

White River Township Board – WRT 2020-02

RESOLUTION CONCERNING TOWNSHIP POLICIES ADDRESSING
NOVEL CORONA VIRUS

Whereas: On March 6, 2020, the Governor of Indiana, Eric Holcomb, declared a Public Health Emergency does exist; and,

Whereas: The Declaration recognizes the presence of the Novel Corona Virus; and,

Whereas: This recognition authorizes Indiana Governmental units to take actions designed to lessen the threat of the contagion for their employees and those who utilize the public services offered by that Unit; and,

Whereas: Local Public Health jurisdictions may with the concurrence of the Indiana State Board of Health seek or order quarantines of infectious individuals, or limit movements in public spaces by the citizens of that jurisdiction; and,

Whereas: People so restricted may find themselves in need of food, medicines or other necessities of life as defined by Ind. Code § 12-7-2-20.5; and,

Whereas: Under normal circumstances those affected people might seek emergency assistance from the Township of their residence; and,

Therefore be it resolved: That until the declared Public Health Emergency is ended by Executive Order of the Governor, the Trustee or his or her designated deputy may modify the Application For Emergency Assistance (ISBOA form TA1) intake procedures to reflect the Governor's concerns for lessening the threat of contagion to all parties.

The Trustee or his or her designated deputy may assist the applicant by accepting the information required of the application by telephone or digital methods. Also, the Trustee may sign the Application (TA1) in lieu of having an original signature of the digital or telephone applicant. Then the Trustee and their Case Investigator(s) may process an application so signed by the Trustee by normal procedures and respond to the applicant in writing (TA1A) regarding their decision within the lawful time frame for such.

That after reaching the lawful conclusion and disposition of the Application, if necessary the Trustee may purchase by Township voucher (SBOA Form # TA 2) the requested services or goods and thereupon deliver those goods to the client in an expeditious manner to relieve the stated needs of the Applicant.

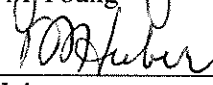
This authority shall remain in force until revoked either by the Township Board or the Declaration by the Governor that the Public Health Emergency has expired.

Dated this 19th day of March, 2020.

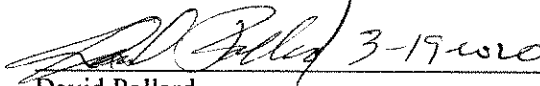
AYE



Margaret M Young




Richard Huber



David Pollard

NAY

ATTEST:



Mark W Messick, Trustee



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
P.O. Box 611,
Fishers, IN 46038
(317) 813-3240

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

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

Jeffrey M. Bellamy, Esq., General Counsel
151 N. Delaware Street, No. 1900
Indianapolis, IN 46204
(317) 686-4773

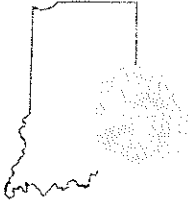
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Click on each item to access

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



INDIANA TOWNSHIP ASSOCIATION, INC.



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2765

Telephone: (317) 232-2513
Fax: (317) 232-4711
Web Site: www.in.gov/sboa

MEMORANDUM

March 12, 2020

Re: Policy for Coronavirus

Dear Officials,

We have received several questions regarding the Coronavirus (COVID-19) and its impact on governmental activities. Currently the questions are centering on disruption of travel, work environment, and employee benefits/compensation.

We urge governing bodies to work in the very near future with their attorneys to develop a policy specific to this emerging pressing situation. It should incorporate those items that could be of concern in the coming months. We would advise that this policy have broad language that may reference more specific materials so that the policy does not need to be constantly updated and approved to address the quickly changing real-time issues. The policy should be adopted through normal processes as provided by statute, including public meetings. IC 5-14+1.5-5(d) provides for emergency meetings if those become necessary. Also, if you have collective bargaining, do not forget to consider the agreement's impact.

We will not take audit exception to these policies and resulting responses that are due to the Coronavirus.

We will be providing in a separate communication Monday suggestions and items to consider.

Please continue to send any questions to the Directors, they may be reached at 317-232-2512.

The wellbeing of our citizens is paramount to us all.

Sincerely,

Paul D. Joyce, CPA
State Examiner



STATE OF INDIANA
AN EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF ACCOUNTS
302 WEST WASHINGTON STREET
ROOM E418
INDIANAPOLIS, INDIANA 46204-2765

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Fax: (317) 232-4711
Web Site: www.in.gov/sboa

MEMORANDUM

TO: All Units
FROM: Paul D. Joyce, CPA, State Examiner
RE: Items to Consider when Governing Bodies are Developing Actions/Policies Regarding Coronavirus
DATE: March 16, 2020

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Provided are suggestions and items to consider as referred to in the memorandum provided on March 12, 2020.

It must be stressed the urgency to both monitor and address situations as they arise. This is a very fluid situation, changing constantly. Governing bodies will need to be flexible in their approach. Any guidance we provide must be taken in that context and should not be taken as restrictive.

If it is determined that there are needed actions that do not need a formal policy or that there are actions that should be done in conjunction with a formal policy, as long as there is written evidence that a governing body is appropriately approving actions in an appropriate forum, those are acceptable.

For example, school boards who decide to pay employees when schools are closed or impose specific directives or procedures in response to the coronavirus epidemic should do so in a public meeting and the board's action must be in writing. The written action of the board may be in the form of a resolution or board meeting minutes. It is not necessary to do a formal board policy as this action will be temporary and not one that will be ongoing and continuous in the future.

Any policies/actions should have in mind to maintain operations of government as normal or near normal as possible while maintaining the wellbeing of governmental employees and the public.

Here are some items to consider when developing policies/actions for personnel specific to the coronavirus:

What will be done regarding compensation and leave time of employees if there is a mandatory closure of the building? If there is already normally scheduled time off, such as spring break, then for that period of time compensation and leave would be proceed as normal. For mandatory closure outside of normally scheduled time off then guidelines specific to the emergency situation would come into effect.

First to consider, is there specific guidance regarding the coronavirus by the U.S. Department of Labor (DOL)?

DOL website is recommending review of leave policies and consideration of increased flexibility. Q & A regarding pandemics and the fair standards labor act as well as the family medical leave act can be found at dol.gov/agencies/whd/pandemic.

Part of this flexibility is considering what work might be done from home and what will require work from the office in order to conduct business.

Questions to be asked and instituted into policy/action items:

Are there essential employees that must work from a certain location?

Are there trade off days where certain employees would work at the office one day and others another to allow for social distancing but also allow for those things that are easier to be completed in the office to still be done that way?

Are there prohibitions against a certain number of employees meeting in close proximity and the need to utilize virtual meetings, even when in the office?

What duties can be done remotely?

How will employees be informed that they will be working remotely? Who will be making the decision, who will be communicating that information and how will it be communicated?

When working remotely will the work schedule be the same? How will employees "check in"? What common way should they be communicating (phone, email, virtual system, etc.)? How often should supervisors communicate with those who report to them?

What security issues are there? Will documents be allowed to leave the office? Is there secure IT systems in place that allow for remote access? What equipment is needed to work remotely? Can employees utilize their own devices?

For employees that cannot work from home due to nature of duties performed, but there is mandatory closure, what will leave time/benefits/compensation be allowed? We have been asked several times if we will take exception to the compensation of employees that must stay home but their duties do not allow for working from home. We won't take exception to extension of paid leave time that is in accordance with allowable approved policies/actions and provisions.

As this document is being written, Congress is considering passage of paid leave time that would provide for sick time off as well as time off for a parent when there is mandatory shut down of a child's school, with either advance funding or reimbursement funding for entities with certain staffing levels.

You should consider tracking costs that are directly associated with this emergency as no one at this time knows what type of reimbursements or stimulus may be put into effect by the federal government.

Again, you must work with your attorneys and keep monitoring for changes.

Also, your individual associations are monitoring this situation and many will provide guidance that will cover specific legal aspects to consider, such as for libraries what is their responsibilities regarding patrons. Please, carefully review the guidance they are providing you.

We will work with you to provide guidance that incorporates maximum flexibility, but remember, even in emergency times we all should strive to provide good stewardship of those responsibilities and assets that have been entrusted to us.

Contact us with any questions you might have at 317-232-2513.

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-02

**FOR: DECLARATION OF PUBLIC HEALTH EMERGENCY FOR CORONAVIRUS DISEASE
2019 OUTBREAK**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

- WHEREAS,** the novel Coronavirus Disease 2019 (“COVID-19”) is a severe respiratory illness that was first detected in Wuhan City, Hubei Province, China;
- WHEREAS,** COVID-19 is a rapidly spreading virus that is transmitted from human-to-human and results in symptoms ranging from fever, cough, acute respiratory distress, pneumonia, and even death;
- WHEREAS,** as of the date of this Executive Order, the COVID-19 outbreak has affected more than 60 countries around the world, including the United States;
- WHEREAS,** on January 30, 2020, the World Health Organization (“WHO”) declared the COVID-19 outbreak a “Public Health Emergency of International Concern”;
- WHEREAS,** on January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States;
- WHEREAS,** a vaccine or drug is currently not available for COVID-19;
- WHEREAS,** in response to the outbreak, the Centers for Disease Control and Prevention (“CDC”) determined that COVID-19 presents a serious health threat and currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes, washing hands often, use of alcohol-based hand sanitizers, and routinely cleaning frequently touched surfaces and objects in order to increase community resilience and readiness for responding to an outbreak;
- WHEREAS,** preparation for public health hazards such as COVID-19 require coordinated efforts across federal, state, county and local governments, first responders, private organizations, and the entire healthcare infrastructure in Indiana;
- WHEREAS,** the Indiana State Department of Health (“ISDH”) has been actively preparing for the arrival of COVID-19 in our State, including, for example, the following:
- (a) creation of a COVID-19 multi-agency coordination committee;
 - (b) hosting of a state-level advisory group;
 - (c) activation of a 24/7 call center;
 - (d) conducting of a hospital readiness survey;
 - (e) daily collaboration with federal, state, and local partners;
 - (f) hosting of weekly webinars with local health departments and providers;
 - (g) launching of a dedicated webpage in order to share important information;
 - (h) planned outreach to community partners;
 - (i) working with hospital and healthcare providers across our State to conserve and optimize the use of personal protection equipment; and
 - (j) preparation of guidance for schools and universities;
- WHEREAS,** the Governor has authority and power, under Indiana law, to declare and respond to public health emergencies and is doing so for the entire State of Indiana;

WHEREAS, Indiana Code § 10-14-3-1(a) defines disaster as “an occurrence or imminent threat of widespread or severe damage, injury, loss of life or property resulting from any natural phenomenon or human act” including, at (b)(22)(23) respectively, the terms “Epidemic” and “Public Health Emergency”;

WHEREAS, Indiana Code § 10-14-3-12(a) provides, in pertinent part, that “[t]he governor shall declare a disaster emergency by executive order or proclamation if the governor determines that a disaster has occurred or that the occurrence or threat of a disaster is imminent”;

WHEREAS, Indiana Code § 16-19-3-9 provides that ISDH, which reports to the governor, may “[d]o what is reasonable and necessary for the prevention and suppression of disease”; and

WHEREAS, in light of the above, it is necessary and proper to take action to protect the health and well-being of all Hoosiers by taking all necessary and appropriate preparatory and other measures in response to the threats posed to the public health by COVID-19;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby:

1. Declare that a public health disaster emergency exists in Indiana attributable to COVID-19.
2. Designate the ISDH as the lead state agency to coordinate emergency response activities among the various state agencies and local governments. The State Health Commissioner (or designee) shall provide the Office of the Governor regular and timely updates of all relevant data and information with respect to the status of and efforts to combat the spread of COVID-19.
3. Order all state and local health officials, law enforcement and emergency response agencies, health care providers, and hospitals, in our State to cooperate with the ISDH in its response to the public health disaster emergency and the implementation of this Executive Order.
4. Order the ISDH to continue following the CDC’s guidelines and protocols in connection with the control the spread of COVID-19, and to further educate the public on prevention.
5. Authorize the ISDH and any other agency of the State of Indiana to seek and accept any funding or other resources from any entity, governmental or private, to treat, control, and stop the spread of COVID-19.
6. Order the ISDH, in coordination with such other agencies as may be necessary, to coordinate services and use the media and other outreach tools as it deems appropriate to inform the public of the risks associated with COVID-19, prevent the spread of the virus, and availability of testing and treatment options.
7. Order all other executive branch agencies, instrumentalities and personnel of the State of Indiana to assist in the execution of this Executive Order, provided however, that no state agency or person acting in the name of any state agency may spend or make any commitment to spend or obligate any funds that are not appropriated for such purposes.

This Executive Order and declaration of a public health disaster emergency in our State shall by law expire thirty (30) days from the date below, unless extended.

It is so ordered.



IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 6th day of March, 2020.

Handwritten signature of Eric J. Holcomb in black ink.
Eric J. Holcomb
Governor of Indiana

ATTEST:

Handwritten signature of Connie Lawson in black ink.
Connie Lawson
Secretary of State