



INDIANA TOWNSHIP ASSOCIATION, INC.

March 17, 2020

Statement of the Indiana Township Association Concerning Guidance in Addressing Novel Corona Virus Response When Providing Township Assistance

Dear Trustees, Township Personnel and Board Members:

On March 6, 2020, Governor Eric Holcomb signed an executive order declaring a public health emergency to increase coordination among all levels of government in the State's response to Covid-19 a/k/a "corona virus." On March 12, 2020, the Indiana State Board of Accounts ("SBOA") issued a Memorandum regarding its "Policy for Coronavirus." In its memo, the SBOA urged governing bodies to work with their attorneys to develop policies to address Covid-19 and to do so broadly to avoid constant updating resulting from changing real-time issues. In response, the ITA and its Counsel have developed a draft resolution for Township's to consider that would authorize Trustees to use modified handling of Township Assistance applications to address Covid-19 best practices. It is the opinion of ITA and its Counsel that anticipated disruptions in the economy due to Covid-19 and the public health response will lead to income, food, medicine and housing insecurity for the most vulnerable Hoosiers. Adoption of this resolution or one like it will not result in an audit exception from SBOA if modified Township Assistance guidelines are used. If not adopted, then the Township's existing guidelines must be applied. If existing guidelines are not adhered to and a modification resolution is not adopted, the Township is subject to audit exceptions. If a modification resolution is adopted, the Trustee is not required to use modified Assistance intake procedures but will be free to do so if it becomes necessary without frequently returning to the Township Board.

At this time, any proposed Township Assistance Guideline resolution would need to be approved by the Township Board in a public meeting. Usually, the public notice of the date, time, and place of any meetings must be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before a meeting. The SBOA, however, has noted that Ind. Code § 5-14-1.5-5(d) can be applied in an emergency concerning the actual or threatened disruption of a government activity. In this instance, the standard advance notice time limits may be waived subject to posting a copy of the notice at the Township offices and providing a copy to any news media that have previously provided an annual written request for receiving copies of all Township notices. This is to ensure a Township Board can meet as soon as practicably possible to authorize alternative Township Assistance guidelines during the State's Public Health Emergency.



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Presently, the State has not waived any Title 5 ‘Open Door’ requirements to permit virtual or phone-conference meetings. This may change; but, has not as of this date. Therefore, it is recommended that when convening thBoard recommended ‘social distancing’ be employed and meetings be kept brief and succinct.

The purpose of modified Township Assistance Guidelines during the Public Health Emergency is to allow Trustees or their Staff the greatest amount of reasonable flexibility to provide Township Assistance within guidelines and time limits without causing undue health risks to clients and Township staff. The draft resolution does not go into specific policies that a Township must adopt but follows the SBOA’s recommendation to give Trustees leeway to provide assistance during the State’s Public Health Emergency. Should an Township Board wish to modify the resolution to address guidelines specific to its own Township it may do so, but that is not required.

The following recommendations may be considered acceptable alternate Township Assistance Application Intake procedures during the Public Health Emergency if a modified intake resolution is approved. It is not necessary that these procedures be stated in your resolution. The ITA will continue to provide guidance on acceptable guidelines during the Public Health Emergency, particularly as the State filters information down to us. The only certainty thus far is that the situation is fluid and ever-changing. Please know, once the Governor’s Public Health Order expires, these policies should likewise expire. Possible, but not required, alternate intake procedures can include:

- Accepting all ‘digital’ TA intake forms via scan, fax or e-mail. The Township’s digital contacts information [i.e. phone, fax, emails] should be prominently displayed at their entry with a possible handout available to be taken away by the applicant. If a digital application signature is possible, you may use it
- Creating a form ‘e-mail’ in a text-only format that can be sent to an applicant, like a questionnaire that models your intake form, to type in the necessary items on the intake form and then input by the Township. Such text form [i.e. not an Adobe .pdf form] can also ask that the applicant verify the information provided is true and accurate.
- Allow Clerks and Investigators to conduct interviews over the telephone and to input application information or partial application information into your intake forms. This can still be done as a work from home activity. Modern smartphones or office phones may allow those interviews or intake calls to be recorded. If possible, this would be an acceptable way to document the Township’s efforts to verify information.
- For valid picture id cards, social security cards, date of birth verifications, bank statements, utility bills or medical information, allow applicants to digitally photograph those items and email those to you if a scan is not available. Consider accepting this information via a smartphone text message as an alternative but we do not recommend using a personal smartphone for that, but one approved for business purposes. Bear in mind, scanning may be more difficult as local libraries are closing. If an applicant cannot do this, allow them



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to bring this information, or an application, to your office, have the Township digitally photograph it without handling it perhaps in a front office, foyer or even at the applicants vehicle, and send it back with the applicant, not actually handling any paperwork from the applicant.

- For all digitally collected personal identification, please take precautions to safeguard as you would written or printed information of the same type.
- Use practical good judgment for addressing requirements that an applicant be seeking work or referring applicants to workfare. If you wish to use workfare, confirm that the workplace needs the assistance [i.e. are animal shelters open? Fairgrounds, etc.?] Requiring medical exams to confirm claims of ability or disability to work may be completely impractical as the health care system is focusing on non-elective emergencies.
- When in doubt, the Trustee does have authority to act in his or her best judgment on emergency matters. [Ind. Code §12-20-6-7]. With any alternate procedure, we recommend documentation as best as can be done to support Township actions to accomplish the purpose for Township Assistance and still confirm eligibility and avoid fraud.
- All of these protocols can be modified for indigent burials subject to all the standard limitations for payment.
- Please know, in a case of emergency, a trustee shall accept and promptly act upon an application from an individual requesting assistance. In a nonemergency request for township assistance, the trustee shall act on the completed application not later than seventy-two (72) hours after receiving the completed application, excluding weekends and legal holidays listed in IC 1-1-9.

Other procedures can still be performed without disruption, such as mailing any notice of a denied application to the applicant's last known address with appeal instructions. How County Commissioners would handle appeals at this time would be on a county-by-county basis. Additionally, this resolution only applies to alternate Township Assistance procedures and a Township's adopted guidelines. It does not modify personnel policies, for instance. If a Township believes it will need to modify its personnel policies an additional resolution would need to be approved to permit that. Also, the examples provided are just that – examples. They are not a complete or exhaustive list. They are, though, suggestions to consider for alternative TA handling methods *after* the recommended resolution is approved. If a Township wishes to 'stay the course' and make no modifications, it is perfectly entitled to do so. A Township, however, cannot shut down, though and decline to accept any applications barring some further actions by the State.

The only certainty thus far is that the State's response to Covid-19 is fluid and ever-changing. Township government will play a crucial role with its first responders and by providing Assistance to those most impacted by business furloughs, lay-offs and lost shift work. ITA, along with the Indiana Library Federation, Accelerate Indiana Municipalities, the Association of Indiana Counties, the Indiana School Board Association, and Purdue University Extension have come



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together to provide a central hub of education resources to keep communities safe and well-informed. These resources are being updated regularly. You may access those resources at:

<https://cdext.purdue.edu/collaborative-projects/olgcovid19/>

Please know the lights are staying on, either literally or virtually, at our respective offices and we will continue to distribute information as we receive it from the State.

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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Fishers, IN 46038
(317) 813-3240

Sincerely Yours,
THRASHER BUSCHMANN & VOELKEL, P.C.

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

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Click on each item to access

1. Draft Novel Corona Virus Resolution – Microsoft Word format
2. Draft Novel Corona Virus Resolution – PDF format
3. SBOA March 12, 2020 Memo
4. SBOA March 16, 2020 Memo



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