

**For clarity as to mail and FOIA requests-- when it's received or when it's opened?**

The order is very specific. It says "A public body must respond in writing to a request or an appeal received at its physical office via mail, hand delivery, or facsimile within 10 business days after actual receipt of the request or appeal. For purposes of this order, actual receipt of a request or appeal occurs when an employee of the public body physically opens the envelope containing the request or physically takes the faxed request from the fax machine. Nothing in this order requires an employee to report to the office to open mail or check the fax machine if the employee would not otherwise be permitted to report to the office in person and required to perform those tasks."

**Is there an expectation that the stay at home executive order will be extended to April 30th at a minimum? Is the MML hearing anything about the stay at home order being extended beyond that into May?**

We fully anticipate that the Stay at Home order will be extended. The Governor has publicly stated that we should all expect that in the coming days. What is unknown is for how long the order will be extended or if there will be any adjustments the definition of critical infrastructure to the original order.

**Do we expect there to be an extension to the Stay-at-Home Order? Does there seem to be a pattern of extension? It seems logical that if the "apex" will not be for another month, an extension needs to happen...?**

[answered above]

**So, is it a 10-day deferral on top of the 10-day extension?**

<http://blogs.mml.org/wp/coronavirus/files/2020/04/FS-FOIA-Deadline-Changes-.pdf>

**Has the Governor put a temporary stop on OMA?**

The Governor has not temporarily stopped OMA. Through executive action she has allowed for virtual meetings to take place. Those virtual meeting still need to comply with the OMA statute as it relates to posting requirements and public participation and is laid out in the order. (Provide a link to the order)

**I'm sure like most we have been inundated with requests for clarification on what is essential? Main areas we are looking for clarification: landscaping (lawn mowing), golf courses, boating...**

This has been a topic of discussion for our members, and many others. We have discussed this issue with the Governor's office and asked for additional clarification. For landscaping, we are hopeful the Governor's office will provide clear direction on what is and isn't allowed. Below are the answers the Governor's office has provided on these topics.

**May landscaping, lawncare, tree service, irrigation, and related outdoor maintenance companies operate under this order?**

No, except if the service is necessary to maintain and improve the safety, sanitation, and essential operations of a residence. Therefore, cosmetic and non-emergency maintenance and improvements to the outdoor areas of residences and businesses are not permissible under this order. Any necessary landscaping work that is carried out while the order is in effect must be done in accordance with the mitigation measures required under section 5(c) of the order.

**Are golf courses allowed to stay open?**

No. While EO 2020-21 contemplates outdoor activity, opening a golf course to the public does not fall under the designation of critical infrastructure. Consequently, a golf course may not designate employees as critical infrastructure employees and authorize them come to work.

**Does boating constitute “outdoor activity” under Executive Order 2020-21?**

Yes. Boating falls within the outdoor activities permitted under the order. Any outdoor activity, including boating, must be done in a manner consistent with social distancing, and individuals should use only their own equipment to prevent the transmission of the virus through the touching of shared surfaces. Additionally, in accordance with section 2 of the order, persons not part of a single household may not boat together.

While boating is permitted under the order, the provision of boating services or supplies does not itself constitute critical infrastructure work. Accordingly, marinas, canoe liveries, and other similar businesses and operations may not designate workers to come to work for that purpose. As needed, however, these businesses and operations may designate workers to leave their home for work if their in-person presence is strictly necessary to conduct the minimum basic operations listed in section 4(b) of the order. Minimum basic operations do not include serving members of the public but do permit work necessary to maintain the safety and sanitation of sites otherwise open to the public for outdoor recreation. All in-person work permitted under the order must be done in accordance with section 5 of the order, including the mitigation measures listed in section 5(c).

**Many of our residents use contractors to mow their lawns and many don't even own lawn mowers. In addition, Our City uses contractors to mow our parks and public properties and this is going to be an issue soon. Do you see any clarification of allowing contractor mowing, but not installation of new landscaping installs?**

[answered above]

**We have major concerns regarding petition deadlines. We had a councilmember specifically tell us today if this required, they will not run for reelection to ensure their safety and the safety of our residents. How soon will we get a decision on this?**

The League has raised this issue with the Governor's office and the Secretary of State on several occasions. We know they are looking at the issue and considering possible action but at this time we have not been given an indication on exactly when or if a decision will be made.

**Are 800's and closed captioning really needed for electronic meetings? Seems to be various ideas on that out there.**

EO-2020-15 does not reference closed-captioning expressly. It does say you have to develop procedures whereas someone with disabilities may participate in your meetings. In talking to the Governor's office about extending this order, the League has asked for clarification on this topic, such as allowing an individual to reach out to the local unit to request the type of accommodation he/she needs and the local unit would respond to those with an appropriate method.

League webinar on virtual meetings: <https://www.youtube.com/watch?v=pUzFLMf935M>

**One of the biggest challenges for conducting open meetings is the Closed Captioning requirement. I know some communities are holding virtual open meetings without the live closed captioning, Closed Captioning on the recording of the meeting is relatively easy to accomplish. Is there any chance that that requirement be eased if the Executive Order gets extended?**

[answered above]

**We have staff that are not working but we are committed to paying. Is there any information about the use of local gov workers to assist where needed- with safety precautions, of course. Thinking loaning to unemployment office or something similar?**

The Governor has established a volunteer portal requesting medical professionals and others who are willing to register to assist with the relief efforts in SE Michigan. The portal identifies a series of different functions, in addition to health care workers where the state is seeking volunteers.

<https://www.michiganradio.org/post/gov-whitmer-mdhhs-launch-covid-19-website-volunteers>

[https://www.michigan.gov/whitmer/0,9309,7-387-90499\\_90640-523409--,00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-523409--,00.html)

[https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98811---,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98811---,00.html)

**I've heard that federal reimbursement will be direct costs of COVID-19, not paying employees to stay home. Any thoughts on this?**

Is the money from the federal government eligible to back-fill municipal general funds? No, currently it is not eligible. However, a lot of effort is going into adding flexibility to the funding from the CARES act stimulus or to add this possibility to a 4<sup>th</sup> federal stimulus bill. Stay tuned.

**There is a growing movement across the country for all vote by mail for August and November. Is there any movement toward that in Michigan and is there any chance May will be pushed back?**

There have been conversations about this. EO 2020-27 directs any May elections to be conducted as much as possible by absentee ballots. Each jurisdiction must keep at least one polling place open. Some legislative leaders have advocated for the May elections to be cancelled and pushed to the August ballot. There was mixed reaction to this idea and any decision of this magnitude should be give careful consideration about its impact on municipal and school budgets and the overall precedent it sets.

**So, in terms of Overtime for Police in Fire are they included in the reimbursement program or not?**

This is a question we are working with our partners at the National League of Cities and the State Budget Office. We believe that overtime expenses related to public safety and local government workers deemed “essential” should be included as an eligible reimbursement expense for funding provided in the CARES act federal stimulus, but at this time we are still waiting on final guidance from the US Treasury. This guidance should be published within the next two weeks.

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