

ORDINANCE NO. 2021 CO- 0-C-21-3

**AN ORDINANCE ESTABLISHING THE ARP CORONAVIRUS  
LOCAL FISCAL RECOVERY GRANT FUND**

WHEREAS Indiana Code Chapter 36-1-3 permits any county in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

WHEREAS the Board of Commissioners of the County of Perry, Indiana is the County executive and legislative body and is by law authorized to adopt ordinances and resolutions for the administration of its governmental affairs;

WHEREAS the Perry County Auditor has recommended the creation of a fund that will exclusively receive grant funds from the American Rescue Plan Act ("ARP") under Section 9901 of the ARP Coronavirus Local Fiscal Recovery Fund for the County of Perry, Indiana for COVID-19 incurred purposes under the ARP;

WHEREAS the County Council of the County of Perry, Indiana is by law authorized to appropriate the ARP Coronavirus Local Fiscal Recovery Fund for proper purposes as provided in the ARP for the County of Perry, Indiana and to utilize such a fund for accounting purposes as provided by the Indiana State Board of Accounts;

NOW, THEREFORE, BE IT ORDERED, ESTABLISHED AND ORDAINED by the Board of Commissioners of the County of Perry, Indiana as follows:

1. Fund Establishment. There is hereby established a separate and distinct fund to be named and identified as the ARP Coronavirus Local Fiscal Recovery Grant Fund Number \_\_\_\_\_ (hereinafter referred to as the "Fund").
2. Fiscal Administration. The Perry County Treasurer shall serve as the custodian and the Perry County Auditor shall serve as the auditing agent for the Fund and is hereby authorized to oversee the administration of the Fund.
3. Receipts. Monies deposited to the Fund are intended to be limited to ARP funds received by the County of Perry, Indiana under Section 9901 of the ARP Coronavirus Local Fiscal Recovery Fund.
4. Expenditures. Expenditures from the Fund are subject to appropriation by the Perry County Council pursuant to State Examiner Directive 2021-1 of the Indiana State Board of Accounts dated March 18, 2021. The expenditures from the Fund will be subject to the approval of the Perry County Commissioners. Expenditures from the Fund are limited to the following Purposes:

USE OF FUNDS – To cover costs incurred by the County of Perry, Indiana 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 COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, non-entitlement unit of local 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, non-entitlement 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.

The Board of Commissioners of the County of Perry, Indiana will develop a plan that will detail the specific uses of the Fund. This Ordinance and the Plan may be amended as any other ordinance or plan as long as the amendment complies with the requirements of the ARP. Any specific appropriations approved by the County Council of the County of Perry, Indiana shall be deemed a part of the Plan or an amendment to the Plan, as appropriate, when such appropriations are made.

5. Non-Reverting Fund. Any and all monies in the Fund at the end of the calendar year shall not revert to another fund but shall remain in said Fund as a separate non-reverting fund.

6. Effective Date. This Ordinance shall take effect immediately upon the date of passage by the Board of Commissioners of the County of Perry, Indiana.

IN WITNESS THEREOF, the Board of Commissioners of the County of Perry, Indiana has adopted this Ordinance this 3<sup>rd</sup> day of May, 2021.

BOARD OF COMMISSIONERS OF THE  
COUNTY OF PERRY, INDIANA

By: 

By: 

By: 

ATTEST:


  
Pam Goffinet, Perry County Auditor

EXHIBIT A

INITIAL PLAN FOR USE OF THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND