STATEHOUSE REPORT

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Healthy Aging grant agreement outlines allowable uses

The Ohio Department of Aging (ODA) distributed grant agreements to all counties that applied to receive the grant funds. As CCAO members prepare to execute the Healthy Aging Grant Agreements with ODA and turn to planning for spending the funds, CCAO recommends becoming familiar with the State Plan on Aging (SPOA). The SPOA outlines many areas of focus and specific strategies to aid older Ohioans (aged 60 and older).

The grant agreement outlines, in more detail, the different requirements for grant spending. The Ohio Association of Area Agencies on Aging (o4a) compiled a list of brainstormed ideas for projects in each of the categories outlined below. You can find the list here.

The required and allowable uses for Healthy Aging Grant funds are described below.

Food Assistance Services

At least twenty percent (20%) of the county's Healthy Aging Grant funds must be used to support food assistance services, including:

- Nutrition strategies included in the SPOA (page 103);
- Senior nutrition programs, such as home-delivered meals; and/or,
- Assistance in accessing and/or applying for public benefits or services, such as the Supplemental Nutrition Assistance Program (SNAP).

Housing Assistance Services

At least twenty percent (20%) of the county's Healthy Aging Grant funds must be used to support housing assistance services, including:

- Housing quality and affordability strategies included in the SPOA (page 101);

- Programs and services to support long-term housing security, such as rental/mortgage assistance, utility assistance, counseling, and legal aid to prevent homelessness and eviction;

- Home repair and/or home weatherization, such as home modifications to improve an older adult's mobility and safety within their residence;

- Air quality improvement, including maintenance and improvements to residential filtration and indoor heating, ventilation, and air conditioning (HVAC) systems;

- Programs or services to support long-term housing security; and/or,

- Assistance in accessing and/or applying for public benefits or services, such as Home Energy Assistance Program (HEAP).

Internet Access and Digital Literacy Services

At least ten percent (10%) of the county's Healthy Aging Grant funds must be used to support internet access and digital literacy services, such as programs to support social connectedness and the preservation of independence included in the SPOA.

Additional evidence based/evidence informed services

Remaining Healthy Aging Grant funds may be used by the county to provide evidence-based/evidence-informed services as permitted by the U.S. Department of the Treasury [Final Rule (31 CFR Part 35)] that are in alignment with the SPOA to address social determinants of health for older Ohioans, including:

- Community conditions, including strategies to improve:
  - Financial stability (SPOA page 100);
  - Housing quality and affordability (SPOA page 101); and/or,
  - Transportation (SPOA page 102);
- Healthy living, including strategies to improve:
  - Nutrition (SPOA page 103); and/or;
  - Physical activity (SPOA page 104);
- Access to care, including strategies to improve:

  - Health insurance enrollment, including outreach and advocacy (SPOA page 105); and/or,

  - Family caregiver supports (SPOA pages 107 - 108);

- Social Connectedness, including strategies to improve:

  - Social inclusion (SPOA page 109); and/or,

  - Volunteerism (SPOA page 110);

- Population Health, including strategies to reduce:

  - Cognitive difficulty (SPOA page 111);

  - Hypertension (SPOA page 112); and/or,

  - Depression (SPOA page 113); and/or,

- Preserving Independence, including strategies to improve:

  - Chronic pain management (SPOA page 114); and/or,

  - Falls risk and mobility (SPOA page 115).

Capital Expenditure Restriction

The Healthy Aging Grant funds shall not be used for capital expenditures. Additions, improvements, modifications, replacements, rearrangements, reinstallation, renovations, or alterations to capital assets that materially increase their value or useful life are not permitted.

Ordinary repairs and maintenance to a home environment that are directly related to reducing the risk of falling and improving the general safety, accessibility, and functional abilities of an older adult are permitted.

Ordinary repairs and maintenance include, but are not limited to, repairs and/or maintenance of:

- Home exteriors, such as adding exterior lighting, correcting safety hazards, installing ramps or handrails, and/or fixing uneven pathways;

- Home interiors, such as installing railings and/or grab bars and repairing flooring transitions and electrical outlets;

- Residential HVAC systems; and/or

- Residential roofs.

__Technical Assistance and Questions__

Healthy Aging Grant points of contact for each county received an invitation for a webinar through the Ohio Department of Aging (ODA) on Thursday, November 9th at 2:00 p.m. If you did not receive the information about this technical assistance opportunity, please contact Rachel Reedy at rreedy@ccao.org or 513-543-3723.

ODA is committed to providing ongoing technical assistance to counties with respect to the Healthy Aging Grants. The grant webpage is the central source of information and can be found here. Please note the FAQs section.

For general technical assistance, please contact HealthyAgingGrants@age.ohio.gov.

CCAO will continue to update members on technical assistance opportunities and additional information pertaining to the grants as they are released. If you have questions, please contact Rachel Reedy at the information above.

House committee hears opposition testimony on solid waste proposal SB 119

Senate Bill 119 (Senator Bill Reineke) makes several changes to the law governing solid waste and solid waste management districts (SWMD) in Ohio. The bill received a third hearing in the House Energy and Natural Resources Committee on Wednesday.

The bill allows a county in a joint SWMD to withdraw from the SWMD without approval from the other counties if the withdrawing county generated more than 75% of the annual revenue of the joint SWMD in the immediately preceding calendar year. In the substitute bill, such a county would request to withdraw. If another county in the district disapproved, then the board of directors of the SWMD would have to have a meeting. If at the end of that meeting the county still wishes to withdraw, the county will be able to leave the SWMD. OEPA must take action to complete the withdrawal process in 180 days. Under current law, for a county to withdraw from a joint SWMD, the other counties in the joint district must approve the decision. If the decision is approved, the SWMD counties must undergo the process in the Revised Code that takes roughly two years to complete.

The bill also allows a SWMD to levy tiered fees on the disposal of construction and demolition debris (C&DD). The SWMD would be required to forward the fees to the board of health of the health district in which the C&DD or solid waste facility that collected the fee is located. The board of health must then use these fees to administer the C&DD law within its jurisdiction, to abate accumulations of C&DD, and to mitigate the impacts to public health, safety, and welfare of C&DD facilities and solid waste facilities. A SWMD may only levy the new C&DD fees if the C&DD facility or solid waste facility is located in a health district that is approved to regulate C&DD under the C&DD law.

The bill also eliminates the ability of a solid waste facility operator to charge solid waste fees on the disposal of C&DD. It adds a new allowable use for SWMD disposal fees: Providing financial assistance to individual counties, boards of health, municipal corporations, and townships for the costs of mitigating impacts to public health, safety, and welfare of solid waste disposal or transfer facilities within the applicable political subdivision.

During Wednesday's hearing, Ottawa County Commissioner Mark Coppeler, in his capacity as president of the Ottawa, Sandusky, and Seneca County Solid Waste District (OSS SWD), provided opponent testimony to Senate Bill 119. You can view his testimony here.

CCAO is an interested party regarding the bill.

If you have questions about Senate Bill 119, please contact Rachel Reedy at rreedy@ccao.org or 614-220-7996.

Issue Spotlight: The County Budget Commission and Annual Tax Budgets

This week is the fourth in the *Issue Spotlight* series on property taxes. The first three focused on basic definitions related to property taxation, the ability of boards of county commissioners to roll back inside millage under certain circumstances, and property tax reduction factors. This entry will discuss a county entity that provides significant oversight on property taxation: the county budget commission.

The county budget commission is created by R.C. 5705.27, consisting of the county auditor, county treasurer, and prosecuting attorney. While Ohio law allows for two citizens to be elected to the budget commission, no county has ever used this option. The county budget commission has the important responsibility to assure that both voted and unvoted property tax levies are "needed" by taxing authorities. This responsibility is performed on the basis of tax budgets demonstrating "need," or other information submitted to the county budget commission if the county has waived the requirement for a tax budget under R.C. 5705.281. The county budget commission certification includes the county auditor's estimate of the rate of each tax necessary to be levied by the taxing authority.

The budget commission must review the tax budgets of all political subdivisions annually (R.C. 5705.28). Tax budgets for the ensuing fiscal year must be adopted by July 15 of the current year by most political subdivisions (January 15 for school districts) and submitted to the county auditor by July 20. The contents of the tax budget include both expenditures and receipts as delineated by R.C. 5705.29 with a level of detail prescribed by the Auditor of State. The budget commission may require documentation of the reasonableness of amounts held in any reserve balance account. Amounts that are considered unreasonable may be taken into consideration in determining whether to reduce the taxing authority of a subdivision (for subdivision reserve accounts generally, see R.C. 5705.13; for boards of developmental disabilities, see R.C. 5705.222 and R.C. 5705.322).

The budget commission looks at all sources of revenue and may revise and adjust the estimated balances and receipts included in the political subdivision's tax budget. This action applies to both inside and outside millage, and the budget commission must complete its work by September 1 for subdivisions other than school districts (R.C. 5705.35). Upon the basis of the tax budgets or other information it has reviewed, the budget commission certifies back to the political subdivisions the estimated tax rates as determined on the basis of need as evidenced in the tax budgets. Political subdivisions must then adopt an ordinance or resolution to authorize the tax levies and certify them back to the county auditor no later than October 1 (R.C. 5705.31, 5705.32). Any person required to pay taxes on real or public utility tangible personal property has the right to appeal the budget commission's decision setting millage rates to the board of tax appeals (R.C. 5705.341).

Before the end of the fiscal year, the taxing authority of each subdivision must revise its tax budget so that the total contemplated expenditures from any fund during the ensuing fiscal year will not exceed the total appropriations that may be made from such fund, as determined by the budget commission in its certification. The revised budget is the basis of the annual appropriation measure (R.C. 5705.35).

One common misunderstanding is that a voter approved levy is automatically included on tax bills. Approval of a tax levy by the voters merely authorizes the levying of a tax if the tax budget of the political subdivision shows it to be clearly required. If not, the county budget commission is required to reduce the millage to an appropriate level, although no levy may be reduced below a minimum fixed by law (R.C. 5705.32, R.C. 5705.341). For example, minimum inside millage rates for counties and certain other political subdivisions were established in the 1930s after the adoption of a constitutional amendment establishing the requirement for voter approval of levies outside the 10 mill limitation (Article XII, Sec. 2). For school districts, state law establishes a 20 mill floor requirement for a district to receive state foundation formula aid (R.C. 3317.01).

Forty-one counties are undergoing reappraisals or updates to their property valuations in 2023. This process is taking place in a strong real estate market, which may focus more attention on the work of the county budget commission than in a typical year. One concern for commissioners is that if certain levies are reduced by the budget commission there could be a liability on the county general fund. For example, in the case of children services and programs for the developmentally disabled, there is a potential county general fund obligation if adequate funds are not available from voted levies. Commissioners should be sure that members of the budget commission understand this potential liability if such situations arise.

The information above is adapted from Chapter 14 of the CCAO Handbook which covers property tax law and administration.

If you have a policy area or issue that you would like to be discussed in *Issue Spotlight*, please complete this form! Please note that submissions are not a guarantee that a topic will be covered.

Legislative Activity

Committee Hearings

Several bills of interest to counties received hearings this week across different committees.

House Pensions

- House Bill 261 (Representative Tom Patton and Representative Bride Rose Sweeney): To make emergency medical services workers "public safety officers" under the Ohio Public Employees Retirement System.
    - Third hearing, interested party testimony from the Ohio Public Employees Retirement System and the Ohio Mayors Alliance.

House Government Oversight

- House Bill 208 (Representative Thomas Hall): To require an elector to register as a member of a political party in order to participate in that party's primary election.
    - Second hearing, no testimony.
- House Bill 257 (Representative Jim Hoops and Representative Thaddeus Claggett): To authorize certain public bodies to meet virtually, and to declare an emergency.
    - Second hearing, proponent testimony from the Ohio Association of County Behavioral Health Authorities, the Mid-Ohio Regional Planning Commission, the Ohio Association of Regional Councils, and seven other groups.
    - **AMENDED** to remove the bill's emergency clause and make changes to provisions pertaining to virtual meeting notification and agendas.
- House Bill 272 (Representative Adam Mathews and Representative Justin Pizzulli): To allow a concealed handgun licensee to carry a deadly weapon or dangerous ordnance in a building or structure that is not a courthouse but in which a courtroom is located if court is not in session.
    - Second hearing, proponent testimony from the Mayor of Lebanon and the A1§4 Protection PAC.

House Civil Justice

- House Bill 265 (Representative Scott Wiggam and Representative Thomas Hall): To exempt redaction request forms, affidavits, and the records of the work schedules of designated public service workers from disclosure under public records law.
    - First hearing, sponsor testimony

House Homeland Security

- House Bill 237 (Representative Kevin Miller and Representative Phil Plummer): To make changes to the laws governing all-purpose vehicles, off-highway motorcycles, snowmobiles, utility vehicles, and mini-trucks.
    - Third hearing, opponent testimony from the American Honda Motor Company and joint testimony from the Specialty Vehicle Institute of America and the Recreational Off-Highway Vehicle Association.
- House Bill 241 (Representative Joe Miller and Representative Kevin Miller): Regarding filling a vacant police department position without a competitive examination.

- Fifth hearing, no testimony.
- **FAVORABLY REPORTED**

Upcoming Committee Hearings

The following committees are currently scheduled to meet and discuss bills that may interest counties. Other committees will likely meet as well, but as of press time for the *Statehouse Report,* they have not released agendas. Please note that these schedules are subject to change.

If you would like to testify on any bill, please visit the committee page and contact the committee chair's office for instructions on submitting testimony.

Tuesday, October 31

House Agriculture (10:00 a.m.)

- House Bill 193 (Representative Kevin Miller and Representative Brian Lampton): To establish procedures and requirements governing biosolid lagoons and biodigestion facilities, including granting county and township zoning authority over those lagoons and facilities, and to modify the CAUV eligibility requirements for certain land used to produce biofuels.
  - Second hearing, proponent testimony

House Aviation and Aerospace (10:30 a.m.)

- House Bill 77 (Representative Bernard Willis): To establish requirements and prohibitions governing the operation of unmanned aerial vehicles in Ohio.
  - Second hearing, no testimony
  - **POSSIBLE AMENDMENTS**

House State and Local Government (10:30 a.m.)

- House Bill 153 (Representative Brett Hillyer): To limit which abandoned land may be subject to certain expedited foreclosure proceedings.
  - Third hearing, opponent testimony

House Government Oversight (2:30 p.m.)

- House Bill 257 (Representative Jim Hoops and Representative Thaddeus Claggett): To authorize certain public bodies to meet virtually, and to declare an emergency.
  - Third hearing, all testimony
  - **POSSIBLE AMENDMENTS**
- House Bill 272 (Representative Adam Mathews and Representative Justin Pizzulli): To allow a concealed handgun licensee to carry a deadly weapon or dangerous ordnance in a building or structure that is not a courthouse but in which a courtroom is located if court is not in session.
  - Third hearing, all testimony
  - **POSSIBLE AMENDMENTS**