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ADMINISTRATOR
JEFFREY A. WRIGHT

MIAMI TOWNSHIP
6101 MEIJER DRIVE • MIAMI TOWNSHIP, OH 45150-2189

RESOLUTION 2022-18

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Center on May 17, 2022, with the following members present: Mark Schulte and Mary Makley Wolff.

A motion was made to adopt the following Resolution:

A RESOLUTION DESIGNATING FUNDS DISTRIBUTED TO MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AS LOST REVENUE DUE TO THE PUBLIC HEALTH EMERGENCY UTILIZING THE STANDARD ALLOWANCE AND AUTHORIZING THE USE OF THE FUNDS FOR GOVERNMENT SERVICES

WHEREAS, Miami Township, Clermont County, Ohio (the “Township”) has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Section 603 of the Act created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

- (1) **USE OF FUNDS.** Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, 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

metropolitan city, nonentitlement unit of local government, or county 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 of such metropolitan city, nonentitlement 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, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients;

WHEREAS, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise;

WHEREAS, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities

- Environmental remediation
- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds; and

WHEREAS, the Township has projects that, in the judgment of the Board of Trustees, will qualify as permitted uses of the ARPA funds, in direct support of government services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township, Clermont County, Ohio, as follows:

SECTION 1. The Board hereby designates the funds distributed to the Township under the American Rescue Plan Act of 2021 as lost revenue using the standard allowance and its presumption of revenue loss due to the public health emergency and authorizes the use of the full amount of ARPA funds distributed to the Township to fund government services.

SECTION 2. The Board hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, are taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

SECTION 4. That this Resolution shall take effect from and after the earliest time allowed by law.

First Reading: May 17, 2022

Second Reading: Dispensing With

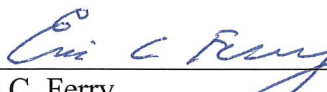
Adopted: May 17,, 2022

The motion was seconded, and the resolution was adopted.

Resolution 2022-18 adopted May 17, 2022

ATTEST:

APPROVED AS TO FORM:



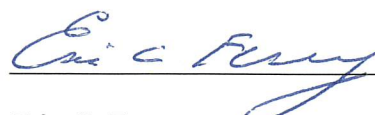
Eric C. Ferry
Township Fiscal Officer



Joseph J. Braun
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.



Eric C. Ferry
Fiscal Officer, Miami Township