

Village of Crooksville, Ohio

RESOLUTION NO. 42-22

RESOLUTION AUTHORIZING EXPENDITURE FROM THE AMERICAN RESCUE PLAN LOCAL FUND, FOR EMPLOYEE PREMIUM PAY

WHEREAS, the American Rescue Plan Act of 2021 ("ARP"), a \$1.9 trillion economic COVID-19 stimulus package, was signed into law on March 11, 2021, to provide monetary relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses; and

WHEREAS, the Village of Crooksville is a recipient of ARP funding as a non-entitlement unit of local government; and

WHEREAS, the Final Rule issued by the U.S. Department of the Treasury on January 7, 2022, provides that recipients including the Village of Crooksville can elect to use a Standard Allowance for revenue loss of up to ten million dollars, allowing the funds to be used for the provision of government services; and

WHEREAS, pursuant to Resolution 29-22, the Village Council previously established the ARP Local Fund, to account for revenues and expenditures related to the funds received by the Village of Crooksville through the American Rescue Plan Act of 2021; and

WHEREAS, in said Resolution 29-22 and subsequent Resolutions, the Village Council provided further for allocation of all funds received pursuant to the American Rescue Plan Act of 2021 which were not previously allocated by the Village Council to revenue loss and elected the Standard Allowance as defined by the Final Rule, and provided further that all ARP funds received not previously allocated by the Village Council are to be expended for the provision of government services consistent with the requirements of the ARP and other applicable laws, regulations, and guidance; and

WHEREAS, pursuant to the advisory of the U.S. Department of Treasury's Overview of the Final Rule issued in January 2022, Coronavirus State and Local Fiscal Recovery Funds may be used to provide Premium Pay to eligible worker performing essential work during the pandemic; and

WHEREAS, as part of the local government workforce, and as persons involved in regular, in person interactions with patients, the public or coworkers and/or regularly physically handling items that were handled by patients, the public or coworkers, nearly all employees of the Village of Crooksville are eligible workers who perform essential work; and

WHEREAS, those employees of the Village of Crooksville who are essential workers but may not fit all components of the definition of eligible worker did/do yet perform duties that were/are essential during the pandemic notwithstanding health or financial risks or other factors faced due to COVID-19; and

WHEREAS, upon the foregoing Council desires to issue Premium Pay to all current employees of the Village of Crooksville.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Crooksville, Perry County, State of Ohio, that:

SECTION 1. DEFINITIONS.

- a. Eligible Worker: An individual employed by the Village of Crooksville (1) who performs work in emergency response, sanitation, disinfection & cleaning, maintenance, or any other work in the Village's local government workforce; and (2) who is earning (with the premium pay included) at or below 150% of Ohio's or Perry County's average annual wage for all occupations, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, whichever is higher, on an annual basis; and (3) who is not exempt from the Fair Labor Standards Act overtime provisions.
- b. Essential Work: (1) Work that is not performed while teleworking from a residence; and (2) that involves either: (a) regular, in person interactions with patients, the public, or coworkers of the individual that is performing the work; or (b) regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work.

SECTION 2. In accordance with the American Rescue Plan Act of 2021 ("ARP"), and the U.S. Department of Treasury's advisory on the Final Rule issued January 2022, the Village of Crooksville, shall pay from its allocated ARP Funds, to each of its current employees who is an eligible worker that performed/performs essential work during the pandemic, a one-time disbursement of Premium Pay in the amount of Five Hundred and No/100 Dollars (\$500.00).

SECTION 3. In the event that an employee of the Village of Crooksville performs/performed essential work but does not fulfill the criteria of an essential worker due to the provisions of Section 1.a.(2) and (3), the Village of Crooksville, shall yet pay from its allocated ARP Funds, to each such current employee, a one-time disbursement of Premium Pay in the amount of Five Hundred and No/100 Dollars (\$500.00). Provided however, in accordance with the American Rescue Plan Act of 2021 ("ARP"), and the U.S. Department of Treasury's advisory on the Final Rule issued January 2022, the Fiscal Officer, with the assistance of the Village Administrator, is instructed to submit written justification to the U.S. Treasury detailing how such employee's Premium Pay is otherwise responsive to such Village employee's performing essential work during the public health emergency. Written justification may include, but is not limited to, a description of the essential worker's duties, health, or financial risks faced due to COVID-19, and why the Village of Crooksville determined that the Premium Pay was responsive.

SECTION 4. The Fiscal Officer is further instructed and authorized to take the actions necessary to implement this Resolution and file the required reports of the ARP Funds received and expended.

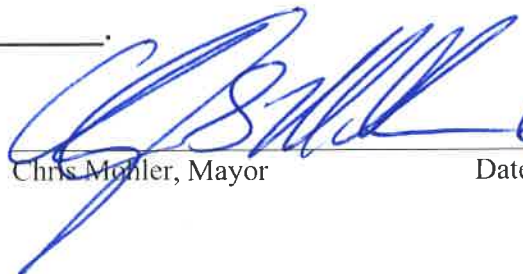
SECTION 3. This resolution shall have effect at the earliest date allowable by law.

1st Reading: May 2, 2022

2nd Reading: May 16, 2022

3rd Reading: June 6, 2022

Passed on 2/3 Vote: June 6, 2022

 6-6-2022
Chris Mohler, Mayor Date

ATTESTED:

Marilyn L. Horner 6-6-22
Marilyn Horner, Fiscal Officer Date

APPROVED:

Bill Hampton 6/6/22
Bill Hampton, Council President Date

Billie Smith 6/6/22
Billie Smith, Councilwoman Date

Fred Redfern 6/6/22
Fred Redfern, Councilman Date

R. Scott Locke 6/6/22
R. Scott Locke, Councilman Date

John Loomis 6-6-22
John Loomis, Councilman Date

Rodney Walters 6/6/22
Rodney Walters, Councilman Date

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the _____ day of _____, 2022.

Marilyn Horner, Fiscal Officer

