

TITLE 1

ADMINISTRATION AND PERSONNEL

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ADMINISTRATION AND PERSONNEL

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Chapter 1.01

ELECTION BOUNDARIES

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| 1.01.020 | Election of Members at Large |

1.01.010 Legislative Branch. The legislative branch of the Town of Holland shall be the Holland Town Council, which shall consist of three (3) elected members. (Ord. 6-94, S1.01.010, Dec. 28, 1994)

1.01.020 Election of Members at Large. The members of the Town Council shall each reside within the municipal boundaries of the Town of Holland, and all members of the Town Council shall be elected at-large by registered voters residing within the municipal boundaries of the Town of Holland. (Ord. 6-94, S1.01.020, Dec. 28, 1994) (Ord. 2-82, 1982) (Ord. 10-73, S1, 1973) (Minutes dated Jan. 3, 1929)

Chapter 1.02

RULES FOR THE TOWN COUNCIL

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1.02.010 Regular Meetings. Be it ordained by the Board of Trustees of the Town of Holland, Dubois County, Indiana, that the Annual Meetings of the Board of said Town, shall be held on the 1st Monday in January, in every year, and the Stated and Regular Meetings at such times as may be fixed upon, by Resolution, or order of the Board, but now not less than one regular meeting shall be held, one each Month, and these on the First Monday Night of each Month at 7:00 o'clock P.M. from October to April, and 7:30 o'clock P.M. for the balance of the year.

1.02.020 Special Meetings. Special or call meetings, shall be held when necessity requires, by order of the President, or at the request of two Members of the Board, and notice thereof to be served on Members, by the Town Marshall if required.

And the following shall be the standing rules of the Board for the preservation of order and the dispatch of Business.

1.02.030 Chairman. The President shall take the chair at the hour appointed for the Meeting and shall immediately call the Members to order, and may at the request of any Member present order the attendance of any absent member, and in the absence of the President of the Board, any Member may order the attendance of absentees.

1.02.040 Agenda. The President shall decide all questions of order, subject to an appeal to the Board.

1.02.050 Order. The President shall preserve order, if any Member transgress the rules of the Board, the President shall, or any Member may, call him to order, and he shall immediately sit down and be silent, unless permitted to explain and the Board if appealed to, shall decide the matter, and if there be no appeal to the Board, it shall be decided by the President, but in either case without debate.

1.02.060 Voting. Every Member present when a question is put shall vote, except in matters in which he has direct persusiary interest.

1.02.070 Motion. Every motion or proposition of importance, except a motion to adjourn and allowance of claims, may be reduced to writing and signed by the Member of the Board offering the same. This is to serve for a better record of transactions of the Board.

1.02.080 Withdrawal of motion. Any motion or resolution may be withdrawn by the mover, with the consent of his second, at any time before amendment or decision.

1.02.090 Unclear motion. In all cases when it is doubtful whether a motion has prevailed, the President may direct, or any Member may call for a division.

1.02.100 Announcing members about to speak. When a Member is about to speak, he shall rise and address himself to the President, and the President shall announce the Name of the Member entitled to the floor.

1.02.110 Times allowed to speak by Council Members. No Member shall be allowed to speak more than once at the same Meeting on any one question, without leave of the Board.

1.02.120 Motion to Adjourn. A motion to adjourn shall always be in order, except when a Member is addressing the Board, or the Board is engaged in voting and the motion to adjourn shall be decided without debate.

1.02.130 Yeas and Nays shall be taken and recorded. The Yeas and Nays shall be taken and recorded upon the question of passing or adopting and by-law, Ordinance or Resolution, or may be taken upon any question before the Board upon the call of any Member.

1.02.140 Filling blanks. In filling blanks, the question on the largest sum and most distant date shall be put first.

1.02.150 Committee appointments. All committees shall be appointed by the President unless otherwise directed by the Board at the time.

1.02.160 Meeting in Session. No Member shall leave the board meeting while it is in session, with the Consent of the President.

1.02.170 Personalities. No personalities injurious to the feelings of any Member of the Board shall be indulged in.

1.02.180 Ordinance Readings. Every ordinance shall receive at least two several readings, and no ordinance shall be finally passed at the same session of the Board at which it was at first read unless the same shall, by a vote of all Members present, suspend this rule for the special purpose.

1.02.190 Interruption. No business regularly before the Board shall be interrupted except by a motion for adjournment, for the previous question, (namely shall the main question be now put), for postponement or for commitment.

1.02.200 Previous question. The previous question shall not be moved by less than a majority of the Members and shall be determined without debate, but when the previous question has been called and sustained, it shall not cut off any pending amendments, but the vote shall be taken without debate on the amendments in their order, and then on the main question.

1.02.210 Motion slated by President. Every Motion made and seconded shall be slated by the President or being in writing, shall be read aloud by the Clerk before it shall be debated.

1.02.220 Order of Business. The following shall be the established order of business, at the regular meetings of the Board, to wit:

- (1) Calling the Meeting to order by the President of the Board.
- (2) Calling the roll of the Members of the Board of Trustees.
- (3) Reading of the Minutes, approval or correction thereof of the regular and special meetings.
- (4) Unfinished business.
- (5) Committee reports.
- (6) New business.
- (7) Reading of petitions.
- (8) First reading of Ordinances and Resolutions.
- (9) Second reading of Ordinances and Resolutions and passage.
- (10) Reading and allowance of Claims.
- (11) Adjournment.

1.02.230 Absent Council Member. If the President or any Member of the Board shall absent himself from any regular or call Meetings of the Board, without being able to render a satisfactory excuse to the Board, such Member shall forfeit and pay to the town, the sum of One Dollar, to be deducted from his salary, upon order of the Board.

1.02.240 Alteration or Suspension of Rules. None of the foregoing rules shall be altered or suspended, except by a vote of 2/3 of the Members present at any Meeting of the Board. (Ord. 1, Jan. 25, 1929)

Chapter 1.04

SALARIES OF OFFICERS

Sections:

1.04.010 **Elected Officials**
1.04.030 **Paid quarterly**

1.04.010 Elected Officials. The following salaries, compensation and wages are hereby fixed and adopted for the following elected officers of said Town of Holland, payable out of the respective funds of said Town as hereinafter set forth:

Section 1. President, Board of Trustees

General Fund	\$ 900	per year
Water Utility	\$ 1,050	per year
Sanitary Sewer Dept.	\$ 800	per year

Members of Town Council

General Fund	\$ 750	per year
Water Utility	\$ 900	per year
Sanitary Sewer Dept.	\$ 650	per year

Clerk-Treasurer

General Fund	\$ 1,200	per year
Water Utility	\$ 6,000	per year
Sanitary Sewer Dept.	\$ 4,000	per year

(Ord. 00-5, S1, Dec. 27, 2000) (Ord. 6-99, S1, Dec. 29, 1999) (Ord. 4-98, S1, Dec. 30, 1998) (Ord. 7-97, S1, Jan. 7, 1998) (Ord. 9-96, S1, Dec. 30, 1996) (Ord. 2-95, S1, Dec. 27, 1995) (Ord. 7-94, S1, Dec. 28, 1994) (Ord. 8-93, S1, Dec. 29, 1993) (Ord. 2-92, S1, Oct. 14, 1992) (Ord. 8-91, S1, Dec. 30, 1991) (Ord. 6-91, S1, 1991) (Ord. 5-90, S1, 1990) (Ord. 5-90, S1, 1990) (Ord. 3-89, S1, 1989) (Ord. 6-88, S1, 1988) (Ord. 2-87, S1, 1987) (Ord. 1-86, S1, 1986) (Ord. 4-85, S1, 1985) (Ord. 1-84, S1, 1984) (Ord. 1-83, S1, 1983) (Ord. 1-82, S1, 1982) (Ord. 35-79, S1, 1979) (Ord. 16-75, S1, 1975) (Ord. 04-71, S1, 1971) (Ord. 141-67, S1, 1967) (Ord. 137-66, S1, 1966) (Ord. 110-59, S1, 1959) (Ord. 3, Feb. 11, 1929)

1.04.030 Paid quarterly. Council Members and Clerk-Treasurer shall be paid quarterly, on the first day of January, April, July, and October respectively. (Ord. 3, Feb. 11, 1929)

Chapter 1.06

RULES AND REGULATIONS FOR EMPLOYEES OF THE TOWN

Sections:

1.06.020	Salary range
1.06.030	Eligibility for paid vacations
1.06.040	Holidays
1.06.050	Overtime
1.06.060	Insurance Plan established - Officials & Employees covered
1.06.070	Eligibility - wage and salary deductions
1.06.080	Town and Employee's contributions to cost
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1.06.100	Out-of-pocket expenses
1.06.110	Mileage
1.06.112	Respective services
1.06.113	Personal days
1.06.114	Sick leave
1.06.120	Clothing allowance

1.06.020 Salary range. That where wage rates or salaries are provided by Ordinance, with a minimum and maximum range, it shall be discretionary with the Town Council to pay such employees any salary or wage rate in said range as in their discretion they may deem advisable. (Ord. 00-5, S2, Dec. 27, 2000) (Ord. 6-99, S2, Dec. 29, 1999) (Ord. 4-98, S2, Dec. 30, 1998) (Ord. 7-97, S2, Jan. 7, 1998) (Ord. 9-96, S2, Dec. 30, 1996) (Ord. 2-95, S2, Dec. 27, 1995) (Ord. 7-94, S2, Dec. 28, 1994) (Ord. 8-93, S2, Dec. 29, 1993) (Ord. 2-92, S2, Oct. 14, 1992) (Ord. 8-91, S2, Dec. 30, 1991) (Ord. 6-91, S2, 1991) (Ord. 5-90, S2, 1990) (Ord. 5-90, S2, 1990) (Ord. 3-89, S2, 1989) (Ord. 6-88, S2, 1988) (Ord. 2-87, S2, 1987) (Ord. 1-86, S2, 1986) (Ord. 4-85, S2, 1985) (Ord. 1-83, S2, 1983) (Ord. 1-82, S2, 1982)

1.06.030 Eligibility for paid vacations. In addition to the wages and salaries set forth in the Ordinance, every full-time employee of the Town of Holland shall be granted a vacation period during each calendar year, and during each vacation period such employee shall receive his or her full compensation for said vacation period at the rate of pay applicable to such individual on the basis of forty (40) hours per week. Full-time employees of the Town of Holland shall be entitled to paid vacation periods in accordance with the following schedule:

- (1) Continued Full-Time Employment by the Town of Holland for a period of one (1) to three (3) years shall entitle said employee to one (1) week paid vacation each calendar year;
- (2) Continued Full-Time Employment by the Town of Holland for a period of more than three (3) years but less than eight (8) years, shall entitle said employee to two (2) weeks paid vacation each calendar year;

- (3) Continued Full-Time Employment by the Town of Holland for a period of eight (8) years but less than twenty (20) years, shall entitle said employee to three (3) weeks paid vacation each calendar year;
- (4) Continued full-time employment by the Town of Holland for a period of twenty (20) years or more, shall entitle said employee for four (4) weeks paid vacation each calendar year.

One week vacation without pay may be granted to an employee of the Town of Holland after said employee has been employed for six (6) months, with the Town Council's approval. (Ord. 00-5, S3, Dec. 27, 2000) (Ord. 6-99, S3, Dec. 29, 1999) (Ord. 4-98, S3, Dec. 30, 1998) (Ord. 7-97, S3, Jan. 7, 1998) (Ord. 9-96, S3, Dec. 30, 1996) (Ord. 2-95, S3, Dec. 27, 1995) (Ord. 7-94, S3, Dec. 28, 1994) (Ord. 8-93, S3, Dec. 29, 1993) (Ord. 2-92, S3, Oct. 14, 1992) (Ord. 8-91, S3, Dec. 30, 1991) (Ord. 6-91, S3, 1991) (Ord. 5-90, S3, 1990) (Ord. 5-90, S3, 1990) (Ord. 3-89, S3, 1989) (Ord. 6-88, S3, 1988) (Ord. 2-87, S3, 1987) (Ord. 1-86, S3, 1986) (Ord. 4-85, S3, 1985) (Ord. 1-84, S3, 1984) (Ord. 1-83, S3, 1983) (Ord. 1-82, S3, 1982)

1.06.040 Holidays. Full time employees shall be entitled to one full work day off with pay for each of the following holidays: Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and New Year's Day. Provided, however, that holiday pay shall not be paid for more than (8) hours per day. (Ord. 00-5, S4, Dec. 27, 2000) (Ord. 6-99, S4, Dec. 29, 1999) (Ord. 4-98, S4, Dec. 30, 1998) (Ord. 7-97, S4, Jan. 7, 1998) (Ord. 9-96, S4, Dec. 30, 1996) (Ord. 2-95, S4, Dec. 27, 1995) (Ord. 7-94, S4, Dec. 28, 1994) (Ord. 8-93, S4, Dec. 29, 1993) (Ord. 2-92, S4, Oct. 14, 1992) (Ord. 8-91, S4, Dec. 30, 1991) (Ord. 6-91, S4, 1991) (Ord. 5-90, S4, 1990) (Ord. 5-90, S4, 1990) (Ord. 3-89, S4, 1989)

1.06.050 Overtime. All employees of the Town of Holland and its various departments who are paid on an hourly basis shall be entitled to overtime pay for all hours worked or credited to said employee in a given weekly pay period in excess of forty (40) hours. For the purpose of determining the number of hours worked or credited to an employee for overtime purposes, each paid holiday, paid vacation day, paid sick leave day or paid unauthorized leave day shall be considered eight (8) hours for the purpose of overtime calculations. All hourly wage employees shall be paid at the rate of one and one-half times their base hourly wage for each hour of overtime worked or credited to said employee. (Ord. 00-5, S5, Dec. 27, 2000) (Ord. 6-99, S5, Dec. 29, 1999) (Ord. 4-98, S5, Dec. 30, 1998) (Ord. 7-97, S5, Jan. 7, 1998) (Ord. 9-96, S5, Dec. 30, 1996) (Ord. 2-95, S5, Dec. 27, 1995) (Ord. 7-94, S5, Dec. 28, 1994) (Ord. 8-93, S5, Dec. 29, 1993) (Ord. 2-92, S5, Oct. 14, 1992) (Ord. 8-91, S5, Dec. 30, 1991) (Ord. 6-91, S5, 1991)

1.06.060 Insurance Plan established - Officials and Employees covered. There is hereby established pursuant to the provisions of IC 5-10-8-1 et. seq. a group health and accident insurance plan for certain employees and officials of the Town of Holland, which plan shall provide for hospitalization, surgical and other medical expenses, covering all full-time employees, including the employees of all departments of the governmental units of the Town and all of the employees of the municipally owned utilities and their spouses and dependents as the case may be, and including the Town Council and Clerk-Treasurer, coverage shall be provided for the above mentioned employees who elect to be made a part of said plan. The

plan of insurance shall be paid for in part by the Town and in part by the employee. (Ord. 00-5, S6, Dec. 27, 2000) (Ord. 6-99, S6, Dec. 29, 1999) (Ord. 4-98, S6, Dec. 30, 1998) (Ord. 7-97, S6, Jan. 7, 1998) (Ord. 9-96, S6, Dec. 30, 1996) (Ord. 2-95, S6, Dec. 27, 1995) (Ord. 7-94, S6, Dec. 28, 1994) (Ord. 8-93, S6, Dec. 29, 1993) (Ord. 2-92, S6, Oct. 14, 1992) (Ord. 8-91, S6, Dec. 30, 1991) (Ord. 6-91, S6, 1991)

1.06.070 Eligibility - wage and salary deductions. The company or companies to furnish the group plan of insurance set forth above shall be available to any and all employees and officials of the Town designated as eligible for coverage in Section 1.06.060 above, who shall elect to come under such group plan of insurance and who shall authorize the Clerk-Treasurer to make deductions from his or her wages or salary for the purpose of paying the employee's share of the insurance premium. (Ord. 00-5, S7, Dec. 27, 2000) (Ord. 6-99, S7, Dec. 29, 1999) (Ord. 4-98, S7, Dec. 30, 1998) (Ord. 7-97, S7, Jan. 7, 1998) (Ord. 9-96, S7, Dec. 30, 1996) (Ord. 2-95, S7, Dec. 27, 1995) (Ord. 7-94, S7, Dec. 28, 1994) (Ord. 8-93, S7, Dec. 29, 1993) (Ord. 2-92, S7, Oct. 14, 1992) (Ord. 8-91, S7, Dec. 30, 1991) (Ord. 6-91, S7, 1991)

1.06.080 Town and Employee's contributions to cost. The insured employee shall contribute toward the cost of such insurance plan not less than the sum of One Dollar (\$1.00) per year, or an amount agreed upon by the Town Council not to exceed ten per cent (10%) of the total premium, plus payment of any deductibles which may become payable for or on behalf of said insured employee, his or her spouse and dependents as the case may be. The Town of Holland shall contribute the balance due on the premium on each insured's particular class of coverage. (Ord. 00-5, S8, Dec. 27, 2000) (Ord. 6-99, S8, Dec. 29, 1999) (Ord. 4-98, S8, Dec. 30, 1998) (Ord. 7-97, S8, Jan. 7, 1998) (Ord. 9-96, S8, Dec. 30, 1996) (Ord. 2-95, S8, Dec. 27, 1995) (Ord. 7-94, S8, Dec. 28, 1994) (Ord. 8-93, S8, Dec. 29, 1993) (Ord. 2-92, S8, Oct. 14, 1992) (Ord. 8-91, S8, Dec. 30, 1991) (Ord. 6-91, S8, 1991)

1.06.090 Payroll deductions authorized. Notwithstanding any provision to the contrary, the Clerk-Treasurer of the Town of Holland may require written authorization from the individual participating employee to make payroll deductions toward the cost of the aforementioned insurance plans and such authorization when signed by an employee shall be sufficient authorization for the Clerk-Treasurer to make deductions for said purposes until revoked in writing by the employee. (Ord. 00-5, S9, Dec. 27, 2000) (Ord. 6-99, S9, Dec. 29, 1999) (Ord. 4-98, S9, Dec. 30, 1998) (Ord. 7-97, S9, Jan. 7, 1998) (Ord. 9-96, S9, Dec. 30, 1996) (Ord. 2-95, S9, Dec. 27, 1995) (Ord. 7-94, S9, Dec. 28, 1994) (Ord. 8-93, S9, Dec. 29, 1993) (Ord. 2-92, S9, Oct. 14, 1992) (Ord. 8-91, S9, Dec. 30, 1991) (Ord. 6-91, S9, 1991)

1.06.100 Out-of-pocket expenses. Request for reimbursement of out-of-pocket expenses incurred by officers or employees of the Town of Holland for official town business shall be submitted to the Town Council for approval on the proper form obtainable from the Clerk-Treasurer's Office. Upon receiving such approval, the Clerk-Treasurer shall make payment of such claim. (Ord. 00-5, S10, Dec. 27, 2000) (Ord. 6-99, S10, Dec. 29, 1999) (Ord. 4-98, S10, Dec. 30, 1998) (Ord. 7-97, S10, Jan. 7, 1998) (Ord. 9-96, S10, Dec. 30, 1996) (Ord. 2-95, S10, Dec. 27, 1995) (Ord. 7-94, S10, Dec. 28, 1994) (Ord. 8-93, S10, Dec. 29, 1993) (Ord. 2-92, S10, Oct. 14, 1992) (Ord. 8-91, S10, Dec. 30, 1991) (Ord. 6-91, S10, 1991) (Ord. 5-90, S6, 1990) (Ord. 5-90, S6, 1990) (Ord. 6-88, S6, 1988) (Ord. 2-87, S5, 1987) (Ord. 1-86, S5, 1986) (Ord. 4-85, S5, 1985) (Ord. 1-84, S5, 1984) (Ord. 1-83, S5, 1983) (Ord. 1-82, S5, 1982)

1.06.110 Mileage. Reimbursement for mileage shall be limited to thirty-four cents (34 cents) per mile. (Ord. 00-5, S11, Dec. 27, 2000) (Ord. 6-99, S11, Dec. 29, 1999) (Ord. 4-98, S11, Dec. 30, 1998) (Ord. 7-97, S11, Jan. 7, 1998) (Ord. 9-96, S11, Dec. 30, 1996) (Ord. 2-95, S11, Dec. 27, 1995) (Ord. 7-94, S11, Dec. 28, 1994) (Ord. 8-93, S11, Dec. 29, 1993) (Ord. 2-92, S11, Oct. 14, 1992) (Ord. 8-91, S11, Dec. 30, 1991) (Ord. 6-91, S11, 1991) (Ord. 5-90, S7, 1990) (Ord. 5-90, S7, 1990) (Ord. 3-89, S7, 1989) (Ord. 6-88, S6, 1988) (Ord. 2-87, S6, 1987) (Ord. 1-86, S6, 1986) (Ord. 4-85, S6, 1985) (Ord. 1-84, S6, 1984) (Ord. 1-83, S6, 1983) (Ord. 1-82, S6, 1982)

1.06.112 Respective services. That all salaries, compensation and wages hereinabove established out of the Water Utility and Sanitary Sewer Utility shall be for service performed by respective officials, appointees and employees for said respective utilities and/or functions in their respective capacities, but shall not include extraordinary services performed from time to time by the Town Attorney for said Water Utility and Sanitary Sewer Utility, which are deemed to be beyond the normal and usual services performed by said Town Attorney for the Town of Holland. (Ord. 00-5, S12, Dec. 27, 2000) (Ord. 6-99, S12, Dec. 29, 1999) (Ord. 4-98, S12, Dec. 30, 1998) (Ord. 7-97, S12, Jan. 7, 1998) (Ord. 9-96, S12, Dec. 30, 1996) (Ord. 2-95, S12, Dec. 27, 1995) (Ord. 7-94, S12, Dec. 28, 1994) (Ord. 8-93, S12, Dec. 29, 1993) (Ord. 2-92, S12, Oct. 14, 1992) (Ord. 6-91, S12, 1991) (Ord. 5-90, S8, 1990) (Ord. 5-90, S8, 1990) (Ord. 3-89, S8, 1989) (Ord. 6-88, S7, 1988) (Ord. 16-75, S2, 1975)

1.06.113 Personal days. All full-time employees of the Town of Holland who were hired before January 1, 1992 will be entitled to one (1) personal leave day for the calendar year. These same employees will be entitled to one (1) personal leave day every twelve (12) months thereafter. Only one (1) day of personal leave may be used in any twelve month period. No more than one (1) personal leave day may be accumulated or used at any time. (Ord. 00-5, S13, Dec. 27, 2000) (Ord. 6-99, S13, Dec. 29, 1999) (Ord. 4-98, S13, Dec. 30, 1998) (Ord. 7-97, S13, Jan. 7, 1998) (Ord. 9-96, S13, Dec. 30, 1996) (Ord. 2-95, S13, Dec. 27, 1995) (Ord. 7-94, S13, Dec. 28, 1994) (Ord. 8-93, S13, Dec. 29, 1993) (Ord. 2-92, S13, Oct. 14, 1992)

1.06.114 Sick leave. All full-time employees of the Town of Holland who were hired before January 1, 1992 shall receive pay during unavoidable absence from work due to sickness or accident during employment with said Town on the following basis:

- (1) Each employee shall be entitled to two (2) days sick leave each calendar year;
- (2) These same employees shall be entitled to two (2) sick leave days every twelve (12) months thereafter;
- (3) Only two (2) days of sick leave may be used in any twelve month period.
- (4) No more than two (2) sick leave days may be accumulated or used at any time.

Provided, however, that sick leave shall not be paid for more than eight (8) hours per day.

In order to receive the above sick pay, every employee of said Town claiming the above sick leave benefits shall submit to the Clerk-Treasurer's office a doctor's statement verifying the inability to work due to sickness or accident. This requirement may be waived at the discretion of the Town Council. (Ord. 00-5, S14, Dec. 27, 2000) (Ord. 6-99, S14, Dec. 29, 1999) (Ord. 4-98, S14, Dec. 30, 1998) (Ord. 7-97, S14, Jan. 7, 1998) (Ord. 9-96, S14, Dec. 30, 1996) (Ord. 2-95, S14, Dec. 27, 1995) (Ord. 7-94, S14, Dec. 28, 1994) (Ord. 8-93, S14, Dec. 29, 1993) (Ord. 2-92, S14, Oct. 14, 1992)

1.06.120 Clothing allowance. Full time employees of the Town of Holland shall at the option of each employee, either be furnished uniforms at the expense of said town to be worn during working hours, or each employee may elect to furnish his own work clothing the cost of which shall be reimbursed by the Town of Holland, but in no event shall such reimbursable clothing allowance exceed the sum of \$400.00 per calendar year for each employee. (Ord. 2-93, S1.06.120, Apr. 7, 1993)

Chapter 1.07

DRUG-FREE WORKPLACE AND SUBSTANCE ABUSE POLICY

Sections:

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1.07.040	Prohibited conduct
1.07.050	Investigation
1.07.060	Notice of Conviction
1.07.070	Prescription drugs
1.07.080	Treatment

1.07.005 Adoption. The Holland Town Council does hereby adopt a drug-free workplace and substance abuse policy and policy statement, which shall be as set forth in the attached "Exhibit A" entitled "Town of Holland, Indiana, Drug-Free Workplace and Substance Abuse Policy Statement and Policy", which shall be incorporated into this Ordinance by reference as fully and completely as if fully set forth herein. (Ord. 4-97, S1, Nov 5, 1997) (Ord. 4-94, S1, 1994)

Exhibit A

TOWN OF HOLLAND, INDIANA DRUG-FREE WORKPLACE SUBSTANCE ABUSE POLICY STATEMENT AND POLICY

1.07.010 Drug-Free Workplace. The Town of Holland, Indiana (the "Town") is committed to establishing and maintaining a drug-free workplace that is safe for employees and the public, and is conducive to high work standards. It is the responsibility of the Holland Town Council to eliminate illegal substances from the work environment in compliance with established laws and regulations. (Ord. 4-97, Nov. 5, 1997)

1.07.020 Applicability. This policy applies to all officials, employees, agents and contractors of the Town. It covers actions that will result from possession of prohibited substances on Town premises and at all locations during work time, procedures for handling prescription drugs, and enforcement of this Policy. (Ord. 4-97, Nov. 5, 1997)

1.07.030 Awareness information. Drug-free awareness information shall be distributed to employees through use of brochures, announcements, and referrals to community organizations that can provide rehabilitation assistance. (Ord. 4-97, Nov. 5, 1997)

1.07.040 Prohibited conduct. The sale, use, possession, purchase, manufacture, transfer of, or being under the influence of illegal drugs or other controlled substances or drug-related equipment or paraphernalia while on Town property or during work time is prohibited. Violations of this policy shall be strictly enforced and, in the case of Town employees, may result in termination. (Ord. 4-97, Nov. 5, 1997)

1.07.050 Investigation. Determinations associated with assisting employees who are at risk of health or performance deterioration due to the use of illegal drugs and/or controlled substances will be made on a case by case basis. To ensure the proper enforcement of this policy, the Town Council may investigate or cause the investigation of suspected violations. (Ord. 4-97, Nov. 5, 1997)

1.07.060 Notice of Conviction. Any employee of the Town who is convicted of any criminal drug offense that occurred on Town property or during work time shall notify the Town Council of such conviction in writing no later than five (5) days after such conviction. Such employee may be subject to periodic drug screening for a period of time and/or subject to other disciplinary actions by the Town Council, including termination of employment. Failure of an employee to give said notice upon conviction for such criminal drug offense shall subject such employee to immediate termination of employment by the Town. (Ord. 4-97, Nov. 5, 1997)

1.07.070 Prescription drugs. Employees may possess prescription drugs and over-the-counter medications while at work or on Town property, when prescribed by a physician; or on an as-needed basis for over-the-counter medications. (Ord. 4-97, Nov. 5, 1997)

1.07.080 Treatment. The Town encourages employees who may believe they have a problem with alcohol or other substance abuse, which may affect their work for the Town, to seek and pursue treatment. Such a voluntary step is the responsibility of the individual employee, and will alleviate the requirement for disciplinary action if brought to the Town Council's attention in a timely, predetection manner. (Ord. 4-97, Nov. 5, 1997)

Chapter 1.10

OLD-AGE AND SURVIVORS' INSURANCE

Sections:

- 1.10.010 Old-Age and Survivors' Insurance Coverage
- 1.10.020 Positions Covered
- 1.10.030 Comply with Agreement

1.10.010 Old-Age and Survivors' Insurance Coverage. The Governing Body of Town of Holland, Dubois County, Holland, Indiana hereby elects coverage under the Old-Age and Survivors' Insurance as provided by Chapter 313, Acts of 1951, as amended, and as they may be amended, and as they may be implemented by regulations of the State Agency. (Ord. 2-56, S1, 1956)

1.10.020 Positions Covered. The following positions are hereby designated as those which are to be covered: All positions **except:** All services of an emergency nature; part-time positions; positions, the compensation for which is on a fee basis; elected legislative officials; elected executive officials; elected judicial officials. (Ord. 2-56, S2, 1956)

1.10.030 Comply with Agreement. For the purpose of carrying out the provisions of Title II, Sec. 218 of the Federal Social Security Acts and Amendments thereof of the Agreement entered into between the State Agency with the approval of the Governor and the Social Security Administrator is made a part of this Resolution and shall constitute an integral part of the Federal agreement between this Political Sub-Division and the State Agency and shall become a part of the agreement or modification of the Agreement between the State and the Social Security Administrator. The Governing Body hereby explicitly agrees that it will fully perform the obligation of a Political Sub-Division under said (Federal-State) agreement and Ch. 313, Acts of 1951, as amended, and as they may be amended, and as they may be implemented by regulations of the State Agency. (Ord. 2-56, S3, 1956)

Chapter 1.20

VOLUNTEER FIRE DEPARTMENT

Sections:

1.20.010 Compensation

1.20.010 Compensation. Compensation for Volunteer Firemen for the Town of Holland is Twenty (\$20.00) Dollars for the year 1968 for each Volunteer Fireman on active duty as of July 1, 1968. (Resolution adopted July 3, 1968)

Chapter 1.32

UTILITY ADVISORY BOARD

Sections:

1.32.010	Created
1.32.020	Board Members
1.32.030	Officers/Meetings
1.32.040	Responsibilities
1.32.050	Proposed Rates and Charges
1.32.060	Compensation/Expenses
1.32.070	Removal of Board Members

1.32.010 Created. There is hereby created as a part of the Town government of the Town of Holland, Indiana, an advisory board to be known as the "Holland Utility Advisory Board". (Ord. 1-92, S1, Apr. 8, 1992)

1.32.020 Board Members. The Holland Utility Advisory Board shall consist of five (5) members to be appointed by the Town Council. Three (3) members shall be residents of the Town of Holland, one (1) member shall be a Holland utility user who resides outside of the Town's boundaries, and one (1) member shall be a Holland Water Utility user in the area previously serviced by the Stendal Water Corporation. Members shall serve for three (3) year terms each; provided that of the individuals first selected to serve, two (2) members shall serve an initial term of three (3) years, two (2) members shall serve an initial term of two (2) years, and one (1) member shall serve an initial term of one (1) year. Members may be reappointed for additional terms, without limit. Any vacancy occurring shall be filled by the Town Council for the remainder of the vacated term. All initial terms shall commence on April 8, 1992 and shall terminate on March 31 of the year that their initial term shall expire. (Ord. 1-92, S2, Apr. 8, 1992)

1.32.030 Officers/Meetings. The Advisory Board shall select one (1) of its members as Chairman and one (1) of its members as Secretary. The Board shall meet upon the call of the Chairman, upon the call of any three (3) of its members, or at the request of the Holland Town Council. Meetings shall be open to the public, and notice of all meetings shall be given in strict compliance with the Indiana Open Door Law [I.C. 5-14-1.5-1 et seq.]. (Ord. 1-92, S3, Apr. 8, 1992)

1.32.040 Responsibilities. The Board shall have the responsibility of investigating, gathering information, deliberating, and advising the Holland Town Council with regard to any future proposed changes to the general rates and charges for the use of and services rendered by the water and sanitary sewage utilities owned and operated by the Town of Holland, and with regard to any future proposed capital improvements for said utilities, the costs of which would be required to be financed by the issuance of a debt instrument by the Town. The Board's capacity shall be advisory only, and the Holland Town Council shall not be bound by any recommendations or advice received from the Board. The Board shall not be required to

investigate, deliberate, or advise the Town Council with regard to any rate increases or decreases which are implemented solely for the purpose of tracking increases or decreases in the cost of water from the Town's wholesale suppliers. (Ord. 1-92, S4, Apr. 8, 1992)

1.32.050 Proposed Rates and Charges. The Advisory Board shall, in its investigations, deliberations and advice, strive to advise the Town Council on rates and charges for use of and services rendered by said water and sanitary sewage utilities, which are nondiscriminatory, reasonable and just, and which will produce sufficient revenue to maintain the utility property in a sound physical and financial condition so as to render adequate and efficient service, all in accordance with the standards set forth by statute. The Board shall have access to all books, records, financial statements, accounting reports, operating reports and other documents which are relevant to their investigations, deliberations and advice as to rates and charges to meet the foregoing standards. (Ord. 1-92, S5, Apr. 8, 1992)

1.32.060 Compensation/Expenses. Members of the Utility Advisory Board shall receive no compensation for their services, but shall be entitled to reimbursement for out-of-pocket expenses that they incur in carrying out their duties as Advisory Board members. (Ord. 1-92, S6, Apr. 8, 1992)

1.32.070 Removal of Board Members. Advisory Board members may be removed at any time by the Town Council, with or without cause. (Ord. 1-92, S7, Apr. 8, 1992)

Chapter 1.50

ADVISORY PARK AND RECREATION BOARD

Sections:

1.50.010	Created
1.50.020	Members
1.50.030	Terms
1.50.040	Meetings
1.50.050	Officers
1.50.060	Powers and Authority

1.50.010 Created. There is hereby created an "Advisory Park and Recreation Board" for the Town of Holland, Indiana. Said Board shall be established on January 1, 1997. (Ord. 7-96, S1.50.010, Dec. 4, 1996) (Ord. 4-86, S1, 1986) (Ord. 39-79, 1979) (Ord. 9-73, 1973) (Ord. 8-73, 1973)

1.50.020 Members. The Advisory Park and Recreation Board shall be composed of five (5) members, and said members shall be appointed as follows: two (2) members shall be appointed by the Holland Town Council; one (1) member shall be appointed by the membership of the Holland Kiwanis Club; one (1) member shall be appointed by the membership of the Holland American Legion Club; and one (1) member shall be appointed by the membership of the Holland American Legion Auxiliary. All members of the "Advisory Park and Recreation Board" shall reside and be residents of Cass Township, Dubois County, State of Indiana. (Ord. unnumbered, Nov. 5, 2003) (Ord. 3-99, S1, Mar. 8, 2000) (Ord. 3-99, S1, May 5, 1999) (Ord. 7-96, S1.50.020, Dec. 4, 1996) (Ord. 4-86, S2, 1986) (Ord. 39-79, 1979) (Ord. 9-73, 1973) (Ord. 8-73, 1973)

1.50.030 Terms. Upon establishment of the Board, the terms of the initial members appointed shall be:

Holland Legion Auxiliary appointee shall serve for one (1) year,

Holland Kiwanis Club appointee shall serve for two (2) years.

Holland Town Council appointee shall serve for three (3) years; and

Holland American Legion Club appointee shall serve for four (4) years.

All of the terms for the above initial appointees shall commence on January 1, 1997.

As each member's term expires, each new appointment shall be made by the same organization that made the initial appointment, and such appointments shall be for a term of four (4) years. If any vacancy occurs on the Board, the appointing organization shall fill the vacancy for the remainder of the unexpired term.

Compensation for Board members shall be established annually by the Holland Town Council. (Ord. 7-96, S1.50.030, Dec. 4, 1996) (Ord. 4-86, S3, 1986) (Ord. 39-79, 1979) (Ord. 9-73, 1973) (Ord. 8-73, 1973)

1.50.040 Meetings. Regular meetings of the Board shall be held on the first Tuesday of each month at 6:30 p.m., local time, at such location as the Board shall determine. Special meetings may be called by order of the President of the Board or a majority of the Board members. (Ord. 7-96, S1.50.040, Dec. 4, 1996)

1.50.050 Officers. At its first regular meeting each year, the Board shall elect a President and a Secretary of the Board for the ensuing calendar year, and until their replacements are duly elected. (Ord. 7-96, S1.50.050, Dec. 4, 1996) (Ord. 4-86, S4, 1986) (Ord. 39-79, 1979) (Ord. 9-73, 1973) (Ord. 8-73, 1973)

1.50.060 Powers and Authority. The Board and its members shall have such powers and authority as may be appropriately delegated to it by the Holland Town Council from time to time. (Ord. 7-96, S1.50.060, Dec. 4, 1996) (Ord. 4-86, S5, 1986) (Ord. 39-79, 1979) (Ord. 9-73, 1973) (Ord. 8-73, 1973)

Chapter 1.55

COMMUNITY DEVELOPMENT COMMITTEE

Sections:

1.55.005	Purpose
1.55.010	Appointments
1.55.020	Terms
1.55.030	Chairman

1.55.005 Purpose. Pursuant to the requirements of the Housing and Community Development Act of 1974, a Community Development Committee will be responsible for preparing a statement of Community Development needs and priorities that reflect recommendations of the citizens.

1.55.010 Appointments. Five persons are to be appointed to the Community Development Committee.

1.55.020 Terms. That each person is designated to serve for a period of two years.

1.55.030 Chairman. One person is designated to serve as the Chairman of the Community Development Committee. (Resolution 2-76, Nov. 3, 1976)

Chapter 1.60

CUMULATIVE CAPITAL IMPROVEMENT FUND

Sections:

1.60.010	Establishment
1.60.020	Capital Improvements

1.60.010 Establishment. In accordance with the requirements of section 8 of Chapter 225, Acts 1965 General Assembly, there is hereby created a special fund to be known as the Cumulative Capital Improvement Fund of Holland into which the cigarette taxes allotted to the Town of Holland by reason of subsection C (1) (C) of section 27C and section 27D of the Indiana Cigarette Tax Law being Chapter 222 of the Acts of 1947 as amended shall be deposited. Said fund shall be a cumulative fund and all of the monies deposited into said fund shall be appropriated and used solely for capital improvements as hereinafter defined and none of such monies shall revert to the general fund to be used for any purpose other than capital improvements. (Ord. 127-65, S1, 1965)

1.60.020 Capital Improvements. The term "capital improvements" means the construction or improvement of any property owned by the Town of Holland, including but not limited to public buildings, land, streets, thoroughfares and sewers, and the retirement of general obligation bonds issued by the Town of Holland, and the proceeds used for the purpose of constructing capital improvements; and shall include any and all other types of capital expenditures now or hereafter allowed under the meaning and purpose of the aforesaid Acts of 1965 of the General Assembly or any amendments thereto. The term capital improvements shall not include salaries of any public officials or employees except those which are directly chargeable to a capital improvement. (Ord. 127-65, S2, 1965)

Chapter 1.62

CUMULATIVE CAPITAL DEVELOPMENT FUND

Sections:

1.62.010	Established
1.62.020	Ad valorem property tax
1.62.030	Maximum rate of levy
1.62.040	Cumulative Building Fund use
1.62.050	Other purposes

1.62.010 Established. That there is hereby established a Holland Cumulative Capital Development Fund. (Ord. 5-85, S1, 1985)

1.62.020 Ad valorem property tax. That an ad valorem property tax levy will be imposed and the revenues from the levy will be retained in the Holland Cumulative Capital Development Fund. (Ord. 5-85, S2, 1985)

1.62.030 Maximum rate of levy. That the maximum rate of levy under Section 2 will not exceed:

- (1) .04 per \$100 assessed valuation for 1986;
- (2) .08 per \$100 assessed valuation for 1987;
- (3) .12 per \$100 assessed valuation for 1988;

1.62.040 Cumulative Building Fund use. That the funds accumulated in the Holland Cumulative Capital Development Fund will be used for 36-9-16-2 Cumulative Building Fund. (Ord. 5-85, S4, 1985)

1.62.050 Other purposes. Notwithstanding Section 1.62.040, funds accumulated in the Holland Cumulative Capital Development Fund may be spent for purposes other than the purposes stated in Section 1.62.040, if the purpose is to protect the public health, welfare or safety in an emergency situation which demands immediate action. Money may be spent under the authority of this section only after the Town Board President issues declaration that the public health, welfare or safety is in immediate danger that requires the expenditure of money in the fund. (Ord. 5-85, S5, 1985)