

ORDINANCE NO. 16 - 2021

**AN ORDINANCE TO ESTABLISH A SPECIAL FUND
FOR THE AMERICAN RESCUE PLAN ACT;
AND DECLARING AN EMERGENCY**

WHEREAS, the American Rescue Plan Act of 2021 (“ARP”) was enacted on March 11, 2021;

WHEREAS, ARP, among other things, established a Coronavirus Local Fiscal Recovery Fund, which provides for the disbursement of revenue from the federal government to local government units to mitigate the negative fiscal impacts stemming from the COVID-19 public health emergency;

WHEREAS, the revenue received by local government units may only be utilized for specified purposes;

WHEREAS, it is anticipated that the Village will receive revenues from the federal government as a result of ARP's enactment; and

WHEREAS, the Village desires in accordance with proper accounting practices and for purposes of regulatory compliance to create a separate fund to hold the revenues.

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That there is hereby created the American Rescue Plan Act Fund (“Fund”), subject to any required approval of the State Auditor pursuant to R.C. § 5705.12 or other applicable laws, which is established for receipt of ARP funds, which shall be restricted for use in accordance with the terms of ARP, § 603(c)(1) (and as may be amended from time-to-time), specifically:

- (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 employees performing essential work, or by providing grants to eligible employers that have eligible employees who perform essential work;

(c) for the provision of government services to the extent of the reduction of revenue relative to revenues collected during 2019 due to the COVID-19 public health emergency; and

(d) to make necessary investments in water and sewer infrastructure.

SECTION 2. That the Council will at a later time plan for the use of the Fund via duly enacted legislation and/or other lawful approvals of expenditures.

SECTION 3. That the Fiscal Officer is hereby authorized to seek the State Auditor's approval of the fund created in Section 1 and to take such actions necessary to secure State approval. If such approval is granted, the Fund shall be promptly entered upon the fiscal records of the Village.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the peace, health, safety and welfare of the inhabitants of the Village of Madison, and for the further reason that immediate passage is necessary to create the new fund prior to receiving ARP funds to ensure legal compliance and the orderly administration of the Village finances, and it shall, therefore, take effect and be in full force from and upon its adoption if adopted by the affirmative vote of at least four members of Council and otherwise at the earliest time provided by Ohio law.

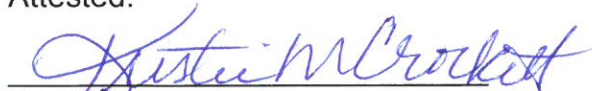
PASSED:

1st Reading: 7-26-2021



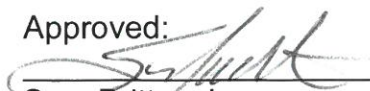
Mark V. Vest,
President of Council

Attested:



Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:



Sam Britton Jr.,
Mayor

7/26/2021
Date