

Minutes of the Board of Licking Township Trustees, Regular Meeting held at Licking Township Fire Station #600, Jacksontown, OH at 7:30 p.m., on August 15, 2022.

Mr. Holman called the meeting to order with the following members present: John Cormican, John Holman, & Andrea Lynch. Mr. Miller was absent.

Others Present: Ed Monroe; Doug Howell.

The Pledge of Allegiance was recited.

Minutes were distributed, approved, and signed by the Trustees.

Mr. Cormican made a motion to approve expenditures totaling \$27,769.49

Mr. Holman seconded the motion.

Roll Call: Cormican, yes; Holman.

There are funds on hand or in the process of collection to pay the attached listed bills, _____ Fiscal Officer.

CORRESPONDENCE:

- Fiscal Officer telephone call with Attorney Ken Oswalt re: ARPA fund usage, documentation, etc.
- LC Commissioners Resolution #115-29 re: Expedited II Annexation petition regarding property owned by Robertson Heath LLC FKA Shell Property.

A discussion took place regarding the ARPA Funds including details from the LCPO Attorney Ken Oswalt. Mr. Holman and Mr. Cormican stated that the LTWP Board of Trustees are in agreement to utilize the funds in accordance with revenue loss/revenue replacement. Mrs. Lynch read the following to which Mr. Holman and Mr. Cormican concurred:

As of 8/15/22, Licking Township, Licking County, hereby acknowledges reliance upon and acting in accordance with the Coronavirus State and Local Fiscal Recovery Funds (SLFRF/Fiscal Recovery Funds/ARPA Funds) based on the most recent final rule which became effective 4/1/2022 from the Treasury and utilizes the FAQ document version 2.0 dated 7/27/2022

<https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-FAQ.pdf> for direction concerning revenue loss/revenue replacement funding and subsequent project expenditures as per the following pages:

Pages 53-54 Section 13.15 "Which Requirements of the Uniform Guidance apply to loss of Revenue Funds"; Page 48 Section 13 "Uniform Guidance"; Page 32 Section 4.8 "May recipients fund a project with both ARPA funds and other sources of funding (e.g. blending, braiding, or other pairing funding sources), including in conjunction with financing provided through a debt issuance".

Licking Township, Licking County, also acknowledges seeking guidance from the Licking County Prosecutor's Officer on August 11, 2022, specific to identifying ARPA Funds as revenue loss funds/revenue replacement funds with 1 potential project being funding of road resurfacing project/road improvements including funding % pledged for OPW projects applied for and expenses incurred after March 2021.

Mrs. Lynch presented and read a proposed Resolution concerning use of ARPA Funds. A discussion took place with the following Resolution being adopted:

RESOLUTION No. 08-15-2022
Authorizing Expenditure from American Rescue Plan Act Funds
Licking County, Ohio

Be It Resolved by the Township Trustees of Licking Township

WHEREAS, this date, August 15, 2022, Trustee John Cormican moved the adoption of the following Resolution:

WHEREAS, the Township has received a distribution of monies (the "ARPA Funds") from the American Rescue Plan Act of 2021 ("ARPA" or the "Act"); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, non-entitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19); and

WHEREAS, Section 603(c) generally provides that:

- 1) Use of Funds. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover cost incurred by the metropolitan city, non-entitlement unit of local government, or county, by December 31, 2024 -
 - (A) To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
 - (B) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
 - (C) For the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, non-entitlement unit of local government, or county prior to the emergency; or
 - (D) To make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund "government services." [The "standard allowance"].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities,

and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund's smallest recipients. This change is intended to promote administrative efficiency and simply revenue loss calculation for smaller recipients.

WHEREAS, the Rule further clarifies that recipients can use: SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount of the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by the government, unless treasury has stated otherwise.

WHEREAS, some common examples of "government services" expressly recognized by Treasury are as follows:

Road building and maintenance, and other infrastructure

Health services

General government administration, staff, and administrative facilities

Environmental remediation

Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

Maintenance or pay-go funded building infrastructure

Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, "Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;" and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

Deposit into pension funds

Satisfaction of settlements or judgments

Contributions to financial reserves or "rainy day" funds

WHEREAS, the Board of Trustees has identified a project which, in the judgement of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of government services, which consists of the following:

Fire and Emergency Medical Services and/or Equipment; Road Repair and/or Maintenance and other transportation and safety services ; other uses such as Zoning, Consultation, Professional Fees/Services (i.e. consulting, legal fees, etc)

(the "Project(s)").

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Township elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services
2. The Project(s)s are hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: total allocation
3. The Project(s) described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

Police protection

Fire and Emergency medical services/equipment

Road repair, maintenance and other transportation and safety services

Public infrastructure support

General government administration and administrative facilities

Land use regulations and enforcement

Parks and recreational facilities programs

Other - Zoning/Consultation/Professional Fees (i.e. consulting fees legal fees, etc)

4. Accordingly, the Project(s) are in the best interest of the Township and are deemed priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Trustee John Holman seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. Adopted the 15th day of August, 2022.

Doug Howell gave the Zoning Report. There were 5 permits issued since the last meeting as follows:

- Sherry Zwayer - Bancroft Place - Spa & Deck - \$125.00
- Lloyd Thompson - Pleasant Lee - Pole Barn - \$150.00
- Timothy Ramsey - Allison Drive - Pole Barn - \$150.00
- Guy Zierk - Licking Trails - Pole Barn - \$125.00
- Todd Pullie - National Road - Pole Barn - \$250.00

Mr. Howell led a discussion regarding solar panels (personal home use vs solar farms). This is a topic that will need moved to the Zoning Commission for review.

Fire Chief Mike Wilson reported on the following:

- Data concerning for consideration of squad replacement including repair history and cost, mileage, etc.
- ICP Concert at Legend Valley consisted of 12 runs with 6 transported.
- Ownership change at Honda Hills and there is an upcoming motocross event slated for Labor Day Weekend.

Mr. Cormican reported the following:

- Culvert update at Dogwood Lakes. Licking County will provide the labor for free. Licking Township will pay for end walls. Zemba contract has been cancelled.
- Jason Broseus is taking CDL training online
- John Cormican has administered a 90-day review to Jason Broseus
- Road Department will be putting together a template for improved tracking of projects and daily activities. Mrs. Lynch offered to contact KLA Risk Consultant Kim Arnold for a template that may already be crafted for township use.
- Estimates that the Hupp Road leveling may cost approximately \$143,000.00.

A discussion took place regarding resurfacing Avon Place & Misty Meadows Phase II (other roads).

Mr. Cormican moved that the LTWP Board of Trustees authorize the Fiscal Officer to advertise for bids for resurfacing Avon Place & Misty Meadows II (other roads) as discussed with legal notice being placed on 8/19/22, bid deadline of 9/2/22 at 4:00 p.m. and bid opening to occur on Tuesday, September 06, 2022, at 7:30 p.m. during regular session.

Mr. Holman seconded the motion.

Roll Call: Holman, yes; Cormican, yes.

A brief discussion took place regarding consideration of chip and seal of Ridgely Tract Road. Pended for future discussion.

Mr. Holman thanked and recognized Mr. Cormican for his efforts in establishing a professional relationship with the LC Engineer's office and for his recent efforts that resulted in getting the Dogwood Lakes culvert project shared between the County and LTWP.

Mr. Holman thanked Jason Broseus and Mr. Cormican for their recent work on the ditch problem on Ridgely Tract near bridge at property FKA Jim & Jeanne Biebart.

Mr. Holman relayed a conversation he had with LC Water & Wastewater Ryan Brown concerning a water pipe project slated for Harbor Hills and how this may impact the Harbor Hills OPW project. Mr. Holman stated that the LC Water & Wastewater anticipates a completion date of July 2024. Subsequently Mr. Holman contacted OPW who agreed to extend the OPW monies awarded so that the OPW project can be done after the pipes are installed to avoid damaging new pavement. Mr. Cormican thanked Mr. Holman for coordinating this.

Ed Monroe stated that Bowling Green is applying for an OPW paving project in 2023 for Deer Trail in Dogwood Lake and Somerset from Roley Hills towards South.

Andrea Lynch thanked the Road Department for their recent efforts in cutting back the overgrown trees/bushes on the blind curves located on Ridgely Tract east of Moraine's property.

Mr. Cormican made a motion to adjourn the meeting at 9:20 p.m.

Mr. Holman seconded the motion.

Roll Call: Cormican, yes; Holman, yes.

Attest