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May 22, 2023

The stained glass Seal of Ohio located in the Ohio Statehouse Museum.

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ASSOCIATION AND MEMBER NEWS

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FINAL WEEK: Open Enrollment - Managed Care for workers' compensation

CCAO members participating in our workers' compensation programs benefit from significant premium savings every year. **Sedgwick Managed Care Ohio** has been a key partner with our programs since 1997, and Open Enrollment for managed care organization (MCO) selection is May 1-26, 2023.

CCAO continues to endorse Sedgwick MCO as the clear MCO of choice for our members, and here are the two most important reasons why we encourage our members to select Sedgwick MCO:

Results – the data is clear

- Claims managed by Sedgwick MCO incur ***10.9% fewer lost days*** per claim than claims managed by other MCOs *(BWC Public Data 22-05025, 2021-2022 claims as of 12/13/2022)*. Fewer lost workdays translates to less costly claims and fewer staffing problems to solve.
- Sedgwick MCO reduced medical costs for their clients by an ***additional 17.2%*** below BWC fee schedule in 2022 *(Sedgwick MCO Billing Data, Bills processed in 2022)*. All MCOs reduce medical bills to the BWC standard fee schedule, but this additional Sedgwick reduction enhances premium savings and discount options.

Service – making things simple

- Workers' compensation claims can become complex. Sedgwick MCO works closely with their client employers and with the injured employee to navigate the BWC system and the medical treatment process until the claim is resolved.

Your MCO plays a vital role in your ability to control claim costs, care for injured employees, and preserve options for premium savings. If you are one of the 68 Counties that are already active with Sedgwick MCO, no action is required. If you are not, please **click here** to learn more about Sedgwick and enroll. For more information, call Lance Watkins at Sedgwick MCO at 614-376-5524, or email at Lance.Watkins@SedgwickMCO.com.

Ohio counties, CCAO receive NACo Achievement Awards

On Friday, NACo released the winners of 2023 NACo Achievement Awards. Ohio counties brought home 15 awards, with Cuyahoga County, Fairfield County, Franklin County, Hamilton County, Montgomery County, and Summit County all receiving recognition. The number of awards and the award categories each was honored under are listed below.

- Cuyahoga County (1): Children & Youth
- Fairfield County (1): Children & Youth
- Franklin County (3): Criminal Justice & Public Safety; Human Services; and Personnel Management, Employment, and Training
- Hamilton County (4): Community & Economic Development; County Resiliency; Health; and Information Technology
- Montgomery County (4): Civil Education & Public Information; Health (2); and Human Services
- Summit County (2): Civic Education & Public Information; Human Services

Ohio counties have received 159 NACo Achievement Awards since 2009, with Human Services being the most-received category.

CCAO received an award for the Ohio Counties: Statehouse Display that is installed in the Statehouse Map Room. Since 2013, only 16 awards have been given to statewide associations. The other statewide associations that have received awards are North Carolina (4), New Mexico (3), Iowa (3), Alabama (1), Arkansas (1), South Carolina (1), Utah (1), and Washington (1).

Congratulations to all the award recipients!

County Advisory Bulletin released for the State Transportation Budget

At the end of March, the General Assembly enacted HB 23, the state transportation budget bill. Among other provisions, the bill distributes motor fuel tax revenue to counties, cities, and townships, and provides funding for the Ohio Department of Transportation, Ohio Public Works Commission, and the Ohio Department of Development.

It also contains a historic change in the county engineer force account limits by creating a new threshold of $70,000 per mile for road construction and repair and a limit of $233,000 for work on bridges and culverts. These thresholds will be adjusted annually based on ODOT's construction cost index, with a 5% cap.

The County Advisory Bulletin reviews these and other provisions that are of interest to counties, such as Transportation Improvement Districts (TIDs) and public transportation.

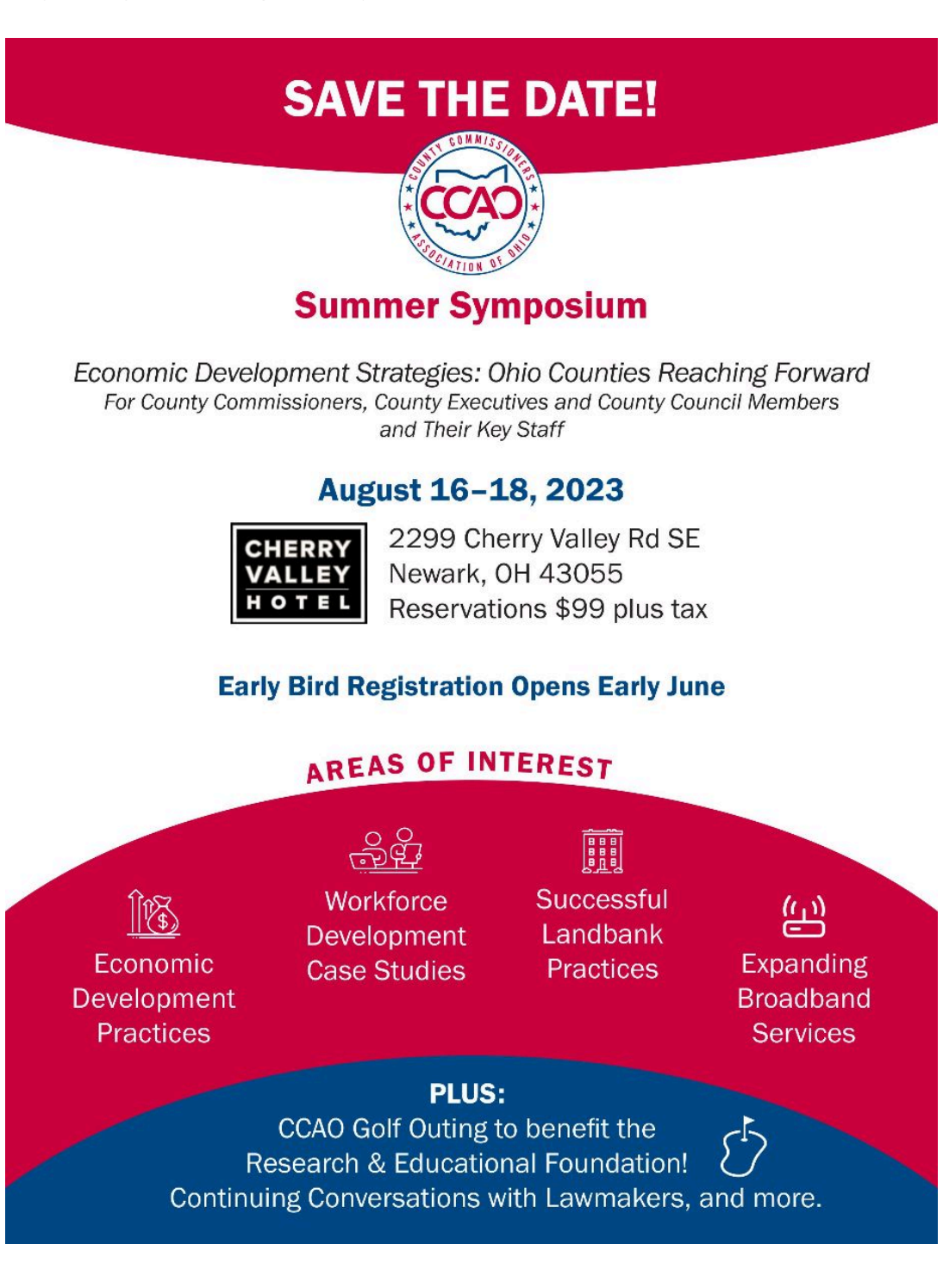
The bulletin is available directly here and is also available on the CCAO website.

Save the date for CCAO's 2023 Summer Symposium!

From August 16 to 18, CCAO will host Economic Development Strategies: Ohio Counties Reaching Forward, the 2023 Summer Symposium. It is open to county commissioners, county executives, and county council members, as well as their key staff.

Among the areas of interest that the symposium will focus on are successful landbank practices, economic development practices, workforce development case studies, and expanding broadband services.

Early bird registration will open in early June.



SAVE THE DATE!

Summer Symposium

Economic Development Strategies: Ohio Counties Reaching Forward
For County Commissioners, County Executives and County Council Members and Their Key Staff

August 16–18, 2023

CHERRY VALLEY HOTEL
2299 Cherry Valley Rd SE
Newark, OH 43055
Reservations $99 plus tax

Early Bird Registration Opens Early June

AREAS OF INTEREST

- Economic Development Practices
- Workforce Development Case Studies
- Successful Landbank Practices
- Expanding Broadband Services

PLUS:
CCAO Golf Outing to benefit the Research & Educational Foundation!
Continuing Conversations with Lawmakers, and more.

STATE AND FEDERAL NEWS

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Auditor of State issues fraud risk reporting advisory

Auditor of State Keith Faber released an advisory to local governments, public offices, and independent public accountants last week.

The advisory, which can be accessed here, primarily focuses on the need for local governments to monitor their fraud risk enivornment, particularly specific risks related to government operations and to give prompt and accurate responses to Fraud Risk Assessment Questionnaires that Auditor of State auditors send.

We recommend that commissioners, as well as other key county officials and employees, review the advisory. Keeping up to date on Auditor of State advisorys is an important part of being good stewards of public funds.

Six weeks remain to utilize the children services workforce recruitment and retention grant

The window for spending a one-time $15 million grant awarded by the Ohio Department of Job and Family Services to county public children services agencies (PCSAs) last year will **close June 30**.

The workforce recruitment and retention grant, which is managed by the Public Children Services Association of Ohio, was allocated to counties by formula in June 2022 to improve recruitment and retention of frontline workers. ODJFS offered counties a number of options for spending the grant, including various types of incentives and bonuses, tuition payment and loan reimbursement, culture and climate initiatives, flexible/hybrid work options, and more. Many of these options were identified in an OSU report on the children services workforce released by PCSAO in February 2022. The grant provided a rare opportunity to offer bonuses and make purchases outside the normal course of business.

Some county agencies have spent their entire allotment, while others have scheduled retention bonuses to be paid by the end of June. According to PCSAO, grant funds **must be entirely expended by June 30**, with final reports and grant closeout due September 10.

PCSAO added that one-time funding presents unique challenges, particularly when in the form of a grant. JFS and Children Services Board directors worked closely with commissioners last year to identify the most feasible, flexible and sometimes creative spending options for the county, but given the ongoing workforce crisis, plans evolved.

With a hard deadline of June 30, commissioners can help ensure that the entire local allocation is expended by working with PCSA directors to shift unspent funds to other allowable grant expenses or to relinquish unspent funds to other counties that can use them.

EDUCATION AND GRANTS

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Visit the Grants and Funding Opportunities page on the CCAO website for a detailed listing of open grant programs.

Highlighting of available grant opportunities

CCAO is highlighting a handful of grants currently accepting applications. One is offered by the state of Ohio and the others by the federal government.

Violence Against Women Act Grant **(State)**

- Aims at enhancing the capacity of local communities to combat violent crimes against women and to strengthen victim services in such cases.
- Grants require a 25% match, applications close on June 5.

Rural Housing Preservation Grant **(Federal)**

- Intended to fund programs that assist very low- and low-income homeowners in repairing and rehabilitating their homes in rural areas.
- Applications close on June 5.

Integrated Services for Minor Victims of Human Trafficking **(Federal)**

- Aims to enhance the services available to minor victims of human trafficking by tailing services to victims' individual needs.
- Grants require a 25% match, applications close June 6.

Lead Hazard Reduction Grant **(Federal)**

- Seeks to protect the health of young children by funding comprehensive programs to identify and control lead-based paint hazards in rental and owner-occupied housing units.
- Applications close June 14.

CCAO hosting performance audit webinar next month

On June 9, CCAO will host a webinar with the Auditor of State regarding the Auditor's performance audit program.

Performance audits examine the efficiency and effectiveness of government programs and functions with the goal of making them better. While financial audits determine whether public funds are spent legally and managed in accordance with accounting principles, performance audits examine whether funds are spent wisely and if programs achieve their intended purpose. The webinar will help county officials learn more about how a performance audit can help your entity.

Registration is free and can be completed here.

SPBR to host virtual seminar on civil service

On Thursday, June 1, the Ohio State Personnel Board of Review (SPBR) will hold a Virtual Civil Service Commission Seminar, primarily for municipal civil service commission board members and supporting staff.

The Seminar is a prime opportunity to enhance one's knowledge and skills as they pertain to civil service.

Registration is free and can be completed here.

SAM.gov, federal grant portal, walkthrough available; grant writing resources available

Last month, the US General Services Administration hosted an online forum to help walk state and local officials through how to use SAM.gov. The website is the primary portal for intergovernmental assistance from the federal government to state and local governments.

The Administration has made the presentation slide deck and the recording of the session available for download, as well as a one-page guide.

Grants are a valuable resource for counties to utilize, but knowing how best to develop competitive applications can be difficult and the learning curve cause counties to lose out on grants. Luckly, federal agencies and nonprofits offer resources to assist in developing competitive applications. Federal agency websites point to internal and external sources and many conduct free training and targeted one on one or small group technical assistance. Here are some current resources to explore:

- Comprehensive Opioid, Stimulant, and Substance Abuse
- Great Lakes Community Action Partnership
- Local Infrastructure Hub
- National Wildlife Federation
- Rural Community Assistance Partnership
- State and Community Energy Programs-Tools and Resources
- US Department of Transportation
- USDA Rural Development
- 10,000 Communities Initiative

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.

Updated comparison of state and federal procurement law available

Bricker Graydon has shared a revised comparison of Ohio procurement law and federal uniform guidance. The document is intended to provide a comparison of the procurement rules and regulations prescribed by both federal law and state law, as they relate to Ohio counties using ARPA funds. Counties must comply with both state and federal law, where possible. Where federal requirements are more restrictive than state law, federal law must be followed. Where state law is more restrictive than federal requirements, state law must be followed.

The key revision regards state term contracts (page 8), which counties may participate in but Bricker Graydon suggests exercising caution and reviewing Auditor of State training materials before doing so.

The information presented in the chart was prepared by Bricker Graydon LLP as a service to CCAO. This information is intended solely for informational purposes of CCAO and its members and is not intended to constitute legal advice to, and may not be relied upon by, any party. Readers should engage legal counsel to provide legal advice related to any specific transaction.

Federal legislation increases ARPA flexibility for infrastructure, disaster response, and CDBG projects

The federal Consolidated Appropriations Act, 2023 was signed into law on December 29, 2022. The legislation contains important updates to how counties and other local governments may use their ARPA funds. First, the Act codifies the standard allowance included in the US Department of the Treasury's Final Rule that permits counties to use up to $10 million for the provision of government services under the "revenue loss" eligibility category without having to demonstrate losses through a complicated formula. This codification means that the Treasury Department cannot alter the standard allowance in any subsequent rulemaking.

The Act also permits counties to use the greater of $10 million or 30 percent of their total ARPA allocation for federal infrastructure projects, responding to natural disasters, or Community Development Block Grant (CDBG) projects. Counties must expend these funds no later than September 30, 2026, rather than the standard date of December 31, 2026. Eligible natural disaster responses include emergency relief and the negative economic impacts of natural disasters, including temporary emergency housing, food assistance, financial assistance for lost wages, or other immediate needs. CDBG projects must meet the requirements of Title 1 of the Housing and Community Development Act of 1974.

Some of the federal infrastructure programs eligible for ARPA match include the National Highway Performance Program; Bridge Investment Program; Surface Transportation Block Grant Program; and, the Rural Surface Transportation Grant Program. More information, and a complete list of eligible transportation programs, is available from NACo at this link.

Resources for ARPA Reporting and Compliance

The most recent version of the US Treasury Reporting Guidance was published September 20, 2022. Counties and other local governments with populations greater than 250,000 or ARPA distributions greater than $10 million are required to file Project and Expenditure Reports no later than 30 days after the end of each quarter throughout the grant period. Other recipients will file Project and Expenditure Reports annually by April 30.

Members are urged to consult resources from US Treasury, NACo, and the Ohio Office of Budget and Management for more information about reporting and how to use ARPA funds. CCAO maintains a list of ARPA links and resources, including a comparison of state and federal procurement laws, at the ARPA Resources page.

Ohio Ethics Commission issues statement regarding stimulus funds

Last week the Ohio Ethics Commission released a statement ensuring that public officials are aware that stimulus funds, such as those received under the federal American Rescue Plan Act and the funds that communities will receive under Governor Mike DeWine's Appalachian investment program, are public funds and that conflict of interest laws must be observed.

To that effect, the Commission also recirculated its Advisory Opinion No. 2009-006, issued in 2009 regarding stimulus funds made available to governments under the federal American Recovery and Reinvestment Act. It provides a more in-depth examination of potential conflicts of interest with stimulus funds, including a discussing regarding vendors.

CCAO encourages members refamiliarize themselves with this Advisory Opinion and conflict of interest laws to ensure good stewardship of ARPA and Appalachia funds.

Guidance and overview of available BIL funding available from NACo and the Ohio Department of Transportation

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

The NACo website can be found here and the ODOT website can be found here.

CCAO strongly encourages counties to frequently visit the sites and apply for funding through the myriad of programs to bring valuable federal funds to Ohio communities.

COUNTY NEWS

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Each week Counties Current highlights the happenings in our counties in the words of their local media.
One county from each of the CCAO's five districts is highlighted.

Northwest District

Seneca County Commissioners thank Clerk of Courts Jean Eckelberry for service, approve successor

TiffinOhio.net, May 11, 2023

Seneca County Clerk of Courts, Jean Eckelberry, announced her retirement to the community after serving the public for over 20 years, including the last nine years as Clerk of Courts.

The Seneca County Board of Commissioners took time during their meeting Thursday to thank her for her years of service, and Eckelberry thanked her staff, judges, county employees, and local attorneys for helping her be successful during her tenure.

"Now it's time to look forward to joining my husband in retirement," Eckelberry said, adding that she looks forward to spending more time with family and friends.

Eckelberry's final day in office is set for May 31. She recommended Stephanie Hicks as her replacement and said that Hicks has the knowledge and experience to be successful in this role. The commissioners unanimously approved Hicks as their appointee to the Clerk of Courts position.

Northeast District

Stark County looking to use CARES Act funds to repair septic systems

Canton Repository, May 18, 2023

The Health Department has a long list of Stark County homeowners who need help paying to repair their septic tanks.

The agency receives about $150,000 per year from the Ohio Environmental Protection Agency's Water Pollution Control Loan Fund to administer a program that provides assistance to low- to moderate-income households in need of home sewage treatment replacement or repairs.

It would take about three years to get through its list with the current level of funding.

"It's not a lot of money for the number of people that are on our list to repair these systems," said Paul DePasquale, director of environmental health for Stark County.

Central District

Ohio begins hearings on massive Gates solar farm in Madison County

Columbus Dispatch, May 16, 2023

The company behind what would be one of the biggest solar farms in the country is making its case this week for why the project should be approved by Ohio regulators and gained support from one key local official.

Renewable energy company Savion is arguing before two administrative law judges of the Ohio Power Siting Board, the state agency that must sign off on new sources of electricity, on the need for the Oak Run Solar Project that would be built primarily on thousands of acres of land owned by Bill Gates in Madison County.

The judges are expected to hear testimony through Thursday. It's the last big step before the Siting Board rules, likely this summer or fall. Savion has said, if approved, construction could start before the end of the year. The Siting Board staff has recommended that the project be approved. The Siting Board is not bound by that recommendation.

Southwest District

Warren County sports tourism named top organization by ports Events and Tourism Association

Journal News, May 15, 2023

Warren County Sports, a division of the Warren County Convention & Visitors Bureau, has been named the Sports Tourism Organization of the Year by the Sports Events and Tourism Association.

Sports ETA, an industry group consisting of more than 600 member organizations and 2,400 sporting event professionals, recognized the WCCVB on May 10 in its "population under 500,000" category.

The association praised Warren County – a county of 240,000 people – for "hosting events in 14 different sports in 2022, driving more than $88 million in economic impact and generating more than 100,000 nights at local hotels."

Southeast District

Township, county officials gather for annual session

Times Leader, May 18, 2023

Township trustees from across Belmont County gathered at the fairgrounds Wednesday for an annual meeting sponsored by the Belmont County Engineer's Office.

Engineer Terry Lively joined Pultney Township Trustee Frank Shaffer to welcome the more than 50 guests that included a wide variety of officials. Lively also updated the crowd on the wor his staff is doing, including a large chip and seal project on county and township roads, 17 miles of paving, bridge repairs and replacements and "slip projects everywhere."

Looking forward, he said the Belmont County Transportation Improvement District is planning two intersection improvement projects — one at U.S. 40 and County Road 10 at the foot of Blaine Hill, where eastbound trucks often are unable to make a left turn; and another at Ohio 147 and County Road 26 in Bethesda, commonly called "the four-way stop," where Ohio 147 takes a jog to the left around a large red pylon located on private property. He said the TID would like to acquire the property, remove the pylon and widen the road.

DATES TO REMEMBER

Please view the CCAO Calendar for a comprehensive list of events to note.

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MAY 29
Memorial Day

JUNE 9
CORSA Board of Directors Meeting

JUNE 15
General Government Committee Meeting
CCAO Executive Committee Meeting

JUNE 16
CCAO Board of Directors Meeting

DID YOU KNOW?

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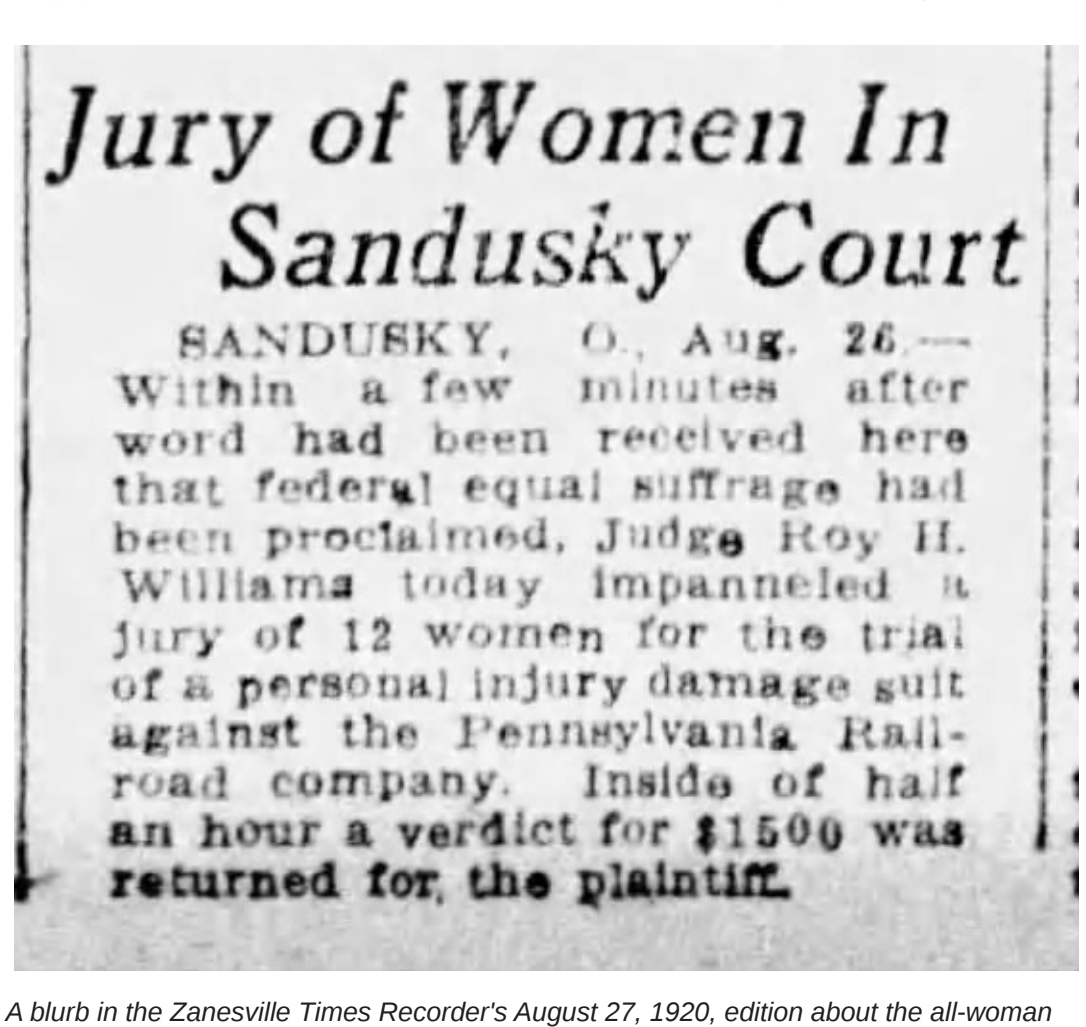
Erie County and Summit County

Erie County and Summit County both have the distinction of having two of the earliest all-woman juries. On August 26, 1920, the same day as the Nineteenth Amendment, granting women the right to vote, was certified, Erie County Court of Common Pleas Judge Roy Williams faced an issue. He was to conduct a jury trial, but only a single man he called up could serve. Instead, he selected twelve women. The jury determined the Pennsylvania Railroad Company liable for damages in the case after just thirty minutes.

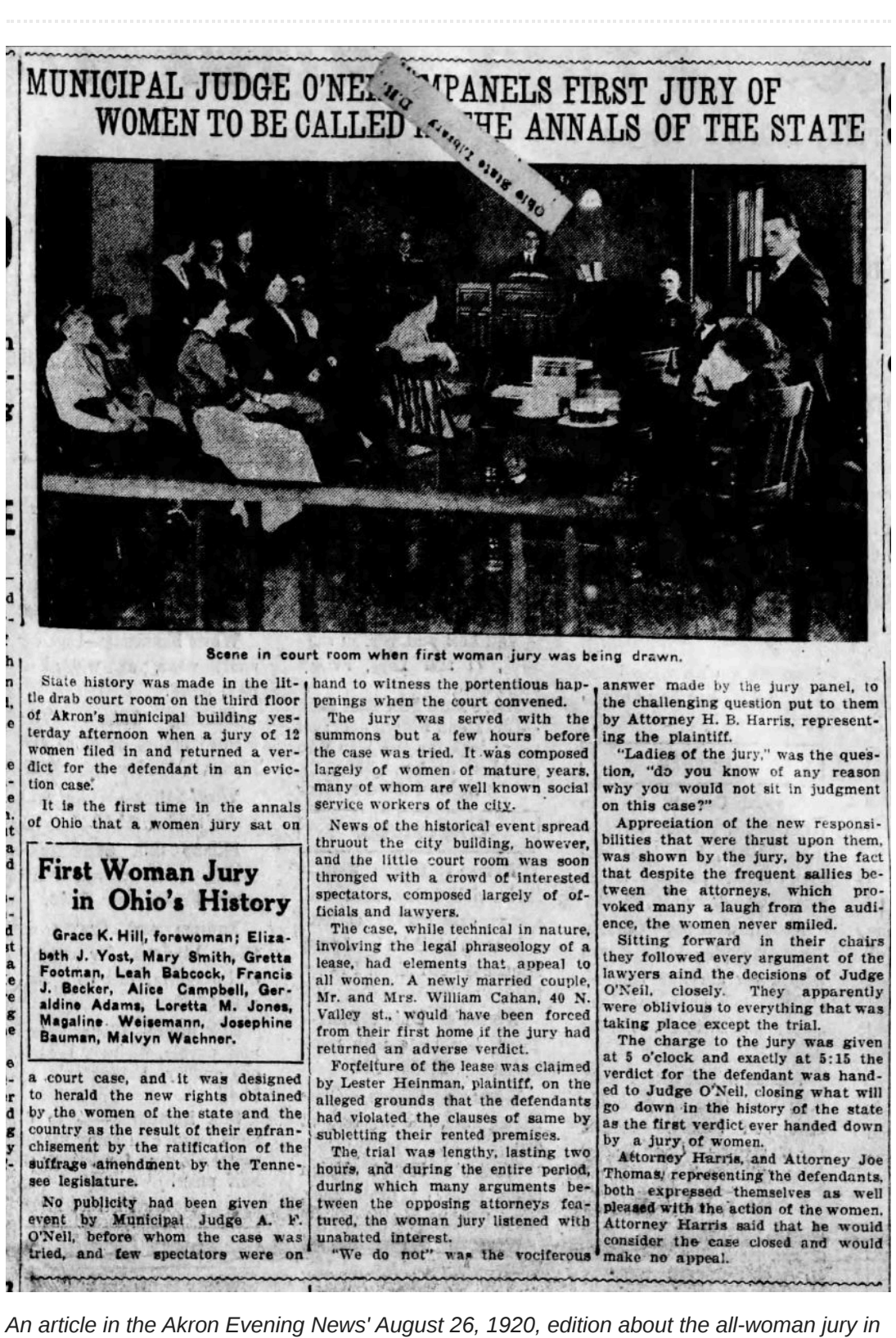
Meanwhile, the day prior, an Akron municipal court eviction case also fielded an all-woman jury. The jury took fifteen minutes to find in favor of the defendants, allowing them to keep their home.



Jury of Women In Sandusky Court

SANDUSKY, O., Aug. 26.— Within a few minutes after word had been received here that federal equal suffrage had been proclaimed, Judge Roy H. Williams today impanneled a jury of 12 women for the trial of a personal injury damage suit against the Pennsylvania Railroad company. Inside of half an hour a verdict for $1500 was returned for the plaintiff.

A blurb in the Zanesville Times Recorder's August 27, 1920, edition about the all-woman jury in Erie County.



MUNICIPAL JUDGE O'NEIL IMPANELS FIRST JURY OF WOMEN TO BE CALLED IN THE ANNALS OF THE STATE

Scene in court room when first woman jury was being drawn.

State history was made in the little drab court room on the third floor of Akron's municipal building yesterday afternoon when a jury of 12 women filed in and returned a verdict for the defendant in an eviction case.

It is the first time in the annals of Ohio that a women jury sat on a court case, and it was designed to herald the new rights obtained by the women of the state and the country as the result of their enfranchisement by the ratification of the suffrage amendment by the Tennessee legislature.

No publicity had been given the event by Municipal Judge A. F. O'Neil, before whom the case was tried, and few spectators were on hand to witness the portentious happenings when the court convened.

The jury was served with the summons but a few hours before the case was tried. It was composed largely of women of mature years, many of whom are well known social service workers of the city.

News of the historical event spread throut the city building, however, and the little court room was soon thronged with a crowd of interested spectators, composed largely of officials and lawyers.

The case, while technical in nature, involving the legal phraseology of a lease, had elements that appeal to all women. A newly married couple, Mr. and Mrs. William Cahan, 40 N. Valley st., would have been forced from their first home if the jury had returned an adverse verdict.

Forfeiture of the lease was claimed by Lester Heinman, plaintiff, on the alleged grounds that the defendants had violated the clauses of same by subletting their rented premises.

The trial was lengthy, lasting two hours, and during the entire period, during which many arguments between the opposing attorneys featured, the woman jury listened with unabated interest.

"We do not" was the vociferous answer made by the jury panel, to the challenging question put to them by Attorney H. B. Harris, representing the plaintiff.

"Ladies of the jury," was the question, "do you know of any reason why you would not sit in judgment on this case?"

Appreciation of the new responsibilities that were thrust upon them, was shown by the jury, by the fact that despite the frequent sallies between the attorneys, which provoked many a laugh from the audience, the women never smiled.

Sitting forward in their chairs they followed every argument of the lawyers aind the decisions of Judge O'Neil, closely. They apparently were oblivious to everything that was taking place except the trial.

The charge to the jury was given at 5 o'clock and exactly at 5:15 the verdict for the defendant was handed to Judge O'Neil, closing what will go down in the history of the state as the first verdict ever handed down by a jury of women.

Attorney Harris, and Attorney Joe Thomas, representing the defendants, both expressed themselves as well pleased with the action of the women. Attorney Harris said that he would consider the case closed and would make no appeal.

First Woman Jury in Ohio's History

Grace K. Hill, forewoman; Elizabeth J. Yost, Mary Smith, Gretta Footman, Leah Babcock, Francis J. Becker, Alice Campbell, Geraldine Adams, Loretta M. Jones, Magaline Weissmann, Josephine Bauman, Malvyn Wachner.

An article in the Akron Evening News' August 26, 1920, edition about the all-woman jury in Summit County.

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