

INDIANA STATE BOARD of ACCOUNTS

CORONAVIRUS - *SBOA Memos & Directive*

April 9, 2020

SBOA Representatives



State Board of Accounts



SBOA is OPEN for business:

Doing audits - remotely

Taking calls

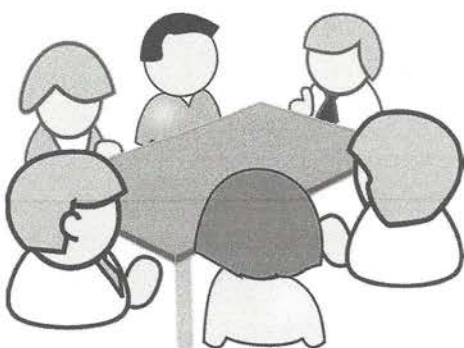
Responding to emails



cities.towns@sboa.in.gov
libraries@sboa.in.gov
specialdistricts@sboa.in.gov
317-232-2513

counties@sboa.in.gov
317-232-2512

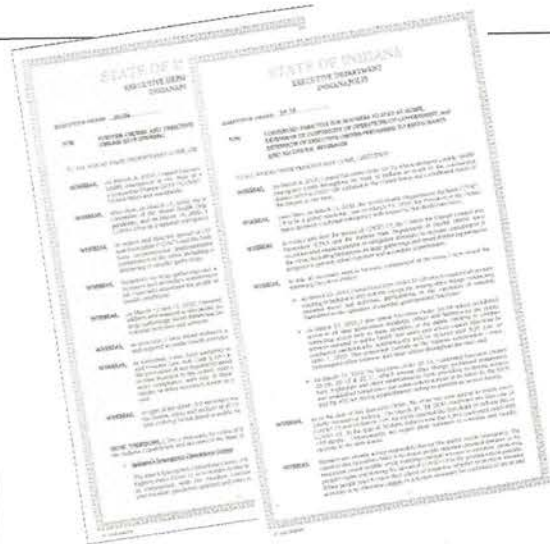
Coronavirus Discussion



- ✓ **Executive Orders**
- ✓ **SBOA Memos**
 - March 12, 2020
 - March 16, 2020
 - March 31, 2020
 - April 3, 2020
- ✓ **Directive 2020-1**
- ✓ **Other State Resources**
- ✓ **Questions and Answers**

<https://clipartion.com/free-clipart-29938/>

Where To Find Executive Orders



www.in.gov/gov/2384.htm

- *Links to individual Executive Orders are also available on the SBOA homepage*

Executive Order 20-09 – Public Meetings



Open Door Law: Suspend the requirement of governing bodies of public agencies to explicitly adopt a policy for electronic participation and suspend the requirement to have any members be physically present for meetings deemed to be essential. (See Ind. Code § 5-14-1.5-3.6(c), (f), (g) & (h)). All other provisions of Ind. Code § 5-14-1.5 *et seq.* remain in effect. Therefore, for the duration of this public health emergency, all governing bodies may meet by videoconference or by telephone conferencing so long as a quorum of members participate and any meeting is made available to members of the public and media.

Any political subdivision or entity subject to the provisions of Ind. Code § 5-14-1.5-3.5 may comply with the provisions of section 3.6 as modified by Executive Order 20-04 and as amended in this Order in conducting public meeting for the duration of this public health emergency.

Where To Find Memos & Directives



www.in.gov/sboa

SBOA INFORMATION ON CORONAVIRUS

[Policy Regarding Coronavirus 3-12-2020](#)

[Coronavirus Items to Consider 3-16-2020](#)

[Assistance During COVID-19 3-31-20](#)

[Continuity of Essential Operations 4-03-20](#)

[State Examiner Directive 2020-1](#)

[State Examiner Directive 2020-2](#)

MEMO March 12, 2020



Consult your attorney

Develop written policies with broad language

- Can prevent changes/amendments



MEMO March 12, 2020 - continued



Emergency Meetings

- IC 5-14-1.5-5(d)
- Time requirements for posting don't apply
- Still have to give notice
 - Media notified same as council members

Collective Bargaining Agreements

- Don't forget to take CBA's impact into consideration



MEMO March 12, 2020 - continued



Audits

- SBOA will not take audit exception to these policies & resulting responses that are due to the coronavirus





MEMO March 16, 2020

STATE OF INDIANA
 OFFICE OF GOVERNMENT OPERATIONS

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

As a result of the current coronavirus situation, governing bodies are being asked to consider 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 provisions or provisions in response to the coronavirus epidemic should do so in a public meeting and the board's action should 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.

There 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 processed as normal. For mandatory closure outside of normally scheduled time off then guidance 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 recommending review of leave policies and consideration of increased flexibility. Q & A regarding coronavirus and the Fair Labor Standards Act as well as the Family Medical Leave Act can be found at: www.dol.gov/eisapublications.

SBOA Guidance should not be taken as restrictive

Monitor and address situations as they arise

Councils will need to be flexible

Indiana State Board of Accounts

2020



MEMO March 16, 2020 - continued

STATE OF INDIANA
 OFFICE OF GOVERNMENT OPERATIONS

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Written policies/actions

- Maintain operations as normal as possible
- Maintain wellbeing of employees & public

Indiana State Board of Accounts

2020

MEMO March 16, 2020 - continued

**Items to Consider**

- Payroll
 - DOL guidance
 - Recommended review of leave policies & increased flexibility
 - www.dol.gov/coronavirus
 - www.dol.gov/agencies/whd/pandemic
- What work can be done remotely / what needs to be done at a government location

Indiana State Board of Accounts

2020

MEMO March 16, 2020 - continued

**Items to Consider**

- Compensation & leave time – mandatory closing of office/building
- Trade days off
- Establishing the number of employees that can be in certain areas
- Who makes decision for remote work; mayor, council, department heads, etc.
- Security of records / assets taken off site

Indiana State Board of Accounts

2020

MEMO March 16, 2020 - continued



Items to Consider

- What if employee can't work at home
 - How will employees be paid
 - SBOA will not take audit exception to extension of paid leave time that is in accordance with allowable approved policies/actions and provisions
- Tracking costs
 - Important if Feds reimburse your city/town

MEMO March 31, 2020



Inquiries if certain uses of public funds acceptable

No exception if

- The public health emergency is in effect
- Governing body adopts policy in a public meeting
- Written legal advice that expenditure is legitimate government purpose
- Policy explains expenditure is needed to address economic effects of public health emergency

STATE OF INDIANA
OFFICE OF THE STATE BOARD OF ACCOUNTS
100 N. Senate Avenue, Suite 1000
Indianapolis, Indiana 46204-2000
Phone: 317.232.2100
Fax: 317.232.2101
www.sboa.in.gov

MEMORANDUM

DATE: 3/31/2020
TO: ACTING COMMISSIONER
FROM: [Name]

STATE OF INDIANA
OFFICE OF THE STATE BOARD OF ACCOUNTS
100 N. Senate Avenue, Suite 1000
Indianapolis, Indiana 46204-2000
Phone: 317.232.2100
Fax: 317.232.2101
www.sboa.in.gov

MEMORANDUM

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FROM: [Name]

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MEMO April 3, 2020



Continuity of Essential Operations

- Develop a plan for prolonged or substantial absenteeism
- Who would take over and how
- FEMA Resource Kit

STATE OF INDIANA
OFFICE OF THE COMPTROLLER

MEMORANDUM

TO: All Units
FROM: Paul C. Jones, CPA, State Examiner
RE: Continuity of Essential Operations
DATE: April 3, 2020

Dear Officers:

As we all continue to work and provide essential government services through this Public Health Emergency, the Indiana State Board of Accounts encourages all units of government to develop a plan of action to allow your government to continue essential operations through a substantial period of significant absenteeism by employees and public officials.

All high level and essential services are critical to your unit. The Indiana State Board of Accounts will provide guidance on these positions needed in these operations.

Please review the following items to consider as you develop your plan to continue your operations during this Public Health Emergency. This is intended to be an ongoing document to your attention through the State Emergency to continue essential government operations during the Public Health Emergency. We would appreciate receiving your input ideas to share with all government units.

Also, your government may wish to view the Federal Emergency Management Agency (FEMA) Continuity Resource Toolkit located at this link: <https://www.fema.gov/emergency-preparedness-response-recovery>

If you have questions on the implementation of a continuity plan, please feel free to contact one of our Offices of Audit Services, as follows:

Counties Liam Higgins, CPA, State Examiner 317-232-2012 liam.higgins@indiana.gov	City, Town, Township, and Special Districts Liam Higgins, CPA, State Examiner 317-232-2012 liam.higgins@indiana.gov
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Schedule and Turnings
Cynthia Carter, CPA, State Examiner
317-232-2012
cynthia.carter@indiana.gov

If you have ideas for us to share with other units of government, please contact Cynthia Carter, Director of Audit Services for Local Governments, at 317-232-2012 or cynthia.carter@indiana.gov.

MEMOS - Conclusion



Keep monitoring; things are fluid

Work with your attorneys

Document policies and actions in writing

STATE OF INDIANA
OFFICE OF THE COMPTROLLER

MEMORANDUM

TO: All Units
FROM: Paul C. Jones, CPA, State Examiner
RE: Continuity of Essential Operations
DATE: April 3, 2020

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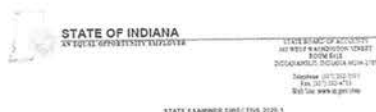
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State Examiner Directive 2020-1



Timely Deposit of Funds

Approval of Claims



Date: March 18, 2020
 Subject: Timely Deposits and the Claims Process
 Authority: IC 9-11
 Application: This Directive applies to all local governmental units
 From: Paul D. Joyce, CPA, State Examiner

State Examiner Memorandum titled Policy Regarding Current Claims dated March 12, 2020 and dated five items in Circular dated March 18, 2020 are hereby incorporated by reference into this Directive.

During the time of this Public Health Emergency, local governmental units may need to adjust normal procedures for the timely deposit of funds and the approval of claims. The State Board of Accounts will not take a strict exception to the following uniform procedures for the timely deposit of funds or the approval of claims.

Timely Deposit of Funds. Indiana Code 9-13-6-1 governs the procedure for the deposit of public funds and a unit is effectuating this time of emergency, however, the State Board of Accounts will not take a strict exception to the following uniform procedures for the timely deposit of funds or the approval of claims. The approval of the governing body must state that the deposits will be made on "Tuesday and Thursday and those are the public funds to be received on those days when a deposit is not made. As always, proper internal controls must be in place to safeguard the assets of the unit.

Approval of Claims. Indiana Code 9-11-10 governs the claim approval process and a unit is effectuating this time of emergency, however, the State Board of Accounts will not take a strict exception to the following uniform procedures:

1. The governing body may designate one or more individuals to approve claims for payment in advance of board action. The board must allow those units to do so pending after the Public Health Emergency has ended.
2. For those units of government which have authority to adjust an ordinance for the authorized payment of claims, the board may provide written approval to the board officer to pay claims pending during the Public Health Emergency. The board must allow those units to do so pending after the Emergency has ended.

This Directive will be rescinded when Declaration by the Governor that the Public Health Emergency has ended.

Sincerely,
Paul D. Joyce
 Paul D. Joyce, CPA
 State Examiner

Directive 2020-1 DEPOSITS



Timely Deposit of Funds

- Document the decision to limit frequency to two times per week
- Secure funds on days not deposited
- Document procedures



<https://www.cleanpng.com/png-piggy-bank-savings-account-money-piggy-bank-951055/download-png.html>

Directive 2020-1 APPROVAL of CLAIMS



Designation of Board Member to approve Claims

- Document in writing designation of governing body member
- Document in writing procedure to be used by the governing body member to indicate approval

Allowance of Claims

- First meeting after the Public Health Emergency has ended

Directive 2020-1 APPROVAL of CLAIMS



Statutory Authority to Adopt Ordinance for Preapproved Payment of Claims

- IC 36-4-8-14 (cities)
- IC 36-5-4-12 (towns)
- IC 36-12-3-16 (libraries)
- Document written approval for the fiscal officer to pay certain claims during the Public Health Emergency

Allowance of Claims

- First meeting after the Emergency has ended

Other State Resources – Links from SBOA Website

**DLGF INFORMATION ON CORONAVIRUS**

[Waiver of Penalties for Delinquent Property Tax Payments 3-20-20](#)

[COVID-19 & Executive Orders FAQ 3-27-20](#)

[Cash Flow Solutions 3-30-20](#)

[Public Meetings and Hearings 3-30-20](#)

PAC INFORMATION ON CORONAVIRUS

[Updated Emergency Guidance on Public Access Laws 3-23-20](#)

[FAQs Regarding COVID-19 and Public Access Laws 3-23-20](#)

Contact Information

**Susan Gordon****Todd Caldwell**

Directors of Audit Services

cities.towns@sboa.in.gov**libraries@sboa.in.gov****specialdistricts@sboa.in.gov****317-232-2513****Lori Rogers****Ricci Hofherr**

Directors of Audit Services

counties@sboa.in.gov**317-232-2512**