

ORDINANCE O-2020-31

AN ORDINANCE AUTHORIZING A CONTRIBUTION OF \$20,000.00 OF THE VILLAGE'S DISTRIBUTION OF LOCAL CORONAVIRUS RELIEF FUNDING TO THE WINDHAM VOLUNTEER FIRE DEPARTMENT JOINT FIRE DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the "CARES Act") was signed into law by the President of the United States on March 27, 2020; and WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the CARES Act in House Bill 481 of the 133rd General Assembly; and

WHEREAS, the Village of Windham has received a distribution from the Portage County Coronavirus Relief Distribution Fund in order to pay expenditures incurred between March 1 and December 31, 2020 as a direct consequence of the Coronavirus health emergency; and

WHEREAS, the Windham Volunteer Fire Department Joint Fire District (hereinafter the Fire District) provides emergency response services to the Village of Windham and Windham Townships; and

WHEREAS, the Fire District is not a recipient of Coronavirus Relief Funding under the terms of the CARES Act; and

WHEREAS, Fire District has requested that the Windham Village and Windham Township, as the sole and only political subdivisions that comprise the Fire District service area contribute a portion of their respective Coronavirus Relief distributions to the Fire District; and

WHEREAS, the provision of Coronavirus Relief Funds to entities such as fire districts is a permissible use of the funds provided the funds are to be used as a necessary expenditure due to the public health emergency and meet the eligibility criteria as outlined in Ohio Office of Budget and Management and U.S. Treasury guidance documents; and

WHEREAS, the Committee of the Village Council has considered this request and has recommended its approval.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, two-thirds or more of the members elected thereto concurring, that:

SECTION 1: The Fiscal Officer is hereby authorized and directed to disburse \$20,000.00 from the Local Coronavirus Relief Fund number 2151 to the Windham Volunteer Fire Department Joint Fire District upon receipt of satisfactory preliminary documentation that the funds will only be used for eligible expenses in compliance with the relevant guidance of the Ohio Office of Budget and Management and U.S. Treasury.

SECTION 2: The disbursement set forth in this Ordinance is specifically conditioned upon the Fire District using the disbursed funds in conformity federal and state law, and as set forth in the "Coronavirus Relief Fund a, Local Government Assistance Program, Guidance & Frequently Asked Questions," a publication from the Ohio Office of Management and Budget, as the publication is periodically revised.

SECTION 3: Should an auditor determine that the Fire District use of the CARES Act funds distributed pursuant to this Ordinance were not used in conformity with law such that the funds are required to be repaid, by accepting the distribution the Fire District expressly commits to repayment to the Village the full amount of any disallowed expenditures.


SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its 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: This Ordinance is hereby declared an emergency measure, in order to provide critical funding assistance to the Windham Volunteer Fire Department Joint Fire District at the

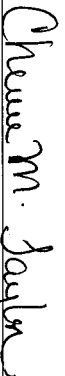
earliest opportunity, and shall become immediately effective upon its proper passage by two-thirds or more of the members elected to this Council.

PASSED as an emergency on November 24, 2020.


Vote of Council: Ayes: 6
 Nays: 0


Mayor Scott Garrett

ATTEST:


Fiscal Officer Cheree Taylor

Approved as to Form:


Village Solicitor Thomas Reitz