December 4, 2023

We're excited to see you at this year's CCAO/CEAO Winter Conference! There is still time to register! The registration link, as well as a copy of the event program, can be found on CCAO's Winter Conference page.

Association and Member News | State and Federal News | Education and Grants | ARPA and BIF Resources | County News | Did You Know?
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ASSOCIATION AND MEMBER NEWS

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Former CCAO President, Union County Commissioner Gary Lee passes away

Former CCAO President and Union County Commissioner Gary Lee passed away on November 26. Gary was a dedicated public servant, serving for 14 years on the Union County Board of Election, 16 years as a Union County Commissioner (including serving as CCAO President in 2013), and served on the NACo Board. During his time as a commissioner, he also served as CEBCO President in 2016.

In his private life, Gary was a farmer, volunteer firefighter, and a high school basketball referee. His family has asked that memorial contributions be made to either the Union County Foundation, of which Gary was a founding member, or the St. John's Growing Roots campaign.

Counties receive H2Ohio funding for water projects

Last Friday, Governor Mike DeWine and OEPA Director Anne Vogel announced the awarding of $16.7 million in infrastructure funding for H2Ohio projects across the state. Of the 14 projects that received funds, three went to counties and a fourth went to a non-profit serving Jackson and Vinton counties. The projects are described below.

- **Ashtabula County**: $1 million for an extension of a water line, a water booster station, and seven hydrants. It will eliminate a dead-end water line and improve water service to a mobile home park.
- **Muskingum County**: $2 million to establish a connection to the Maysville public water system which is experiencing contamination issues.
- **Portage County**: $1 million to install a new wastewater collection system, addressing water quality issues cited by the EPA and Health District.
- **Jackson County Water Company**: $2 million to replace waterlines to allow for increased output and to expand waterlines to unserved areas.

You can view the full list of projects that received H2Ohio projects here.

CCAO publishes the 2023 Annual Report

This week, ahead of the 2023 CCAO / CEAO Winter Conference, CCAO has published our 2023 Annual Report!

The Association had another great year in 2023. CORSA grew by six counties and now serves 72 counties across the state, while CEBCO added Hocking County back to its ranks, with Butler and Pike counties joining in January. This will bring CEBCO up to 48 counties.

The CCAO Service Corporation enjoyed a successful year as well. Its energy programs saved members more than $20 million with even more saving coming from the CCAOSC's energy aggregation programs.

CCAO also launched County Benefits+, a partnership with Aflac, in conjunction with NACo's Public Promise Insurance, to offer supplemental benefits to county employees at no cost to counties.

Read more about the fruitful 2023 in the Annual Report!

Issue 2 materials available: CAB and Webinar

Last week, CCAO released materials to help members understand provisions and effects of Issue 2, passed last month, which legalizes adult use cannabis.

The Association published a County Advisory Bulletin regarding Issue 2 for members to quickly familiarize themselves with the provisions of the new Chapter 3780. The key aspect for counties to know is that sales of adult use cannabis would be subject to state and local sales taxes. There is little county involvement otherwise, but the CAB contains a full walkthrough of the new Revised Code chapter.

Additionally, David Riepenhoff, an attorney and partner with Fishel Downey Albrecht & Riepenhoff, LLP, hosted a webinar with CCAO members to help explain the employer rights aspect of the new statute. A recording of the webinar and the presentation are available. Riepenhoff will also be presenting at a Friday morning session during this week's Winter Conference about the same topic. The Association is working with him to produce sample policies and memos to help counties formally set their own employer policies regarding adult use cannabis.

The CCAO Policy Team anticipates that the General Assembly will amend Chapter 3780 in the near future, either before the end of the year or in January. These developments will be covered in *Statehouse Report*.

Membership to vote on 2024 CCAO Board of Directors during Annual Meeting

During the CCAO Annual Business Meeting during this week's Winter Conference, members will vote on the recommendations of the CCAO Nomination Committee for positions on the 2024 CCAO Board of Directors board of directors. The committee issued a report (the full text can be found here) that made the following recommendations for the 2024 CCAO Board of Directors.

CCAO OFFICERS
For President – Chris Abbuhl (Tuscarawas)
For 1st Vice President – David Painter (Clermont)
For Secretary – Ilene Shapiro (Summit)
For Treasurer – Casey Kozlowski (Ashtabula)

ELIGIBLE CANDIDATES WHO HAVE REQUESTED TO BE NOMINATED TO THE OFFICE OF 2nd VICE PRESIDENT

Denise Driehaus (Hamilton)

PAST PRESIDENTS WHO HAVE ELECTED TO SERVE ON THE BOARD

1. Mike Halleck, Columbiana County Commissioner
2. Lenny Eliason, Athens County Commissioner
3. Julie Ehemann, Shelby County Commissioner
4. Tim Bubb, Licking County Commissioner
5. Deborah Lieberman, Montgomery County Commissioner
6. Glenn Miller, Henry County Commissioner

FOR TWO-YEAR TERMS ON BOARD OF DIRECTORS

1. Tony Anderson (Fayette)
2. Jeff Fix (Fairfield)
3. Stephen Hambley (Medina)
4. Shannon Jones (Warren)
5. Gary Merrell (Delaware)
6. Chris Ronayne (Cuyahoga)
7. Gary Scherer (Pickaway)
8. Donnie Willis (Jackson)

STATE AND FEDERAL NEWS

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US Treasury clarifies the definition of "obligation" for ARPA funds

Under the American Rescue Plan Act and subsequent Treasury regulations, counties and other recipients of ARPA – Local Fiscal Recovery Funds must obligate funds by December 31, 2024. Unobligated funds must be returned to Treasury. This deadline also applies to all ARPA funds including spending under the revenue loss category. Funds are considered "obligated" if an order has been placed for property and services and the government has entered into contracts, subawards and similar transactions that require payment. When the county has provided funds under a contract or agreement to a subrecipient organization, it is considered to have been obligated. The obligation deadline does not apply to the activities of the subrecipient organizations.

In November, the Treasury department issued an updated rule to clarify when a county or other ARPA grant recipient can obligate funds for certain administrative personnel expenses. These administrative expenses must be related to federal requirements that affect the county as a result of receiving or expending ARPA funds. Examples of these types of administrative requirements include:

- Reporting and compliance;
- Single audit costs;
- Records retention and internal control;
- Property standards;
- Environmental compliance;
- Civil rights and nondiscrimination laws.

For these types of administrative expenses, the county will have to develop an estimate of expected expenditures for 2025 and 2026, document a reasonable justification for the estimate, and report these amounts to Treasury by April, 2024, with an explanation of how the amount was determined. ***Please note that this update does not support the obligation of ordinary county program personnel costs to ARPA funds beyond the 12/31/2024 deadline under current ARPA rules***. An allocation or budget resolution does not suffice to demonstrate obligation. This is an issue that NACo is continuing to address with the US Treasury Department.

More information on this topic is available from NACo. The updated Treasury rule is available here.

Senate Committee on Housing to hold hearing in Allen County on December 11

On Monday, December 11, the Senate Select Committee on Housing will hold its northwest regional meeting in Lima.

The hearing will start at 10:00 a.m. on the campus of Rhodes College at the Borra Center for Health Sciences (8 Towne Square, Lima, OH 45801).

If you would like to testify at the hearing, you must complete this document and submit both it and your testimony to Senator Michele Reynolds' senior legislative aide Chloe Green by Friday. You can reach Green at chloe.green@ohiosenate.gov or 614-466-8064.

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.

TOMORROW: Ohio Environmental Protection Agency to host webinar on brownfields

Tomorrow (December 5), the OEPA will host a webinar focusing on what local officials should know about brownfield sites, including information on land use restrictions, potential liability concerns, and provide information regarding brownfield remediation funding.

Registration for this webinar is free and can be completed here.

Department of Development to host brownfield remediation program webinar on December 11

Earlier this year, the Ohio Department of Development released guidelines for the new round of funding under the Ohio Brownfield Remediation Program. The program includes Ohio's land banks and counties as key leaders in the critical task of cleaning up brownfield sites in Ohio.

The program will award grants for the remediation of brownfield sites throughout Ohio, to assist in the remediation of hazardous substances or petroleum at industrial, commercial, or institutional properties. The legislature allocated $175 million in Fiscal Year 2024 and 2025 for the program.

The Department will host a webinar focusing on the Remediation Program on December 11, 2023, from 11:00 am to 12:30pm. The free Webinar will afford the opportunity for dialogue about how this important program can be most effectively utilized. Representatives of the Ohio Department of Development will participate, along with the Ohio Economic Development Association, the Ohio Land Bank Association, the County Commissioners of Ohio Association and Greater Ohio Policy Center, who are partnering to sponsor this webinar.

The webinar is free and can be registered for here.

Fourth annual Ohio Grants Summit recordings available

The Office of Budget and Management held its fourth annual Ohio Grants Summit last week.

The event brings state and local officials together to discuss the federal and state intergovernmental grant process. The event is archived on the Ohio Channel for those unable to come to attend in person. Recordings of each session are included below.

The sessions this year are:

- **Day 1:**
  - Tips for a Successful Grant Application
  - Proposed Updates to the Federal Uniform Guidance
  - Federal Grant Update
- **Day 2:**
  - Closeouts and Continuing Responsibilities
  - Maximizing Federal Funds
  - Preparing for Infrastructure Funding

ARPA and BIL RESOURCES

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NACo provides analysis of new allowable uses and guidelines for ARPA funds

On August 10, the US Department of Treasury released a new Interim Final Rule (IFR) for ARPA funding in light of an amendment that recently passed which expanded the allowable usages for the funds. All of the existing allowable usages are unchanged.

NACo has provided an analysis of the new IFR, available here. Additionally, last week NACo held a membership call to discuss the IFR. The slide deck is available here and a recording is available here.

The new IFR added three new allowable uses, discussed in turn.

Emergency Relief from Natural Disasters
Counties may now use ARPA funds to provide relief from natural disasters or mitigate the negative economic effects of a natural disaster. The eligible uses are broad, as long as they are tied to the natural disaster. The NACo analysis has a lengthy, but non-exhaustive, list of allowable usages.

Additionally, ARPA funds can be used to mitigate the threat of future natural disasters. Examples of eligible usages include structure elevation, structural retrofitting, and others.

Surface Transportation Projects & Community Development Block Grant Projects
ARPA funds can now be used for surface transportation projects and CDBH projects, subject to some limitations. These limits include a limitation on contribution, a prohibition on supplanting funds, and a compliance with other laws.

Counties may only use an amount equal to the greater of $10 million or 30% of the county's total ARPA allocation for transportation and CDBG projects. For example, if a county received a total allocation of $58 million, 30% of that is $17.4 million. That is the maximum amount the county can use for these two types of projects. It can be split between the two in any proportion as long as the total does not exceed $17.4 million.

Counties must use ARPA funds to supplement, not supplant, other funds being used for the project. For example, if a county is working on a surface transportation project and has already allocated $4 million for it, it cannot withdraw that $4 million and replace it with ARPA funds. The ARPA funding can be added to it to enhance the project, but not to keep the project scope the same while withdrawing local funds.

Generally speaking, using ARPA funds for surface transportation projects and CDBG projects must comply with other applicable laws. This includes certain environmental laws, procurement laws, and more. The NACo analysis provides more detail on this issue.

Finally, funds used for surface transportation or CDBG must be expended by September 30, 2026. This is earlier than the deadline for other usages (December 31, 2026).

Please utilize the resources linked to above to help gain an understanding of the guidelines for the new allowable usages.

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

Public can review Wood County mitigation plan

Toledo Blade, November 29, 2023

The Wood County Emergency Management Agency is inviting the public to review the county mitigation plan.

Over the past year, the EMA has been working with cities, villages, townships and special districts to identify potential threats and hazards, as well as developing strategies to mitigate impacts.

The plan prepares Wood County to be more resilient to flooding, snow and ice storms, high wind events, extreme temperatures, and unintentional chemical releases. The plan also opens the door for potential grant funding.

The draft plan is available for review through Dec. 11 at onsultrsa.com/wood or review a hard copy in the EMA office, One Courthouse Square.

Northeast District

Sheriff's Office to get new vehicles

Norwalk Reflector, November 21, 2023

The Huron County Sheriff's Office is getting four new vehicles.

Huron County Commissioners at their meeting on Tuesday morning unanimously approved purchasing three 2025 Ford Utility Interceptors and one 2024 Ford F-150 Responder for the sheriff's office.

The Ford Interceptors will cost a total of $194,277 while the Ford F-150 will cost $68,668 and are being purchased from Statewide Ford Lincoln in Van Wert, Ohio.

Commissioners also approved spending $10,353.78 for purchase and installation of two radios.

Central District

Debate heats up over Frasier Solar Project in Knox County amid tax revenue concerns

Mount Vernon News, November 28, 2023

The ongoing debate over solar energy projects in Knox County, which has pushed for solar energy since 2020, is intensifying as residents and commissioners grapple with issues of timing, location and community involvement in such initiatives.

The Frasier Solar project in particular faces opposition from various quarters, highlighting the complexities and challenges in transitioning to large-scale solar developments.

More recently, The Buckeye Institute released an analysis noting the project will likely fall far short of tax revenue it has projected.

The planned development has sparked community discussions.

Southwest District

Plans Changing at Ross County Airport

WKKJ, November 28, 2023

Jim Parks, who manages the Ross County Airport, spoke with the Ross County Commissioners Monday about his change in plans on developing land next to it.

The public airport owned by the commissioners on Stone Road, between State Routes 104 and 207, is a busy place, says Parks.

His company that supports airport operations, TRM Aviation, had bought a couple lots along Stone Road at the airport entrance and demolished the houses there. He was planning to build a support structure and parking area to keep service vehicles away from aircraft on the tarmac. But with new health issues, he says he is instead offering the land for different development.

Monday, he said he wanted to give the commissioners the opportunity to consider building a fire station and EMS facility there to compliment Union Township's buildings on Cattail Road and Yellowbud, as well as increase protection for the airport. Otherwise, he says two companies may be interested in building their own facility there for day-to-day flight operation, sales, and repairs.

Southeast District

Shroyer: Broken funding system leads Coshocton EMS to seek more funding

Coshocton Tribune, November 28, 2023

Coshocton County Commissioners are considering placing a 1-mill property tax levy for EMS general operations on the spring primary ballot. Paperwork to do such would need to be into the Coshocton County Board of Elections by Jan. 2.

Currently, the agency receives about $2.7 million annually from 4-mills in separate property tax levies and about $1.3 million in billing revenue. However, personnel costs are just under $4 million a year and will have to go up in order to be competitive with private ambulance services and fire departments elsewhere. Personnel is about 80% of the department's costs.

Todd Shroyer, director of Coshocton County Emergency Medical Services, said in June said he didn't want to ask taxpayers for anymore money, but finds it unavoidable with the state of EMS today.

"We're doing everything we can to maintain level of service, but it is what it is when you look at personnel. EMS isn't any different than anywhere else," Shroyer said. "We have a really good system, but it's a really expensive system and we've reached the point where we've got to have more money if we're going to keep it."

DATES TO REMEMBER

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

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DECEMBER 6 - 8
CCAO-CEAO Annual Winter Conference

DECEMBER 7 - 15
Chanukah

DECEMBER 25
Christmas

JANUARY 1
New Years Day

DID YOU KNOW?

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County Names

There are more than 3,000 counties nationwide. Of these, there are nearly 1,800 discrete county names. The most popular county name in the United States is, perhaps unsurprisingly, Washington County. Ohio's Washington County was the state's first. Thirty other states have a Washington County.

The most popular county name that Ohio does not have is Lincoln County. Twenty-four states are home to a Lincoln County. Ohio's lack of a Lincoln County is most likely due to the fact that Noble County, the state's youngest, was established in 1851, nine years before Abraham Lincoln rose to prominence.

Of the nearly 1,800 county names nationwide, the vast majority (about 1,360) are present in only one state. Texas has the most unique county names, with 154 of it's 254 counties have a name only found in Texas. As a proportion of the state's total county count, however, Alaska and Hawaii take the top prize, with all of their county names findable in only their state.

Ohio has 28 unique county names, good for about 32% of its total 88 counties.

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