

**TITLE III: ADMINISTRATION**

Chapter

- 30. OFFICIALS AND EMPLOYEES**
- 31. DEPARTMENTS, BOARDS, AND COMMISSIONS**
- 32. FINANCE**
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## CHAPTER 30: OFFICIALS AND EMPLOYEES

### Section

- 30.01 Leave
- 30.02 Suspension and termination
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- 30.06 Adoption of employee manual
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year. All employees shall not have more than ten sick days carried over. The balance of unused sick days over ten shall be paid to the employee before the end of the year.

(D) *Other excused leave.* Due to the death of an immediate family member, a full time employee will be granted three days off with pay. However, if more than three days are taken, it will be decided by the Town Council if the extra days off will be with pay. (Ord. 94-4, passed 1-11-94; Am. Ord. 2001-6, passed 12-27-01)

### § 30.01 LEAVE.

Leave will be granted employees as follows:

#### (A) *Vacations.*

(1) One week paid vacation after one year of employment.

(2) Two week paid vacation after two years of employment.

(3) Three weeks paid vacation after ten years of employment.

(4) Employees can work their vacations and be paid for them.

(B) *Holidays.* Paid holidays will be the same as the Sullivan County Courthouse employees.

(C) *Sick leave.* Each full time employee shall be granted five days per year with pay. A doctor's excuse will be required for any sickness in excess of three consecutive days. Employees may choose to be paid for any unused sick days at the end of the year or have the unused sick days carried over into the next

### § 30.02 SUSPENSION AND TERMINATION.

(A) *First work rule violation.* There will be a letter of reprimand sent to the employee.

(B) *Second work rule violation.* There will be a one- to three-day suspension without pay at the discretion of one Council Member; a suspension of over three days must be made by a majority vote of the Town Council.

(C) *Third work rule violation.* A third work rule violation will result in termination by a majority of the Town Council. (Ord. 94-4, passed 1-11-94)

### § 30.03 OVERTIME.

All hours in excess of 40 hours per week will be considered overtime hours. Employees will be compensated for overtime hours at the rate of 1½ hours off for each hour of overtime worked. These compensatory hours may be accumulated up to a total of 240 hours (160 hours of overtime worked). Any compensatory hours in excess of 240 hours will be paid at the rate of 1½ times the employees' regular hourly rate of pay and included in the employees' weekly pay. Payment of overtime in excess of the 240

hours limit will continue until the employee takes sufficient time off to reduce the number of accumulated hours to less than 240 hours. These compensatory hours will accumulate as long as the employee remains employed by the town. The total number of hours may be reduced only if the employee receives time off or is paid for his or her compensatory time. At such time as the employee leaves the town's employment, for any reason, any accumulated hours will be paid at the employee's current hourly rate of pay.

(Ord. 94-4, passed 1-11-94; Am. Ord. 2001-6, passed 12-27-01; Am. Ord. 2006-7, passed 12-19-06)

#### **§ 30.04 MILEAGE REIMBURSEMENT.**

There will be mileage reimbursement for any employee or town official who has to use their personal vehicle for town business. The mileage reimbursement per mile will coincide with federal government mileage reimbursement rate.

(Ord. 94-4, passed 1-11-94; Am. Ord. 2001-6, passed 12-27-01; Am. Ord. 2006-7, passed 12-19-06)

#### **§ 30.05 CLERK-TREASURER.**

Let it be further ordained that the compensation of the Clerk-Treasurer shall include, in addition to the salary provided for by ordinance of Council, the same health insurance, vacation and leave benefits, and mileage reimbursement that are made available to the employees of the town.

(Ord. 94-3, passed 1-11-94; Am. Ord. 2001-5, passed 12-27-01)

#### **§ 30.06 ADOPTION OF EMPLOYEE MANUAL.**

Salaries and other benefits considered to be compensation for town employees shall be established by ordinance of the Council as passed from time to time. The manual, as amended from time to time, is hereby adopted as the governing employee policies and procedures for employees of the town.

(Ord. 2004-4, passed 8-30-04; Am. Ord. 2006-6, passed 12-19-06; Am. Ord. 2006-7, passed 12-19-06)

#### **§ 30.07 VACATIONS.**

##### *(A) Accrual.*

(1) One-week paid vacation after one year of employment.

(2) Two-week paid vacation after three years of employment.

(3) Three-week paid vacation after ten years of employment.

(4) Four-week paid vacation after 20 years of employment.

##### *(B) Terms and conditions.*

(1) Employees can work their vacations and be paid for them.

(2) All employees shall not have more than ten vacation days carried over into the next year.

(3) The balance of unused vacation days over ten shall be paid to the employee before the end of the year.

(4) Paid holidays will be the same as the Sullivan County Courthouse employees.

(Ord. 2006-7, passed 12-19-06)

#### **§ 30.08 SICK LEAVE.**

Each full-time employee shall be granted five days per year with pay. A doctors excuse will be required for any sickness in excess of three consecutive days. Employees may choose to be paid for any unused sick days at the end of the year or have the unused sick days carried over into the next year. all employees shall not have more than ten sick days carried over. The balance of unused sick days over ten shall be paid to the employee before the end of the year.

(Ord. 2006-7, passed 12-19-06)

**§ 30.09 PERSONAL LEAVE.**

Each full-time employee shall be granted three days per year with pay. Personal leave days may not be carried over into the next year.  
(Ord. 2006-7, passed 12-19-06)

**§ 30.10 BEREAVEMENT LEAVE.**

Full-time employees may request up to three days of paid bereavement leave in conjunction with the time of death and date of funeral for a relative, including: husband, wife, father, mother, son, daughter, brother, sister, grandparent, grandchild, or spouse of any of these, or a person living in the same household as the employee. For a married employee, these members of the spouse's family are also included. Steps and greats of the above-listed relatives are also included.  
(Ord. 2006-7, passed 12-19-06)

**§ 30.11 ON-CALL TIME.**

Full-time employees scheduled to be on-call will receive two hours per day as compensated overtime.  
(Ord. 2006-7, passed 12-19-06)

**§ 30.12 NEPOTISM POLICY.**

(A) *Purpose.* Decisions about hiring, promoting, evaluating, awarding salary increases, job assignment, terminating employees, and the awarding of contracts for goods, services, and public works projects should be based on the qualifications, performance, and ability of the employee or contractor. Every attempt to avoid favoritism and conflicts of interest in employment related and contractual decisions instills confidence of the electorate in its government. The purpose of this policy is to prohibit certain individuals from being employed by the town in a position in which a relative, as defined in this section, provides direct supervision. Additionally, this policy regulates contracting with relatives of individuals employed by the town for goods, services, and public works projects.

(B) *Definitions.* For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BREAK IN EMPLOYMENT.*** Termination, retirement, or resignation of an employee from the town. A break in employment does not occur due to absence from the workplace while on a paid or unpaid leave, including but not limited to: vacation, personal days, sick or family medical leave, or worker's compensation leave, or if the employment is terminated followed by immediate re-employment by the town without loss of payroll time.

***DIRECT LINE OF SUPERVISION.*** An elected officer or employee who is in a position to affect the terms and conditions of another individual's employment. Such affect may include, but is not limited to, making decisions about work assignments, compensation, grievances, advancement, or performance evaluation. Decisions and action taken by the Town Board regarding the passage of annual salary ordinances, annual budgets, and personnel policies are excluded from this definition.

***ELECTED OFFICIALS.*** The Town Clerk-Treasurer and members of the Shelburn Town Board.

***EMPLOYED.*** An individual who works for or is appointed to any department or board of the town on a full-time, part-time, temporary, intermittent, seasonal, hourly, or contractual basis.

***MEMBER OF THE FIRE DEPARTMENT.*** The town has no Fire Department that is controlled by the town; however, in the event that one is created, this section shall apply to the fire chief and any firefighter appointed to the Shelburn Fire Department.

***MEMBER OF THE POLICE DEPARTMENT.*** The Town Marshall and any police officer appointed or hired to the Town of Shelburn Police Department.

**RELATIVE.** For the purposes of this section, the term includes any of the following:

- (a) Spouse;
- (b) Parent or step-parent;
- (c) Child or step-child (includes an adopted child);
- (d) Sister, brother, step-sister, step-brother (includes sister or brother by half-blood);
- (e) Niece or nephew;
- (f) Aunt or uncle;
- (g) Daughter-in-law or son-in-law; and
- (h) Sister-in-law or brother-in-law.

**TOWN.** The Town of Shelburn and its boards and departments.

(C) *Employment policy.*

(1) Individuals who are relatives, as defined in division (B) above, of existing employees may not be employed by the town in a position that results in one relative being in the direct line of supervision of the other relative.

(2) An individual who is employed by the town on July 1, 2012, is not subject to this nepotism policy unless the individual has a break in employment, as defined herein, with the town.

(3) If an individual is employed by the town and the individual's relative begins serving a term of elected office, the individual may continue his or her employment with the town and retain his or her position or rank even if that individual's position or rank would be in the direct line of supervision of the individual's relative.

(4) While an individual who is employed by the town and the individual's relative begins serving a term of elected office may continue his or her employment with the town, that individual may not be promoted to a position or rank if the new position or rank would place that individual within the direct line of supervision of the individual's relative.

(D) *Contracting policy.* The town may enter into or renew a contract for the procurement of goods, services, or public works projects with a relative of an elected official or a business entity in which a relative has an ownership interest if:

(1) The elected official files with the town a full disclosure which must be:

- (a) In writing;
- (b) Describe the contract or purchase to be made by the town; and
- (c) Describe the relationship the elected official has to the individual or business entity that provides the contract for goods, services or public works projects.

(2) The appropriate town board or department:

- (a) Issues a certified statement that the contract amount or purchase price was the lowest amount or price bid offered; or
- (b) Issues a certified statement detailing the reasons why the particular vendor or contractor was selected.

(3) Town satisfies all other requirements of Indiana's public purchasing (see IC 5-22) or public works projects (see IC 36-1-12) statutes.

(4) The elected official complies with disclosure provisions of IC 35-44-1-3.

(E) *Submission of compliance statements.* In addition to any other disclosures or certifications required by this section, the following actions must be taken:

(1) The annual report filed by the town with the State Board of Accounts under IC 5-11-13-1 must include a Board's statement that the town has implemented a nepotism policy with regard to employment matters and the contracting for the procurement of goods and services.

(2) Prior to December 31 of each year, each elected officer shall submit to the Clerk-Treasurer a certification in writing, subject to the penalties of perjury, that the officer has not violated the provisions of the town's nepotism policy with regard to employment matters and the contracting for the procurement of goods and services.

(Res. 1-2012, passed 6-29-12)





**CHAPTER 31: DEPARTMENTS, BOARDS, AND COMMISSIONS**

Section

*Department of Parks and Recreation*

- 31.01 Department of Parks and Recreation established
- 31.02 Election of Parks and Recreation Board members
- 31.03 Terms of Board members
- 31.04 Administration
- 31.05 Powers and duties
- 31.06 Advisory council and special committees
- 31.07 Budget

*Police Reserve*

- 31.20 Duty reserve established

*Department of Storm Water Management*

- 31.30 Adoption

*Redevelopment Authority*

- 31.40 Redevelopment Authority

**DEPARTMENT OF PARKS AND RECREATION**

**§ 31.01 DEPARTMENT OF PARKS AND RECREATION ESTABLISHED.**

Under the provisions of IC 36-10-3-3, there is established a Department of Parks and Recreation composed of the Board of Parks and Recreation, a Superintendent, and such other personnel as the Board may determine.  
(Ord. V-1975, passed 8-21-75)

**§ 31.02 ELECTION OF PARKS AND RECREATION BOARD MEMBERS.**

The Board shall be composed of four members. The President of the Town Council shall select the regular members on the basis of their interest in and knowledge of parks and recreation, but no more than two members shall be of the same political party.  
(Ord. V-1975, passed 8-21-75)

**§ 31.03 TERMS OF BOARD MEMBERS.**

Upon the establishment of a Board, the terms of the members initially appointed shall be for four years. As of July 10, 2000, the members shall serve in staggered terms (e.g. one member shall serve until January, 2002; one until January, 2003; one until January, 2004; and one until January, 2005). The President of the Town Council shall make the initial appointments within 90 days of the adoption of this regulation. Thereafter as a term expires, each new appointment shall be made by the President of the Town Council for a four-year term. All terms shall expire on the first Monday of January, but an appointee shall continue in office until a successor is appointed. All reappointments to the Board shall be made by the President of the Town Council by the first Monday in April of each year or the incumbent shall continue to serve another four-year term. If a vacancy on the Board occurs the President of the Town Council shall appoint a member for the unexpired term.  
(Ord. V-1975, passed 8-21-75; Am. Ord. 2000-2, passed 7-10-00)

**§ 31.04 ADMINISTRATION.**

At its first regular meeting in each year, the Board shall elect a president and a vice president. The vice president shall have authority to act as the

president of the Board during the absence or disability of the president. The Board may select a secretary either from within or without its own membership. (Ord. V-1975, passed 8-21-75)

### § 31.05 POWERS AND DUTIES.

The Board shall have the general power to perform all acts necessary to acquire and develop sites and facilities and to conduct such programs as are generally understood to be parks and recreation functions. In addition to all other powers necessary to achieve the general objectives of the Board, the Board shall have, for park and recreation purposes, all the powers and duties listed in IC 36-10-3-10 and 36-10-3-11. (Ord. V-1975, passed 8-21-75)

### § 31.06 ADVISORY COUNCIL AND SPECIAL COMMITTEES.

The Board may create an advisory council and special committees composed of citizens interested in the problem of parks and recreation in accordance with IC 36-10-3-17. (Ord. V-1975, passed 8-21-75)

### § 31.07 BUDGET.

The Board shall prepare and submit an annual budget in the same manner as other departments of the town government as prescribed by the State Board of Accounts. The Board may accept gifts, donations, and subsidies for park and recreation purposes. (Ord. V-1975, passed 8-21-75)

## ***POLICE RESERVE***

### § 31.20 DUTY RESERVE ESTABLISHED.

(A) There is created, pursuant to IC 36-8-3-20, police reserves for the town, which reserves shall be appointed by the Town Council.

(B) Police reserves shall have all the same police powers as members of the regular police force or the Town Marshal, except as limited by rules adopted by the Town Council.

(C) The police reserves shall be supervised by the Town Marshal.

(D) No police reserve shall be appointed until he or she has completed any training and probationary period as required by the Town Council and as required by Indiana statute.

(E) Police reserves shall not be paid any compensation for their services provided.

(F) A police reserve officer appointed by the Town Council may not:

(1) Make an arrest; or

(2) Conduct a search or a seizure of a person or property; or

(3) Carry a firearm, unless the police reserve officer successfully completes a prebasic course under IC 5-2-1-9(f).

(G) The Town Council now sets the number of reserve police officers at nine. There shall be no more than nine reserve police officers authorized for the Police Department.

(Ord. 1994-5, passed 3-8-94; Am. Ord. 2000-1, passed 2-14-00; Am. Ord. 2001-1, passed 9-10-01; Am. Ord. 2004-9, passed 12-13-04; Am. Ord. 2013-5, passed 10-14-13)

**DEPARTMENT OF STORM WATER  
MANAGEMENT**

**§ 31.30 ADOPTION.**

(A) The Town Council hereby adopts, on behalf of the town, the provisions of the Act for the purpose of creating and establishing a Department of Storm Water Management (the “Department”) to be governed by a Board of Directors (the “Board”) consisting of three persons appointed by the President of the Town Council, no more than two of which may be of the same political party. The Department shall have all of the powers and duties, subject to the same conditions, as provided in the Act.

(B) Pursuant to section 5 of the Act, all of the territory within the corporate boundaries of the town shall constitute a special taxing district hereby created by this chapter.

(C) The terms of the members of the Board shall be staggered. The term of the first appointed member shall end on June 30, 2005; the term of the second appointed member shall end on June 30, 2006; and the term of the third appointed member shall end on June 30, 2007. All terms of appointment thereafter will be for a period of three years.

(D) The members of the Board shall not be entitled to a salary or any other pecuniary compensation for serving as a member of the Board; however, a member shall be reimbursed for necessary expenses incurred by the member in the performance of official duties.

(Ord. 2004-1, passed 7-12-04)

afford a maximum opportunity for rehabilitation, redevelopment or economic development of areas within the town by establishing a Redevelopment Authority.

(B) The Council hereby establishes the Shelburn Redevelopment Authority.

(C) All other orders, ordinances, resolutions or parts thereof in conflict with the provisions and the intent of this section are hereby repealed.

(Ord. 2015-2, passed 3-9-15)

**REDEVELOPMENT AUTHORITY**

**§ 31.40 REDEVELOPMENT AUTHORITY.**

(A) The Town Council of the Town of Shelburn, Indiana (the “Council”) now deems it to be in the best interest of Shelburn (the “Town”) and its citizens to



**CHAPTER 32: FINANCE**

Section

water works system for the next succeeding two calendar months.

***General Provisions***

- 32.01 Cash Reserve Fund
- 32.02 Parks and Recreation Board Fund
- 32.03 Rainy Day Fund
- 32.04 Account payable vouchers
- 32.05 Promotional Fund
- 32.06 Downtown Renovation and Water Improvements EDA Fund
- 32.07 ARP Coronavirus Local Fiscal Recovery Fund

(2) An amount equal to the sum of  $\frac{1}{12}$  of the amount required for principal and interest payments during the succeeding 12 calendar months on all bonds payable from the Sinking Fund until the amount of interest on the bonds as the same become payable shall have been held therein.

(3) Sufficient funds of an amount available equal to  $\frac{1}{60}$  of the Bond requirement of \$143,832.50 per month.

***Fees***

- 32.10 Reports
- 32.11 Vehicle inspections

(4) Sufficient funds of an amount available to fund the depreciation account of 5% of gross income per month less meter deposits.

***Policies***

- 32.20 Internal control standards
- 32.21 Materiality threshold

(B) The Town Council shall periodically transfer from the Cash Reserve Fund to the General Fund of the town partial or full balance of the Cash Reserve Fund at a regular monthly Town Council meeting by a majority vote.

(Ord. 88-4, passed 11-19-88)

**GENERAL PROVISIONS**

**§ 32.02 PARKS AND RECREATION BOARD FUND.**

**§ 32.01 CASH RESERVE FUND.**

(A) The Municipal Water Utility shall from and after the effective date of November 19, 1988, establish a Cash Reserve Fund in the Municipal Water Utility and make monthly transfers from the Cash Operating and Maintenance Fund to the Cash Reserve Fund only if such transfers do not interfere with the flow of funds as follows:

(A) Upon request by the Parks and Recreation Board and pursuant to IC 36-10-4-16(g)(1) there is hereby established, within and for the municipal government of the town, a special nonreverting operating fund for park purposes which shall be known as "The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board."

(1) Sufficient funds to pay reasonable expenses of operating, repairing, and maintaining said

(B) The Parks and Recreation Board is hereby authorized to charge and assess reasonable fees, to be determined by said board, for the use of town park facilities, including but not limited to use of the

Shelburn Community Building, shelter houses and tennis courts and for the provision of maintenance services to those portions of the park that are leased to outside entities. The Parks and Recreation Board is further hereby authorized to operate a concession stand or stands at the Shelburn park and at such other park facilities as it may, from time to time, deem appropriate.

(C) All monies received by the collection of fees charged and assessed by the Parks and Recreation Board for the use of park facilities and/or maintenance of leased park facilities and from the operation of concession stands at the Shelburn park facilities shall be placed in “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board.”

(D) There shall, at all times, be maintained an operating balance in “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board” of \$500. The Parks and Recreation Board is hereby authorized to expend, from time to time and by appropriation, any and all monies deposited to “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board” in excess of such \$500 operating balance for such park related purposes as it may deem appropriate.

(E) All funds presently existing in “The Nonreverting Revenue Fund of the Shelburn Parks and Recreation Board” shall be transferred to “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board” as provided herein.

(F) It is further provided that any and all funds deposited into “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board” shall not revert at the end of each fiscal year to the General Fund of the town, but shall remain in “The Special Nonreverting Operating Fund of the Shelburn Parks and Recreation Board” to be utilized by the Parks and Recreation Board on a continuing basis.  
(Ord. 2000-3, passed 6-12-00)

### § 32.03 RAINY DAY FUND.

(A) There is hereby established a Rainy Day Fund consistent with the provisions of IC 36-1-8-5.1.

(B) The Rainy Day Fund shall be funded in the following manner.

(1) The unused funds raised by a general or special tax levy on the taxable property within the Town of Shelburn, and which remain after the purposes of the tax levy have been fulfilled, and which are transferred to the Rainy Day Fund by the fiscal body consistent with the provisions of IC 36-1-8-5.

(2) In any fiscal year, the fiscal body of the town may transfer not more than 10% of the town’s total budget for that fiscal year into the Rainy Day Fund as provided in IC 36-1-8-5.1.

(3) A declaration of a state of financial emergency shall be given to the Town Council at a special call or regular meeting by the Town Executive or by a resolution passed by the Town Council declaring a state of financial emergency.

(C) Funds may be used from the Rainy Day Fund only for emergencies defined to include the following:

(1) A sudden unexpected happening or unforeseen occurrence or condition requiring an expenditure of funds which leaves the town unable to meet its preexisting obligations on an ongoing basis; and

(2) A sudden unexpected happening or unforeseen opportunity which would provide permanent and ongoing benefit to health, welfare, safety or prosperity of the citizens of the town.

(D) All funds to be used from the Rainy Day Fund must be appropriated by a simple majority vote of the fiscal body for the Town of Shelburn.  
(Ord. 2010-3, passed 2-10-10)

**§ 32.04 ACCOUNTS PAYABLE VOUCHERS.**

The Town Council authorizes the Clerk-Treasurer to make payments of such items that need to be made in a timely manner and include them on the next account payable vouchers docket at the Council meeting for approval.  
(Ord. 2017-11-13-1, passed 11-13-17)

**§ 32.05 PROMOTIONAL FUND.**

(A) The Town Council hereby establishes a fund to promote economic development and tourism.

(B) The Town Council may appropriate monies in the annual budgets to fund the Promotional Fund.

(C) The Town Council may approve expenditures from the Promotional Fund and expenses incurred to promote economic development and tourism for the town.

(D) Expenses relating to promotion of economic development and tourism may include, but are not limited to, the following:

- (1) Rental of meeting places;
- (2) Expenses relating to events, such as meals, decorations, memorabilia, awards and commemorative objects;
- (3) Expenses incurred in promoting industrial, commercial and residential development and tourism;
- (4) Expenses incurred in developing relationships with other governmental units;
- (5) Expenses for membership dues, assessments, conference registrations and other assistance in local, regional, state and national associations of a civic, educational or governmental nature, which have as their purpose the betterment and improvement of municipal operations;

(6) Direct expenses incurred for travel, meals and lodging in conjunction with municipal business, meetings or organizations to which the municipality belongs; and

(7) Any other expenses of a civic or governmental nature deemed by the Town Council to be in the best interest of the town, such as a reasonable amount spent on employee funeral flowers, an all-employee gathering, or a employee retirement gift deemed by action of the Town Council to be in the interest of the town.  
(Ord. 2020/04/14, passed 4-7-2020)

**§ 32.06 DOWNTOWN RENOVATION AND WATER IMPROVEMENTS EDA FUND.**

(A) The Town Council hereby establishes a Downtown Renovation and Water Improvements EDA Fund.

(B) The Fund shall be funded through 2020 lease rental bonds and monthly interest accrued from the checking account.

(C) The Town Council may approve expenditures from the Fund to downtown revitalization projects and to provide 20% matching for an EDA grant to promote water system improvements.  
(Ord. 2020/12/30-1, passed 12-30-2020)

**§ 32.07 ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND.**

(A) The Common Council hereby creates a new local grant fund within the Clerk-Treasurer's office that shall be titled "ARP Coronavirus Local Fiscal Recovery Fund."

(1) The Clerk-Treasurer has issued a fund number of 176 with respect to these monies.

(2) Such monies shall be non-reverting.

(B) The uses of the Fund are specified in § 603(C) of the American Rescue Plan Act of 2021, and shall be used in accordance with the U.S. Treasury guidance:

(1) To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses and nonprofits, or to aid impacted industries such as tourism, travel and hospitality;

(2) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non-entitlement unit of local government or county that are performing such essential work, or by providing grants to eligible employers with eligible workers who perform essential work;

(3) For the provision of government services to the extent of the reduction in revenue of such metropolitan city, non-entitlement unit of local government or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government or county prior to the emergency; or

(4) To make necessary investments in water, sewer or broadband Infrastructure as approved by the U.S. Treasury.

(C) The monies of the Fund shall be appropriated by the Common Council before expenditure.

(D) All expenditures shall be approved by the Common Council, with any and all claims to be paid from the Fund.

(E) The Common Council will encourage public input in order to create the plan, conditions and rules

(together, the “Plan”) upon which the monies are to be requested and used.

(F) The Plan is attached to Ordinance 2021-05-11 as “Exhibit A” and may be amended.

(G) The Clerk-Treasurer shall keep accurate and complete financial records of the receipt and expenditure of any and all monies deposited into and paid from the Fund.

(H) Any unused monies of the Fund shall be paid back to the U.S. Treasury, as required.

(I) Monies of the Fund shall not be deposited into any pension fund.  
(Ord. 2021-05-11, passed 5-11-2021)

### ***FEES***

#### **§ 32.10 REPORTS.**

The town hereby establishes a \$5 fee per copy of accident and investigative reports.  
(Ord. 2006-01, passed 1-9-06)

#### **§ 32.11 VEHICLE INSPECTIONS.**

The town hereby establishes a \$5 fee for conducting vehicle inspections by the Police Department.  
(Ord. 2006-02, passed 1-9-06)

### ***POLICIES***

#### **§ 32.20 INTERNAL CONTROL STANDARDS.**

(A) The town adopts as policy the Internal Control Standard as set forth by the Indiana State



Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual as expressly written and published by the Indiana State Board of Accounts in September 2015, as amended from time to time.

(B) All town government personnel will receive appropriate training on the Internal Controls Standards and Procedures. **PERSONNEL** is defined as an officer or employee whose official duties include receiving, processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity. As required by statute, the fiscal officer (Clerk-Treasurer) will file annual certification of training with the Indiana State Board of Accounts.

(C) The Clerk Treasurer, in coordination with the Common Council, will develop, maintain and train personnel on Internal Controls Standards and Policies and all new personnel shall receive training timely. All town officers, elected officials and employees are required to comply with the policy. The policy will be integrated into the Employee Policy and Procedure Manual for the Town of Shelburn. Employees who fail to comply with this policy are subject to disciplinary action, up to but not limited to termination of their employment.

(Ord. 2016-12-12-1, passed 12-12-16)

**Statutory reference:**

*For provisions concerning Internal Controls, see I.C. 5-11-1-27*

**§ 32.21 MATERIALITY THRESHOLD.**

(A) It will be the policy of the Clerk-Treasurer to report to the State Board of Accounts any erroneous or irregular variances, losses shortages or thefts of cash in excess of \$500. In addition, all erroneous or irregular variances, losses, shortages, or thefts of cash which occur more than one time in a month and which the aggregate total is \$500 or more shall be reported immediately to the State Board of Accounts.

Exceptions shall be made for inadvertent clerical errors that are identified timely and promptly corrected with no loss to the town and/or the utility.

(B) It will be the policy of the Clerk-Treasurer to report promptly to the State Board of Accounts any erroneous or irregular variances, losses, shortages, or thefts of non-cash items in excess of \$5,000 estimated fair market value, except for those resulting from inadvertent clerical errors or misplacements that are identified timely and promptly corrected with no loss to the town and/or the utility, and except for losses from genuine accidents.

(C) All erroneous or irregular variances, losses, shortages, or thefts shall be reported immediately to the Clerk-Treasurer. The town and the utility shall maintain records and documentation concerning erroneous or irregular variances, losses, shortages, or thefts in accordance with generally accepted accounting principles and the internal control standards provided by the Indiana State Board of Accounts.

(D) The town and the utility shall investigate all erroneous or irregular variances, losses, shortages or thefts, regardless of whether they meet the materiality threshold established by this section. Upon conclusion of each such investigation, the town and/or the utility shall:

(1) Implement procedures designed to prevent the recurrence of such incidents; and

(2) Take appropriate disciplinary action against the employee responsible for the incident.

(Ord. 2016-12-12-2, passed 12-12-2016)



## **CHAPTER 33: TOWN COUNCIL**

### Section

- 33.01 Town Council established
- 33.02 Powers and duties

### **§ 33.01 TOWN COUNCIL ESTABLISHED.**

A Town Council of the Town of Shelburn, Indiana is hereby established.  
(Ord. 2005-5, passed 12-12-05)

### **§ 33.02 POWERS AND DUTIES.**

By the powers vested in the Town Council of Shelburn, Sullivan County, Indiana, it is hereby ordered that the Town Council shall be vested with the power and authority to approve and execute tax anticipation loans.  
(Ord. 2004-1, passed 3-24-04; Am. Ord. 2004-5, passed 10-12-04; Am. Ord. 2005-2, passed 2-14-05; Am. Ord. 2005-4, passed 8-22-05; Am. Ord. 2006-3, passed 2-13-06; Am. Ord. 2008-1, passed 1-14-08; Am. Ord. 2009-1, passed 2-9-09)

