



# OACD

OREGON ASSOCIATION OF CONSERVATION DISTRICTS

District Managers and Board Members,

This morning the governor issued Executive Order 20-16 as we anticipated per Monday's email. Here is the [link to see the full order](#).

The order has two parts:

1. Addresses public meeting laws during the pandemic
2. Extends certain budget deadlines and requirements

### **Changes in public meeting requirements:**

- The EO urges public meetings as much as possible be held by telephone, video or other electronic means whenever possible.
- A method is to be made available to the public to be able to listen or virtually attend as the meeting occurs.
- A physical space or access does not need to be provided.
- The requirements do not apply to executive sessions.
- If meetings are not held by electronic means, social distancing of 6' or more must be made available to attendees.
- Requirements for public testimony do not apply if the body provides an alternative: written submittal, email, telephone, video or other virtual means. These items must be received so they can be addressed in a timely manner by the board. Contested case hearings are not applicable to this standard.
- A quorum of the governing body includes those able to attend the meeting and does not include members of the board unable to attend because of COVID-19 illness.

### **Extension of Budget Deadline Requirements**

There are two sets of requirements for districts. Those with tax bases are covered under ORS Chapter 294. The Executive Order provides an extension for those districts to complete their budget process (see below).

Districts without tax bases are covered under ORS Chapter 249's exemption. They will be required to pass their board approved budget by June 30, 2020. The Oregon Department of Revenue provides guidance for their process (see attachment).

For district budgets under ORS 294:

- Virtual means may be used for budget hearings. Written testimony can also be received in a timely manner.
- Notice publications just have to be posted in a prominent manner or on the district's website or available on the internet.
- Certification requirements will go to the Oregon Department of Administrative Services (DAS) as soon as practicable upon adoption of the budget.
- Notwithstanding statutory time limitations due to the corona virus, the local government can make reasonable expenditure beyond the current time limit (July 1) for the continued operation of the local government provided it proceeds with its process and completes the budget procedure as soon as it reasonably practicable. (A 30-day extension was anticipated, but this language allows for more than 30 days if necessary, to August 1 or later.)

If you have further questions about any part of the order, you may want to contact your legal counsel.