

ORDINANCE 2021-12

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

**WHEREAS** Indiana Code Chapter 36-1-3 permits any municipality in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of 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 Martin County Board of Commissioners 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 Martin 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 Martin County for COVID-19 incurred purposes under the ARP;

**WHEREAS** the Martin County Council is by law authorized to appropriate the ARP Coronavirus Local Fiscal Recovery Fund for proper purposes as provided in the ARP for Martin County 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 Martin County Board of Commissioners as follows:

1. **Fund Establishment**. There is hereby established a separate and distinct fund to be named and identified at the ARP Coronavirus Local Fiscal Recovery Fund with Fund Number 895 (hereinafter referred to as the "Fund").

2. **Fiscal Administration.** The Martin County Treasurer shall serve as the custodian and the Martin 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 Martin County under Section 9901 of the ARP Coronavirus Local Fiscal Recovery Fund. subject to appropriation by the Shoals Town Board pursuant to directives of the Indiana State Board of Accounts.

4. **Expenditures.** The expenditures from the Fund are subject to appropriation by the Martin County Council pursuant to directives of the Indiana State Board of Accounts dated March 18, 2021. The expenditures from the Fund are limited to the following purposes:

To cover costs incurred by the Martin County by December 31, 2024;

A. To respond to the public health emergency with respect to 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 Martin 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 the Martin County due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; or

D. To make necessary investments in water, sewer, or broadband infrastructure.

E. No monies received in the ARP Fund shall be utilized for any type of deposit into any pension fund.

F. Any unused funds shall be returned to the United States Treasury when required.

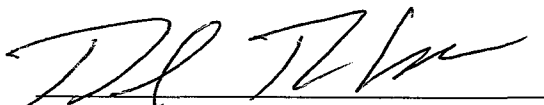
The Martin County Board of Commissioners will develop a plan that will detail the specific uses of the Fund. This Ordinance and the Plan may be amended as any other ordinance or plan as long as the amendment complies with the requirements of the ARP. Any specific appropriations approved by the Martin County Board of Commissioners 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 Martin County Board of Commissioners.


**IN WITNESS THEREOF,** the Martin County Board of Commissioners has adopted this Ordinance this 20th day of April, 2021.

**MARTIN COUNTY BOARD OF COMMISSIONERS**

  
Paul R. George, President

  
C. Aaron Summers, Commissioner

  
J. Cody Roush, Commissioner

ATTEST:   
Bobbie L. Abel,  
Auditor of Martin County