



Indiana State Department of Agriculture

Governor Eric Holcomb

Lt. Governor Suzanne Crouch, Secretary of Agriculture and Rural Development

Bruce Kettler, Director

To: SWCD Staff, Supervisors, SSCB and IASWCD

From: Jordan Seger, ISDA Deputy Director

Date: March 17, 2020

Re: SWCD BOARD GOVERNANCE AND OPERATIONS - Coronavirus update (March 17, 2020)

Good Afternoon SWCD Staff, Supervisors, SSCB and IASWCD,

The ISDA District Support Specialists have heard your questions and compiled answers below. Please keep the questions coming to your DSS and we'll work to get responses.

1. SWCD annual meetings

a. Statute: IC 14-32-4-6 (a) during the first quarter of each calendar year, each district shall hold an annual meeting of all land occupiers in the district.

Action:

- ISDA has submitted a statutory waiver request to the Governor regarding this legislation. We don't have a timeline on when we will hear back from the Governor's office. They received requests for waivers from all state agencies on March 16. Given the number of requests and other things their office is handling, we have no estimate of when we will hear back.
- Though it remains up to the Districts, we would recommend postponing the meetings until a later time to be determined. There will be a lot of after-effects from this virus, and we doubt a District will be punished for postponing their meeting. We will continue to be an advocate for the Districts during this time. As soon as we hear from the Governor's office, we will let you know.
- If a SWCD chooses to postpone their meeting, we encourage them to still provide a report of the activities and financial affairs of the district in other ways, such as posting reports on the SWCD website, FaceBook page, or front counter.
- Under current law, supervisor's terms begin at the annual meeting, and run through the next annual meeting. (Vacancies that occur part way through a term will have a different start date however and possible end date. Please contact your DSS with questions.) Current supervisors could serve until the postponed annual meeting. All newly appointed or elected supervisors will need to take the oath of office.
- In the meantime, please notify your District Support Specialist (DSS) <https://www.in.gov/isda/files/DSS%20Map%20060419.pdf> if you plan to postpone your annual meeting. We will keep a running tab of the Districts that are impacted by this, and share that list with the State Soil Conservation Board.



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2. SWCD regular board meetings

Action:

- The DSS team is working with legal counsel to determine if SWCDs will be permitted to adopt an electronic communication policy. This would allow your board to communicate via teleconference or video conference. Please stay tuned.
- If needed, IC 5-14-1.5-5 gives Districts some leeway when it comes to holding an emergency meeting under Open Door Law. A district can find details in the Public Access Handbook: <https://www.in.gov/pac/files/PAC%20Handbook%202017.pdf>.
- Also, please reference email communications sent out earlier by DSSs from the State Board of Accounts.

3. Elected Supervisor Vacancy and Appointed Supervisor Vacancy: approval at SSCB meetings

- a. Statute: both IC 14-32-4-13 and IC 14-32-4-13.5 require supervisor recommendations by the SWCD Board to be acted upon by the SSCB (approved).

Action:

- Since the SSCB March 17 meeting was postponed until April 21, any temporary or vacant appointments were not approved. Once the SSCB approves the appointment, the individual(s) will then be permitted to act on any official SWCD business. Please continue to submit vacancy forms, as usual, to get on the agenda, and the SSCB will review these documents at their next meeting.

Thank you,

A handwritten signature in black ink that reads "Jordan Seger".

Jordan Seger

Deputy Director

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