

The Santa Claus Town Council met in regular session on September 13, 2021 at the Santa Claus Town Hall located at 90 N Holiday Blvd Santa Claus, In.

The meeting was called to order by President, Michael Johannes at 5:30 pm.

Pledge of Allegiance

Town Council Present: Jason Little, Patricia Vaal, Michael Johannes, Kevin Burke & Seth Windell

Present by Zoom: No zoom was set up for this meeting.

Absent: None

Also, Present: Clerk-Treasurer; Kelly Greulich, Town Attorney; Kevin Patmore, Police Chief; James Faulkenburg, Superintendent; Russ Luthy, Building Inspector; Todd Hays, Fire Chief; Max Meyer, Park Director; Zach Tischendorf & Water Board President; Scot Elliott.

Absent: None

MINUTES FOR REVIEW

Kevin Burke made a motion to approve the July 12, 2021 as written and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

OPENING BIDS

Kevin Patmore opened bids for the DNR Grant for Improvements at Yellig Park Trail, packets were picked up by C & R Construction & Consulting, J. H. Rudolph INC, Knies Construction INC, Koberstein Contracting INC, Lechner INC & Ragle INC. 2 Bids were received by: Knies Construction in the amount of \$ 402,200.00 and Ragle in the amount of \$ 330,000.00 both bids are over the projected amount of the project. Clint Roos from Midwestern stated he will contact Russ Luthy tomorrow to see where the town goes from here.

Seth Windell made a motion to table the DNR Grant for Yellig Park Trail due to the bids coming so high and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

Kevin Patmore opened bids for radios for the police and fire department. Packets were sent to the following companies for 10 qty 800MHz P25 mobile radios and 8 qty 800 MHz P25 portable radio: Motorola Solutions, Ohio Valley Two Way & ERS. Bids were received by: Motorola Solutions bid \$ 62,997.11 and Ohio Valley Two-Way bid \$ 44,378.15.

Seth Windell made a motion to approve the bid from Ohio Valley Two-Way in the amount of \$ 44,378.15 and Kevin Burke seconded the motion.

Jason Little asked if the radios were dual radios and James Faulkenburg stated no, they are all 800's. These radios will allow all emergency personal to talk to each other.

Ayes: All Nays: None Motion carried

Greulich read to the council the 1st reading of ORDINANCE 2021-12 THE TOWN OF SANTA CLAUS PROPOSED 2022 BUDGET.

The estimated civil maximum levy is \$ 919,216 and the estimated the net assessed value is **\$ 151,899,646**

212 FUND Riverboat-\$ 17,500.00

101 FUND General - \$ 818,180 CT, PZ, POLICE, FIRE & **SCCC Tax Rate 0.4232**

223 FUND Rainy Day-\$ 75,000.00

202 FUND LRS- \$ 60,000.00

201 & 203 FUND MVH- \$ 219,300.00

204 FUND Recreation- \$ 151,950.00 **Tax Rate 0.0843**

214 FUND Police/Town Marshal Special-\$ 5,000.00

233 FUND Law Continuing Ed- \$ 1,500.00

239 FUND User Deferral Program- \$ 500.00
474 FUND TIF A & C- \$ 230,600.00
475 FUND TIF Industrial- \$ 50,000.00
444 FUND LIT/CEDIT- \$ 35,000.00
473 FUND Redevelopment Commission- \$ 3,000.00
408 FUND Industrial Development- \$ 50,000.00
219 FUND SC Trails Construction- \$ 45,100.00
176 FUND ARPA Grant- \$ 544,338.00

The total amount for the cum funds is \$ 105,000.00 the Net assessed value in the amount of **\$ 178,705,466** for the following funds:

401 FUND Cum Cap Improvements-\$ 50,000.00
402 FUND Cum Cap Development- \$ 25,000.00 **Tax Rate 0.0478**
425 FUND Cum Cap Building- \$ 25,000.00 **Tax Rate 0.0167**
426 FUND Cum Cap Fire-\$ 5,000.00 **Tax Rate 0.0186**

The total tax rate **0.5905**

For a total budget of all funds excluding water and wastewater of \$ 2,411,968.00. In order to fund the Park & Rec budget for 2022 the town lowered the general tax rate and increased the Park & Rec tax rate.

Greulich asked if there were any questions concerning the 2022 Budget as stated?

Seth Windell made a motion for the 1st reading of ORDINANCE 2021-12 THE TOWN OF SANTA CLAUS PROPOSED 2022 BUDGET in the amount of \$ 2,411,968.00 for all funds excluding water and wastewater and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

The public hearing for the 2022 budget will be at the October 11, 2021 meeting at 5:30 pm.

Michael Johannes stated we have several people in attendance tonight and if you would like to speak the council asked that you limit your comments two minutes or less, please.

COMMENTS FROM THE FLOOR

Patricia Vaal asked if she could speak first, stating she has concerns from her constituents. The quote from last month meeting, this is how it has been done in the past! Vaal stated well this is the present and everything we as the council do now impacts the future. For thirty years Vaal has spent her career cultivating, caring for, planning for the future of our children. This refinery known as Riverview turns my stomach. As a governing body representing the people of Santa Claus it is our job to assume responsibility for the endurance of our community as well as our neighbors. In March of this year the Chicago Tribune published an article stating Indiana leads the United States in pollutants. This was reported by the EPA. If the town does the preliminary work who will pay for that and Mr. Patmore the town pays you a retainer fee monthly but you also invoice for items above the retainer correct? Patmore stated yes to Vaal's question. Vaal prepared a resolution for the council as follows:

A RESOLUTION REGARDING THE COAL-TO-DIESEL REFINERY PROPOSED FOR DALE,
WHEREAS, RIVERVIEW ENERGY HAS PROPOSED A COAL-TO-DIESEL REFINERY FOR THE TOWN OF DALE;

WHEREAS, THIS REFINERY WILL CAUSE AIR AND WATER POLLUTION, INCLUDING AIR POLLUTION PRESENTING A CANCER RISK EXCEEDING THE STATE GUIDELINES;

WHEREAS, THE REFINERY HAS PROPOSED TO DRAW GROUND WATER FROM AN AQUIFER THAT IS THE SOURCE OF DRINKING WATER FOR THE TOWN OF SANTA CLAUS;

WHEREAS, THE REFINERY HAS NOT YET ANNOUNCED WHERE IT WILL DISCHARGE ITS CONTAMINATED WASTEWATER;

WHEREAS, THE REFINERY WILL PAY NO PROPERTY TAXES IN TOWN OF SANTA CLAUS;

WHEREAS, THE REFINERY HAS PROVIDED NO GUARANTEE THAT IT WILL PAY FOR ANY NEEDED INFRASTRUCTURE IN SANTA CLAUS;

WHEREAS, THE REINERY HAS PROVIDED NO GUARANTEE THAT IT WILL EMPLOY ANY WORKERS LIVING IN SANTA CLAUS;

WHEREAS, THE REFINERY MAY HAVE A NEGATIVE IMPACT ON TOURISM, AN ESSENTIAL INDUSTRY IN SANTA CLAUS;

BE IT THEREFORE RESOLVED, THAT THE TOWN OF SANTA CLAUS OPPOSES THE USE OF ITS DRINKING WATER BY THE REFINERY;

BE IT FURTHER RESOLVED, THAT THE TOWN OF SANTA CLAUS WILL NOT ACCEPT WASTEWATER FROM THE REFINERY;

BE IT FURTHER RESOLVED, THAT THE TOWN OF SANTA CLAUS WILL NOT PROVIDE FINANCIAL OR MATERIAL SUPPORT FOR THE REFINERY OR ANY ASSOCIATED EQUIPMENT OR PROJECTS, INCLUDING PIPELINES;

BE IT FURTHER RESOLVED, THAT THE TOWN OF SANTA CLAUS EXPRESSES ITS CONCERN ABOUT THE FINANCIAL AND HEALTH IMPACTS OF THE REFINERY.

Patricia Vaal made a motion for the Santa Claus Council support its people in their health and well-being in the future against Riverview toxins as an imminent threat and Kevin Burke seconded the motion.

Ayes: Vaal & Burke Nays: Little, Windell & Johannes Motion does not carry

COMMENTS FROM THE PRESIDENT

Michael Johannes stated the town has been talking with INDOT concerning the old HWY 245 and the intersection at CR 1450 N, the state would like for the town to take the road over. The state's offer is \$ 200,000.00 and giving the road over to the town to maintain. Russ Luthy was asked to get a preliminary quote from Ragle and that came in \$ 100,000.00 over what the state is offering. Luthy will be getting a few more quotes for the next meeting.

Michael Johannes gave an update on Riverview a discussion meeting took place at the Spencer County LEDC room on September 8, 2021 those in attendance from Santa Claus were Kelly Greulich, Kevin Patmore, Scot Elliott, Russ Luthy and Johannes. Basically, the town of Santa Claus informed Riverview that Riverview would be responsible for all cost associated with the water project. All parties were represented at the meeting, it was suggested by Riverview that a Memorandum of Understanding (MOU) be drafted. Patmore has drafted the document and it was sent to the council prior to this meeting for review, if the council approves the document tonight then it will be sent to Dale council and Riverview representatives for review.

Kevin Burke asked who were the representatives from Dale and Riverview? Johannes stated Ray Striegel, Deloss Painter & Bruce Cissna from Dale. Vaal asked so two council members from Dale but our council members were not asked, Johannes said it was discussed at a meeting who would attend and this is how it has been done in the past with town business. Johannes stated the representatives from Riverview were Greg Mural & Roland Ott.

Scot Elliott stated since it was identified who was at the meeting, we won't go over that again. Going into the meeting the town stated we can supply water but treating their water is not something the town is interested in. A discussion followed about financing and a formal document. The MOU states no less than 2 million gallons per day and future need for 4 million gallons per day. The raw water line has absolutely nothing to do with the town's drinking water system. The town will rely on preliminary engineering concerning the size of line, a rate study would have to be done for Riverview as well among many other items. Riverview would have to fund the entire project and the money would have to be upfront.

Patmore stated in the MOU paragraph # 2 it states that preliminary engineering of the water project immediately upon Riverview depositing with the Town of Santa Claus good funds in the sum of _____. We don't have that number yet but Midwestern is working on the cost estimate.

Vaal stated to clarify one more time Riverview has to pay for engineering cost if the Town of Santa Claus decides to study the Riverview project.

The only obligation in this agreement is under 9 (b)- This agreement is not intended to and does not give any person who is not a Party to it any rights to enforce any of its provisions. Nothing in this Agreement will be construed as creating a binding legal relationship between the Parties, except with regard to Santa Claus's use of funds provided by Riverview for the development of the Water Project pursuant to Paragraph 2 of this Agreement. This Agreement is a broad statement of intent which sets forth the general basis upon which Parties wish to proceed with regard to the Water Project. No legal liability will arise in respect of any subject matter hereof unless a subsequent binding agreement is negotiated, approved, executed and delivered by the Parties to this Agreement.

Michael Johannes and Jason Little will be meeting at town hall tomorrow 9/14/2021 at 3:00 pm with citizens that are against the Coal to Diesel Plant.

Ron Etienne asked how will Riverview dispose of the wastewater? Elliott stated Roland Ott of Riverview informed those present at the meeting Riverview is looking into treating the wastewater onsite and then back into the Ohio River. This has nothing to do with Santa Claus.

Jennifer Mayhall asked the council to do the right thing, there are so many people dying of cancer, having health issues in the area why would you want to contribute to those issues?

Jason Little made a motion to send the Memorandum of Understanding (MOU) to the town of Dale and Riverview to look over and Seth Windell seconded the motion.

Ayes: Little, Johannes, Burke & Windell Nays: Vaal Motion carried

FIRE DEPARTMENT

Max Meyer reported for August

First Responder (EMR)-20

Fires/Fire Alarms-3

Gas Leak/Odor-1

Signal 9/Disregard- 0

Total Activities-24

Public Safety Day will be held on October 23, 2021 at Yellig Park if it rains the date will be October 24, 2021.

Medicine Clean Out day is also scheduled at the Fire Station on October 23, 2021. BBQ Dinners at the Fire Station on October 9, 2021 starting at 11 am. The Fire Department was awarded a \$ 5,000.00 Grant from DNR to purchase boots and helmets.

PARKS & RECREATION/COMMUNITY CENTER

Zach Tischendorf Report for August

SCCC August Active Members-150. New Members-8, Daily-19, Big Room Rental-0, Big Room Hourly Rental-2

COMPLETED PROJECTS/EVENTS OF PARK'S DEPARTMENT-

SCCC-Air conditioning unit in the foyer area has been replaced

PARK-

Repaired scoreboard on the large field, Wi-Fi is operational, field lines established for soccer and football seasons, replaced fuel pump on the bulk fuel tank on the park truck.

NEW/ONGOING PROJECTS-

SCCC- Green Tree Plastics Partnership cleaning/sorting continues.

PARK- 410 students are signed up to play soccer at Yellig, Concession receipts \$ 0.00, playground design complete and estimates, parking signs in process to be installed, movie night scheduled for 9-25-2021 from 7:00 pm -9:00 pm, Touch-a-Truck scheduled 10-23-2021 from 11:00 am-3:00 pm, Trick or Treat Trail 10-31-2021 from 11:00 am-3:00 pm., Ragle working on borrow pit for the trail project working on grants to replace park signage and add trash can receptacles.

BUILDING INSPECTOR

Todd Hays Report for August

Number of Solar Inspections	0
Number of Post Hole Inspections	1
Number of ILPS Issued	12
Number of Basement Wall Inspections	0
Number of New Permits	11
Number of Footing Inspection	1
Number of Foundation Inspections	2
Number of Plumbing Rough in Inspections	2
Number of Rough in HVAC Inspections	0
Number of Rough in Electric Inspections	0
Number of Vectren Inspections	1
Number of Final Inspections	2
Number of Gas Inspections	2
Number of General Inspections	9
Number of Framing Inspections	3
Number of Concrete Slabs/Floors	4
Number of 911 Addresses Assigned	6
Number of Certificate of Occupancy	1
Number of Waterproofing Foundations	0
Total Number of Inspections	48

Working on sign violations- Kringle Place, Circle S. Rescheduled Public Hearing for September 20., 202. WE currently have 14 new homes and 3 new cottages being built.

POLICE DEPARTMENT

James Faulkenburg Report for August

Off Duty Call Outs-15
Citations TOSC-8
Warnings TOSC-23
Crash Reports-11
Vehicle Inspections-6
Domestic Disturbances-6
Assist another Department-9
Medical Emergencies-6
Disturbances-63
Theft Reports-3
Verbal Warnings-0
Case Reports/Investigations-18/93
Warrant Service-0
Gun Permits-4
Arrests-3
Assist Motorist-6

Reserve Hours for the month of August are as follows: 47-6 Jazyk-8, 47-9 Stout-8, 47-8 Phillips-8 (riding) Faulkenburg introduced Ryan Griebelbauer to the council, Ryan worked 4-years at I U Health as a police officer and at Holiday World in security. Hoping since Ryan has taken the test in tier 2 that he will be granted a waiver and not have to take tier 1 which is the same course just longer hours.

TRAILS

Russ Luthy Report for August

SCLD Trail- Project is substantially complete, awaiting vegetation growth and NOT, pre-final walk-through completed NOT packet received by IDEM on August 13, 2021 awaiting reply.

EASTSIDE Trail- Contractor to begin construction June 14 cost of construction \$ 1,864,208.45. Construction began on August 2, 2021.

JIM YELLIG PARK Trail- Plan approved by IDNR, preparing bid packet for summer/fall construction. Receive construction bids on September 13, 2021.

For September 13, 2021 Meeting Report on current Trails in progress from Clerk-Treasurer no change in amounts.

Phase 1 SCLDTRAIL	INDOT 80%	TOSC 20%
Construction Engineering	\$ 169,120.00	\$ 42,380.00
Preliminary Engineering	\$ 295,488.66	\$ 73,872.14
ROW Services	\$ 19,560.32	\$ 4,890.08
ROW Land	\$ 23,840.00	\$ 5,960.00
Construction of Phase 1	\$ 1,570,346.65	\$ 314,069.33
Total Expenses of Phase 1	\$ 2,078,355.63	\$ 441,171.55
EASTSIDE TRAIL		
Preliminary Engineering	\$ 215,511.68	\$ 53,877.92
RoW	\$ 19,560.32	\$ 4,890.08
RoW Land	\$ 23,840.00	\$ 5,960.00
CE	\$ 1,544.00	\$ 386.00
Construction Engineering	\$ 1,491,366.76	\$372,841.69
Total Expenses of Eastside	\$ 1,751,822.76	\$437,955.69
DNR YELLIG TRAIL	\$ 6,172.78	\$ 1,543.20
TOTAL EXPENSES	\$ 7,115,068.78	\$ 1,844,331.55

Luthy stated the landscape areas have been cleaned up and the same contractor that installed the bollards on Santa Claus Lincoln Discovery trail will install on the Eastside trail.

STREET DEPARTMENT

Russ Luthy Report for August

STREET OPEN ACTION ITEMS:

Mowing-Yes

Sign-replace/repair/install- Yes

Street Repairs-Yes

Assist other departments as needed, culvert inspections, monitor CR 850 culvert, vehicle/maintenance/repairs, ditch work, road inspections and replace door on NH Tractor.

WASTEWATER

Russ Luthy Report for July

PLANT INFORMATION: Treatment August 2021 10.23 MG, August 2020 11.26 MG

Precipitation August 2021 11.26 inches, August 2020 6.84 inches

OPEN ACTION ITEMS: Process control testing, plant O & M, construction continues on NPDES. Other items on file at WW Plant.

SSO(s)- 0

COLLECTION SYSTEM: Routine station maintenance checks, Sewer main and lateral rehab-ongoing, begin manhole inspections-for rehab, assist street department, installed emulsifier LS # 26. Other items on file at WWTP

LATERAL INSPECTIONS: Revolving total lateral inspections-25, New in August-5, COC's completed -4, requiring repairs-2, no repairs-3, exempt laterals-0.

YEAR TO DATE: Requiring repairs-14, no repairs11, exempt-0.

OSHA/SAFETY

No lost time injuries. 0- facility inspection, 8- field hazard assessments- 7-water leaks, mains, services 1-sewer jetting.

WATER

Russ Luthy Report for August
Work Orders-Total Received 23
Work Orders Completed-22
Work Orders Pending-1

OPEN ACTION ITEMS:

Monitor boring crews, prepare for capital projects.

INDUSTRIAL PARK:

Nothing to report.

TOWN ATTORNEY

Patmore stated Mark Phillips is representing Matthew Gosnell in the case. Phillips stated he has left five messages with Gosnell and no return call. How does the council want to proceed?

Jason Little stated we have a signed contract from Gosnell, Jason Little made a motion to file suit in Spencer County against Gosnell for breach of contract and Seth Windell seconded the motion.

Ayes: All Nays: None Motion carried

Patmore has the 2nd reading and adoption of former amended ORDINANCE 2021-05 changed to for the 2nd reading ORDINANCE 2021-11 AN ORDINANCE TO ESTABLISH THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND # 176 TO INCLUDE IF THE TOWN RECEIVES A STATE WATER INFRASTRUCTURE (SWIF) GRANT THE FUNDS WILL BE USED FOR ITEMS OUTLINED IN THE SWIF GRANT APPLICATION IF THE TOWN DOES NOT RECEIVE THE SWIF GRANT INVESTMENTS IN WATER AND OR SEWER INFRASTRUCTURE for the council.

Seth Windell made a motion for the 2nd reading and adoption of ORDINANCE 2021-11 AN ORDINANCE TO ESTABLISH THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND # 176 TO INCLUDE IF THE TOWN RECEIVES A STATE WATER INFRASTRUCTURE (SWIF) GRANT THE FUNDS WILL BE USED FOR ITEMS OUTLINED IN THE SWIF GRANT APPLICATION IF THE TOWN DOES NOT RECEIVE THE SWIF GRANT INVESTMENTS IN WATER AND OR SEWER INFRASTRUCTURE and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

Patmore has the 1st reading of ORDINANCE 2021-13 AN ORDINANCE AMENDING TOWN OF SANTA CLAUS, INDIANA EMPLOYEE POLCY AND PROCEDURE MANUAL for the council.

Seth Windell made a motion for the 1st reading of ORDINANCE 2021-13 AN ORDINANCE AMENDING TOWN OF SANTA CLAUS, INDIANA EMPLOYEE POLCY AND PROCEDURE MANUA and Jason Little seconded the motion.

Ayes: All Nays: None Motion carried

James Faulkenburg stated as a department head would I put in my SOP's that if you live more than 10 miles out of town hall you will not be taking a vehicle home? I know I wouldn't call that person in unless it is a major issue. It would take them too long to respond to an emergency. Patmore stated yes it should be added to the SOP's.

09-13-2021 TOWN COUNCIL MTG

Patmore stated the personal property tax amounts are correct in the A & C tax district for Santa Claus. I have asked the Auditor of the County to send me something in writing saying just that. No word on the appraisal on the parcel # 74-05-01-104-024.000-005 formerly known as the Ruth Rice property, Seth Windell stated you need to find someone else to do the appraisal.

Litigation concerning the Back 9 Development Patmore has filed the brief.

Patmore stated he has been working on his invoices for the town and will turn those in to Kelly Greulich next week.

CLERK TREASURER

Kelly Greulich

Fund Report for July-

General Bank-\$ 4,270,719.97

Water-1,671,146.21

Wastewater- 1,380,381.12

TIF- \$ 644,288.21

A discussion followed about the gym memberships and the new system for payment methods with Invoice Cloud, the gym memberships will be set up through Invoice Cloud along with the utility payments. Breakdown of payments are as follows: 1 person can sign up for a 3 month membership \$ 60.00 plus processing fees, 1 person 6 month membership \$ 110.00 plus processing fees, 1 person annual membership of \$ 200.00 plus processing fees, 1 person senior citizen 3 month membership \$ 36.00 plus processing fee, 1 person senior citizen 6 month membership \$ 72.00 plus processing fees and 1 person senior citizen annual fee \$ 144.00.

Greulich asked if the council will allow employees spouse/family members to be added on to ancillary programs and or benefits at the employees cost.

Seth Windell made a motion to allow employees to add spouse/family members to ancillary programs and benefits at the employees cost and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

Greulich received a letter from Spencer County Council President David Gogel with regards to the 2022 Budget Review (non-binding).

MISCELLANEOUS

Michael Johannes stated no change, he is working with Holiday World and Matt Taylor on the donation letter for the town's website. This is taking some time to complete but this process is at no cost to the town.

Luthy stated in order for the town to remain eligible for grants like the SWIF you must have a updated Asset management Plan. Midwestern Engineering's has done most of the work for the town over the years so it only makes sense for Midwestern to collect the data and put the plan together for the town.

Greulich received a quote from Jaws Collision Center in regards to the Christmas trees on our welcome signs coming into town. To fully restore and refinish the four Christmas trees the cost will be \$ 6,600.00. If the council approves a motion will be needed.

Seth Windell made a motion to approve the restoring and refinishing of the four Christmas trees by Jaws in an amount not to exceed \$ 6,600.00 and Patricia Vaal seconded the motion.

Ayes: All Nays: None Motion carried

Michael Johannes gave an update concerning the water and wastewater bonds currently working with Jim Higgins of London Witte and Kim Blanchet of Barnes & Thornburg.

Zach Tischendorf stated a Kimball Logistics Services will be making a donation in the amount of \$ 5,000.00 to the Community Center to purchase two new treadmills in return Kimball would like the weight room named after the company and a discounted rate for all Kimball employees. Greulich stated the Ordinance has a group discounted rate already in place per an Ordinance. Patmore stated if they are wanting something in return it is not a donation, that would be a booking nightmare for Kimball and the community center to keep track of. That would require information on the employees W-2 as a benefit. Patmore stated he can look into the matter but they need to reconsider what they are asking for.

VOUCHERS

Jason Little made a motion to approve the general vouchers in the amount of \$ 143,121.08 and Seth Windell seconded the motion.

Ayes: All Nays: None Motion carried

Jason Little made a motion to approve the wastewater vouchers in the amount of \$ 330,386.77 and Seth Windell seconded the motion.

Ayes: All Nays: None Motion carried

Greulich asked how the council will handle missed work due to COVID positive, with numbers of COVID cases rising and since the vaccine is available now.

A lengthy discussion followed

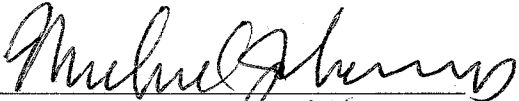
The council at this time agreed that employees that are off because of COVID must use PTO time if they want to be paid for loss time. The council may revisit this issue from time to time especially if a employee can show proof of vaccination.

Halloween hours for the Town of Santa Claus will be October 31, 2021 from 5-8 pm.


ADJOURNMENT:

Seth Windell made a motion to adjourn the town council meeting at 7:56 pm and Seth Windell seconded the motion.

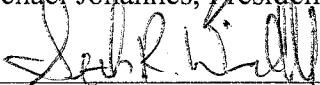
Ayes: All Nays: None Motion carried



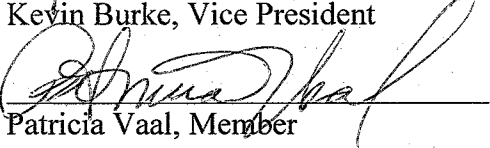
Michael Johannes, President



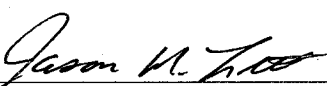
Kevin Burke, Vice President



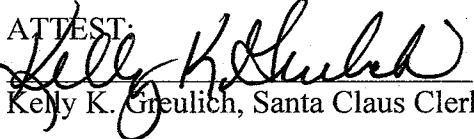
Seth Windell, Member



Patricia Vaal, Member



Jason Little, Member

ATTEST:


Kelly K. Greulich, Santa Claus Clerk-Treasurer

ORDINANCE 2021-11

AN ORDINANCE TO ESTABLISH THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND (FUND #176)

BE IT ORDAINED BY THE SANTA CLAUS TOWN COUNCIL OF THE TOWN OF SANTA CLAUS, INDIANA:

1. The Town Council of the Town of Santa Claus, Spencer County, Indiana, recognizes that a need now exists for the establishment of the ARP Coronavirus Local Fiscal Recovery Grant Fund (Fund #176) pursuant to Indiana Code 5-11.

2. The sources of funding for the newly established fund will include monies allocated to the Town from the American Rescue Plan Act of 2021 (ARPA). The monies within this fund shall be used for eligible purposes of the ARPA.

3. Expenditures from the ARP Fund must be made in accordance with the Plan adopted by the Town Council that corresponds to the provisions of Title VI of the Social Security Act (42 U.S.C. 801 *et seq.*), as amended Section 9901(a) of the ARP and the Indiana State Board of Accounts State Examiner Directive 2021-1. Expenditures from the ARP Fund may be used only for the purposes prescribed in Title VI of the Social Security Act (42 U.S.C. 801 *et seq.*), as amended Section 9901(a) of the ARP. Those eligible uses are:

To cover costs incurred by the Town of Santa Claus, Indiana by December 31, 2024:

- A. 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 aid to impacted industries such as tourism, travel, and hospitality;
- B. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the Town that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- C. For the provision of government services to the extent of the reduction in revenue to the Town due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; or
- D. To make necessary investments in water, sewer, or broadband infrastructure.

The Clerk-Treasurer will review the requested use of monies for compliance with ARPA requirements. The Clerk-Treasurer will also maintain detailed accounting record of the fund to provide for future audits of the ARP fund. The Town's existing internal control policies, as amended from time to time, shall apply to administration of the ARP Grant Fund.

The Town Council has developed a plan that details the specific uses of the Fund ("the "Plan"). The Plan is to utilize all available ARP funds as follows:

- i. If the Town receives a State Water Infrastructure (“SWIF”) Grant from the Indiana Finance Authority, all ARP funds received in 2021 and 2022 shall be used to accomplish the water utility infrastructure projects contained in the Town’s SWIF Application submitted July 15, 2021;
- ii. If the Town does not receive a SWIF Grant, the Town will use the ARP Fund to make necessary investments in water and/or sewer infrastructure.

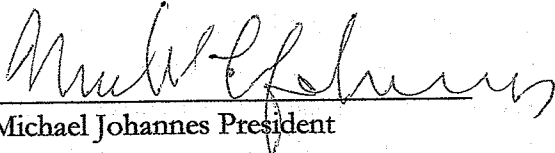
This Ordinance and the Plan may be amended as any other Ordinance or Plan as long as the amendment complies with the requirements of the ARP and any other formally issued guidance of the SBOA. Any specific appropriations approved by the Town Council shall be deemed a part of the Plan or an amendment to the Plan, as appropriate, when such appropriations are made.

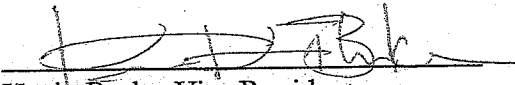
4. Non-Reverting Fund - Any and all monies in the ARP Grant Fund at the end of the calendar year shall not revert to another fund but shall remain in said fund as a separate non-reverting fund.

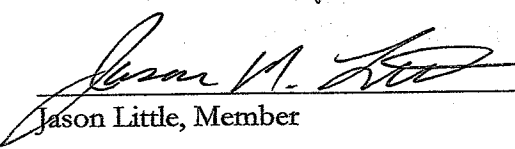
5. This Ordinance be in full force and effect from and after its passage by the Town Council.

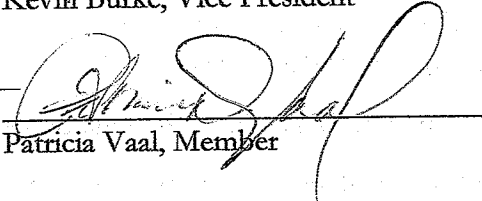
PASSED AND ADOPTED by the Town Council of the Town of Santa Claus, Indiana, this 13th day of September, 2021.

SANTA CLAUS TOWN COUNCIL


Michael Johannes President

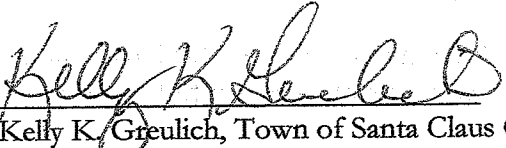

Kevin Burke, Vice President


Jason Little, Member


Patricia Vaal, Member


Seth Windell, Member

Attest:


Kelly K. Greulich, Town of Santa Claus Clerk-Treasurer