APPENDIX D
Public Hearing Requirements

The First Public Hearing

The purpose of the first public hearing is to provide an objective and neutral forum for considering overall community needs and potentially competing or alternative proposals for CDBG projects to deal with those needs, within the local government's jurisdiction. The first public hearing should inform the public about the amount of state CDBG funds estimated to be available to Montana communities, and the kinds of activities that are eligible for CDBG funds.

Applicants should hold the first public hearing not more than twelve months prior to the date of application. The site of the first public hearing should be a neutral one that would encourage fair and impartial consideration of all potential CDBG projects. Local officials may have a possible project in mind for a CDBG application before the first public hearing to "identify community development and housing needs" is held. However, it is very important that the location of the first hearing be considered a neutral site, so as not to skew the selection of the proposed project toward a pre-determined community need, and so that all potential CDBG projects may receive fair consideration before a decision to submit a particular project is made. For example, even though a county government may be considering a project to serve a particular unincorporated community, the first public hearing should be held in the county seat, rather than in that unincorporated community, so that each potential community development and housing need may receive fair and impartial consideration as a potential CDBG project.

To minimize duplication, local governments may use advertised public hearings related to their planning program or other funding applications to meet the CDBG requirement for a public hearing prior to preparation of their CDBG application, as long as overall community needs, and possible solutions are considered. An increasing number of Montana counties and cities are cooperating to publicize and hold joint, annual hearings to consider overall community development and housing needs for both the city and county. By this means, a single public hearing on overall community development needs can meet the requirements of other state or federal programs.

The Second Public Hearing

The purpose of the second public hearing is to give citizens and potential beneficiaries of the proposed CDBG project (especially LMI persons) or residents of the project area adequate opportunity to consider the potential impacts and benefits of the community's proposed project and to comment on it, before the community submits the application. The second hearing should be held not more than three months prior to the date of application however also provide local officials a reasonable amount of time to deal with comments or concerns stated by citizens at the hearing.

At the second public hearing, specific CDBG program requirements and related project issues should be reviewed. This is the key hearing at which the public should have the opportunity to review and comment on the details of the scope, design, and all projected financial responsibilities falling on project beneficiaries. To facilitate the participation of citizens who may be most affected by a proposed project, local officials may wish to hold the second public hearing in a location near the proposed project site. For the second public hearing it would be appropriate, for example, to hold the hearing at a senior center proposed to be assisted with the CDBG project. Local governments may conduct a single, consolidated public hearing to address the public hearing requirement for other funding programs while meeting the CDBG second public hearing requirement.

The CDBG Program encourages a neutral setting that promotes open discussion and an exchange of ideas regarding all community development and housing needs, and possible solutions for those needs. This may include an open town meeting or facilitated small group discussion with a final summation of identified community needs and solutions. Local officials may also want to use additional public involvement techniques such as open houses or presentations to local organizations to make more citizens aware of community needs and to solicit their ideas on

activities or projects to address community problems.

The two public hearings must:

- Be conducted by the city, town, or county government that will sponsor the application; it is also recommended the partnering non-profit or CRDC participate in the hearings.
- Provide reasonable and timely access to the public hearings along with information and records about the proposed project.
- Publish advertisements that include information such as clear location that is convenient and accessible to potential or actual beneficiaries and accommodations for individuals or groups with disabilities.
- Provide accommodations for non-English speaking residents when a significant number of non-English speaking residents might be reasonably expected to participate and include advertisements in non-English.
- Hearings should follow local government practice, but not at the exclusion of anything stated above.

SAMPLE NOTICES

Sample Notice for the *First* CDBG Public Hearing

The (*Town of* _____, the *City of* _____ *or* _____ *County)* will hold a public hearing on *(day), (date), (time),* in the *(…building name and address…),* Room ___, for the purpose of obtaining public comments regarding the *City's (Town's or County's)* overall community and economic development needs, including the needs of low and moderate income persons. *The Town/City Council of* _____ *(or* _____ *County Commissioners)* will also seek the views of citizens on the activities that should be undertaken to meet the identified needs and their relative priority. The *(City, Town or County)* may apply for state or federal funding from the Montana Community Development Block Grant (CDBG) Program and other funding sources to deal with community and economic development needs and would like comments or suggestions from local citizens regarding the *City's (Town's or County's)* needs and the type of projects which should be considered. Comments may be given orally at the hearing or submitted in writing before *(time and date)*.

Anyone who would like more information or who wants to submit suggestions should contact (*person), (title), (telephone number)*.

If it is the intent of the applicant to coordinate the second project public hearing with hearings for other programs, this notice may be combined with information from other programs, but must contain CDBG project specific details as listed below.

Sample Notice for the *Second* CDBG Public Hearing

The (*Town of* _____, the *City of* _____ (or _____ *County*) will hold a public hearing on (*day*), (*date*), (*time*), in the (… *building name and address*), Room _____, for the purpose of obtaining public comments regarding a proposed application to the Montana Department of Commerce's Community Development Block Grant (CDBG) Program for a (*type of project, description of project, and project area, as applicable*). At the public hearing, the proposed project will be explained, including the purpose and proposed area of the project, activities, budget, possible sources of funding, and (if applicable, any costs that may result for local citizens as a result of the project). All interested persons will be given the opportunity to ask questions and to express their opinions regarding this proposed project.

Comments may be given orally at the hearing or submitted in writing before (*time and date*). Anyone who would like more information or who wants to submit questions or comments should contact (*person*), (*title*), (*telephone number*). A copy of the application to be submitted for funding the project is available for review at (*location*) during regular office hours.