May 31, 2022

Clark County Commissioners Lowell McGlothin, Melanie Flax Wilt, and Rick Lohnes after their meeting on May 25, Commissioner Lohnes' final meeting. He will retire on May 31.

CCAO has redesigned Counties Current. Click the hyperlinks to jump to each section. If you have feedback, please contact Research Analyst Nick Ciolli at nciolli@ccao.org.

If you are having issues viewing Counties Current in your email, click [View this email in your browser] at the top of the email.

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ASSOCIATION AND MEMBER NEWS

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Rick Lohnes retires as Clark County Commissioner

Clark County Commissioner Rick Lohnes will retire on May 31 after serving as Clark County Commissioner since 2010, including filling the role of President from 2011-2019.

Before running for public office, he served for 32 years in the U.S. Air Force, retiring in 2008 with the rank of Colonel.

Colonel Lohnes graduated from Shawnee High School in Springfield and from Capital University in Ohio. He and his wife Susan have two daughters and four grandchildren.

CCAO thanks Colonel Lohnes for his service to our country and his dedication to Clark County. We wish you all the best in retirement!

OEC considers whether township and village may receive donations from a solar developer

Hartford Township and Hartford Village, Licking County, received an informal opinion from the Ohio Ethics Commission regarding their proposed acceptance of donations from a solar developer with a utility-scale project. The solar project, Harvey Solar I, is grandfathered under the terms of Senate Bill 52 but the township and village are formal intervenors in the case before the Power Siting Board. The solar developer pledged to make various donations to both political subdivisions totaling $4.1 million over the estimated 40-year life of the project. About one fourth of these payments would be provided to the fire department pursuant to a PILOT payment agreement with the county (RC 5727.75(F)) but the remainder were general purpose donations not tied to any specific statutory requirement.

The question considered by the Ethics Commission was whether the township and village could accept the donations from Harvey Solar, in whole or in part, and what restrictions, if any, would apply. State Ethics Law prohibits the acceptance of anything of value that might manifest a “substantial and improper influence” on any public official or employee.

After review, the Ethics Commission allowed the township and the village to accept the donations. This is consistent with prior opinions that allow a business to make a donation to benefit a public agency under certain conditions:

- All donations must be voluntary;
- Donations cannot be promised, offered, or given with the purpose of improperly influencing officials or employees of the recipient agency;
- Agency officials and employees cannot base any official actions or decisions on a person’s or company’s contributions or failure to contribute;
- No agency official or employee can derive any personal benefit or use from the donation;
- Officials and employees cannot endorse or indicate that the agency endorses the donor’s goods or services.

In this specific situation, the crucial circumstance for the Commission was that the developer’s application was not pending before the township or village. Rather, the roles of these two political subdivisions were limited to being parties in a case before the Power Siting Board. Moreover, the terms of their acceptance of the donations did not require either entity to support Harvey Solar’s application.

The implications for counties that are faced with making decisions on solar developments that are fully subject to SB 52 are not clear. On one hand, the advisory opinion notes that SB 52 contains certain restrictions on the actions of ad hoc members of the Power Siting Board that limit the potential for improper influence. Moreover, counties and certain other political subdivisions have general authority to accept gifts under ORC 9.20. On the other hand, the authority of commissioners to declare certain areas off-limits for development, and to disapprove or restrict individual projects, may create a fact pattern that is distinguishable from the circumstances considered by the Ethics Commission in this opinion. CCAO is communicating with interested parties to fully understand the implications of the opinion.

A copy of the opinion may be accessed here. The Power Siting Board map of solar projects is available here.

Office of Budget and Management announces 2022 budget roundtable events

The Office of Budget and Management announced the locations of its four regional roundtable events that provide updates on the state budget and funding/grant opportunities.

- June 1 (Wednesday): Cuyahoga Falls
- June 8 (Wednesday): Lebanon
- June 16 (Thursday): Bowling Green
- June 22 (Wednesday): New Boston

Registration for the events is free and can be completed here.

Save the Date! CCAO Workforce, Families and Children Symposium

CCAO
WORKFORCE, FAMILIES AND CHILDREN SYMPOSIUM
AUGUST 25-26, 2022
SAVE THE DATE

CCAO will hold a Workforce, Families and Children Symposium on August 25-26 at the Cherry Valley Hotel in Newark. Commissioners, county executives, and county council members are encouraged to attend to learn more about important issues that every county faces.

Session topics will include workforce panels with business and county leaders, an examination of the children services landscape with an eye on rising placement costs, and early intervention services, among others.

Registration will open in June and cost $50 per person (this does not include reservations at the hotel).

The event will coincide with the CCAO Board of Directors August meeting which attendees are welcome to attend.

CCAO Platform Survey available!

It's that time again when CCAO develops our platform for the upcoming General Assembly. To aid the development the CCAO Policy Staff has circulated a survey to commissioners, county executives, and county council members. We encourage you to complete the survey to let the Policy Staff know what issues are important to you!

The survey link was circulated via enews@ccao.org with the subject line "CCAO Platform Development Survey." You can search your inbox to find the link or feel free to reach out to Research Analyst Nick Ciolli at nciolli@ccao.org to request the link.

STATE AND FEDERAL NEWS

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NACo provides overview of U.S. Treasury's allocation of second ARPA Recovery Funds tranche

On May 26, NACo provided statewide associations an update that the U.S. Treasury has begun the process of allocating funds from the second tranche of the ARPA Recovery Fund.

Key highlights to the second tranche payment process include:

1. All counties must have an active SAM.gov registration in order to receive their second tranche of funding
2. Effective **April 4, 2022,** the federal government switched service providers and stopped using the DUNS number and began using the Unique Entity ID (UEI) – **All counties are required to switch from a DUNS number to a UEI**
3. If a county's SAM.gov registration expired (12-month coverage) before it is due to receive its second tranche payment (and after April 4, 2022) the county is required to re-active its SAM.gov registration, which will require them to adopt a UEI (instead of a DUNS number) **PRIOR TO** receiving their second tranche

Process for Counties to Receive Second Tranche ARPA Recovery Fund Payment

- Section 603 of ARPA provides payments to eligible local governments in two tranches, with the second tranche payment being made no earlier than 12 months after the first payment
- Consistent with this requirement, Treasury expects to provide second tranche payments to local governments **approximately 12 months after their first payment**
- In the coming weeks, Treasury will open the submission portal in a phased approach, **allowing counties to access the portal for 30 days prior to their second tranche payment date**
- Counties will receive a notification from Treasury by email letting them know that they can enter the portal – **it is very important to make sure that the assigned point of contact is still available to receive future communications**
  - The **point of contact is the individual designated in the portal during the first tranche submission** who will receive email notifications on submission status, including any issues found during the verification and communication regarding payments
  - The **individual entering the portal for the second tranche submission will be the same individual with the registered ID.me** who submitted for the first tranche allocation
  - If that individual is no longer with the county and you need to designate a new individual, email COVIDReliefITSupport@treasury.gov with the subject line “Entity Name – Update to Designated Individuals” and include the role that needs to be updated along with the full name, title, email and phone number of the new person designated
- After the email is received by the county, the point of contact will be able to update their entity information to include banking information in the portal
- In preparation for the second tranche payment, counties should ensure their SAM.gov entity registration is still active – **all counties are required to have a SAM.gov registration to receive their second tranche payment**
  - Note that on **April 4, 2022,** the federal government changed service providers and stopped using the DUNS Number and began using the Unique Entity ID (UEI) in SAM.gov to identify entities
  - All counties, even those already registered in SAM.gov, must validate their entity information through the new service provider
  - Counties may need to provide additional supporting documentation through the new system
  - The General Services Administration (GSA) released FAQs to support counties through this new process
  - **Counties are required to renew their SAM.gov registration every 12-months. If a county’s SAM.gov registration expired (12-month coverage) before it is due to receive its second tranche (and after April 4, 2022) the county is required to re-active their SAM.gov registration, which will require them to adopt a UEI (instead of a DUNS number) PRIOR TO receiving their second tranche**

If you have any questions, please contact Eryn Hurley, Director of Government Affairs for NACo, at ehurley@naco.org.

Register today for the 2022 NACo Annual Conference

Join county elected and appointed officials from across the country in Adams County, Colo. for the National Association of Counties (NACo) 2022 Annual Conference & Exposition on July 21-24.

The Annual Conference is the premier national opportunity for counties to exchange cutting-edge practices, elect the association's leadership and shape NACo's federal policy agenda for the year ahead.

Click here to register and to get more information.

EDUCATION AND GRANTS

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NACo to host webinar regarding federal broadband grants

NACo will hold a webinar providing an overview of the new Notice of Funding Opportunities released by the National Telecommunications and Information Administration that makes $48 billion in funding under the Bipartisan Infrastructure Law available for broadband and digital equity projects.

The webinar will be held June 1 at 1:00 p.m. Registration is open to non-members. You can register here.

U.S. Department of Transportation opens Safe Streets and Roads for All application portal

The U.S. Department of Transportation has opened the application window for the Safe Streets and Roads for All grant program. The program will provide grants to governments for projects and strategies aimed at preventing roadway deaths and injuries.

More information regarding the program can be found here.

Additionally, the Department will hold three webinars in June to help potential applications learn about the program and how to best prepare an application. These webinars will be held on June 13, June 15, and June 23.

The last day to submit applications is September 15, 2022.

Ohio EPA to host upcoming webinars

The Ohio EPA will be hosting two webinars in June that counties may wish to attend.

The first will take place on June 9 at 2:00 p.m. It will focus on regulation and funding of household sewage treatment systems. These systems are regulated by local health districts, the Ohio Department of Health, and the Ohio EPA. The webinar will include information about grant opportunities for local health districts to assist homeowners in repairing or replacing these systems. Additionally, this webinar will count as one hour of Continuing Education Units for Registered Environmental Health Specialists and Environmental Health Specialists in Training. You can register for the webinar here.

The second webinar will be held on June 21 at 10:00 a.m. and pertains to stormwater permitting requirements of industrial activity. The Ohio EPA industrial stormwater general permit recently changed, and this webinar will provide an important overview of the changes. This webinar will also count towards Continuing Education Units for a number of categories. You can register for the webinar here.

Additionally, on July 26 at 11:00 a.m. the Ohio Bureau of Workers' Compensation will host a webinar about Ohio EPA regulations and how businesses can ensure they remain in compliance. Continuing education and BWC discount program credits will be available for this webinar as well. You can register for the webinar here.

Governor announces availability of first responder recruitment and retention grants

On May 5, the Emergency Management Agency began accepting applications for the Ohio First Responder Recruitment, Retention, and Resilience Program.

A total of $70 million in grants is available, earmarked from $250 million in American Rescue Plan Act funding that the state dedicated to first responders.

Among permissible uses of grants are wellness programs addressing unique mental, physical, and emotional health issues that first responders face; recruitment and retention efforts; onboarding and training costs; and programs to engage young adults about careers as first responders.

Grant applications will be accepted until June 17 at 5 p.m.

More information about the program and the application can be found here and here.

ARPA and BIL RESOURCES

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This section of Counties Current will be a permanent fixture for the foreseeable future to help counties with the ins and outs of the American Rescue Plan Act and the Bipartisan Infrastructure Law. These two laws provide a once-in-a-generation investment.

NACo provides guidance and overview of available BIL funding

NACo hosts a resource page providing information to counties about the Bipartican Infrastructure Law. The page is rich with information including multiple tables providing overviews and links to funding opportunities, a timeline of upcoming grant programs, and much more.

The website can be found here. CCAO strongly encourages counties to frequently visit the site and apply for funding through the myriad of programs to bring valuable federal funds to Ohio communities.

JobsOhio's American Rescue Plan Guidebook is available

JobsOhio’s revised ARPA Guidebook is available for download at the following address: https://www.jobsohio.com/american-rescue-plan-guidebook/

The Guidebook is a resource for local leaders looking to maximize the impact of ARP funds and become better informed about ARP funds and potential investments. The Guidebook is a result of conversations with local, regional, and state leaders to learn their plans for ARP funds, share best practices, and support leaders in maximizing the potential economic impact of ARP funds.

Ohio leaders identified three priority investment areas that are broadly aligned to Treasury Recovery Fund objectives:

- Build a more resilient workforce by investing in talent hard-hit by the pandemic (e.g., support for training for high-demand skills for individuals in qualified populations and those disproportionately impacted by the pandemic)
- Upgrade critical infrastructure to revitalize communities and support Ohio’s economy (e.g., expanding digital infrastructure coverage)
- Support the small businesses and industries most negatively impacted by the pandemic (e.g., scale access to grants/loans for SMBs)

Resources for ARPA Reporting and Compliance

Counties and other local governments are required to submit their ARPA financial reports to the US Treasury no later than April 30. With this date fast approaching, the following resources are available to help CCAO members to navigate reporting requirements:

US TREASURY WEBINAR ON REPORTING GUIDELINES FOR THE STATE AND LOCAL FISCAL RECOVERY FUNDS
National Association of Counties and US Treasury
Webinar recorded April 21, 2022
Join NACo for a review of the Treasury Department’s webinar on reporting guidelines and compliance requirements for the Coronavirus State and Local Fiscal Recovery Fund program. NACo staff will be available to answer questions on the upcoming deadline for the Project and Expenditure Report, which is due April 30. To view the slides and recording of the webinar, click here.

ARPA FISCAL RECOVERY FUND: OVERVIEW OF REPORTING REQUIREMENTS AND UNIFORM GUIDANCE
National Association of Counties and Government Finance Officers Association
Webinar recorded April 14, 2022
With the upcoming Project and Expenditure Report deadline fast approaching on April 30, join NACo and Government Finance Officers Association for an overview of what you need to know when it comes to reporting for the American Rescue Plan Act’ (ARPA) Coronavirus State and Local Fiscal Recovery Fund. During this session, participants will hear about key requirements as they related to the U.S. Department of Treasury’s guidance and the federal Uniform Guidance. To view the slides and recording of the webinar, click here.

OVERVIEW OF PROCUREMENT OF CAPITAL PROJECTS USING ARPA FUNDS
CCAO and Bricker and Eckler, Attorneys at Law
Webinar recorded April 13, 2022
This webinar discusses procurement rules applicable to a county’s use of its funding from the Local Fiscal Recovery Fund under the American Rescue Plan Act. Counties ultimately need to comply with both state and federal law, and Bricker and Eckler attorneys will review the rules and procedures required under both sets of law, including where the processes are similar and where they diverge. To view a recording of the webinar, click here.

NACo provides updates on ARPA funding

NACo refreshed a major update of its analysis of Treasury’s Final Rule for the ARPA Fiscal Recovery Fund. The updated analysis includes, but is not limited to the following:

- Clarifying information on eligible/ineligible uses from Treasury, including capital expenditures
- Deeper dive on the provisions around revenue loss allocations
- Treatment of loans
- Reporting requirements and background information on federal Uniform Guidance/2 CFR Part 200

To see a concise summary of the final rule for the Recovery Fund, please see the Overview Document.

NACo members with questions should contact Eryn Hurley, director of Government Affairs, at ehurley@naco.org.

COUNTY NEWS

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Alternative energy addressed
The Times-Gazette, May 25, 2022
Aspects of alternative energy and the alternative energy process were discussed, among other topics, at Wednesday’s meeting of the Highland County Board of Commissioners.

Tony Zartman, director of programs and operation for the Land and Liberty Coalition, said he’s been through the process of renewable energy developers multiple times as a county commissioner for Paulding County for 12 years, which was why the organization asked him to join. He said the organization felt it would be a good idea for him to talk to various commissioners and educate them on the process.

Highland County commissioner Dave Daniels said the board has created a set of guidelines that landowners, developers and anyone else involved could follow. He said the county is given the ability to say no to a project, but then they talk to the landowner who has a right to do what they want with their land and enter into lease agreements, and it becomes an issue.

Ohio Department of Agriculture Director Pelanda meets with local agriculture leaders
The Daily Record, May 24, 2022
Ohio Department of Agriculture Director Dorothy Pelanda and the Wayne County Commissioners recently met with local ag leaders at the Buckeye Agricultural Museum and Education Center to hear their take on the state of the local ag economy.

Pelanda talked about the collaboration between the Kroger grocery store chain and the Daisy Brand of dairy products and the importance of establishing relationships in all aspects of agriculture prior to hearing from local business people.

Many topics were discussed, including milk prices and the concern over the shrinking amount of farmland.

Perry County Commissioners: Hocking College broke deal by trying to sell donated land
Zanesville Times Recorder, May 22, 2022

The Perry County Board of Commissioners is at odds with Hocking College over an attempted land sale that they say breaks a decades-old agreement.

In 1991, then-Hocking College President John Light signed an agreement with the Perry County Board of Commissioners that donated 10 acres of land to the college across from the Perry County Fairgrounds. Two years later, the college signed off on another plan that gave it an additional 25 acres of land next to the other parcel.

The deal was if any of the parcels are no longer used for educational purposes, they would be returned to the county.

DATES TO REMEMBER

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JUNE 1, 2022
OBM DOLLARS AND SENSE: CUYAHOGA FALLS

JUNE 3, 2022
NE OHIO DISTRICT DAY IN ASHTABULA COUNTY

JUNE 8, 2022
OBM DOLLARS AND SENSE: LEBANON

JUNE 16, 2022
OBM DOLLARS AND SENSE: BOWLING GREEN

JUNE 22, 2022
OBM DOLLARS AND SENSE: NEW BOSTON

JUNE 27, 2022
NW OHIO DISTRICT DAY

DID YOU KNOW?

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Medina County

The Paleo Crossing archeological site near Sharon Center has been found to contain artifacts from the Clovis culture, one of the earliest culture groups to settle in the Americas. Carbon dating at the site suggest it was occupied between 13,000 BCE and 10,000 BCE.

You can read more about the Paleo Crossing site here.

Left: A Clovis point, an indicative artifact to the Clovis Culture

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