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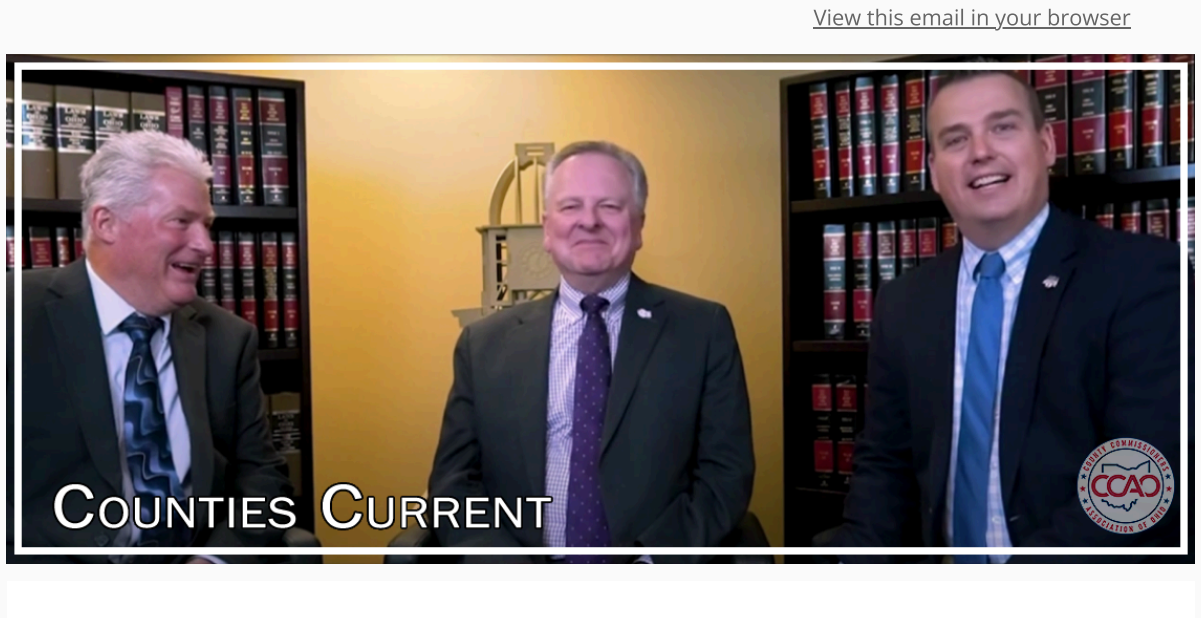

June 5, 2023

The presidents of CCAO, CEBCO and CORSA (Glenn Miller, Henry County; Tony Bornhorst, Shelby County; and Cory Noonan, Allen County) got together to discuss the importance of collaboration and how the three organizations can work together to make stronger counties for a stronger Ohio.

Watch the full video here!

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ASSOCIATION AND MEMBER NEWS

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Attorney General David Yost releases AG Opinion regarding county jail admission

Last week, Attorney General David Yost released AGO 2023-007, a response to a request from the Scioto County Prosecutor's office. The opinion concerns the ability of county sheriffs to deny an arrestee admission to the county jail if the jail physician determines that off-site treatment is a medical necessity.

As a summary, the opinion states that:

1. A county sheriff may create rules and policies to deny arrestees admission to the county jail if the jail physician determines that off-site treatment is a medical necessity. These rules must be approved by the county court of common pleas.
    1. It is not immediately clear how this procedure would work in the case of a multi-county jail.
2. The medical costs of an arrestee so denied admission are the responsibility of the law enforcement agency that has custody of the arrestee.
3. If an arrestee is denied admission based on a medical necessity, the arrestee remains in the custody of the outside law-enforcement officer and said officer is responsible for transporting the arrestee to the appropriate medical facility.

Secretary of State releases ballot language, election directive

Last week, Secretary of State Frank LaRose issued a directive to county boards of elections regarding the August 8th special election.

Directive 2023-08 provides the certified ballot that will be used for the election and important dates as the election approaches. You can access the ballot language here.

Some of the important dates to keep in mind are:

- June 23: The sample ballot must be posted on the board's website and absentee ballots must be printed and ready for use.
- July 10: Voter registration deadline for the election (boards must remain open until 9:00 p.m. for the purposes of voter registration).
- July 11: In-person early voting begins.

Please review and ensure that the members of your local board of elections review the directive.

Note: Both the ballot language and the election date are currently under legal challenge. CCAO will keep our members informed if the court system requires any changes to the ballot language or election date.

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.

STATE AND FEDERAL NEWS

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NACo provides overview of the federal debt ceiling, spending bill

After several rounds of negotiations, the White House and House Republican Leadership reached an agreement to address the debt limit and cap spending. The deal, titled the *Fiscal Responsibility Act of 2023 (FRA) (H.R. 3746)*, would suspend the debt ceiling through January 1, 2025, effectively increasing the amount of money that the federal government can borrow to fund federal programs.

On January 19, 2023, the U.S. Department of the Treasury announced that the federal government had hit its $34.1 trillion debt limit. This agreement comes less than a week ahead of the deadline after which the federal government would no longer have the capacity to pay its obligations.

After quickly passing the House, the legislation passed the Senate by a vote of 63-36 on June 1, ensuring the federal government will not run out of money to pay its bills on Monday, June 5, the day the government would default on its debt.

The nonpartisan Congressional Budget Office (CBO) released its assessment of the bill's impact on federal debt and deficits. CBO estimated that if the legislation were enacted, budget deficits would be reduced by about $1.5 trillion over the next decade and interest on the public debt would be reduced by an estimated $188 billion.

NACo applauds our federal partners for reaching a bipartisan agreement to raise the federal debt ceiling. While this is a significant move that will provide much-needed certainty to counties, there are a handful of provisions of relevance to local leaders including spending cuts, permitting reform, implementing new work requirements for certain federal public assistance programs and reinstating federal student loan payments.

A comprehensive analysis of the Fiscal Responsibility Act and its impact on county governments can be found on NACo's website.

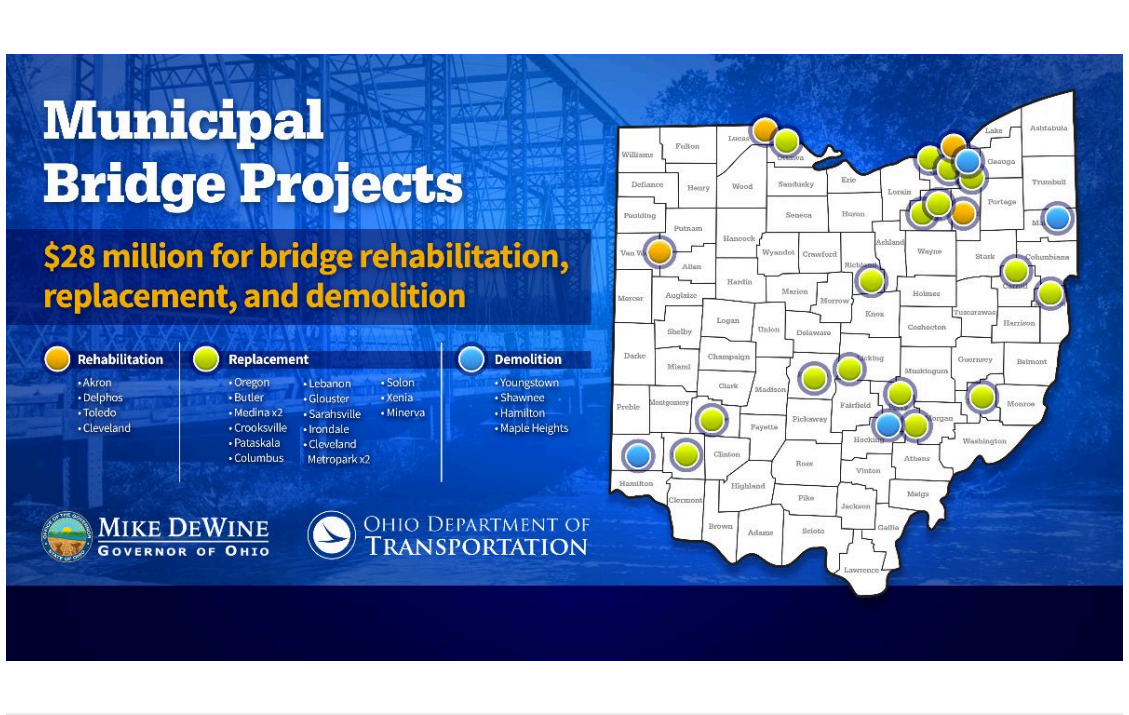
Municipal Bridge Program awards announced

Governor Mike DeWine and Ohio Department of Transportation Director Jack Marchbanks recently announced funding under the Municipal Bridge Program. The state will dedicate $27.5 million to support local bridge projects.

The yearly allocation for the program is $18.5 million, with this year's awards being supplemented by funding through the federal Bridge Formula Program and by remaining funds from prior years' Municipal Bridge Program.

The funds will support 24 projects: rehabilitation of four bridges, the demolition of four bridges, and the replacement of 16 bridges.

A map of the projects that received funds is below, and a list with specific award amounts can be accessed here.


Municipal Bridge Projects
$28 million for bridge rehabilitation, replacement, and demolition
Rehabilitation
Replacement
Demolition
Mike DeWine
Governor of Ohio
Ohio Department of Transportation

NACo partners with Homeland Security on cyber protections

With an increase in cyber threats, ranging from phishing attempts to ransomware attacks, NACo has partnered with the Multi-State Information Sharing and Analysis Center, a body within the US Department of Homeland Security, to promote county cybersecurity practices.

NACo members can learn more about the partnership here.

CCAO, the CCAO Service Corporation, and CORSA will highlight more cybersecurity opportunities in the coming weeks.

Three 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.

NACo offering cyberattack simulation training to NACo members

CCAO is highlighting three NACo cybersecurity offerings that it will host this year, all of which are cyberattack simulations. The simulations are designed and presented in partnership with the Professional Development Academy, risk managers, chief information security officers, chief information officers, and more.

Registration is open only to NACo members and a single event registration costs $150 per individual. You can register for all three events at one time for $450 per individual.

The first, taking place from June 12 to June 16, is a simulation of a cyberattack using security gaps in the "internet of things," a term used to describe the interconnected web of internet-usable devices. Smart home devices such as Amazon Echos and Google Nest thermostats and wearable technology like Apple Watches are examples of the "internet of things."

The second, scheduled for September 11 to September 15, is a simulation of a ransomware attack. Ransomware attacks involve a virus typically disguised as a harmless file that prohibits access to vital and sensitive files until the owner pays a ransom to regain access. If the ransom is not paid, the files may be permanent erased or released to malicious third parties.

The third simulation is scheduled for December 4 to December 8 and will focus on the employee management aspect of cyberattacks and how an aware and conscious workforce can help prevent cyberattacks.

If you are interested in joining NACo to gain access to useful trainings such as these, please contact CCAO Assistant Director John Leutz, CCAO Service Corporation Manager Steve Caraway, or CCAO Boards Liaison and Events Manager Robin Garrett.

CCAO hosting performance audit webinar this Friday

This Friday, 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.

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. Luckily, 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

County offices to expand hours, avoid budget cuts

Sandusky Register, June 1, 2023

Suddenly on Thursday, peace among Erie County officeholders broke out.

"Effective June 11, the Erie County auditor and the Erie County recorder offices will continue to be open Monday-Friday (from) 8 a.m. to 4 p.m., and we will handle all business, including property transfers, during that time frame," a news release from the auditor, Rick Jeffrey, and the recorder, Ellie Olsen, states.

"We value the relationships with the residents and taxpayers of our county and will continue to provide all the services necessary to maintain the strong bonds we have built and will continue to foster."

A day before, on Wednesday, Erie County commissioners took the unusual step of voting to cut the budgets for both offices by 10%.

Commissioners Matt Old and Pat Shenigo favored the vote, citing complaints from some residents and businesses that the offices had cut back some hours or were not providing full services during normal business hours.

Northeast District

Commissioners begin plan for new jail supported by consultants

Chronicle Telegram, June 3, 2023

The Lorain County Board of Commissioners took another step toward replacing the aging Lorain County Jail on Friday after two consulting firms recommended a new jail be built to replace the existing, aging facility on Murray Ridge Road in Elyria.

"This is not going to be rushed," Commissioner David Moore said Friday, discussing the project. "This is not going to be kicked down the road. We'll deal with it this year, discussing how we're going to pay for it, how it's going to be financed and we're going to be discussing the size and scope."

"I think the taxpayers would love to have a seat at the table on this one. It's going to be an interesting 12 months," he said.

Commissioner Jeff Riddell said there are "a lot of varied opinions about what a jail is and jail isn't."

"For most taxpayers, they haven't been to the jail and they don't know what it looks like and how it's supposed to run, so we're going to have to help them understand for the quality of life in Lorain County, we need to be moving (toward) an appropriate new jail," he said.

Central District

Crider Road bridge project to be rebid, elections office renovated

Mansfield News Journal, June 2, 2023

The current state of the national economy continues to affect the Richland County Engineer's Office as it seeks bids for bridge and road work. County commissioners voted on Tuesday to reject the lone bid and authorized re-advertising for a bridge replacement project on Crider Road after the bid was more than 10% over the engineer's estimate.

Mosser Construction of Fremont submitted a figure of $2,472,284, which was 24.3% over the engineer's estimate of $1,988,675. State law prevents public entities from accepting bids that are more than 10% over estimate.

"We did take a look at our estimate, realized we were below on a couple of items and have revised our estimate to $2,301,948," County Engineer Adam Gove told the board. "We did hear from a couple of contractors who said they have the ability in their schedule to get to the project. It's just that they could not get within that 10% of our estimate and decided at that point not to submit a bid."

Southwest District

Commissioners increase fees after 27 years

Daily Advocate, May 30, 2023

Commissioners increased fee after 27 years. Commissioners Matt Aultman, Marshall Combs, and Larry Holmes were present.

The commissioners voted to amend a tap-in-fee for Stillwater Estates Tuesday. The original fee was established as both a $70 quarter maintenance fee per dwelling and a tap-in-fee of $200. The board agreed the fee needed to be increased.

"The last time this was reviewed was April 7, 1996, so it's been many moons ago," Aultman said.

The increase in the tap-in-fee was increased from $200 to $2,000. Another expense request was approved for Bradley Horsley to attend a mandatory 2023 Ohio GIS Conference.

Southeast District

Commissioners approve license fee increase, Cleanface project

Zanesville Times Recorder, May 28, 2023

Inflation has affected many county departments, including the Muskingum County Engineer's Office.

In efforts to maintain the county's roads and bridges, the Muskingum County Commissioners approved measures to collect $15 in license fees to aid the engineer's office.

The commissioners announced and held two public forums as required, and the resolution passed must be received by the Bureau of Motor Vehicle's tax distribution division by July 1 so the fees can be enacted on Jan. 1, 2024.

Muskingum currently has a local $5 permissive license fee, which was established in 1968. Inflation and the loss of gas tax revenue are the main reasons behind the new increase. County Engineer Mark Eicher said this year's budget is $7.2 million, but inflation has led to an increase of 47% on asphalt prices and 46% on cement in just the past two years. Those two products, along with emulsion for chip and seal, take up 12% of this year's budget.

DATES TO REMEMBER

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

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JUNE 9
CORSA Board of Directors Meeting
CCAO-AOS Performance Audit Webinar

JUNE 15
General Government Committee Meeting
CCAO Executive Committee Meeting

JUNE 16
CCAO Board of Directors Meeting

JUNE 19
Juneteenth

JUNE 30
CEBCO Board Meeting

DID YOU KNOW?

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Stark County

The first golf course designed, built, and owned by an African-American in the United States was the Clearview Golf Club in Stark County. Opened in 1948 and build over the preceding two years, Clearview was the passion project of Minerva native Bill Powell.

Powell had played golf in high school and at Wilberforce University before serving in the US Army Air Force during World War II. Returning home after the war, he was blocked from most public courses due to racial segregation. With the help of two area doctors and a loan from his brother, Powell and his wife bought a dairy farm in East Canton and converted it into the Clearview Golf Club.

Powell's daughter, Renee, is currently the head professional at the club and was the second African-American woman ever to play on the LPGA Tour, while his son Larry is the club's superintendent.

An aerial view of part of Clearview Golf Club. Date unknown.

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