

# MAT Conference Call Questions from Townships



## Township Operations

### **What kind of work can townships do during this time?**

Road maintenance, grading, repairing, barricading roads after closure. If the road supervisor goes out to inspect and do their road tours, that is allowed - To maintain proper social distancing, do not ride in the same vehicle but rather take separate vehicles. Posting notice of remote meetings: The person hosting the meeting is allowed to leave their house to go post the notice of the meeting. Signing checks: one person (the chair) can sign the check during this time as an official declaration. If they want to continue to sign with 3 people, you can do that. If you want to do electronic payments, you can set that up.

### **Can towns declare emergency?**

No, you do not have the ability. If FEMA requires a declaration, then yes, you can declare an emergency.

### **We had elections in March to replace our chair, how do we sign the card?**

The clerk and treasurer can sign. The most senior supervisor may also sign the document.

### **How do new supervisors get sworn in?**

Any notary or any elected officer will administer the oath of office. The statute says the person elected has 10 days after they have received their certificate. It's okay if they have not received their certificate of election yet. Have the newly elected person do the oath on the phone with the clerk. The statute is ambiguous if this oath can be administered remotely, so go ahead and do it as a telephone call. If you want, reaffirm it later once in-person meetings are allowed.

### **The township office is closed, but can I go into the office and do prep work?**

No, not during the Stay-at-Home order. If you feel fine that you will not have contact with other people, use discretion and go ahead to the office to gather the materials that you need, print the checks you need. Anything you possibly can do at home, stay home and do that. So far, we have not seen enforcement action of the stay at home order. But, everything we're doing is to help friends, neighbors and the community slow the spread of COVID-19.

### **Can we send documents, have it be printed out, sign the paper, then scan it in again?**

Yes.

### **How do we handle the road tour?**

Supervisors can drive around by themselves, in separate vehicles. Take notes of what you want to address, and then at the next meeting have the discussion based on your notes. It may be a longer process, but it is manageable.

### **Declarations:**

It is not required by law. MAT drafted a resolution to acknowledge the rules. Print it off, send it around in the meeting packet and find a way to share the packet with the public. Let them know on a call that you are trying to share the information.

### **How do we keep records safe?**

They do not have to be in a town hall. You may store records at home, hang on to it and file it later.

## **Paying Bills & Signing Checks**

### **How do townships handle paying bills and signing checks?**

There is no requirement in law needing 3 signatures; it can be the board chair. To pay bills, a teleconference meeting is required.

### **Does it have to be the chairman who signs a check?**

It is generally prudent for the chair to do it, but they can delegate it to the clerk or treasurer. So long as the check is approved in the minutes, then it can be signed by any of those.

### **Will the bank object if we don't have 2-3 signatures?**

Contact the bank, give them our updates, and ask for leeway on the policies. The bank cannot look for three signatures - they never look for all 3 signatures. The check will go through fine with only 1 signature.

### **Our accounting system needs a monthly claims approval report signed by all the supervisors, how do we handle that remotely?**

The accounting system doesn't require 3 signatures - that is your internal process and not the law, and you can change that process. For example, you can change it to be a voice vote. Or you can hang on to the report until an in-person meeting. The town board is able to set up electronic signatures on documents.

### **Bills from Vendors**

Don't worry about being late paying a vendor - call them and explain your circumstances. Reassure them you are getting together for a meeting.

### **Payroll:**

Because of the wage theft clause, you must pay payroll on time. You do not need to have a board meeting. See MN Statute 471.38 subd. 3.

### **In order to pay bills, do we need approval by the board?**

Baseline, yes, but at certain times like this you can give authority to the person who needs to spend the money, for example the road manager who needs to replace a tire on a piece of equipment now. You can provide a cap/maximum for the purpose of individual spending, then they will bring the claim and get reimbursed.

### **Can we pay payroll and postpone the rest of the meeting until May?**

Yes, but you must use a telephone meeting. Payroll must get done.

## **Holding Meetings**

### **Is a town legally obligated to hold a town meeting every month?**

No, if there is no pressing business. Yes, if they need to pay bills, then they need to have a meeting.

### **Is it an absolute necessity that we cannot have in-person meetings?**

No, but you are strongly encouraged not to meet in person. Attorneys from other cities have also read the executive order that we cannot meet in person. There will not be aggressive enforcement, but it is intended to limit the person-to-person contact that spreads the virus.

### **The chairperson is insistent that we have an in-person meeting...What if the Stay-at-Home order is extended?**

The other supervisors can simply not show up. They will be abiding by the Governor's executive order to keep everyone safe. The meeting can be held by teleconference or postponed.

**We're supposed to have a meeting on April 14th, can we have that meeting with proper social distancing by meeting outside if it's nice weather?**

If the stay-at-home order is not extended past April 10th at 5pm, when it is scheduled to be lifted, you may meet, but we are cautioning you to plan for a future extension of the order. It is better to plan a telephone meeting.

**Can we have meetings by email, replying to the clerk as a vote?**

No. 'Chain meetings' are not allowed.

**The public packet**

...is the extra copy of everything that the board gets before the meeting. If possible, provide it to the public on your website, DropBox, Google Drive, or in another method. Or, make an announcement that you'd like to share the materials and respond to the public with the materials.

**How do we build an agenda?**

Each supervisor emails the clerk, who compiles them.

## **Local Board of Appeal & Equalization Meeting**

**Should we have a Board of Local Appeals and Equalization Meeting?**

Yes, the statute says you need to meet between April. You can accept written appeals. You can hold the meeting remotely by teleconference, and open it to the public.

**Certain counties are urging townships to give up on the Board of Equalization meetings.**

There is no reason you cannot go ahead, have the meeting, and keep your local control.

**Can a board of adjustment date be changed?**

Contact the county appraiser who set the date, then ask to change the date. At the meeting that has been currently established, make a motion to change the date. Continue the meeting at the new time. Post a notice before the meeting.

## **Teleconference Meetings**

**Do we list a teleconference meeting as a meeting?**

Yes, the same requirements apply.

**Does the resolution establishing the meeting by telephone need to be done ahead of the meeting, or can it be first on the agenda?**

The board chair decides to move to a telephone meeting, then on the call you have it first on the agenda.

**Are there a certain number of days to post outside of the town hall, if we're doing a conference call?**

Yes, five days is the regular number of days. Statute says 3 days plus 1 day it is posted plus 1 day of the meeting. The statute provides leeway on this issue, but it says if it is practical, you must allow the public the ability to participate. On the posted notice, include the number of the conference call dial-in number and access code. The location of the meeting has become that phone call, because it's a virtual location. You need to provide access.

**If we post a telephone dial-in number and access code, do we get that ahead of time?**

Yes, it can be scheduled in advance. You create an account, and get the conference number and code, which can be used repeatedly for all future meetings. It is your dedicated conference call number for whenever you want to use it.

## Teleconference Meetings (continued)

### **Does the phone number and code last, or does it change call-to-call?**

It depends on the service, but with freeconferencecall.com it will be a unique number for you that does not change or expire.

### **Our town hall doesn't have good phone access, does someone have to be at the town hall during the meeting?**

No, no one has to be at the town hall, because it is not prudent during the stay-at-home order.

### **If the regular posting place is inside city hall, which is closed, where do we post a notice?**

You may post a notice on the front door of the city hall, or on an outside posting board.

### **Regarding public hearings on teleconference calls, how do we do it?**

Learn how to use the conference call, or postpone the meeting, or petition for a 60-day extension to the 60-day rule.

### **Because of the increased costs of teleconferencing (although they are fairly minimal), can townships increase the levy after the annual meeting?**

Yes, increase your levy before you submit your levy to the county auditor.

### **How long does the conference call Option B training take?**

Approximately 30 minutes on a call. Should the clerk do it? Any one from the township can take on the role.

### **Can we use zoom?**

Yes. Try to get the public involved with a call-in number if they do not have a computer to join a video meeting.

### **How is it considered an open meeting if we're on the phone?**

The telephone dial-in number and code is going to be listed in your regular meeting posting along with date and time of the meeting, whether that's a bulletin board or front door. People can see the posting and join the meeting. You can also get the word out in other methods, but the posting is the only legal requirement.

### **How do I get help setting up a teleconference account?**

**Option A:** If you would like to pursue your own solutions for teleconferencing, see the information included in this guide about conference call options, posting notice, legal procedures, helpful hints, and more. <https://mntownships.org/wp-content/uploads/2020/03/ES3000-Township-Options-for-Meeting-Remotely.pdf>

**Option B: Email [OptionB@MNTownships.org](mailto:OptionB@MNTownships.org).** For a one-time cost of \$50, MAT's communications consultants will create a conference call line on your behalf. They will host training calls to train you step-by-step how to invite participants, mute participants, and more. Toll-free numbers are available for additional cost.

**Option C:** If you'd like your telephone meeting to be fully hosted, email [OptionC@MNTownships.org](mailto:OptionC@MNTownships.org) with the date and time of your meeting. You will receive the information for participants to join a conference call, hosted by MAT's communications consultant. You will be charged a fee of \$100 per meeting.