

ORDINANCE NO. 2021- 11

**AN ORDINANCE ESTABLISHING
THE AMERICAN RESCUE PLAN ACT CORONAVIRUS LOCAL FISCAL RECOVERY
FUND**

WHEREAS, the federal government has passed the American Rescue Plan Act (ARPA) to help mitigate the harm and cost to local governments from the Coronavirus Pandemic and the Town of Ferdinand has or will receive assistance provided through ARPA; and

WHEREAS, assistance received through ARPA must be receipted into a separate fund created by ordinance and funds receipted must be used in accordance with State Examiner Directives, as modified; and

WHEREAS, the Town of Ferdinand will receive an allocation of Corona Virus State and Local Fiscal Recovery Funds under Section 603 of the Social Security Act;

NOW THEREFORE, BE IT RESOLVED by the Ferdinand Town Council that a need now exists for the establishment of a Fund for all purposes and uses as set out in the ARPA and establishes the Fund and the Clerk Treasurer has assigned it as Fund Number 176.

BE IT FURTHER RESOLVED that the Fund will be used for the eligible purposes of the ARPA and any use of the funds will require an additional appropriation approved by the Town Council before expenditure and all expenditures shall be approved by the Town Council with any and all claims to be paid from the aforementioned Fund. The Town Council, Clerk Treasurer and Town Attorney, or a combination thereof, will review all requested uses for ARPA compliance and detailed accounting records will be maintained by the Clerk Treasurer for future audits. A detailed plan will be developed and finalized which will govern the utilization of the monies from the ARPA. The Town Council will encourage public input in order to create and finalize the plan, conditions, and rules upon which the monies are to be requested and used. Any unused monies of the Fund shall be paid back to the U.S. Treasury, as may be required. Under the plan, the Ferdinand Town Council will consider the following actions and will use such monies in accordance with Section 603(c) of the ARPA and the U.S. Treasury Guidance, as amended:

- Making necessary improvements in water, sewer or broadband infrastructure as approved by the U.S. Treasury
- Responding to workers performing essential work during the public health emergency by providing premium pay or providing grants to eligible employers that have eligible workers who perform essential work
- Responding to the public health emergency with respect to Covid-19 or its negative economic impacts by providing assistance to households, small businesses, and nonprofits, or to aid the impacted industries such as tourism, travel and hospitality
- Recovering lost government revenue due to the public health emergency

The plan, when finalized may be amended as deemed necessary.

BE IT FURTHER RESOLVED that before money in the Fund is disbursed, the Town Council must appropriate the money in the fund for a use consistent with Section 603(c) and U.S. Treasury guidelines. Allowed Uses of Funds Under Section 603 are:

- A. Respond to the public health emergency caused by Covid-19 or the negative economic effects from Covid-19 including aid to households, small businesses, and nonprofits and aid to affected industries such as tourism, travel and hospitality
- B. Provide premium pay to eligible workers who perform essential work or provide grants to eligible employers of eligible workers
- C. Cover the loss of revenue (compared with the most recent full fiscal year) due to Covid-19
- D. Invest in water, sewer, or broadband infrastructure as approved by the U.S. Treasury

BE IT FURTHER RESOLVED the legislation also requires that funds are to be used for costs incurred by December 31, 2024 and funds may not be used for a deposit into a pension fund. The money from the ARPA fund may not be transferred to another fund of the Town.

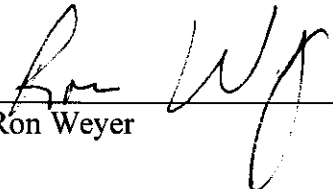
BE IT FURTHER RESOLVED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the other remaining parts.

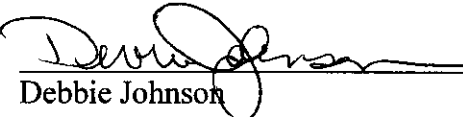
BE IT FURTHER RESOLVED that this Ordinance will be in full force and effect from and after passage by the Town Council.

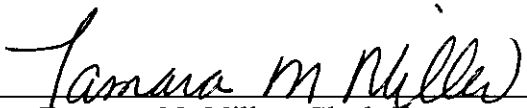
DULY ADOPTED BY THE FERDINAND TOWN COUNCIL THIS 20 **DAY OF**
July, 2021.

FERDINAND TOWN COUNCIL


Kenneth J. Sicard


Ron Weyer


Debbie Johnson

ATTEST: 
Tamara M. Miller, Clerk Treasurer