

**Topics Tentatively Scheduled for Study Session Discussion
and**

**Topics Requested for Action at Future Business Meetings of the Twenty-Ninth
Town Council of Highland**

This meeting will be convened as an electronic meeting, pursuant to Governor Holcomb's Executive Orders 20-04, 20-09 and 20-25 and now extended by Executive Order 20-47 through December 1 2020 allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the duration of the emergency.

People may observe and record the meeting for live streaming by joining the meeting on the Zoom <https://zoom.us/j/91411853651?pwd=ZmxCb1B1WmlvQ0pqa0M0aWlHQnJtUT09>

Further, persons wishing to offer comment in the meeting may access the electronic meeting by using the preceding and adding the password for Meeting ID 914 1185 3651, password (code): 229765.

**Monday November 16, 2020:
Study Session 6:30 p.m.
Virtual/Electronic meeting**

This meeting contributes to Agenda building for the plenary meeting. Please, also be aware of the running enrolled list of matters that are likely for the plenary meeting, subject to review by the municipal executive.

- X. Discuss the implications of Governor Holcomb's Order (attached).
(See the current reopening protocol)

- X. Review and Discuss the forthcoming appointments.
(Memorandum of Appointments to be provided)
(Matrix of appointment authority)

Note: *Idea Factory will be the primary topic at the Study Session of Monday, December 7, 2020.*

II.

• Plenary Business Meeting of Monday November 23, 2020 Likely matters

- X. Accounts payable vouchers Docket for the period of November 10, 2020, to November 23, 2020 in the amount of \$_____.
- X. Payroll Dockets for payday of _____ in the amount of \$_____.
- X. Minutes of the Meeting of Monday November 09, 2020;
- X. New Hire in Public Works.
- X. Appropriation Transfer in Public Safety LIT Fund.
- X. Works Board Order to purchase more police vehicles.
- X. Additional Appropriations Hearing for \$15,450 in the Public Safety LIT FUND.

Legislative Appointments

Home Rule Commissions

1. Community Events Commission:

(1) appointment to be made by the Town Council. **Term: 4 years.** (*Note: vacancy of which term expires January 2022*)

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-48

FOR: COUNTY-BASED MEASURES AND RESTRICTIONS BASED ON THE IMPACT AND SPREAD OF THE CORONAVIRUS DISEASE (COVID-19)

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and a confirmed report of the disease in our State and this initial declaration has been extended by me in subsequent Executive Orders (Executive Orders 20-17, -25, -30, -34, -38, -41, 44 & 47);

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic and, on March 13, 2020, the President of the United States declared a national emergency with respect to this dangerous virus;

WHEREAS, as of the date of this Executive Order, the virus has now spread to every county in our State, with over 236,565 confirmed cases and over 4,600 deaths;

WHEREAS, as Governor, under Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3 ("Emergency Disaster Law"), I have authority to take actions necessary to prepare for, respond to and address a public health disaster emergency including the following:

- making, amending and rescinding the necessary orders, rules and regulations to carry out the response to a public health disaster emergency;
- suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business, including the orders, rules or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder, or delay necessary action in coping with the emergency;
- transferring the direction, personnel, or functions of state departments and agencies or units for performing or facilitating emergency services; and
- using any and all available resources of state government and of each political subdivision of our State as reasonably necessary to cope with the public health disaster emergency;

WHEREAS, in addition to the authority granted to me by the Indiana General Assembly, the Indiana State Department of Health (ISDH) has been granted authority under Title 16 of the Indiana Code to take measures in connection with prevention and suppression of disease and epidemics;

WHEREAS, the Indiana Occupational Safety and Health Agency (IOSHA) has authority under Title 22 of the Indiana Code to inspect and take steps to ensure businesses are operating a workplace free from recognized hazards that are causing or likely to cause death or serious physical harm to employees;

WHEREAS, to reduce and slow the spread of COVID-19, the Centers for Disease Control and Prevention (CDC) and the ISDH recommended implementation of mitigation strategies to contain this virus including engaging in social distancing and wearing face coverings in public settings and when around individuals who don't live in the same household;

WHEREAS, in order to take all necessary steps to increase containment of this virus, I have issued various Executive Orders directing Hoosiers to stay-at-home order, closing of state government buildings and restricting retail establishments and in-person dining at restaurants, among other things;

WHEREAS, by consulting with experts and utilizing a data-driven approach to make decisions based on facts, science, and recommendations from experts in health care, business, labor, and education, we began to reopen our Hoosier economy while prioritizing Hoosiers' health in the process;

WHEREAS, to continue mitigation of COVID-19 and to lower the risk of a resurgence, a measured and staggered approach to reopening businesses and entities was instituted. Five stages were outlined with each ensuing stage being subject to fewer restrictions and limitations than the previous stage. These stages were initiated on March 23, 2020, and will continue until November 14, 2020, at which time the latest stage will lapse;

WHEREAS, by Executive Order 20-43, I directed the Commissioner of the ISDH to conduct county-based assessments to better understand the impact of COVID-19 throughout the Hoosier state and to allow state and local officials to make targeted adjustments to address the spread of COVID-19 within a particular county;

WHEREAS, on a weekly basis, the ISDH will review each county's number of cases per 100,000 individuals and the county's seven-day positivity rate for the prior week and from that data will assign a numerical score which translates to one of four colors (blue, yellow, orange or red);

WHEREAS, key data points or numbers regarding COVID-19 have significantly and steadily increased over the past several weeks in our state, specifically our number of positive cases has doubled every week for the past four weeks, our hospitalizations are at an all-time high and our seven-day positivity rate went from 3.9% in late September to 10.6% today;

WHEREAS, many areas across the United States, including all of the states surrounding Indiana, are experiencing increased coronavirus spread and a resurgence of this dangerous virus;

WHEREAS, the data has shown us that the spread of COVID-19 in the Hoosier state and in other areas has occurred where there has been an easing or disregard of mitigation efforts; and

WHEREAS, based on all of the above, the State of Indiana will rescind the stage designations which imposed statewide restrictions and measures; and instead going forward, the state shall use county-based assessments to determine which measures and restrictions are needed to counter the spread or impact of COVID-19 within a particular county.

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order:

1. Rescission of Stage 5 and Duration of this Executive Order

- a. On November 14, 2020, at 11:59 p.m., the measures and restrictions set forth in Executive Order 20-46 (Stage 5) are rescinded.
- b. On November 15, 2020, at 12:01 a.m. and continuing through 11:59 p.m. on December 12, 2020, all Hoosiers, Hoosier businesses, and other individuals in the state must adhere to the directives in this Executive Order unless rescinded, modified, or extended by me.
- c. Unless otherwise specified, nothing in this Executive Order prohibits a county or political subdivision from imposing more stringent requirements than this Executive Order requires.

2. Implementation Measures and Restrictions Based on County-Based Assessments

a. *County by County Assessment:*

The State has implemented a color-coded system to inform Hoosiers about the status of COVID-19 in each county and across Indiana. The ISDH will continue to update each county's status under the color-coded system at least weekly.

b. *Color-coded Score or Zone:*

The four (4) levels of the monitoring system are as follows:

- i) *Blue Zone:* Community spread is low and a county has a point score of 0.5 or below;
- ii) *Yellow Zone:* Community spread is moderate and a county has a point score of 1.0 or 1.5;
- iii) *Orange Zone:* Community spread is approaching high levels and a county has a point score of 2.0 or 2.5; and
- iv) *Red Zone:* Community spread is high and a county has a point score of 3.0 or higher.

c. *Assessment by the State Health Commissioner:*

i) *County Specific Weekly Assessment:* I direct the Commissioner of the ISDH to:

- 1) continue to conduct on a weekly basis, a four level, color-coded health assessment for each county within the state based on data indicating an increase or decrease of COVID-related activity;
- 2) continue communicating with local health and other officials when assessing and assigning the appropriate level to each county;
- 3) continue providing guidance to local officials and consulting with them regarding issuance of additional measures to mitigate against COVID-19; and
- 4) in making the weekly assessment (and assigning points), continue considering the following:
 - a) seven (7) day positivity rate for all tests (percentage of positive test results over the number of tests performed);
 - b) new weekly cases per 100,000 residents;
 - c) whether a county's positivity rate has increased or decreased from the previous week; and
 - d) whether any increase in the percentage of positive cases is isolated to congregate living settings or is from the community at large.

ii) *Statewide:* I direct the Commissioner of the ISDH to continue monitoring the following factors and report any significant regional or statewide changes in:

- 1) the number of hospitalized COVID-19 patients;
- 2) the capacity for critical care beds and ventilators;
- 3) the ability to test for COVID-19; and
- 4) the capacity for contact tracing.

3. General Requirements for All Hoosiers and Individuals within the Hoosier State

All Hoosiers and all individuals in the State of Indiana must adhere to the following:

a. *Exercise Caution at all Times:*

Each and every Hoosier and person within the Hoosier state should adhere to CDC guidance and the measures outlined in this directive to take responsibility for their safety and the health and safety of those around them.

b. *Self-Quarantine When Warranted:*

All Hoosiers are strongly encouraged to obtain a COVID-19 test and self-quarantine if they or a household member becomes symptomatic or have been in close contact with a person

who has tested positive for COVID-19. All Hoosiers who have received a positive COVID-19 test shall self-quarantine and are strongly encouraged to cooperate with contact tracers.

c. *High Risk and Vulnerable Individuals:*

Individuals at high risk of severe illness from COVID-19, including those 65 and above and those who are sick or have underlying medical issues, are urged to remain vigilant about protecting themselves from exposure to COVID-19, including limiting trips outside of their homes as recommended by the CDC.

Hoosiers who will be in contact with individuals 65 and older and those with known high-risk medical conditions, should consider suspending in-person visits and should not visit if symptomatic or if they have received a positive COVID-19 test. If a visit is necessary, a face covering shall be worn at all times, whether inside or outside, and regardless of whether six (6) or more feet of distance can be achieved.

d. *Social Distancing:*

Every individual within the State of Indiana shall engage in social distancing with all other individuals, unless they are all members of a single household. The phrase “social distancing” means maintaining at least six (6) feet of distance from other individuals or, in the event six (6) feet of distance is not possible, use of a barrier to separate individuals or members of a single household from others.

e. *Face Covering Requirement:*

Every individual within the State of Indiana shall wear a face covering over the nose and mouth when:

- i) inside a business, a public building, or other indoor place open to the public. This does not extend, however, to private offices, private workspaces or meetings in which six (6) feet of social distancing can be achieved and maintained between individuals not in the same household;
- ii) in an outdoor public space wherever it is not feasible to maintain six (6) feet of social distancing from another person not in the same household; or
- iii) using public transportation or while in a taxi, private car service, or ride-sharing vehicle;

unless an exemption outlined in ¶ 3.f. below applies or when in a private residence.

f. *Exemptions to Wearing Face Coverings:*

The following individuals are exempt from this directive to wear a face covering but are strongly encouraged to do so if practicable and without undue risk, or alternatively, are strongly encouraged to wear a face shield:

- i) children under two (2) years of age should not wear a face covering because of the risk of suffocation;
- ii) children who are over the age of two (2) years and under the age of eight (8) years unless otherwise required by a directive in this Executive Order;
- iii) any person with a medical condition, mental health condition or disability which prevents wearing a face covering;
- iv) any person who is deaf or hard of hearing, or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
- v) any person for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- vi) any person while consuming food or drink, or is seated at a restaurant or other establishment to eat or drink;

- vii) any person while exercising or engaging in sports activity and who can maintain six (6) feet of social distancing from other individuals not in the same household;
- viii) any person who is in a swimming pool, lake, or similar body of water and who can maintain six (6) feet of social distancing from another person not in the same household;
- ix) any person while driving alone or with passengers who are part of the same household as the driver;
- x) any person obtaining a service which requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a health-related or personal care service involving the face, however the removal of the face covering must be temporary and limited only to the extent necessary to obtain the service;
- xi) any person, upon request, as part of a law enforcement investigatory stop or investigation or court-related proceeding;
- xii) any person who is incarcerated;
- xiii) any person who is experiencing homelessness;
- xiv) any person while giving a speech for a broadcast or to an audience if the person can maintain six (6) feet of social distancing from another person not in the same household; or
- xv) any person attending or engaged in a religious service as he or she must already maintain six (6) feet of social distancing from another person not in the same household to mitigate against the spread of respiratory droplets from singing or other participation in a service.

g. Definitions:

- i) *Face Coverings:* A "face covering" means a cloth, preferably with two layers of material, which covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face.
- ii) *Face Shields:* A "face shield" is a mask, typically made of clear plastic, which covers the nose and mouth.

4. General Requirements for All Hoosier Businesses and Entities in Indiana

For purposes of this Executive Order, all businesses and entities situated or operating in the State of Indiana are covered by directives in this Executive Order and include any for-profit, non-profit or educational entity, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

Hoosier businesses and entities include retail, restaurants, professional services, personal services, cultural and entertainment, public amusement, gyms, exercise and fitness centers, sports and athletic activities, outdoor activities, child care, day camps, adult care, education, health care providers and operations, financial and insurance, social services, charitable and religious, laundry, hotels and motels, manufacturing and production, trades, shipping and delivery, transportation, industrial, labor, infrastructure, media, and governmental.

All Hoosier businesses and entities are allowed to be open and operate subject to the measures and restrictions in this Executive Order. All Hoosier businesses and entities in the State of Indiana must adhere to the following general requirements:

a. COVID-Response Plans:

All businesses and entities continuing operations or resuming full operations are required to develop a plan to implement measures and institute safeguards to ensure a safe environment for their employees, customers, clients, and members.

All open businesses and entities must re-evaluate any existing plan and update it to reflect current business practices and safeguards.

The business plan must be provided to each employee or staff and posted publicly.

The plan shall address, at a minimum, the following points:

- i) instituting an employee health screening process;
- ii) employing enhanced cleaning and disinfecting protocols for the workplace, including regularly cleaning high-touch surfaces;
- iii) enhancing the ability of employees, customers and clients to wash hands or take other personal hygiene measures such as use of hand sanitizer; and
- iv) complying with social distancing requirements established by the CDC, including maintaining six-foot social distancing for both employees and members of the general public when possible and/or employing other separation measures such as wearing face coverings or using barriers when social distancing is not possible.

b. *Face Covering Requirements:*

- i) *Signage:* All Hoosier businesses are required to place clearly visible signage at their public and employee entrances notifying that face coverings are required for all individuals entering the business.
- ii) *Employees:* Businesses shall require employees to wear face coverings, as set forth in ¶ 3e–g above.
- iii) *Customers, Clients and Visitors:* Businesses should only admit those customers, clients, vendors and other visitors who wear face coverings, as set forth in ¶ 3e–g above.

c. *Social Distancing and Other Sanitation Requirements:*

The phrase “social distancing” means maintaining at least six (6) feet of distance from other individuals or, in the event six (6) feet of distance is not possible, use of a barrier to separate individuals or members of a single household from others.

The phrase “sanitation requirements” or “sanitation measures” includes washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

All businesses and entities must take proactive measures to ensure compliance with the social distancing and sanitation requirements as outlined in this directive, including:

- i) *Designate Six-Foot Distances:* Designating with signage, tape or by other means, six (6) feet of spacing for employees, customers, clients or members to maintain appropriate distance.
- ii) *Hand Sanitizer and Sanitizing Products:* Having hand sanitizer, and sanitizing products, readily available for employees and customers. Frequent cleaning and disinfecting of work areas, and even more frequent cleaning of high-touch areas.
- iii) *Vulnerable Populations:* Continuing to implement or resuming separate operating hours for the elderly and vulnerable customers and continuing to offer online ordering and/or curbside pickup.
- iv) *Online and Remote Access:* Posting online whether a facility is open and how best to reach the facility and to continue services by phone or remotely.

d. *Compliance with IOSHA Standards:*

All employers, whether manufacturers, distributors, professional offices, retailers or others, must comply with safety and health standards established and enforced by IOSHA. Employers are subject to specific standards to prevent the exposure or spread of a disease. Additionally, the General Duty Clause requires employers to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.

e. *Guidance for all Businesses/Employers:*

All businesses and employers are encouraged to adopt and/or take the following actions:

- i) utilize policies regarding telework and remote work when reasonable and practicable;
- ii) ensure sick leave policies are up to date, flexible, and non-punitive in order to allow sick employees to stay home to care for themselves, children or other family members. Consider encouraging employees to do a self-assessment each day in order to check if they have any COVID-19 type symptoms (fever, cough or shortness of breath);
- iii) actively encourage sick employees to stay home until they are free of fever and symptoms for the requisite time periods recommended by the CDC as set forth here: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>. Suspend any policies and do not require a healthcare provider's note to validate the illness or return to work of employees who are sick with acute respiratory illness;
- iv) promptly separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately. Restrict their access to the business until they have recovered;
- v) reinforce key messages to all employees regularly (including stay home when sick, use cough and sneeze etiquette, and practice hand hygiene), and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees;
- vi) frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. Provide disposable wipes so commonly used surfaces can be wiped down by employees before each use; and
- vii) be prepared to change business practices, if needed, in order to maintain critical operations (e.g., identify alternative suppliers, prioritize customers or temporarily suspend some of your operations).

5. Hospitals

Hospitals are directed to implement evidenced-based criteria to ensure sufficient capacity to care for all patients, and where necessary, should reprioritize or postpone non-emergent surgeries or procedures. Hospitals should consult the best practices and recommendations developed by their respective medical associations and industries in making this assessment.

6. Restaurants, Bars, Taverns, Nightclubs and Other Establishments Providing In-Person Food and Drink Service

- a. Restaurants, bars, taverns, nightclubs and other establishments providing in-person food and/or drink service must adhere to the following directives:
 - i) all patrons must remain seated while consuming food and/or drink or when otherwise remaining on the premises; and
 - ii) while capacity limits are no longer based on a percentage of overall occupancy, seating must be arranged and maintained so that individuals, households, or parties are spaced at least six (6) feet apart from any other individual, household or party.
- b. Self-service beverage and food stations (buffets, salad bars, etc.) are permitted but not recommended unless a staff member serves patrons.

7. Gatherings or Events

a. *Religious Services and Places of Worship:*

- i) Virtual Services Preferred: Places of worship and faith communities are strongly encouraged to continue or resume livestreaming services or otherwise providing virtual or drive in services to safely serve their communities.
- ii) Live or In-Person Services: Live or in-person religious services, including wedding ceremonies and funeral services, are not subject to limits on social gatherings as set forth in this Executive Order. However, social distancing and other sanitation measures apply, meaning individuals or households must be spaced at least six (6) feet apart from any other individual or household. The wearing of face coverings is also strongly encouraged. Wedding receptions and visitations before or after funerals remain subject to the limitations and restrictions for social gatherings as set forth in this Executive Order.

b. *Social Gatherings:*

A “social gathering” is an event, assembly, or convening that brings together multiple people, individually or from separate households, in a single location, whether held indoors or outdoors, in a private residence, commercial venue, or other public place, at the same time and in a coordinated fashion where a significant purpose is to interact with others — such as a wedding reception, funeral visitation, family reunion, party, barbecue, picnic, or club meeting.

c. *Social Gathering Directives:*

It is recommended that social gatherings be cancelled or postponed. However, if a social gathering cannot be cancelled or postponed, the host of a social gathering must ensure social distancing requirements can be achieved and maintained, face coverings are worn, and other sanitation measures are implemented at the site where the gathering occurs.

Additionally, the size of a social gathering, without any approval required, is limited to a county’s color-coded metric, as follows:

- Counties designated as Blue may have up to a total of 250 individuals present.
- Counties designated as Yellow may have up to a total of 100 individuals present.
- Counties designated as Orange may have up to a total of 50 individuals present.
- Counties designated as Red may have up to a total of 25 individuals present.

For any social gathering where the total number of invited or requested individuals is expected to exceed the number of permitted attendees, the host of the gathering must submit a safety plan to the local health department and receive approval from the local health department before proceeding.

d. *Events:*

An “event” is an assembly or convening of multiple individuals from separate households in a single space, indoors or outdoors, at the same time but where the main purpose is not necessarily for individuals to interact with others outside of one’s household but to engage in or attend a business/commercial function, single event, or events of limited duration — such as conferences, conventions, sport or racing competitions (including collegiate and professional sports), extracurricular school events, concerts, shows, fairs, festivals, carnivals, parades, graduation ceremonies, community holiday celebrations, fundraisers or other entertainment events.

This provision does not apply to internal business meetings held within a business’ own facility.

e. *Event Directives:*

The size of an event, without any approval required, is limited to a county’s color-coded metric, as follows:

- Counties designated as Blue may have up to a total of 250 individuals present.
- Counties designated as Yellow may have up to a total of 100 individuals present.
- Counties designated as Orange may have up to a total of 50 individuals present.
- Counties designated as Red may have up to a total of 25 individuals present.

For any event where the total number of invited or requested individuals is expected to exceed the number of permitted attendees, the host of the event must submit a safety plan to the local health department and receive approval from the local health department before proceeding.

f. ***Social Gathering/Event Safety Plans and Submission Timeline:***

Venue owners, hosts and/or organizers of a social gathering or event who are required to develop a written safety plan must outline the steps to be taken to mitigate against COVID-19. Each safety plan must address the following issues:

- i) *Guest Information:* identifying the appropriate information to be provided to guests to stay home if sick or part of a vulnerable population, engage in social distancing, increase handwashing, etc.;
- ii) *Staff & Volunteer Screening:* identifying measures to be taken to appropriately screen staff and volunteers for COVID-19 symptoms;
- iii) *Social Distancing Measures:* identifying measures to be employed to ensure attendees engage in social distancing such as use of multiple entrances, designated seating, one-way flow of attendees, ground markings, distance between seating/tables, etc.;
- iv) *Increased Sanitation:* outlining steps to be taken to ensure the event space is appropriately cleaned and sanitized, that high touch areas have increased cleaning, and that additional handwashing or hand sanitizing is available;
- v) *Face Coverings:* identifying face coverings will be required and the measures to be taken to ensure coverings are worn; and
- vi) *Compliance:* identifying the number of persons, event staff or volunteers who will be available and sufficient to monitor and ensure compliance with the approved plan and other Executive Order directives.

Beginning on November 22, 2020, any social gathering or event where the total number of individuals invited, requested, or expected to be in attendance will exceed the number permitted based on a county's color code, must submit an event safety plan to the local health department at least seven (7) days in advance of the event and receive approval from the local health department before proceeding. Due to this new timeline, events scheduled to occur on November 22 or 23, 2020, have until November 17, 2020, to submit an event safety plan.

g. ***Local Health Department Review of Event Safety Plans:***

Local health departments shall review and approve/disapprove event safety plans or request adjustments.

h. ***Social Gathering/Event Monitoring & Enforcement:***

Event planners, hosts, venue owners or organizers must have sufficient persons, staff or volunteers present during the social gathering or event to monitor and ensure compliance with the approved plan and other Executive Order directives.

8. **General Requirements for K-12 Educational Institutions**

a. ***Buildings, Facilities and Grounds:***

Throughout the public health emergency, unless rescinded or modified by me, all public and private K-12 educational institutions shall require all students in grades 3-12 regardless of age, all faculty, all staff, all vendors, all contractors, all volunteers, and all visitors to their educational institutions to wear a face covering or a face shield while physically present in any building, facility or grounds at all times who do not otherwise fall within an exemption listed in ¶ 3.e. or who fall within an exemption listed below.

b. *School Buses or School-Sponsored Modes of Transportation:*

All students regardless of age or grade, all faculty, all staff, all vendors, all contractors, all volunteers, and all visitors shall wear a face covering or a face shield while on a school bus or other school-sponsored mode of transportation except those who fall within an exemption listed in ¶ 3.e. (ii – xv).

c. *Additional Exemptions to Face Covering Requirement for K-12 Educational Institutions:*

- i) *Food Consumption:* Face coverings or face shields are not required while eating or drinking.
- ii) *Faculty/Staff Areas:* Faculty and staff, while working—other than to prepare food or meals—along with other individuals who are in a room, office or place, where all individuals not of the same household can maintain six (6) feet of social distance from each other are not required to wear a face covering or face shield.
- iii) *Children Between Ages 2 & 8:* Except when on school buses or on other school-sponsored modes of transportation, children, whether or not students, who are over the age two (2) years and under the age of eight (8) years are not required to wear face coverings or face shields. Such children, however, are strongly encouraged to wear a face covering or a face shield. Children under the age of two (2) years should not wear a face covering because of the risk of suffocation.
- iv) *Classroom Settings:*
 - 1) Where a classroom or place of instruction can be configured so that all students and instructors can maintain six (6) feet of social distancing from one another at all times, face coverings or face shields do not need to be worn during in-person educational instruction;
 - 2) Where a classroom or place of instruction can be configured so that all students can maintain at least three (3) feet of social distancing from one another at all times, and where students are positioned to face in the same direction, face coverings or face shields do not need to be worn during in-person educational instruction by students. Instructors must wear a face covering or face shield unless the instructor(s) can maintain six (6) feet of social distancing from students; or
 - 3) Where a classroom or place of instruction cannot be configured so that all students can maintain either six (6) feet of social distance or at least three (3) feet of social distancing from one another with students facing the same direction at all times, face coverings or face shields must be worn during in-person educational instruction by students. Instructors must wear a face covering or face shield unless the instructor(s) can maintain six (6) feet of social distancing from students. At the direction of the instructor, a student may be permitted to remove his or her mask on an intermittent and temporary basis.
- v) *Recess:* Face coverings and face shields may be removed during recess periods provided social distancing can be maintained.
- vi) *Extracurricular & Co-Curricular Activities:* Students, teachers, instructors, directors, coaches, trainers, volunteers, and other personnel, when not engaging in strenuous physical activity or subject to an exemption specified above, shall wear face coverings or face shields.

d. *Enforcement:*

Schools are responsible for developing and implementing an enforcement plan.

9. Special Measures or Restrictions for Counties Based on Color Designation

a. *Counties Designated as Blue*

- i) *County Score:* A county will be designated as Blue when it has a point score of 0.5 or below.
- ii) *Local Officials:* Local health officials should evaluate the source of positive tests, undertake targeted testing where appropriate; and issue isolation or quarantine orders if necessary.
- iii) *Measures and Restrictions:*

Individuals and businesses in counties designated as Blue must comply with all general requirements set forth in paragraphs 3 – 8 of this Executive Order subject to the following modifications:

- 1) A social gathering may have up to a total of 250 individuals provided social distancing requirements can be achieved and maintained, face coverings are worn, and other sanitation measures are implemented at the site where the gathering occurs.

Any social gathering where more than a total of 250 individuals are invited or expected is not advised and should be cancelled or postponed. However, if a social gathering of over 250 individuals cannot be cancelled or postponed, the host of the social gathering must submit a safety plan to the local health department and receive approval from the local health department before proceeding.

- 2) Social gatherings or events where more than 250 individuals are invited or expected to be in attendance must submit a safety plan at least seven (7) days in advance to the local health department and must have the plan approved before proceeding.

b. *Counties Designated as Yellow*

- i) *County Score:* A county will be designated as Yellow when it has a point score of 1.0 or 1.5.
- ii) *Local Officials:*
 - 1) Local health officials should evaluate the source of positive tests, undertake targeted testing where appropriate, and issue isolation or quarantine orders where necessary.
 - 2) Local health officials, health care providers, elected officials, school leadership and other key local leaders must convene regularly to discuss actions that could be implemented to decrease the spread of COVID in their communities.
 - 3) School officials should review plans for all extra-curricular activities and assemblies to ensure best mitigation practices are being followed.

iii) *Measures and Restrictions:*

Individuals and businesses in counties designated as Yellow must comply with all general requirements set forth in paragraphs 3 – 8 of this Executive Order subject to the following modifications:

- 1) A social gathering may have up to a total of 100 individuals provided social distancing requirements can be achieved and maintained, face coverings are worn, and other sanitation measures are implemented at the site where the gathering occurs.

Any social gathering where more than a total of 100 individuals are invited or expected is not advised and should be cancelled or postponed. However, if a social gathering of over 100 individuals cannot be cancelled or postponed, the host of the social gathering must submit a safety plan

to the local health department and receive approval from the local health department before proceeding.

- 2) Social gatherings or events where more than 100 individuals are invited or expected to be in attendance must submit a safety plan at least seven (7) days in advance to the local health department and must have the plan approved before proceeding.

c. *Counties Designated as Orange*

- i) *County Score:* A county will be designated as Orange when it has a point score of 2.0 or 2.5.

- ii) *Local Officials:*

- 1) Local health officials should evaluate the source of positive tests, undertake targeted testing where appropriate; and issue isolation or quarantine orders where necessary.
- 2) Local health officials, health care providers, elected officials, school leadership and other key local leaders must convene regularly to discuss actions that could be implemented to decrease the spread of COVID in their communities.
- 3) School officials should review plans for all extra-curricular activities and assemblies to ensure compliance with capacity/attendance restrictions and other best mitigation practices are being followed.

- iii) *Measures and Restrictions:*

Individuals and businesses in counties designated as Orange must comply with all general requirements set forth in paragraphs 3 – 8 of this Executive Order subject to the following modifications:

- 1) A social gathering may have up to a total of 50 individuals provided social distancing requirements can be achieved and maintained, face coverings are worn, and other sanitation measures are implemented at the site where the gathering occurs.

Any social gathering where more than a total of 50 individuals are invited or expected is not advised and should be cancelled or postponed. However, if a social gathering of over 50 individuals cannot be cancelled or postponed, the host of the social gathering must submit a safety plan to the local health department and receive approval from the local health department before proceeding.

- 2) Social gatherings or events where more than a total of 50 individuals are invited or expected to be attendance must submit a safety plan to the local health department at least seven (7) days in advance and must have the plan approved before proceeding;
- 3) Businesses should reduce the number of employees and personnel permitted to congregate in common areas or break rooms and should take additional measures to ensure social distancing is achieved in these areas.
- 4) Attendance at winter indoor K-12 extracurricular and co-curricular activities, including IHSAA sport events, is limited to 25% of capacity and additional measures should be taken to ensure all non-family/household groups are and remain socially distanced.
- 5) IHSAA football games on Friday, Nov. 20, 2020, may continue utilizing IHSAA guidance requiring local health departments and communities to determine stadium capacity. The IHSAA will work with the Marion County health department on a limited spectator plan for state championship games at Lucas Oil Stadium.
- 6) Community recreational sport leagues and tournaments may continue, however, attendance is limited to participants and required personnel, and

parents/guardians/siblings for minor participants or minor children of adult participants or personnel.

d. *Counties Designated as Red*

i) *County Score:* A county will be designated as Red when it has a point score of 3.0 or higher.

ii) *Local Officials:*

- 1) Local health officials should evaluate the source of positive tests, undertake targeted testing where appropriate; and issue isolation or quarantine orders where necessary.
- 2) The ISDH will convene local health officials, health care providers, elected officials, school leadership and other key local leaders to discuss actions that could be implemented to decrease the spread of COVID in their communities, including further support from state agencies.
- 3) School officials should review plans for all extra-curricular activities and assemblies to ensure best mitigation practices are being followed.
- 4) Local officials should consider limiting hours of operation for bars, taverns, nightclubs and restaurants.

iii) *Measures and Restrictions:*

Individuals and businesses in counties designated as Red must comply with all general requirements set forth in paragraphs 3 – 8 of this Executive Order subject to the following modifications:

- 1) While it is strongly encouraged that social gatherings be cancelled or postponed, a social gathering may have up to a total of 25 individuals provided social distancing requirements can be achieved and maintained, face coverings are worn, and other sanitation measures are implemented at the site where the gathering occurs.

If a social gathering of over 25 individuals cannot be cancelled or postponed, the host of the social gathering must submit a safety plan to the local health department and receive approval from the local health department before proceeding.

- 2) While it is strongly encouraged that all events be cancelled or postponed, events may have up to a total of 25 individuals and a safety plan must be submitted to the local health department and must have the plan approved before proceeding.
- 3) Businesses should reduce the number of employees and personnel permitted to congregate in common areas or break rooms and should take additional measures to ensure social distancing is achieved in these areas.
- 4) Restaurants and retail businesses are strongly encouraged to promote phone/online ordering with curbside pick-up.
- 5) Attendance at winter indoor K-12 extracurricular and co-curricular activities, including IHSAA sport events, is limited to participants, support personnel and parents/guardians/siblings. All non-competing and non-performing participants, support personnel and attendees are required to wear face coverings at all times as set forth in ¶ 3e—g.
- 6) IHSAA football games on Friday, Nov. 20, 2020, may continue, however, attendance is limited to participants, support personnel and parents/guardians/siblings. The IHSAA will work with the Marion County health department on a limited spectator plan for state championship games.
- 7) Community recreational sport leagues and tournaments may continue, however, attendance is limited to only participants, required personnel, and parents/guardians of mirror participants or minor children of adult participants and personnel.

- 8) Senior care centers activities must be cancelled or suspended.
- 9) Hospitals, long-term care, and other congregate settings should follow the CMS and IDSH guidance on limiting visitation based on community metrics.

e. *Changing a County's Color Code Status:*

- i) A county must meet the metrics/score of a less restrictive category for two consecutive weeks before being allowed to move to that category.
- ii) A county will be moved to a more restrictive category whenever the county's metric/score rises to a higher category.

10. **Enforcement**

a. *Workplace Safety:*

I direct the IOSHA to take all available administrative and enforcement actions against businesses or entities failing to comply with workplace safety conditions.

b. *Health & Law Enforcement Officials:*

The ISDH, Indiana Department of Homeland Security, Alcohol & Tobacco Commission, local boards of health, and other state and local officials or law enforcement officers may take all available administrative and enforcement actions against businesses or entities failing to comply with restrictions and other public health requirements for businesses as set forth in this Executive Order. It is recommended the following incremental steps be taken:

- i) issuing a verbal order to cease the unsafe practice so an owner has an opportunity to comply;
- ii) if a business entity fails to comply with a verbal order, health department should issue an order to cease the unsafe practice;
- iii) if a business entity continues operation in an unsafe manner despite an order to cease and desist, the relevant official should issue an order to close the business entity;
- iv) if an order to close a business is issued, the business shall be reported to the Secretary of State and to any relevant licensing, permitting, or certifying board, commission or other entity for consideration of revocation proceedings; and
- v) if an order to close a business is issued, the matter should be considered for referral to the local prosecuting attorney.

11. **No Limitation on Authority**

Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State, any local health department, or any other proper entity from ordering: (a) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency; or (b) any closure of a specific location for a limited period of time, including the duration of this public health emergency.

12. **Local Declarations of Emergency**

Pursuant to the Emergency Disaster Law, no local ordinance, directive, or order of any county, political subdivision, or other local government entity pertaining to this public health emergency, may contradict or impose less restrictive requirements than those set forth in this Executive Order, or else that ordinance, directive, or order will be void and of no force or effect. However, unless prohibited by an Executive Order, local ordinances, directives, and orders may be more restrictive.

13. Savings Clause

If any provision of this Executive Order, or its application to any person or circumstance, is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are hereby declared to be severable.

IT IS SO ORDERED.



IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 13th day of November, 2020.


Eric J. Holcomb
Governor of Indiana

By: 
ATTEST: Connie Lawson
Secretary of State

TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2020-28

**A RESOLUTION AUTHORIZING and ESTABLISHING a REOPENING
POLICY PURSUANT TO INDIANA GOVERNOR EXECUTIVE ORDER
2020-26.**

Whereas, On January 30, 2020 the World Health Organization (WHO) declared a global health emergency regarding the emerging public health issue related to the corona virus;

Whereas, On February 29, 2020 the City of Seattle, Washington reported a death attributable to the Corona virus COVID 19, and first the State of Indiana by execution of Executive Order 2020-02 on March 6, 2020 and then on March 13, 2020 the United States of America and the State of Indiana formally acknowledged the profound public health emergency in consequence of a great world-wide corona virus pandemic, specifically with the COVID -19 virus;

Whereas, In continuing consequence of the public health epidemic, certain plans to assuage the related economic effects from the health emergency were announced in Indiana Executive Order No. 2020-26, which set forth a systematic plan for re-opening business and governmental activities of the State of Indiana;

Whereas, IC 36-1-4-2, authorizes a unit to establish and operate a government;

Whereas, IC 36-5-2-9(1), in setting forth the powers of a town legislative body, provides that the legislative body may adopt ordinances and resolutions for the performance of the functions of the town;

Whereas, IC 36-5-2-10(a), further provides that an ordinance, order or resolution passed by the legislative body is considered adopted, when it is signed by the executive; and,

Whereas, The Town Council desires to approve a re-opening policy as an interim measure, and comply with the directives set forth in Executive Order No. 20-26,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:**

Section 1. That the Town Council by the passage and adoption of this resolution formally finds and determines that Section 4(a) of Executive Order 20-26 requires *the following*:

(a) A written plan describing measures and safeguards to ensure a safe environment for the employees, customers, clients and members. The plan shall be provided to each employee or staff and posted publicly.

(b) It further expressly requires the following four elements be included:

i) Instituting an employee health screening process;

- ii) Employing enhanced cleaning and disinfecting protocols for the workplace, including regularly cleaning high-touch surfaces;
- iii) Enhancing the ability of employees, customers and clients to wash hands or take other personal hygiene measures such as use of hand sanitizer;
- iv) Complying with social distancing requirements established by the CDC, including maintaining six-foot social distancing for both employees and members of the general public when possible and/ or employing other separation measures such as wearing face coverings or using barriers


Section 2. That in order to comply with the foregoing provisions, the Town Council hereby approves and adopts a plan for workplace and public safety to be observed as the Town of Highland and the State of Indiana emerge from the sheltering in place provisions issued in consequence of the COVID 19 public health emergency, a copy of which is attached and incorporated herein, in order to evidence its approval;

Section 3. The associated plans that are department specific are hereby authorized and approved, provided they be made public and copies are given to each employee of the relevant department;

Section 4. That this plan shall be of no further force and effect after December 31, 2020 or upon subsequent action by the legislative body, whichever comes first.

DULY PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana, this 8th Day of June 2020. Having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA


Mark J. Schocke, President (IC 36-5-2-10)

Attest:



Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)



Exhibit:

TOWN of HIGHLAND WORKPLACE SAFETY MEASURES

A workplace plan that is in force when a national, state or regional public emergency is in effect involving a public health contagion. (*A plan to safely transition from closed campus and physical plant to incrementally opened.*)

This plan is constructed to at once preserve a safe work environment, foster and protect continuity of government, protect critical functions and optimize in the context of these objectives, quality service to residents of the Town. The Corona Virus COVID 19 is highly contagious and has particularly adverse impacts on human beings.

While gradually relaxing the municipal building closure, the following steps will be taken to ensure the plan and extend and continue services. The following is policy for workers in all municipal facilities of the Town of Highland, performing administrative, clerical and support services. Except for those departments with discretely described additional requirements, these practices shall be observed by all employees:

1. Employee screening process

- (a) All employees are required to monitor their own health conditions. It is mandatory that employees perform a self - check of any symptoms of illness. This includes but is not limited to symptoms of fever, shortness of breath, sore throat, body aches, loss of smell to list a few. (If you experience any signs of illness, stay home and contact your Supervisor or their designee). A checklist will be provided to assist with the monitoring.
- (b) All employees will be required to perform daily body temperature checks before coming to work. Employees are *expected* to take their temperature and ensure they are within normal range. Once employees arrive at work, you will be required to acknowledge you took your temperature and it was less than 100 degrees Fahrenheit. Employees will sign off on a brief survey of condition as part of screening.
- (c) A daily log will be maintained by each department that lists the employee by name, the employee's temperature before coming to work and the time of taking the temperature. The employee will sign the log.

2. Enhanced cleaning and protective practices

- (a) At the end of each work-day, all surfaces will be wiped down with appropriate cleaning anti-viral wipes. Doorknobs, telephones, computer keypads, copiers and light switches too will be cleaned. *A Checklist will be provided to verify the tasks are completed.*
- (b) A record or log of cleaning will be maintained by department or office.
- (c) After every customer interaction, surface where customer was served shall be wiped down.
- (d) If an employee has a temperature more than 100 degrees Fahrenheit, the employee shall remain stay at home and contact your Supervisor or designee. Your Doctor or Health Care Provider should also be contacted for further direction.
- (e) High Risk employees will be encouraged to remain at home and work remotely, if possible. (*High Risk employees are employees 65 years of age or older and those with pre-existing conditions, such as COPD, asthma or any condition that affects immune response.*)
- (f) If an employee has been in close contact with others while off from work (at home or in the Community) and they have symptoms of COVID - 19, contact your Supervisor or their

designee prior to returning to work, as you may be subject to self-quarantine. If there has been contact, worker may be asked to monitor for up to seven days, with the final three days being symptom free including no fever without using any anti-fever medication.

(g) If a worker has symptoms of COVID – 19 , the worker will be required to self-quarantine for a least (14) days and the last (3) days with zero symptoms, unless you have a negative test result, then you might return after (7) days, with the final three days with days with zero symptoms and or in accordance with CDC guidelines.

(h) *Wipe and wash always.* Hand sanitizers dispensers shall be at the primary entrances and near the access points for major offices at conference room (upper chamber).

(i) For Town Hall: Hand sanitizers at entrance to redevelopment, entrance to building and inspection and inspectors rooms, and for Office of Clerk-Treasurer.

(ii) For Police Station: To be supplied.

(iii) For Central Fire Station: To be supplied.

(iv) For Public Works Facility: To be supplied.

(v) For Lincoln Community Center: To be supplied.

(vi) For Fire Station 2: None

(vii) For Meadows Park Office: To be supplied.

(viii) All workers are highly encouraged to wash hands with soap and water for at least 20 seconds at each break and as frequently as possible.

(ix) If soap and water are not available, use hand sanitizer that contains at least 60% alcohol, as provided by the workplace.

(x) Other important workplace practices that employees are highly encouraged to observe include: • Avoid touching your face (Eyes, nose, mouth, etc.) with unwashed hands • Cover your mouth and nose with a cloth face cover (mask) while around others • Employees shall not congregate around another's work area and to continue to observe social distancing of at least 6 feet of distance.

(i) Workers who count or receive cash or checks shall use appropriate latex, or high-tactile surgical gloves.

(j) If a client or meeting is necessary, all will be convened in a large room as identified below, always, observing the social distancing guidelines, including maintaining six feet or more distance.

(i) For Town Hall: Plenary meeting room.

(ii) For Police Station:

(iii) For Central Fire Station:

(iv) For Public Works Facility:

(v) For Lincoln Community Center:

(vi) For Fire Station 2: No meetings to be convened

(vii) For Meadows Park Office: no meetings to be convened

(k) Employer has installed "sneeze guards" and pedestrian routing measures from the front door to the referenced greeting counter.

(l) For all bathrooms, appropriate touchless soap dispensers shall be installed that can be regularly refilled; Appropriate touchless towel dispensers will be installed as well. These will be permanent.

3. Visitor and guest management and safety

(a) All departments should have conspicuously identified pedestrian routing that designates increments of six feet for social distancing paths for residents and guests to observe as they move through a facility.

(b) As much as is possible, should public access be restored for administrative meetings or customer transactions, as much as possible try to have meetings by appointment.

(c) Where meetings by appointment are not practicable, and in all other cases, all public buildings must have a designated staging area, for no more persons than three (3) or less always segregated by six feet social distance guidelines.

(d) In all cases whether by appointment or not, the parking lots shall serve as a waiting room. Visitors and guests will be instructed to call when they have arrived providing a contact number for the employee to call back. As a service queue becomes available, the resident, guest or visitor will be called to come in greeted by a specified worker.

(e) When dealing with guests, residents, and visitors, employees shall be provided appropriate face mask to wear for the extent of the visit. Employees are required to wear facial masks while serving customers, and while moving in office. While at desk, masks may be removed. Facial masks if possible, should be disposable and discarded in a special canister or collection bin. Facial masks that are made of cloth must be appropriately laundered frequently.

(f) Guests, residents, and visitors will be highly encouraged to wear a mask when interacting in any public building.

(g) Signage shall be conspicuously displayed reminding all to practice social distancing of 6 feet or more, and wear masks, avoid touching face, and frequent hand-washing (as directed by CDC guidance and OSHA.)

(h) Any part of this policy that is in conflict with CDC guidelines or OSHA requirements is void.

In addition to the foregoing, the following discrete department or functional practices are made policy:

Public works Street/water/sanitation (on file with the department)

Fire Fighters (on file with the department)

Police (on file with the department)

Parks and Recreation (on file with the department)

Code Enforcement and Inspections (on file with the department)

Redevelopment Department (on file with the department)

Pursuant to the Indiana Governor's Order No, 20-26, Section 4 through Section 5, this plan is developed to be posted and issued to all workers of the Town of Highland.

Town of Highland • Office of the Clerk-Treasurer
Highland Municipal Building • 3333 Ridge Road • Highland, Indiana 46322

Date: Friday, November 6, 2020

To: Highland Town Council
Mark Schocke, President
Bernie Zemen
Mark Herak
Tom Black
Roger Sheeman

From: Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer

Re: Notices of Appointments for 2021

Unless otherwise directed, I will **NOT** prepare letters to all the current appointees whose terms of appointment are due to expire either at year end or early in the new year, to inquire about their interest in re-appointment. If letters of inquiry are to be the method, I will instruct that replies be directed to me and to the Council President. All copies that I receive, I will copy to all Town Council members.

However, this memorandum will review the positions that serve at pleasure but are not subject to "annual appointment" and those whose terms are expiring. As indicated at the end, pursuant to IC 36-1-8-10, other laws notwithstanding, the terms can continue for up to ninety days following the end of the term and until a successor is appointed and qualified. See the end of the memorandum for more details.

Personnel:

The following positions are appointed. The relevant enabling ordinances do not provide for the frequency of appointment. So, no formal act would be necessary to retain any of the following persons. The ordinances supporting the positions do not provide any such language for the term of the appointment except "at the pleasure of" the appointing authority. *So, the Town Council need only act if it desires to make a change.*

Public Works Director Superintendent of Sanitary District & Waterworks
Mark Knesek
H Incumbent has contract, without expiration.
M

Chief Inspector/Building Commissioner
Kenneth Mika
Incumbent has contract, without expiration.

Fire Chief

William R. Timmer, Jr.
H Incumbent has contract, without expiration.
B

The Municipal Code provides that the Fire Chief *shall* (my emphasis) enter into a contract... (Section 9.05.030(B)(3) of the Municipal Code).

Also, the Chief is a full-time position that must be nominated by a committee of the Fire Department and then appointed or rejected by the Town Council.

Special Personnel

Reminder: The *Superintendent of Parks and Recreation* is appointed by the Park and Recreation Board. (IC 36-10-3 et sequitur) There is no statutory approval by the Town Council. The *Chief of Police* is actually an appointee of the Town Board of Metropolitan Police Commissioners and is also not subject to Town Council approval. Of course, there must be an approval by the Town Council of qualifications as determined by the Town Board of Metropolitan Police Commissioners. The *Redevelopment Director* is an appointee of the Redevelopment Commission.

Attorneys and Consulting Professionals

Appointment Authority: Town Council
Abraham, Reed, and Bilse
John Reed, Town Attorney

Appointment Authority: Town Council
Abraham, Reed, and Bilse
John Reed, Town Solicitor/Ordinance Violation Attorney

Appointment Authority: Waterworks Board of Directors
Robert Tweedle, Waterworks Attorney

Appointment Authority: Park and Recreation Board
Angela M. Jones, Park Attorney

Appointment Authority: Town Council
Abraham, Reed, and Bilse
John Reed, Attorney for Metropolitan Brd of Police Commissioners

Appointment Authority: Town Council / or Plan Commission
(IC 36-7-4-401(a);HMC Section 14.05.120(A))
Abraham, Reed, and Bilse
John Reed, Plan Commission & BZA Attorney

Appointment Authority: Board of Sanitary Commissioners
Robert F. Tweedle, Sanitary District

Appointment Authority: Redevelopment Commission

Abraham, Reed, and Bilse
John Reed, Attorney

Appointment Authority: Plan Commission
Plan Commission and BZA Engineer
NIES Engineers, Inc.,
John E. Phipps, P.E.

Appointment Authority: Board of Sanitary Commissioners
Sanitary District Engineers
NIES Engineering, Inc.
John E. Phipps, P.E., Derek Snyder, P.E.

Appointment Authority: Board of Waterworks Directors
Waterworks District Engineers
NIES Engineering, Inc.
John E. Phipps, P.E., Derek Snyder, P.E.

Terms to Know:

Where an appointment is identified as an “**executive appointment**”, then the appointing authority is the *Town Council President*. The Town Council President is the municipal executive in a Town pursuant to IC 36-1-2-5(4) and IC 36-5-2-2.

Where an appointment is identified as an “**legislative appointment**”, then the appointing authority is the *Town Council*. The Town Council is the legislative body in a Town pursuant to IC 36-1-2-9(5) and IC 36-5-2-2.

Where an appointment is identified as a “**fiscal body appointment**”, then the appointing authority is the *Town Council*. The Town Council is the fiscal body in a Town pursuant to IC 36-1-2-6(4).

Statutory Boards and Commissions

Please find the following list of persons whose terms expire either at year-end or in the new year:

- MUNICIPAL PLAN COMMISSION

Appointment Authority: Town Council President as municipal executive

Thomas Vander Woude (I) 1st day of Feb 2010 to 1st Mon in Jan 2021

Based upon the statutory requirements for balance, these positions must not have more than two citizen members from the same party. (Current composition for these four citizen positions is one Democrat, one Independent, two Republicans)

Appointment Authority: Municipal Legislative Body (Town Council)
(Must either be an elected, or appointed official or an employee of the town)
There is no partisan requirement here. They may remain without action or you can act to change.

Bernie Zemen (Donna)

Legislative Appointment ^A

(elected official)

Joseph Grzymiski
(municipal employee)

Legislative Appointment ^A

G. Douglas Turich
(municipal employee)

Legislative Appointment ^A

^A The term of office of a member (who is appointed from the membership of a legislative body, a public board or commission or as an employee) is co-extensive with the member's term of office on that body, board, or council, or term of employment, unless the appointing authority appoints, at its first regular meeting in any year, another to serve as its representative. (Pursuant to IC 36-7-4-217)

• ADVISORY BOARD of ZONING APPEALS

Appointment Authority: Town Council President
Joseph Grzymiski, Executive Appointment – from plan commission
(Term co-extensive with plan commission term legislative appointment continues until acted upon) *Term is not expired unless there is a change on the Plan Commission.*

Appointment Authority: Town Council
David Helms, fiscal body appointment

• PARK AND RECREATION BOARD

Term: 4 years

Appointment Authority: Municipal legislative body (Town Council)

Carlos O. Aburto (D) Jan 12, 2015 to 1st Monday Jan 2021

Based upon the statutory requirements for balance, this position must be democratic. (Current composition for this board's four citizen positions is two democrats and two republicans)

• TOWN BOARD OF METROPOLITAN POLICE COMMISSIONERS

Term: Three years

Appointment Authority: Municipal Legislative Body (Town Council)
Based upon the statutory requirements, no more than three may be of the same party. (Current composition for these five citizen positions is three democrats and two republicans)

Steve Jurczak (D) 02-10-14 – January 1, 2021

James K. Slagle (D) Feb 1, 2012 to 1st to January 1, 2021

• REDEVELOPMENT COMMISSION

There is no partisan consideration for these positions.

Term: **One year**

Appointment Authority: Town Council President (*Executive appointments*)

Tony Washick Term to 1st Monday in 2021

(08.31.2020 unexpired term George Georgeff)

Renee Reinhart

Term to 1st Monday in 2021
(08.31.2020 unexpired term Bill Leep)

Jack Havlin

Term to 1st Monday in 2021
(08.31.2020 unexpired term Sean Conley)

Appointment Authority: Town Council (legislative appointments)

Robyn Radford, LCSW

Term to 1st Monday in 2021

Cyril Huerter,

Term to 1st Monday in 202

• WATERWORKS BOARD OF DIRECTORS

Term: 3 years

Appointment Authority: Town Council President

Lawrence R. (Larry) Kondrat (R) Apr 01, 2018 – to 1st Mon in 2021

George A. Smith (R) January 12, 2015 to 1st Mon in 2021

Waterworks Board: Current partisan composition is 3 Republicans, and 2 Democrats. Based upon the statute governing this board's partisanship, the appointment may be any combination of partisanship as long as when completed, there is no more than three (3) of any single party on the board.

• BOARD OF SANITARY COMMISSIONERS

Appointment Authority: Town Council President

Term is 4 years

Richard J. Garcia (D) -- 04/01/13 - 12/31/2020

Greg Cieslak (R) Oct 15, 2012 to 31 December 2020

Current partisan composition is 2 Democrats and 3 Republicans. When completed, there can be no more than three (3) of any single party on the board.

Regional Boards or Commissions

No action necessary unless you wish to make a change

Appointment authority: Town Council President as municipal executive

• NORTHWEST INDIANA REGIONAL PLAN COMMISSION MEMBER (NIRPC)

Michael W. Griffin (07/2003 - 01/2012) (01/14/2013 to present
(serves at pleasure of executive until recalled) Must be an elected official of unit.

No action necessary unless you wish to make a change

Appointment authority: Town Council as legislative body

- Lake County SOLID WASTE MANAGEMENT DISTRICT BOARD of DIRECTORS
(Serves for a term co-extensive with legislative body term unless legislative body acts otherwise)

4th Ward Council
Thomas "Tom" Black (R) 1/1/2020 - 01/01/24*

- ECONOMIC DEVELOPMENT COMMISSION
(Serves for a 4 year term)

Michael Wieser (Mun. Fiscal Body nominee/Exec Appt. Oct. 24 2017 to Feb 1st 2021)
(nominated by the Town Council;appointed by TC President)

TOWN REPRESENTATIVE TO THE LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION

Appointing Authority: Town Council President

Pursuant to Lake County Ordinance No. 1362A-2, the Town of Highland is a Group A municipality, so the appointment is an Executive appointment, for a **transitional term**, effective January 1 through December 31 2016. Thereafter terms are four years. 01.01.2017 to 12.31.2020

Fire Chief
William R. Timmer, Jr., CFOD Term expires 12.31.2020

Home Rule Board and Commissions

MAIN STREET BUREAU BOARD

Appointment authority: various see below
Executive appointments once reappointed, term is coextensive with term on TC and EDC plus until a successor is appointed and qualified. (There is no term) No action to take.

Redevelopment Commission appointment (made by that body)
(vacant)

Appointment Authority: Town Council

- | | | |
|----|---------------------|--|
| 1. | Dawn Diamantopolous | Appointment until 1st Monday in January 2021 |
| 2. | Mary Wells | Appointment until 1st Monday in January 2021 |
| 3. | Lola McKay | Appointment until 1st Monday in January 2021 |
| 4. | Marie Russo | Appointment until 1st Monday in January 2021 |
| 5. | Julie Larson | Appointment until 1st Monday in January 2021 |
| 6. | Emily Foreit | Appointment until 1st Monday in January 2021 |
| 7. | Mary Ellis | Appointment until 1st Monday in January 2021 |
| 8. | Teri Yovkovich | Appointment until 1st Monday in January 2021 |
| 9. | Aubry Velasquez | (Phree Hair Care) |

(Main Street Authorized to host up to 17 persons See HMC Section 14.15.020(A)(2).)

- **Joint Board of Delegates** of the INTERLOCAL COOPERATION ASSOCIATION now commonly Called INTERLOCAL ETHICS ENTITY.

(Continues until recalled)
Michael W. Griffin

COMMUNITY EVENTS COMMISSION

Appointment Authority: Various

The Commission shall consist of **sixteen** voting members, with **seven members** appointed to staggered terms of office **and nine** members appointed to concurrent annual terms of office. Seven members after initial appointments have terms of **four years**. Nine members have one-year terms. Currently there is one vacancy in a multi-year legislative appointment The one year terms are subject to reappointment too.

• COMMUNITY EVENTS COMMISSION

Executive Appointment multi-year

Jacqueline Herrera (Executive Appointment)
Term Ends: (1 Jan 2021)
(unexpired term of Elmo Parlor)

Legislative Appointments (multi-year)

Dawn Wolak (Legislative Appointment)
Term Ends: 1 Jan 2021

Kristen Smith (Legislative Appointment)
Term Ends: (1 Jan 2021)

(vacant)

XXXXXXXXXXXXX (Legislative Appointment)
H XXXXXXXXXXXXXXXX XXXXXXXX Term Ends: (1 Jan 2022)

Legislative Appointments of One year

John A. Salzeider (Legislative Appointment)
Stan M. Allen (Legislative Appointment)
Michael Cardone (Legislative Appointment)
Michael Blejski (Legislative Appointment)
Christine Clarkson Gonzalez (Legislative Appointment)
Christopher Kornaus (Legislative Appointment)
Deanna Christ Kornaus (Legislative Appointment)
Elizabeth Alakel (Legislative Appointment)
Jason Tharp (Legislative Appointment)

• TREE BOARD (3 YEAR TERM)

William (Bill) Vargo (Executive Appointment) Chairperson
Nominated by the Town Council. Term Ends: 1st Mon in Jan 2021

Judy Vaughn (Executive Appointment) (Unexpired term of P Graegin)
Nominated by the Town Council. Term Ends: 1st Mon in Jan 2021

TRAFFIC SAFETY COMMISSION

(These are three year terms)

Appointing Authority: The Town Council

Commander John Banasiak	Police Representative	Term: until 1 st Monday in Jan 2021
William Timmer, CFOD	Fire Fighters Chief	Term: until 1 st Monday in Jan 2021
John Bach	Public Works Director	Term: until 1 st Monday in Jan 2021
Steve Jurczak	Metro. Police Commission	Term: 1 st Monday in Jan. 2021
Peter T. Hojnicky, Chairman	(<i>ex-officio</i>) & Police Representative	1 st Monday in Jan. 2021

The Chief will serve as chairman regardless of being on the Commission. He may also take a voting position representing the department. See HMC Chapter 10.45

Committee/Liaison Assignments

(For panel or voting memberships see prior sections herein)

(This does not include councilors as members of commissions or boards)

Bernie Zemen: Fire Department, Liaison; and Plan Commission, Liaison.

Mark A. Herak: Budget Committee Chairman; Advisory Board of Zoning Appeals Liaison; Town Board of Metropolitan Police Commissioners Liaison and Public Works Liaison.

Mark J. Schocke: Town Executive (I.C. 36-1-2-5-(4);I.C. 36-5-2-2;I.C. 36-5-2-7)
Board of Trustees of the Police Pension Fund, Chair (By law)
Park and Recreation Board Liaison.

Tom Black: Board of Waterworks Directors, Liaison; and Board of Sanitary Commissioners, Liaison.

Roger Sheeman: Chamber of Commerce Liaison; Community Events Commission, Liaison; IT Liaison; Redevelopment Commission, liaison, and Tree Board Liaison.

pc: Deputy Clerk-Treasurer

IC 36-1-8-10 " Board" defined; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

(1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.

(2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under IC 5-4-1. If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

(1) The member may continue to serve on the board for *only ninety (90) days* after the expiration date of the member's term.

(2) The county chair of the political party of the member whose term has expired shall make the appointment.

Special Law for appointments to the Board of Sanitary Commissioners:

IC 36-9-25-3 Establishment of department; composition of board of commissioners; oaths, surety bonds, and compensation of commissioners.

IC 36-9-25-3 (f)

Notwithstanding IC 36-1-8-10, whenever this section requires that the membership of the board of sanitary commissioners not exceed a stated number of members from the same political party, at the time of appointment the appointee must:

(1) have voted in the two (2) most recent primary elections held by the party with which the appointee claims affiliation; or

(2) if the appointee did not vote in the two (2) most recent primary elections or only voted in one (1) of those elections, be certified as a member of the party with which the appointee claims affiliation by that party's county chairman for the county in which the appointee resides.

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Statutory Boards & Commissions

<p>1) Town Board of Metropolitan Police Commissioners <i>"Each commissioner shall take and subscribe an oath before the clerk of the county in which the Town is located"</i></p>	<p>Chairman & Vice Chairman IC 36-8-9-4 adopts consistent patterns of the Safety Brds which has chairman IC 36-8-3-3 Also refer IC36-8-9-6(a)</p>	<p>(5) member body Initial body is 3. No more than 2 of same political party. After initial appt of 3, board may be increased by 2 who may not be the same political party. 3 year term <u>Oath</u> by circuit court clerk. Appointees must be of good moral character and legal residents of the Town. If ordinance amended, Town Council members can be appointed with limits.</p>	<p>Legislative Body Town Council Appointment I.C. 36-8-9-3(a)(b) HMC Chapter 9.10</p>
<p>2) Park & Recreation Board</p>	<p>President and Vice President a secretary may be selected from within or without its membership. IC 36-10-3-8(c)</p>	<p>6 member body one an appointee of school board / one an appointee of Library Board. 4 citizens no more than 2 of same political party. 4 year term. Term goes to 1st Monday in January. If not made by first Monday in April continues for a full term. Members shall be appointed on the basis of their interest in and knowledge of parks and recreation. (In towns must be a resident) Oath of Office</p>	<p>Legislative Body (changed 2007) Town Council Appoints 4 citizen members I.C. 36-10-3-4(a) HMC Chapter 11.05 Formerly Municipal Executive as appointing authority School Board Appoints (1) member Lake County Library Board Appoints (1) member</p>
<p>3) Plan Commission</p>	<p>President and Vice President IC 36-7-4-303 Commission may appoint and fix the duties of a secretary who is not required to be a member of the commission. IC 36-7-4-304 Citizen members shall be appointed because of the member's knowledge, and experience in community affairs, the members' awareness of the social, economic, agricultural, and industrial problems of the area and the member's interest in the development of and integration of the area.</p>	<p>7 member panel no more than two of the citizen members may be of the same political party. 4 year term Commences First Monday in January Citizens: IC 36-7-4-218(a)(1)(b) Legislative: IC 36-7-4-217. Certified by exec & clerk. A citizen member may not hold other elective or appointive office in municipal, state or county government and must be a resident.</p>	<p>Split Appointment: Municipal Executive appoints 4 Citizen members I.C. 36-7-4-207(b)(2) HMC Chapter 14.05) Legislative Body appoints 3 persons who shall be elected or appointed officials or employees in municipal government I.C.36-7-4-207(b)(1) HMC Chapter 14.05</p>
<p>4) Advisory Board of Zoning Appeals</p>	<p>Chairman and Vice-Chairman IC 36-7-4-912 May Appoint a secretary and such employees as are necessary for the discharge of its duties. IC 36-7-4-913</p>	<p>5 member panel 4 year term First Monday in January IC 36-7-4-906(b) None of the members of a BZA may hold other elective or appointive office in municipal, county or state government, except as permitted by I.C. 36-7-14-902. Member must be a resident</p>	<p>Triune Appointment: Municipal Executive appoints 3 citizen members - 1 must be a plan commission member; 2 must not be members. I.C. 36-7-4-902(a)(1) Municipal Fiscal Body</p>

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
			<p>appoints 1 citizen member who must not be a plan commission member. I.C. 36-7-4-902(a)(2)</p> <ul style="list-style-type: none"> • Plan Commission appoints 1 member who must be a plan commission member other than the one appointed under subdivision 1 above I.C. 36-7-4-902(a)(3).
5) Board of Sanitary Commissioners	President and Vice President IC 36-9-25-6	5 member panel No more than three of same political party 4 year term oath of office.	Municipal Executive appointment I.C. 36-9-25-3(b)(1).
6) Redevelopment Commission	IC 36-7-14 President, Vice - President and Secretary	5 member panel one year term from January 1 must be 18 years old & reside in unit. Oath of office.	<p>Split appointment:</p> <ul style="list-style-type: none"> • Municipal Executive appoints 3 members I.C. 36-7-14-6.1 HMC Chapter 14.10 <p>Legislative Body appoints 2 members I.C. 36-7-14-6.1 Ord. No.946 H.M.C.Chapter 14.10</p>
7) Water Works Board of Directors		5 member panel members called Directors w/ oath of office. No more than three of same party. By act of ordinance serve for three year terms. (See HMC 190) Oath of office.	Municipal Executive I.C. 8-1.5-4-2(a)(b). H.M.C.Chapter 12.05
Regional Appointments			
1)Northwest Indiana Regional Planning Commission	Appointee must be a resident of Highland, an <i>elected official</i> and knowledgeable in matters of physical, social, or economic development in the region.	Multi-Member panel One (1) appointment 51 Members called Commissioner :Highland allowed one (1) appointment Term: Serves until recalled	Municipal Executive certified to the MPO IC 36-7-7-4(c)(1)
2)Lake County Convention & Visitor Bureau	No appointee may hold an elective or appointed political office while serving on the bureau. Appointing Authority shall give consideration to appointees knowledgeable about or employed as executives or managers in at least one of the following in the county: Hotel, Motel, Restaurant, Travel, Transportation, Convention, Trade Show; riverboat,banking,real estate, & construction. If not made before July 16	13 Member panel Three (3) year term beginning July 1: Highland allowed one (1) appointment The Executives of the eight (8) largest municipalities shall appoint one member to the bureau. IC 6-9-2-3. Oath & Certificate	Municipal Executive IC 6-9-2-3(c) Note: If a vacancy is not filled within 30 days of vacancy or an appointment is not made by July 16 then the Lt. Governor's appointee shall appoint a qualified person.(IC 6-9-2-3(i).

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
	or 30 days vacancy.(amended 2007)		
3) Lake County Solid Waste Management District		Multi-member Panel 22-23 persons: Highland allowed one (1) member to be selected from membership of fiscal body.Term is co-extensive with member's elective term. Serves at pleasure of appointing authority.	Fiscal Body(Legislative Body) IC13-9.5-2-5(d)(4).
Home Rule Boards & Commissions			
Traffic Safety Commission		No less than six members. (1) member from Town Council;2 from the Police Department;1 from the Fire Department;1 from Department of Public Works;1 Police Commissioner; Police Chief is <i>ex officio</i> Chairman(HMC §11-203(c))	Legislative Appointment. HMC Chapter 10.45
Community Events Commission	Chair & Vice Chair	consist of 7 voting members; term of 3 years. Also 9 who are annual and appointed as legislative appt.	Three (3) appointed by Municipal Executive; four (4) appointed by legislative body. Three year terms. 9 for one year terms appointed by legislative body. HMC Chapter 11.15.
TREE BOARD	Chairperson	Consists of 7 voting members, staggered terms	Seven (7) appointed by the municipal executive upon nomination by the Town Council. Municipal executive chooses the chair from the membership of the board. HMC Chapter 8.25.
Main Street Bureau Board of Directors Department of Redevelopment	Chairperson	Consists of not less than 7 and not more than 21 members	The municipal executive shall appoint three (3) special constituency members (Town Council, Economic Development and Highland chamber, who serve until a successor is appointed. Municipal legislative body chooses up to 17 members, who serve for 2 year terms. HMC Chapter 14.15.

Legislative Appointment means the appointment comes from the Town Council.

Fiscal Body Appointment means the appointment comes from the Town Council.

Municipal Executive Appointment means the appointment comes from the Town Council President.

Also note:

I.C. 36-1-8-10 (b) reads

Whenever a law or a political subdivision's (Town's) resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment the appointee must:

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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- (1) have voted in the most recent primary election held by the arty with which the appointee claims affiliation;or
- (2) if the appointee did not vote in the most recent primary election held by the party with which the appointee claims affiliation, be certified as a member of that party by the party’s county chairman of the county in which the appointee resides.

I.C. 36-1-8-10 (c) reads

If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under IC 5-4-1. If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

I.C. 36-1-8-10 (d) reads

Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

- (1) The member may continue to serve on the board for only ninety (90) days after the expiration date of the member's term.
- (2) The county chair of the political party of the member whose term has expired shall make the appointment.

(Print optimized 85%)