



RESPONSES TO COVID-19:

AGENCY OVERVIEWS, UPDATES, AND CHANGES IN SERVICE

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LOCAL GOVERNMENT INTERIM COMMITTEE

COUNTY, CITY AND TOWN RESPONSE

While the Local Government Interim Committee does not have oversight authority of a state agency, the committee works closely with the Montana Association of Counties and the Montana League of Cities and Towns. Local governments across the state are responsible for managing multiple challenges and changes in the current situation, and local boards of health implement many of the executive branch's directives.

EXECUTIVE DIRECTIVES AND ATTORNEY GENERAL GUIDANCE AFFECTING LOCAL GOVERNMENT

Local Government Flexibility Directive: On March 24, 2020, the governor delivered a directive implementing Executive Orders 2-2020 and 3-2020 that allowed additional flexibilities to local governments. The [directive](#):

- suspends certain statutory office hour and minimum work-week hour requirements to allow local governments to safely operate and adhere to social distancing requirements;
- allows modification of vacation and sick leave policies to ensure local government employees are afforded benefits similar to those available to state employees; and
- grants local governments the discretion to extend certain statutory timelines including ordinance and resolution procedures, the publication of meeting minutes, and property development and subdivision review procedures, among others. The [directive](#) lists the specific statutory timelines that are granted flexibility, and the flexibility exists until the emergency declaration is lifted.

Guidance on Open Public Meetings: Attorney General's Office: With the advent of social distancing, city and county governments struggled to hold public meetings that would both allow for public participation and protect the health of those in attendance. The Attorney General's office affirmed that the proposed "[Guidelines for Conducting Local Public Meetings During the COVID-19 Emergency](#)" sufficiently met Montana's constitutional requirements for public participation and the public's right to know¹.

The Public Meeting Guidelines recommend that public entities:

- Cancel non-essential meetings;

¹ The public's right to participation and the public's right to know are defined in [Article II, Section 8](#) and [Article II, Section 9](#) of the Constitution of the State of Montana.

- Limit public meetings to critical items only;
- Determine the most effective type of meeting while also protecting public health and safety;
- Include information in meeting notices that describes the method by which the meeting will be held and how the public may participate remotely; and
- When available, utilize remote communication systems that allow members of the local governing body and the public to see, hear, and reasonably participate in the meeting.

FINANCIAL AID TO LOCAL GOVERNMENTS

CENTERS FOR DISEASE CONTROL FUNDING - DPHHS PUBLIC HEALTH EMERGENCY DEPARTMENT

Local governments and tribal governments received an early wave of disaster funding from the Centers for Disease Control through a program administered by the Public Health Emergency Department of DPHHS.

- Roughly \$2.5 million was allocated to local and tribal governments based on population, and the funds were distributed to local health departments to use for necessary measures to help stem the spread of COVID-19.
- An additional \$2 million was allocated to DPHHS to aid in testing and continued preparedness efforts.

The amounts allocated to each local and tribal government may be accessed [here](#).

FEDERAL STIMULUS PACKAGE: CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT (CARES ACT)

The [CARES Act](#) appropriated money for states and local governments battling the COVID-19 outbreak and the resulting economic challenges. Under the Act, a local government with a population of at least 500,000 is eligible for direct payments from the U.S. Department of Treasury. Montana does not have any local government units that meet this population qualification, and thus the state will receive the entirety of the \$1.25 billion payment from the federal government allowed under the CARES Act.

Specifically, the CARES Act allows state and local governments to make payments for programs that:

- are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- were not accounted for in the budget most recently approved as of March 27, 2020 for the State or government; and
- were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Additional directive and analysis are required to determine how funding will be allocated and dispersed to states and local governments, and information will be included in subsequent updates as it becomes available.

Links to Referenced Documents:

[Governor's Directive Implementing Executive Orders 2-2020 and 3-2020](#)

[Guidance for Public Meetings: Attorney General's Office](#)

[CDC Payments to Local and Tribal Governments](#)

[The Coronavirus Relief Fund \(CARES Act, Title V\): Background and State and Local Allocations](#)

Other Helpful Resources:

[Montana League of Cities and Towns COVID-19 Response Page](#)

[Montana Association of Counties COVID-19 Response Page](#)

[Emergency Management in Montana: The Roles of State and Local Leaders](#)