taxpayers of the County, and others having an interest in County matters, to comment on matters of concern, official actions or deliberations which are or may be before the Commissioners.
2. The time in the order of the Agenda to be provided for public comment will be designated as "Public Comment" on the Agenda.
3. There will be two (2) times for Public Comment – one for designated Agenda matters and one for matters of concern, official actions or deliberations which are not on the Agenda.
4. The following guidelines are hereby established for the Public Comment portion of meetings, both in person and conducted in virtual form:
  - A. Public Comment at a Public Meeting where the Person making Comment is Present In Person:
    - (1) The person desiring to make comments on an Agenda or non-Agenda item must be recognized by the Chair conducting the meeting before the commenting person will be recognized and the comments received.
    - (2) The person desiring to make comments must announce his or her name and municipality prior to addressing the Commissioners with his or her comments.
    - (3) The Chair may rule any comments out-of-order if, in his or her opinion, the comment relates to personal gossip, is untenable, is scandalous, insulting, malicious, slanderous, libelous, defamatory, inappropriate, irrelevant or redundant, or have the discernable purpose or affect which is to disrupt or needlessly protract the proceedings of the meeting.
    - (4) The Chair may request any individual leave the meeting and in support of that right may contact security, including the Sheriff, to that end, when the individual fails to observe reasonable decorum. In addition, the Chair may request the assistance of law enforcement, such as a Sheriff's Deputy, to remove a disorderly person when his or her conduct interferes with the orderly progress of the meeting.

- (5) The Chair may call a recess or adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting.
- (6) Individuals shall be afforded three (3) minutes to make Public Comment. The Chair is authorized to stop an individual from making Public Comment when that time limitation is exceeded.

B. Public Comment for Meetings by Virtual Means when the Person making the Comment is Not Present in Person:

- (1) Persons wishing to comment on a printed agenda item must submit their name and municipality, and the desired words and/or comments to be made which must be submitted in writing to the County Clerk no later than 3:00 p.m. on the day before the meeting. Failure to meet this deadline will permit the Chair to exclude those comments.
- (2) Persons wishing to make comments on a non-agenda item may do so only if their name, municipality and the desired words and/or comments to be made are submitted in writing to the County Clerk no later than 3:00 p.m. on the day before the meeting. Failure to meet this deadline will permit the Chair to exclude comments from that individual.
- (3) Persons desiring to comment on non-agenda items shall be limited to three (3) non-agenda Public Comments per meeting.
- (4) The Chair may rule out-of-order and decline to read any Public Comment which in his or her opinion relates to personal gossip, or is malicious, slanderous, libelous, defamatory, inappropriate, irrelevant, or redundant, or has the discernable purpose or affect which is to disrupt or needlessly protract the proceedings of the meeting.
- (5) Time allotted for the public comment period of each meeting shall not exceed thirty (30) minutes for all Public Comment. Each presenter will be allotted three (3) minutes to present his or her comments. These time limitations may be altered or waived at the Chair's discretion.
- (6) At the discretion of the Chair conducting the meeting, a group of citizens registered to address the Board on the same issue may be required to designate a spokesperson.
- (7) Other than by the County Clerk for the sole purpose of preparation of the meeting minutes, there shall be no recording of the meeting either by video or audio unless the person making such recording first discloses that a recording is being made to the Chair.
- (8) In the event there is not sufficient time for all Public Comments, the Chair, at his or her discretion, may continue the Public Comments beyond the 30-minute limit.