

# Indiana Township Boards

*The township legislative body*

*Presented by*

*Senator Andy Zay*

*Former Township Board Member*

*Stephen R. Buschmann*

*Attorney*

*Thrasher, Buschmann & Voelkel, P.C.*

# Meetings

## Required:

- ◆ Organizational- First Tuesday after first Monday in January
- ◆ Board of Finance- After first Monday & on or before the last day in January  
*seldom used in current structures – board performs these functions*
- ◆ Annual Report - On or before the third Tuesday in February
- ◆ Budget Hearing - No later than Sept 22
- ◆ Budget Adoption - No later than November 1 for the next fiscal year.

# Special Meetings

- ◆ Any meeting not routinely scheduled (i.e. special appropriation)
- ◆ Posting 48 hours – same as regular meetings
- ◆ Publish notice of most financial matters 10 days in advance
- ◆ A special meeting can be called by: Trustee, Chairman of the Township Board, or majority of the members of the Township Board

# Meeting Requirements

- ◆ A trustee or designee must be in attendance
- ◆ Taxpayers have the right to speak at any board meeting on any subject discussed that is on the agenda
- ◆ If the board has an even number of board members, the trustee breaks the tie.
- ◆ Two (2) individuals of a three (3) person board is a quorum – limits small townships
- ◆ Proper notification of meetings is required.
  - ◆ 48 hours
  - ◆ 10 days – financial matter

# Open Door Law

## **IC 5-14-1.5-2**

### **Definitions**

Sec. 2. For the purposes of this chapter:

(a) "Public agency", except as provided in section 2.1 of this chapter, means the following:

(2) Any county, township, school corporation, city, town, political subdivision, or other entity, by whatever name designated, exercising in a limited geographical area the executive, administrative, or legislative power of the state or a delegated local governmental power.

# Open Door Law

**IC 5-14-1.5**

**Chapter 1.5. Public Meetings (Open Door Law)**

**IC 5-14-1.5-1**

## **Purpose**

Sec. 1. In enacting this chapter, the general assembly finds and declares that this state and its political subdivisions exist only to aid in the conduct of the business of the people of this state. It is the intent of this chapter that the official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that the people may be fully informed. The purposes of this chapter are remedial, and its provisions are to be liberally construed with the view of carrying out its policy.

# Open Door Law

- ◆ All board business must be conducted in public
- ◆ 2 members cannot discuss in private
- ◆ 2 members cannot avoid by sending emails
- ◆ Executive Sessions can only be held if notice posted and approved for statutory reason (IC 5-14-1.5-6.1)
- ◆ Can't adjourn a public meeting to go into executive session

# Duties of Members

- ◆ Examine and approve annual report
- ◆ Keep record of all township business conducted by the board
- ◆ Make appropriations – budget approval
- ◆ Establish tax rates & levies for the following fiscal year
- ◆ Make additional or emergency appropriations when necessary
- ◆ Authorize Trustee to borrow
- ◆ Adopt certain policies and contracts as specified in statute
- ◆ Make temporary loan or transfer between classifications



# Duties (continued)

- ◆ Approve expenditures of township funds for community services (IC36-6-4-8)
- ◆ Approve the disposal of property valued over \$50,000
- ◆ Set Township Salaries
- ◆ Approve Township Assistance guidelines
- ◆ Hold public hearing / Adopt budget
- ◆ Inter-local agreements
- ◆ Ambulance Rates
- ◆ Calumet Township Case

# Home Rule

If no constitutional or statutory provision requiring a specific manner for exercising a power (exists)...

a resolution must be adopted by the legislative body of the township to do something not defined in statute.

# Important Things to Know

- ◆ The budget & tax rate
- ◆ Township geography and demographics
- ◆ Township Relief System
- ◆ TA-7 Report (or statistical reports)
- ◆ Investments of the township
- ◆ Property owned or management by the township
- ◆ Capital Asset Record – Board adopts a dollar limit

# Where to Find Answers

- ◆ Indiana Code ([www.state.in.us/legislative/ic/code/](http://www.state.in.us/legislative/ic/code/))
- ◆ Access Indiana (<http://www.in.gov>)
- ◆ Indiana Township Association website  
(<http://www.indianatownshipassoc.org/>)
- ◆ State Board of Accounts (<http://www.in.gov/sboa/>)
- ◆ Department of Local Government Finance  
(<http://www.ai.org/dlgef>)