

Town Officials:

I have been asked by the Census Bureau to share the following [update](#) with you regarding the 2020 Census in light of the COVID-19 outbreak.

Also, our office continues to take many calls regarding open meetings law, Board of Review, and the annual meeting. Please see Monday and Tuesday emails regarding current options. Please know that we are strenuously asking for town flexibility on these fronts and will let you know if any can and/or will be provided.

Mike

**MARCH 18, 2020** — Less than one week ago, the 2020 Census fully kicked off, and invitations continue to arrive in mailboxes across the nation. **As of this morning, more than eleven million households have responded. America is stepping up to shape our future and ensure families and communities are counted.**

Beginning today, in support of guidance on what we can all do to help [slow the spread of coronavirus](#), 2020 Census field operations will be suspended for two weeks until April 1, 2020. The Census Bureau is taking this step to help protect the health and safety of the American public, Census Bureau employees, and everyone going through the hiring process for temporary census taker positions.

During this pause in field operations, the Census Bureau will continue to evaluate all 2020 Census operations. Should any additional adjustments need to be made, the Census Bureau will communicate these changes broadly and promptly.

In late May, census takers around the nation will begin visiting households that have not yet responded to the 2020 Census to help complete the count. As we continue to monitor the evolving COVID-19 outbreak, we will adjust census taker and survey operations as necessary in order to follow the guidance of federal, state and local health authorities.

The public is strongly encouraged to respond to the 2020 Census online using a desktop computer, laptop, smartphone, or tablet, and can also respond by phone or mail. Everyone should respond to the 2020 Census as soon as they receive their invitation — and when they're finished, they can make sure their friends, families and social networks know about the importance of responding.

It has never been easier to respond to the census, and the 2020 Census will count everyone accurately. We recognize that many people plan to access the 2020 Census through other response modes, such as phone or paper, which is why the 2020 Census has such a nimble design.

On March 15, 2020, the Census Bureau [announced several adaptations](#) to our group quarters operations to accommodate recent scheduling changes on college campuses as leadership takes action to keep students and faculty safe.

For all other Census Bureau household and economic surveys separate from the 2020 Decennial Census, Bureau personnel will begin using phone calls instead of in-person visits. In the limited number of instances where an in-person visit is necessary, we are working closely with public health authorities to ensure each visit is accomplished safely.

Once again, we encourage everyone to respond online today at [2020Census.gov](https://2020Census.gov). With the flexibility and support of the American people, we will achieve a complete and accurate count which helps guide funding decisions for things like hospitals, roads and emergency services. Respondents can also respond by calling the number provided in their invitation or by mail once they have received a paper form.

## March 17, 2020 - WTA Office COVID-19 Cancellations and Operations

- 1) The remaining district meetings will be cancelled. A webinar training qualifying as the Board of Review certification will be held on April 16<sup>th</sup>. Time, registration information, etc. will follow in coming days. As noted in a previous email, the webinar will only qualify for certification for people that were registered for Cumberland, Cable, Wabeno, Barneveld, or Wisconsin Dells. If you are from one of these regions and have yet to register, you can still do so for the original registration fee (\$50). We will process all refunds after June 1. The refunds will be in the \$25 - \$30 range based on contract, site, etc. It is much more efficient for us to process the original fee and provide refunds than charging a lower rate up front for new registrants. Eligible registrants who are unavailable to attend the webinar on April 16<sup>th</sup>, will be able to view it online after April 16<sup>th</sup> until June 1<sup>st</sup> on the WTA website.
- 2) The required WEC subgrant training that was included in the afternoon portion of the District meetings will be accomplished via webinar. A date will be announced as soon as it can be coordinated with WEC.
- 3) On March 16, the Governor has banned gatherings of 50 or more people. On the same day, President Trump suggested no gathering over 10 people. **On March 17, the Governor increased this ban to no more than 10 people, including public and private gatherings. All unit meetings will be cancelled until June 1 or until the order is lifted, whichever comes earlier.**
- 4) The April 14<sup>th</sup> Agriculture Community Engagement meeting has been postponed. We hope to reschedule for a future date.
- 5) WTA attorneys and the Executive Director will be working 4 days per week from home and 1 day per week from the office. The office work days will alternate resulting in only an attorney or Executive Director being in the office along with any necessary support staff. At least one support staff will be in the office at all times and up to three will be available. We appreciate your patience in understanding any delayed response times.

## Town Government Operations During COVID-19: Frequently Asked Questions

UPDATED: March 17, 2020 4pm

### 1. Should we cancel our town board meetings or put limits on access our town hall?

On March 17, 2020 the Governor issued an order banning all public and private gatherings of 10 people or more. State and local government facilities are exempted - [https://content.govdelivery.com/attachments/WIGOV/2020/03/17/file\\_attachments/1403535/Gov.%20Evers\\_DHS%20order\\_3.17.20.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/17/file_attachments/1403535/Gov.%20Evers_DHS%20order_3.17.20.pdf).

Cancelling a meeting is a discretionary decision on the part of the board, but if there is nothing mission critical, cancelling an upcoming meeting/s should certainly be considered. Given the open meetings law, it is impossible to know how many people might show up to a meeting which may make it difficult to comply with the Governor's March 16 order that also contains recommendations for meetings with less than 50 people:

[https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file\\_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf)

Town boards may also wish to consider adopting policies on conducting electronic meetings. See the following link for suggestions on that topic: <https://lgc.uwex.edu/files/2015/08/fs22ElectronicMeetings.pdf>. Attorney General Josh Kaul issued the following open meetings law guidance today - <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings>. The board might also consider adopting an alternative payment procedure via ordinance which would allow bills to be paid prior to a board meeting. See here for more information on that topic.

Towns might also consider adopting proclamations declaring an emergency pursuant to s. 323.14(4), Wis. Stat. Such a proclamation could give one person (such as the town chair) the ability to order temporary closures of (or place limits on access to) town facilities, and other necessary actions to protect the public health, etc. during the emergency. If the board is unable to meet to adopt such a proclamation due to emergency conditions, a chair could adopt such a proclamation on his or her own and it would be subject to later alteration or repeal by the body as soon as the body is able to meet.

### 2. What about the annual town meeting and board of review?

Some of you have asked about postponing the annual meeting or Board of Review. While those events are still several weeks away and our recommendations may change, for now, be aware that an annual town meeting can be called to order (by a small group of say 3 electors) and then adjourned for up to 30 days. See s. 60.11(4), Wis. Stat. Similarly, the BOR can also meet briefly to adjourn to a future date, if desired. See s. 70.47(4), Wis. Stat. Please know that we are actively discussing alternative strategies to holding these meetings even if to adjourn with the Governor's office. We will update you as soon as we know any more.

### 3. Should we use the town hall as a daycare or for students to use the town's internet?

Town halls are likely not licensed as daycares and concentrating students in a town hall defeats the purpose of the school closings. We recommend town halls are not used as daycares or student gathering sites, especially in light of the ban on public or private gatherings of 10 people or more.

#### **4. What about elections?**

WTA is awaiting guidance from WEC. They are meeting on March 18<sup>th</sup> to discuss elections procedures given the crisis. Town clerks receive all WEC communications.

#### **5. Should we cancel current and future town hall use/rentals?**

There is a ban on gatherings of 10 or more people as per the Governor's order linked above. WTA recommends not taking any more reservations for events and cancelling currently scheduled events.

#### **6. What should we do if we have a sick board member?**

We encourage towns to have backup plans in place in case any town officials are ill or absent. I'm attaching an article from the WTA website [here](#) that discusses how to hire deputy clerks and treasurers and authorize additional signatures on your town checking accounts, among other suggestions. Additionally, note that Governor Evers recently signed a bill into law that gives towns the option to fill temporary vacancies on a town board. Previously this option was only available for temporarily absent non-board member elected officials, such as clerks and treasurers. Now, if a town board member is temporarily unable to perform his or her town board duties due to illness or medical reasons, the board has the authority to appoint a temporary substitute to perform the supervisor's duties until he or she can return. I'm attaching a copy of the new law with the relevant section highlighted for your review [here](#).

March 16th  
Town Officials:

The COVID-19 situation is prompting many questions and forcing many changes to our daily routines. In this time of crisis, the public looks to leaders like you to model the behavior necessary to collectively get us through this dilemma. In accordance with what is recommended practice and out of an abundance of caution, WTA will be implementing the following:

- 1) The remaining district meetings will be cancelled. A webinar training qualifying as the Board of Review certification will be held on April 16<sup>th</sup>. Time, registration information, etc. will follow in coming days. As noted in a previous email, the webinar will only qualify for certification for people that were registered for Cumberland, Cable, Wabeno, Barneveld, or Wisconsin Dells. If you are from one of these regions and have yet to register, you can still do so for the original registration fee (\$50). We will process all refunds after June 1. The refunds will be in the \$25 - \$30 range based on contract, site, etc. It is much more efficient for us to process the original fee and provide refunds than charging a lower rate up front for new registrants. Eligible registrants who are unavailable to attend the webinar on April 16<sup>th</sup>, will be able to view it online after April 16<sup>th</sup> until June 1<sup>st</sup> on the WTA website.
- 2) The Governor has banned gatherings of 50 or more people with several exceptions. Some of our unit meetings exceed this amount, and even if they don't, WTA is strongly recommending all unit meetings are cancelled until June 1 or a later date if the crisis has not been resolved.
- 3) The April 14<sup>th</sup> Agriculture Community Engagement meeting has been postponed. We hope to reschedule for a future date.
- 4) WTA attorneys and the Executive Director will be working 4 days per week from home and 1 day per week from the office. The office work days will alternate resulting in only an attorney or Executive Director being in the office along with any necessary support staff. At least one support staff will be in the office at all times and up to three will be available. We appreciate your patience in understanding any delayed response times.

WTA also has some recommendations for town officials.

We have received a number of phone calls about whether to cancel upcoming town board meetings. This is a discretionary decision on the part of the board, but if there is nothing mission critical, cancelling an upcoming meeting/s should certainly be considered. Given the open meetings law, it is impossible to know how many people might show up to a meeting which may make it difficult to comply with the Governor's latest order which also contains recommendations for meetings with less than 50 people:

[https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file\\_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf](https://content.govdelivery.com/attachments/WIGOV/2020/03/16/file_attachments/1402207/DHS%20Order%20Mass%20Gatherings%20of%2050%20or%20More.pdf)

Town boards may also wish to consider adopting policies on conducting electronic meetings. See the following link for suggestions on that topic: <https://lgc.uwex.edu/files/2015/08/fs22ElectronicMeetings.pdf>. Attorney General Josh

Kaul issued the following open meetings law guidance today - <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-coronavirus-disease-2019-covid-19-and-open-meetings>. The board might also consider adopting an alternative payment procedure via ordinance which would allow bills to be paid prior to a board meeting. Click [here](#) for more information on that topic.

1) Later today we will be asking the Governor to adopt temporary measures that would allow towns greater flexibility for conducting town business during this period. If any leeway is provided, we will be sure to let you know immediately.

2) Some of you have asked about opening up the town hall as a daycare or for students to use the town's internet. Town halls are likely not licensed as daycares and concentrating students in a town hall defeats the purpose of the school closings. We recommend town halls are not used as daycares or student gathering sites.

3) Some of you have asked about elections. WTA will rely on WEC guidance. Town clerks receive all WEC communications.

4) Some of you have asked about cancelling current and future town hall use/rentals for weddings, baby showers, etc. There is a ban on gatherings of 50 or more people as per the Governor's order linked above. WTA recommends not taking any more reservations for events and, unless prevented for some reason, such as a contractual agreements, that town boards seriously consider cancelling currently scheduled events under 50 people. Furthermore, there are restrictions for gatherings under 50 people that must be followed.

5) Some of you have asked about postponing the annual meeting or Board of Review. While those events are still several weeks away and our recommendations may change, for now, be aware that an annual town meeting can be called to order (by a small group of say 3 electors) and then adjourned for up to 30 days. See s. 60.11(4), Wis. Stat. Similarly, the BOR can also meet briefly to adjourn to a future date, if desired. See s. 70.47(4), Wis. Stat.

WTA will do our best to keep you abreast of any news, direction, etc. as it directly pertains to town government.

Please keep safe!

Mike