



INDIANA TOWNSHIP ASSOCIATION, INC.

March 24, 2020

Statement of the Indiana Township Association Concerning Guidance for Directive for Hoosiers to Stay Home

Dear Trustees, Township Personnel and Township Board Members:

On March 23, 2020, Governor Eric Holcomb issued Executive Order 20-08 concerning essential travel and business functions. ITA has received several questions concerning the Executive Order and what it means for Township operations. The duration of the Order is from March 24, 2020 to April 6, 2020.

You can find the Governor's Executive Order here:

https://www.in.gov/gov/files/Executive_Order_20-08_Stay_at_Home.pdf

We recommend you read the Order but this letter provides a general overview of comments in response to some of the more frequent questions ITA has received.

- Townships and Township Offices have not been ordered to close. To the contrary, Section 12 of the Order specifically lists Townships and "all services" they provide that "support the health, safety and welfare of the public" as being essential. First Responders have been specifically listed as essential. This also includes your essential contractors and vendors providing goods and services to support these essential functions.
- What other services are essential? This is a matter of opinion and should be dealt with Township by Township. Firefighting, First Responders, Township Assistance and Food Pantries would all qualify as essential to health, safety and welfare. Trustees may prioritize other functions during the duration of the Order as being essential or non-essential. For instance, an indigent burial may be considered essential, but a noxious weed or line-fence question may not be. A Trustee's deadlines for response on certain non-essential matters may be postponed during the Public Health Emergency.
- Pursuant to Paragraph 7(c) of the Executive Order, public parks may remain open, but public playgrounds are closed. This applies to Township Parks. A Township may, but is not required, to post these closures. Enforcement of these closures will be dependent on local law enforcement and their resources.
- May a Township close its offices? A Trustee has discretion to manage the facilities of the Township. This includes determining public access to facilities [Ind. Code 36-6-4-3]. A Township, though, must ensure adequate access to Township Assistance services [Ind. Code 12-20-5.5-3]. While a Trustee may limit access to facilities, a



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Trustee may not limit access to Assistance and therefore may not shut down operations and must provide minimum accessibility [Ind. Code 12-20-5.5-4].

- Other considerations: As provided in prior ITA Guidance, certain policy changes should be approved by the Township Board. Changes such as going to 'work from home' models, modified Assistance procedures, virtual meetings, or modified handling of Township deposits or claims may result in compliance problems with your already approved salary resolution, personnel policies, 'open door' laws or your internal controls. Evaluate with your Counsel on a case by case basis what modifications you need approved in advance before deviating from your standards policies. Approving a resolution permitting 'virtual' meetings may be a wise first step to allow any subsequent sessions to be conducted electronically.

Sincerely Yours,
INDIANA TOWNSHIP ASSOCIATION, INC.

A handwritten signature in black ink, appearing to read "Deborah R. Driskell".

Deborah R. Driskell, Executive Director
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Sincerely Yours,
THRASHER BUSCHMANN & VOELKEL, P.C.

A handwritten signature in blue ink, appearing to read "Jeffrey M. Bellamy".

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