

**RESOLUTION 14-2021**

**A RESOLUTION CREATING THE AMERICAN RESCUE PLAN ACT OF 2021 SPECIAL REVENUE FUND WITHIN THE 2021 PERMANENT APPROPRIATIONS BUDGET FOR THE VILLAGE OF COMMERCIAL POINT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) ("ARP") was signed into law on March 11, 2021; and

**WHEREAS**, the ARP provides additional relief to local governments, individuals, and businesses to address the continued impact of the COVID-19 pandemic on the economy and public health of the United States; and

**WHEREAS**, as part of the ARP, approximately \$350 billion in funding is being provided to state and local governments; and

**WHEREAS**, the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282) requires the full disclosure of the use of federal funds by organizations receiving such funds; and

**WHEREAS**, Ohio Revised Code Section 5705.09 requires political subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which is required to be used for a particular purpose; and

**WHEREAS**, the Village Council, as the taxing authority for the Village of Commercial Point under Ohio Revised Code Section 5705.12, has the authority to establish a special revenue fund for the deposit of moneys derived from specified sources other than the general property tax, such as ARP funding, in accordance with guidance from the Auditor of State; and

**WHEREAS**, the Auditor of State has issued Bulletin No. 2021-004 on April 7, 2021 advising political subdivisions to establish separate funds for the receipt of ARP moneys via the adoption of a local ordinance or resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO THAT:**

**Section 1. Establishment of Special Revenue Fund.** There is hereby established a special revenue fund entitled the "American Rescue Plan Act of 2021 Special Revenue Fund" within the Village treasury for the deposit and expenditure of moneys received pursuant to the American Rescue Plan Act of 2021. All moneys received under the ARP by the Village of Commercial Point shall be paid directly into the American Rescue Plan Act of 2021 Special Revenue Fund.

**Section 2. Direction to Fiscal Officer to Create Fund.** The Village Fiscal Officer is hereby authorized and directed to take all necessary steps to formally create the American Rescue Plan Act of 2021 Special Revenue Fund within the Village treasury.

**Section 3. Use of ARP Moneys.** All moneys received pursuant to the American Rescue Plan Act of 2021 and deposited into the American Rescue Plan Act of 2021 Special Revenue Fund shall be used only for those purposes authorized by the ARP.

**Section 4. Open Meetings Certification.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 5. Declaration of Emergency; Resolution Shall Take Immediate Effect.** Because the American Rescue Plan Act of 2021 Special Revenue Fund must be established as soon as possible in order for the Village of Commercial Point to be eligible for the receipt of ARP moneys, this Resolution is hereby declared to be an emergency measure necessary for the immediate the preservation of the public peace, health, or safety in the Village of Commercial Point and shall, therefore, go into immediate effect upon passage.

RESOLUTION 14-2021

Vote on Suspension of the Readings:

Motion by: Tracy Joiner

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel

Yes Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

2<sup>nd</sup>: Ryan Mitchem

Vote on Passage of the Resolution:

Motion by: Tracy Joiner

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel

Yes Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

2<sup>nd</sup>: Nancy Geiger

Adopted this 19<sup>th</sup> day of April, 2021.

  
Allan D. Goldhardt, Mayor

  
Wendy L. Hastings, Fiscal Officer

Approved as to Form:

  
Joshua Cartee, Village Solicitor