



# COMMISSION ORDER

STATE OF MISSOURI }  
County of Franklin } ss.

Tuesday, February, 09, 2016  
Policy

## IN THE MATTER OF ADOPTING AN AMENDED PUBLIC COMMENT POLICY

**WHEREAS**, on the 18<sup>th</sup> day of December, 2012 the Franklin County Commission adopted Commission Order No. 2012-349 pertaining to the adoption of a Public Comment Policy; and

**WHEREAS**, it is the desire of the Franklin County Commission to amend said policy so that it reads as set forth in the SECOND AMENDED PUBLIC COMMENT POLICY attached hereto.

**IT IS THEREFORE ORDERED** that the Second Amended Public Comment Policy is hereby adopted replacing all previous editions of the Comment Policy in their entirety.

**IT IS FURTHER ORDERED** that a copy of the Second Amended Public Comment Policy be posted on Franklin County's website.

Handwritten signature of the Presiding Commissioner in blue ink.

Presiding Commissioner

Handwritten signature of the Commissioner of the 1st District in blue ink.

Commissioner of 1<sup>st</sup> District

Handwritten signature of the Commissioner of the 2nd District in blue ink.

Commissioner of 2<sup>nd</sup> District

**SECOND AMENDED**  
**PUBLIC COMMENT POLICY FOR USE AT ALL**  
**FRANKLIN COUNTY COMMISSION MEETINGS**

**I. PURPOSE**

The purpose of this policy is to set forth the procedures by which the County Commission will entertain public comments at meetings of the County Commission. By adopting this Policy the County Commission recognizes that it is granting certain rights not available under Missouri law. Missouri law guarantees the right of people to attend public meetings but there is nothing in Missouri law which grants the public the right to speak at public meetings. In order to give meaning and substance to this policy it is first necessary to delineate the types of meetings held by the County Commission and indicating at which types of meetings public comment will be allowed. A word of caution, this policy is not directed at nor shall it be applied to “public hearings”. Comments at public hearings shall be governed by Missouri state law and rules established for the applicable hearing. The types of County Commission meetings are:

- A. **Formal Meetings of the Commission:** These are regularly scheduled meetings normally held on Tuesday mornings at which Commission Orders are adopted. Public Comment in accordance with the policy is encouraged at such meetings. Agenda format shall be as from time to time determined by the Commissioners.
- B. **Informal Meetings:** These are meetings, which are open to the public, will have a simplified agenda and will focus primarily on discussion of County business between Commissioners and designated county officials or employees. No action will be taken. There will be no public comment.
- C. **Administrative Work Sessions:** Routine meetings to act on ministerial matters. No agenda required. No public comment. No decisions regarding policy shall be made.
- D. **Closed Session Meetings:** Conducted in accordance with Missouri law. Not open to public. Results to be made public in accordance with Missouri law.

## **II. PUBLIC COMMENT**

The following shall govern public comment at formal meetings of the Commission:

A. Comment on Agenda Items: Any person attending formal Commission meetings shall have the right to comment on Commission Orders or Resolutions (Action Items) published on the Agenda. Any person desiring to do so must sign in prior to the start of the meeting. Comments shall be limited to three (3) minutes per person.

B. Formal Presentations: To make a Formal Presentation to the Commission the person or entity desiring to do so shall obtain permission from a Commissioner in advance so that the item may be properly posted. The request need not be in any particular form but must state the name, address, phone number and e-mail address, if available, of the person who desires to appear before the Commission. The request shall briefly describe the nature of the issue which is the topic of the presentation. Time limits and other restrictions shall be established for such presentations by the Commission depending upon the nature of the subject matter. The Commission reserves the right to disallow any request if the issue involves privacy rights of an employee or elected official, the request pertains to information which is otherwise protected by Missouri law or a majority of the Commission determines that the public as a whole would not be served by addressing the issue in a public forum. Any citizen who has an issue to discuss with a Commissioner may also contact any Commissioner directly via phone, e-mail or in person.

## **III. DECORUM**

All persons who wish to comment publicly are reminded that they should at all times be courteous and use proper decorum. The Presiding Commissioner or other Commissioner who presides at a particular meeting shall have the sole

authority to enforce this provision. Any person who violates this policy may be removed from the meeting and/or barred from all future public comments. The Commission recognizes the rights provided to citizens under Missouri law to record public meetings. All persons who desire to make an audio or video recording of any open meeting are reminded that any such recording shall in no way be deemed to constitute the official record or transcript of any meeting. The taking of photographs shall also be permitted at open meetings but no photographs using a flash device shall be permitted during the meeting. It is permissible to record any open meeting by video or audio recording so long as the recording does not interfere with the conduct of the meeting. Any videotaping must be done from the rear corners of the Commission Chambers in order to avoid interference with the meeting. Still photography, which is not disruptive and which is taken without a flash, shall be permitted.