TO THE HONORABLE BOARD OF OGLALA LAKOTA COUNTY COMMISSIONERS:
I hereby submit the following report of my examination of the cash and cash items in
the hands of the County Treasurer of this County on this 31st day of May 2022.

Total Amount of Deposit in First Interstate Bank, HS: $376,229.60
Total Amount of Cash: $597.50
Total Amount of Checks in Treasurer's Possession Not Exceeding Three Days: $1,302.00

**FIRST INTERSTATE SAVINGS**
First Interstate, HS: $2,422,468.32

**CERTIFICATES OF DEPOSIT:**
First Interstate, HS: $202,257.05
Black Hills Federal Credit Union, HS: $50,000.00
First National Bank of Lead Checking $1,000.00
First Nation Bank of Lead ICS Acct $1,217,471.11

Itemized list of all items, checks and drafts that have been in the Treasurer's possession over three days:
Sheriff Change Fund: $200.00
Election Petty Cash: $15.00

**RETURNED CHECKS:**

TOTAL $4,271,540.58

Dated This 31st Day of May 2022.

Sue Ganje, County Auditor of Oglala Lakota County

Teresa Pullen, County Treasurer of Oglala Lakota County

County Monies $4,212,344.37
Held for other Entities $21,222.28
Held in Trust $37,973.93
**TOTAL** $4,271,540.58

The Above Balance Reflects County Monies, Monies Held in Trust, and
Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, AND STATE.
AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

TO THE HONORABLE BOARD OF OGLALA LAKOTA COUNTY COMMISSIONERS:
I hereby submit the following report of my examination of the cash and cash items in
the hands of the County Treasurer of this County on this 30th day of June 2022.

Total Amount of Deposit in First Interstate Bank, HS: $ 1,603,163.09
Total Amount of Cash: $ 1,467.38
Total Amount of Checks in Treasurer’s Possession Not Exceeding Three Days: $ 13,051.65

FIRST INTERSTATE SAVINGS
First Interstate, HS: $ 1,282,214.48

CERTIFICATES OF DEPOSIT:
First Interstate, HS: $ 202,257.05
Black Hills Federal Credit Union, HS: $ 50,000.00

First National Bank of Lead Checking
First Nation Bank of Lead ICS Acct $ 1,000.00 $ 2,595,030.15

Itemized list of all items, checks and drafts that have been in the Treasurer’s possession over three days:
Sheriff Change Fund: $ 200.00
Election Petty Cash: $ 15.00

RETURNED CHECKS:
Deaton, Tyler $ 110.10

TOTAL $ 5,748,508.90

Dated This 30th Day of June 2022.

Sue Ganje, County Auditor of Oglala Lakota County
Teresa Pullen, County Treasurer of Oglala Lakota County

County Monies $ 5,687,182.82
Held for other Entities $ 11,306.81
Held in Trust $ 50,019.27
TOTAL $ 5,748,508.90

The Above Balance Reflects County Monies, Monies Held in Trust, and
Monies Collected for and to be remitted to Other ENTITIES: SCHOOLS, TOWNS, AND STATE.
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<thead>
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<th>Proposed Budget</th>
<th>Previous Year</th>
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<td>Gas (field work) 200 200</td>
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<td>6-16-22</td>
<td>CO10039</td>
<td>16</td>
<td>Herman</td>
<td></td>
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</tbody>
</table>

\[ \text{Total Gallons} = \frac{248.8}{3.915} = 61.3 \]
Oglala Lakota County Highway Department

To: WESTCO 1800-762-9906

The Oglala Lakota County Highway Department is requesting a quote on fuel on this ___ day of September, 2022.

Please provide a bid for the following.

550 Gallons of Unleaded Gas at $4.36/ gal.

2,000 Gallons of Diesel at $4.89/ gal.

_____ Gallons of Propane at $_____ /gal.

The Oglala Lakota County Highway Depart. Tank is a 1,000 gallon tank, the current propane level is _____ percent.

Signature: [Signature] Date: 10/9/20XX

County Exemptions / Taxes Applicable:
Unleaded: Federal tax exempt: State Tax Applicable
Diesel: Federal and State tax exempt: $0.02 EPA tax applicable

Please submit a bid on the above requested fuel. Fax to 1 (605) 268-1867

Oglala Lakota County Highway Department
P.O. Box #208, Bataan SD 57716

PH: (605) 268-1866 Fax: (605) 268-1867 Cell: (605) 441-6261

For office use only:

_____ Response
_____ No Response

No reply from: Discount Fuel
Nelson's Fuel
PR Oil
To: Oglala Lakota County Commissioners

Re: Petition for Private Road Maintenance

The petition is from residents within the boundaries of Oglala Lakota County who have roads that are not on the Oglala Lakota County road system. Road maintenance is being requested at the following physical location (Section, Township, and Range):

Section 22, Township 34, Range 42

Description of requested work would be:

Blading Road

Cost for the requested work would be:

Cost will be determined by the cost accounting system (see attached sheets for estimates), one hour minimum. Time will begin when leaving the shop, and end when returning to the shop if there is no County equipment located near the requested job site; or travel time will be from the area where the equipment is being stored and ending when returning back to the area where the equipment is being stored, if there is County equipment located near the requested job site.

The cost of each project will be estimated by the Highway Superintendent, determined by the number of hours. The estimated cost will be 100% paid by the petitioner to the Highway Superintendent, who will forward the money to the County Auditor, 906 N. River Street, Hot Springs, SD 57747, and upon receipt of money, Auditor will notify the Highway Superintendent to authorize start of project. All contracts will be taken to the Board of Commission meetings for approval in the minutes.

This work will be performed by the Oglala Lakota County Superintendent and employees, with cost records maintained. This work will be only performed when weather permits, and when normal maintenance duties are caught up. State law authorizes a maximum of 6 hours per year, per applicant.

The applicant agrees to indemnify and hold harmless Oglala Lakota County for any and all actions, suits, liability, damages or other proceedings arising out of operations to complete the requested road maintenance.

X

Madonna Whirlwind Horse 625-889-8445 6-14-22

Property Owner Address 253 Zune Creek Phone # Date

X

Property Owner Signature

Oglala Lakota County Chairman Date

Date received by Auditor
<table>
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<tr>
<th>ITEM</th>
<th>COST PER HOUR</th>
<th>HOURS</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Motor Grader</td>
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<td>1</td>
<td>85.00</td>
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<tr>
<td>Dump Truck</td>
<td>$65.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loader</td>
<td>$65.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semi/Belly Dump</td>
<td>$139.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pit Run Gravel</td>
<td>$22.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mower Tractor</td>
<td>$55.00</td>
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<td></td>
</tr>
<tr>
<td>Water Truck</td>
<td>$65.00</td>
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</table>

Grand Total 85.00

Signature: [Signature]

Super Indendent Signature: [Signature]
OGLALA LAKOTA COUNTY
HIGHWAY DEPARTMENT

To: Oglala Lakota County Commissioners
Re: Petition for Private Road Maintenance

The petition is from residents within the boundaries of Oglala Lakota County who have roads that are not on the Oglala Lakota County road system. Road maintenance is being requested at the following physical location (4 Section, Township, and Range):

Section 9, Township 36, Range 41

Description of requested work would be:

Mowing

Cost for the requested work would be:

Cost will be determined by the cost accounting system (see attached sheets for estimates), one hour minimum. Time will begin when leaving the shop, and end when returning to the shop if there is no County equipment located near the requested job site; or travel time will be from the area where the equipment is being stored and ending when returning back to the area where the equipment is being stored, if there is County equipment located near the requested job site.

The cost of each project will be estimated by the Highway Superintendent, determined by the number of hours. The estimated cost will be 100% paid by the petitioner to the Highway Superintendent, who will forward the money to the County Auditor, 906 N. River Street, Hot Springs, SD 57747, and upon receipt of money, Auditor will notify the Highway Superintendent to authorize start of project. All contracts will be taken to the Board of Commission meetings for approval in the minutes.

This work will be performed by the Oglala Lakota County Superintendent and employees, with cost records maintained. This work will be only performed when weather permits, and when normal maintenance duties are caught up. State law authorizes a maximum of 6 hours per year, per applicant.

The applicant agrees to indemnify and hold harmless Oglala Lakota County for any and all actions, suits, liability, damages or other proceedings arising out of operations to complete the requested road maintenance.

Property Owner

Address

Phone #

Date

Property Owner Signature

Oglala Lakota County Chairman

Date

2

Total Hours Estimated

110 00

100% Estimate Amount

Date received by Auditor

Oglala Lakota Hwy Supt.

Date
<table>
<thead>
<tr>
<th>ITEM</th>
<th>COST PER HOUR</th>
<th>HOURS</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td>Motor Grader</td>
<td>$85.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dump Truck</td>
<td>$65.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loader</td>
<td>$65.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semi/Belly Dump</td>
<td>$139.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pit Run Gravel</td>
<td>$22.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mower Tractor</td>
<td>$55.00</td>
<td>2</td>
<td>110.00</td>
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<tr>
<td>Water Truck</td>
<td>$65.00</td>
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</tbody>
</table>

Grand Total 110.00

Signature: [Signatures]

Super Indendent
Signature: [Signatures]
Extended Coverage Quote Confirmation

Customer Quote

Extended Coverage Quote Provider: Caterpillar
Quote Date: 06/21/2022
Price Expiration Date: 

Customer Information:
OGLALA LAKOTA COUNTY
HIGHWAY DEPARTMENT
906 N RIVER ST
HOT SPRINGS
SOUTH DAKOTA
57747-1346
UNITED STATES

Dealer Information:
BUTLER MCHY
3402 36TH ST S
PO BOX 9559
FARGO
NORTH DAKOTA
58104-8804
UNITED STATES
WyattWilm@buttermachinery.com

Product Information:
Model: 420F
Serial#: HWC03722
Type: Published
Emissions Control Indicator: AFTERTREATMENT AND IRON CHANGE
Original Delivery Date: 07/19/2018
Product Status: Trade In/Other
Current Usage: 200 Hours

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<th>P/L,</th>
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Other:
Administration Fee
Late Fee
Tax
Total Customer Amount 0.00
Currency USD

Additional Comments:
OGLALA LAKOTA COUNTY VSO

MONTHLY ACTIVITY REPORT May 2022

OFFICE VISITS APPOINTMENTS 8 WALK-INS 33 PHONE 2 TOTAL 43

DEATHS TRIBAL MEMBERS | NON-TRIBAL MEMBERS |

VETERANS ADMINISTRATION

NEW CLAIMS 3 (PERSON 3 PHONE ___)
EXISTING CLAIMS 18 (PERSON 16 PHONE 2)
NEW MEDICAL ENROLLMENT 2

DD214 REQUESTS 4 (OFFICE 0 OTHER 4)
HOME LOAN 1 VA STATE HOME 0 OTHER 6

SD STATE BENEFITS

VETERANS/ACTIVE DUTY BONUS 0 DURIAL BENEFITS 0 EDUCATION 1
HEADSTONE/SET UP 5 RECORDS/OTHER 8 STATE PARKS 0
HUNTING/FISHING LICENSES 0 LICENSE PLATES 0 DRIVERS LICENSE 0

TRIBAL

TRIBAL VETERANS FLAG 0 FUNERALS/ROLL CALL 0
MEETINGS 0 OTHER 0

PUBLIC OUTREACH

SOCIAL MEDIA 0 RADIO STATION 0 OTHER 0

OTHER coordinated/tended Memorial Day Svs. @ Lakota Freedom Veterans Cemetery on May 30

VSO NAME sathnadomla
2023 Budget Request

**Personnel**
- Sheriff $53,000
- Deputy $40,768 ($19.60)
- Deputy $40,768
- Social Security $6,000
- Retirement $7,000
- Workman’s Compensation $2,000
- Group Insurance $6,000
- Life insurance $1,000
- Unemployment $500
**Personnel Expense** $157,036

**Operations**
- Insurance $3,200
- Supplies $1,500
- Vehicle Maintenance/Repair $4,000
- Vehicle Fuel $9,000
- Sheriff Phone $1,125
- Training $4,000
- Uniforms $1,000
- Equipment $1,000
- Sheriff Association Dues $850
**Operations Expense** $25,675

Total Requested 2023 Sheriff Department Budget $182,711

Sincerely Submitted

Robert “Joe” Herman
Sheriff, Oglala Lakota County
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**Approved**

**Register**

**As of April 22**

**Exhibit of Records (S)**

**3-Year Budget Revisions**

**Actual/Actual Count**

**Review & Approval**

**Page 20**
May 16, 2022

Shannon County Commissioners
906 North River Street
Hot Springs, SD  57747

Commissioners:

LIVE, Inc. is requesting your support for the year 2023. The amount of our request is $2,1600.00. We are currently serving three individuals from Shannon County that came from the SD Developmental Center. Our request is $720/individual; however, any amount of support is greatly appreciated.

LIVE, Inc. is in its forty-fourth year of operation as one of 20 Community Support Providers in the state of South Dakota. The total population of LIVE, Inc. is seventeen people supported.

We are proud of the quality programs and services we have developed for individuals with developmental disabilities.

Thank you for your past and continuing support.

If you are ever in the area, please stop in and tour our facilities.

Sincerely,

Lori Drayton
Business Manager
liveinc@sdplains.com
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*Note: The table includes transfers and/or adjustments.*
Dear County Commissioners:

The South Dakota Department of Transportation has recently completed the development of a Tentative 2022-2025 Four Year Statewide Transportation Improvement Program (STIP).

Prior to final consideration of the STIP by the Transportation Commission, public meetings will be held on the following dates and locations to receive public input on the Tentative Program:

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<th>DATE</th>
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<td>July 12, 2022</td>
<td>AmericInn</td>
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<td>Ramkota Hotel</td>
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All formal public STIP meetings will be conducted in-person and also include a virtual method to participate for those who cannot attend in-person. Further details will be made available near the date of the meetings on how to participate virtually at https://dot.sd.gov/projects-studies/planning/tentative-statewide-transportation-improvement-program-stip

Copies of the tentative Transportation Improvement Program will be available at the meetings for your information. It will also be available for downloading at our website https://dot.sd.gov/projects-studies/planning/tentative-statewide-transportation-improvement-program-stip after June 24th.

You are cordially invited to participate in this important decision-making process.

Cordially,

Joel Jundt
Secretary of Transportation
To Whom it May Concern:

The American Rescue Plan Act (ARPA), enacted in March 2021, provided a historic investment in our nation’s counties to help address and respond to the ongoing COVID-19 public health emergency and support long-term economic recovery. The State and Local Coronavirus Fiscal Recovery Fund, part of the ARPA, allocates $65.1 billion directly to every county, parish and borough across the nation. The National Association of Counties (NACo) was instrumental in ensuring this critical funding was enacted into law to support your residents’ and communities’ public health and well-being, and spur economic recovery.

These funds provide direct, flexible aid for every county, parish and borough in America and are a key component of our local recovery efforts. As directed by the ARPA and U.S. Department of Treasury (Treasury), counties can invest Recovery Funds into a broad range of programs, services and projects under four broad categories: replace public sector lost revenue; respond to public health and negative economic impacts; provide premium pay for essential workers; and invest in broadband, sewer and water infrastructure.

On January 6, 2022, Treasury released the Final Rule to guide the implementation of these funds. Since the Recovery Fund was established, NACo has worked closely with Treasury to ensure that county recommendations and priorities were included in the Final Rule, which included additional flexibilities for counties to invest in broadband and services and programs to contain and mitigate the spread of COVID-19, such as capital investments in public facilities, and investments in housing and neighborhoods.

Please take a moment to review NACo’s Executive Summary Overview of the Final Rule for ARPA Fiscal Recovery Funds for Counties enclosed. This summary is a valuable resource for you and your colleagues as you continue to navigate Treasury’s Final Rule for the Recovery Fund and invest these funds across your community.

Thank you for your leadership in making America’s counties stronger. For more information about NACo and how your county can become involved, visit www.naco.org/join.

Sincerely,

Hon. Larry Johnson
NACo President
DeKalb County, Ga.
EXECUTIVE SUMMARY:

OVERVIEW OF U.S. TREASURY FINAL RULE FOR ARPA FISCAL RECOVERY FUNDS FOR COUNTIES

JUNE 2022
OVERVIEW

In March of 2021, the American Rescue Plan Act of 2021 (ARPA) authorized the $350 billion State and Local Coronavirus Fiscal Recovery Fund (Recovery Fund), with $65.1 billion in direct, flexible aid to every county government in America.

On January 6, 2022, the U.S. Department of Treasury (Treasury) released the Final Rule for the Recovery Fund. Since the Recovery Fund was established, the National Association of Counties (NACo) has worked closely with Treasury officials to ensure county recommendations and priorities are included in the Final Rule, such as increased flexibility and allocation of “revenue loss” for general county services.

Recovery funds may be used to invest in four broad categories:

- REPLACE PUBLIC SECTOR LOST REVENUE
- RESPOND TO PUBLIC HEALTH & NEGATIVE ECONOMIC IMPACTS
- PROVIDE PREMIUM PAY FOR ESSENTIAL WORKERS
- INVEST IN BROADBAND, SEWER AND WATER INFRASTRUCTURE
### TOP 10 HIGHLIGHTS OF THE RECOVERY FUND FINAL RULE FOR AMERICA'S COUNTIES

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<tr>
<td>1.</td>
<td>Final Rule went into effect on April 1, 2022</td>
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<td>2.</td>
<td>Allows counties to use up to $10 million standard allowance, or an enhanced 5.2% growth factor under Treasury's formula, as revenue loss for the provision of general government services</td>
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<td>3.</td>
<td>Clarifies eligible use of funds for capital expenditures and requires written justification for projects above $1 million cost</td>
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<td>4.</td>
<td>Presumes certain populations were “impacted” and “disproportionately impacted” by the pandemic and therefore are eligible to receive a broad range of services and support which was designed to minimize administrative burden</td>
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<td>5.</td>
<td>Streamlines options for premium pay by broadening the share of eligible workers who can receive premium pay</td>
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<td>6.</td>
<td>Authorizes re-hiring of local government staff, either at or above pre-pandemic levels</td>
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<td>7.</td>
<td>Allows Recovery Funds to be used for modernization of cybersecurity, including hardware and software, as it relates to broadband infrastructure investments</td>
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<td>8.</td>
<td>Broadens water and sewer projects to include stormwater, culvert repair, dam and reservoir rehabilitation</td>
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<td>9.</td>
<td>Recovery Funds may be deposited into interest-bearing accounts, with earned interest allowed for general county use</td>
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<td>10.</td>
<td>Recovery Funds shall comply with federal Uniform Guidance or 2 CFR Part 200</td>
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 Scan to access

**NACo’s full analysis of Treasury’s Final Rule for the ARPA Recovery Fund and key provisions for county officials**
PUBLIC SECTOR REVENUE: FUNDAMENTALS OF REVENUE LOSS ALLOWANCE

Under the Final Rule, Treasury made substantial improvements championed by NACo that provide increased flexibility for counties. Revenue loss funds may be used to pay for most county government services while also providing fiscal relief for counties.

2,137 counties (70 percent) are now eligible to invest the entirety of their Recovery Fund allocation for general government services.
DEFINING REVENUE LOSS

Under the Final Rule, counties are required to make a one-time decision to calculate revenue loss according to the formula outlined in the Final Rule or elect a "standard allowance" of up to $10 million to spend on government services. The option to make this one-time decision was provided during the April 30, 2022 reporting deadline.

1. **Counties may elect up to $10 million of their total Recovery Fund allocation** to consider as revenue loss and use on general government services through the period of performance.
   - Counties choosing the $10 million standard allowance are not required to complete Treasury’s revenue loss formula calculation. Under this option, Treasury presumes that those counties lost revenue due to the public health emergency
   - **Simplifies reporting requirements for counties** using the $10 million standard allowance
   - **2,137 counties (70 percent) are now eligible to invest the entirety of their Recovery Fund allocation** for general government services

2. **Counties may still calculate their revenue loss on an annual basis** according to the updated formula under the Final Rule.
   - Revenue loss default growth rate was increased from 4.1% under the Interim Final Rule to 5.2% under the Final Rule
   - Counties may calculate revenue loss on a fiscal year OR calendar year basis, but are required to choose and stay with one option
   - General revenue does not include utility revenue and liquor store revenue, although these may be included at the discretion of the county

ELIGIBLE USE OF FUNDS

Counties may use Recovery Funds for the provision of government services up to the amount of revenue loss (either the $10 million standard allowance, or the amount of revenue loss determined using Treasury’s formula each year).

**Government services is the most flexible eligible use category** and includes any service typically provided by a government (unless Treasury has stated otherwise as outlined below). Common examples of general services include, but are not limited to:
   - Construction of schools and hospitals
   - Road building and maintenance and other infrastructure
   - General government administration, staff and administrative facilities
   - Environmental remediation
   - Police, first responders and other public safety services (including purchase of fire tracks, police vehicles and other equipment)

INELEGIBLE USE OF FUNDS

Ineligible uses of revenue loss dollars and other limitations include:
   - Extraordinary contribution to a pension fund
   - Debt service payment
   - Rainy day or reserve account
   - Settlement agreement, judgment, consent decree or judicially confirmed debt
   - Activity that conflicts with COVID-19 mitigation practices in line with the U.S. Centers for Disease and Control’s (CDC) guidance and recommendations
   - Violations of Awards and Terms and Conditions or conflict of interest under the federal Uniform Guidance
RESPONDING TO PUBLIC HEALTH & NEGATIVE ECONOMIC IMPACTS

Counties may use Recovery Funds to respond to a broad range of public health and negative economic impacts of the pandemic for households, communities, businesses, nonprofits and the public sector.

The eligible use category to respond to public health and negative economic impacts includes several subcategories, including:

- Public health
- Assistance to households
- Assistance to small businesses
- Assistance to nonprofits
- Aid to impacted industries
- Public sector capacity

To identify eligible uses of funds in this category, as outlined by Treasury, counties shall:

1. Identify a public health or negative economic impact on an individual, household, business, nonprofit or other entities

2. Design a program that responds to that impact and is both reasonable and proportional

Beyond the steps outlined above, counties also have broad flexibility to:

1. Identify and respond to other pandemic impacts

2. Serve other populations that were impacted beyond those outlined on page 7 of this executive summary

Public Health

1. Covid-19 Mitigation and Containment: A very broad range of services and programming that are needed to contain COVID-19, including vaccination and testing programs and other COVID mitigation tactics

2. Medical Expenses: Expenses to households, medical providers or others that incurred medical costs due to the pandemic

3. Behavioral Healthcare: A broad range of prevention, treatment, harm reduction and recovery services that may be needed to meet mental health, substance use and other behavioral health needs

4. Prevent and Respond to Violence: Responses to communities that experienced an increase in violence, particularly gun violence, due to the pandemic

Negative Economic Impacts

The Final Rule recognizes that the COVID-19 pandemic has caused broad-based impacts that have affected communities, households, small businesses and nonprofits. To ensure these entities receive adequate support, the Final Rule identifies and describes them as either “impacted” or “disproportionately impacted,” which are then presumed eligible for a broad range of services that respond to the impact they experienced.

Included on page 7 of this executive summary is an overview of how Treasury presumes these populations are either “impacted” or “disproportionately impacted” and what eligible services counties may provide with the help of Recovery Funds (outside of the revenue loss category).
Negative Economic Impacts: Assistance to Households

Counties may use funds to respond to negative economic impacts of the pandemic on households and communities.

**IMPACTED HOUSEHOLDS**

*Impacted households are those that have experienced an impact from the COVID-19 pandemic.*

- Low-and-moderate income households (at or below 300% of Federal Poverty Guidelines (FPG) or 65% of Average Middle Income (AMI)) (i.e. $65,880)
- Households experiencing unemployment or food/housing insecurity
- Households that qualify for certain federal programs, such as CHIP and childcare subsidies (NEW)

**DISPROPORTIONATELY IMPACTED HOUSEHOLDS**

*Disproportionately impacted households are those that have experienced a disproportionate impact from the COVID-19 pandemic.*

- Low-income households, defined as those at or below 185% of FPG or 40% of AMI (i.e. $40,626) (NEW)
- Households located in a Qualified Census Tract
- Households receiving services from Tribal governments
- Households residing in the U.S. territories or receiving services from territorial governments (NEW)
- Households that qualify for certain federal programs, such as TANF, SSI and WIC (NEW)

Eligible uses include:

- Food assistance
- Re-employment and job training
- Rent, mortgage or utility assistance
- Cash assistance
- Health insurance coverage expansion
- Paid sick & family leave
- Financial services for unbanked and underbanked
- Affordable housing development and permanent supportive housing
- Childcare, early learning & addressing learning loss for students

Eligible uses include (in addition to impacted households):

- Addressing health disparities (i.e. community health workers, lead remediation, health facilities)
- Investments in neighborhoods to promote health outcomes
- Addressing education disparities (i.e. enhanced funding to high-poverty schools & educational facilities)
- Improvements to vacant and abandoned property
- Housing vouchers and assistance relocating to neighborhoods with higher economic opportunity
Negative Economic Impacts: Assistance to Small Businesses

Treasury defines a small business, in general, as having no more than 500 employees, is independently owned and operated and is not dominant in its field of operation.

**IMPACTED**

- Decreased revenue or gross receipts
- Financial insecurity
- Increased costs *(NEW)*
- Capacity to weather financial hardship
- Challenges covering payroll, rent or mortgage and other operating costs
- Other reasonable factors determined by the county

**DISPROPORTIONATELY IMPACTED**

- Small businesses operating in Qualified Census Tracts
- Small businesses operated by Tribal governments or on Tribal lands
- Small businesses operating in U.S. territories

---

*Treasury outlines potential types of assistance for small businesses under this specific category.*

Eligible uses to support **impacted** small businesses:

- Loans or grants to mitigate financial hardship (i.e. support payroll and benefits, costs to retain employees, mortgage, rent, utility and other operating costs)
- Technical assistance, counseling or other services to support business planning
- **WARNING:** For loans, please refer to Treatment of Loans section for additional Treasury guidance

*Treasury outlines potential types of assistance for small businesses under this specific category.*

Eligible uses to support **disproportionately impacted** small businesses:

- Rehabilitation of commercial properties, storefront improvements and façade improvements
- Technical assistance, business incubators and grants for start-up or expansion costs for small businesses
- Support for microbusinesses, including financial, childcare and transportation costs

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Executive Summary: Overview of U.S. Treasury Final Rule for ARPA Fiscal Recovery Fund for Counties
**Negative Economic Impacts: Assistance to Nonprofits**

_Treasury defines a nonprofit as 501(c)(3) (charitable) and 501(c)(19) (veteran) tax-exempt organizations._

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<tr>
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<td>Decreased revenues</td>
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<td>Financial insecurity</td>
<td>Nonprofits operating in Tribal governments</td>
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<td>Increased costs (i.e. uncompensated services)</td>
<td>Nonprofits operating in U.S. territories</td>
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<tr>
<td>Capacity to weather financial hardship</td>
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<tr>
<td>Challenges covering payroll, rent or mortgage and other operating costs</td>
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<td>Loans or grants to mitigate financial hardship</td>
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<td>Technical or in-kind assistance or other services that mitigate negative economic impacts of the pandemic</td>
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_Treasury defines a nonprofit as 501(c)(3) (charitable) and 501(c)(19)(veteran) tax-exempt organizations._
Negative Economic Impacts: Aid to Impacted Industries

Counties may use Recovery Funds to provide assistance to impacted industries like travel, tourism and hospitality that faced substantial pandemic impacts.

THE FINAL RULE STATES THAT AN INDUSTRY MAY BE DESIGNATED AS IMPACTED:

1. If the industry is in the travel, tourism or hospitality sector
2. If the industry is outside of the travel, tourism or hospitality sectors, the industry is presumed impacted if:
   - The industry experienced at least 8 percent employment loss from pre-pandemic levels, or
   - The industry is experiencing comparable or worse economic impacts as the travel, tourism and hospitality industries as of the date the Final Rule was published (January 6, 2022)

Beyond the above two criteria, counties also have flexibility to define other impacted industries.

Negative Economic Impacts: Restore & Support Public Sector Capacity

Counties may use Recovery Funds to restore and bolster public sector capacity, with the goal of supporting the public sector’s ability to deliver critical COVID-19 services.

ELIGIBLE USES:

1. Cover payroll and covered benefits for existing public safety, public health, health care, human services and similar employees of a recipient government, as related and proportional to their time spent on COVID-19 response and mitigation

2. Rehire public sector staff to pre-pandemic levels OR above pre-pandemic levels with a 7.5 percent growth allowance

3. Support and retain public sector workers:
   - Provide additional funding for employees who experienced pay reductions or were furloughed
   - Maintain current compensation levels to prevent layoffs
   - Provide worker retention incentives, including reasonable increases in compensation (shall be additive to an employee’s regular compensation and shall be less than 25 percent of the rate of base pay for an individual and no more than 10 percent for a group)
   - Cover administrative costs associated with hiring, support and retention programs

4. Provide effective service delivery including cleanup of county services, such as court case backlogs, program evaluations and technology upgrades
INVEST IN CAPITAL EXPENDITURES

Counties may use Recovery Funds for capital expenditures that respond to the public health and negative economic impacts of the pandemic.

- Projects must be related to public health and/or negative economic impacts and be proportional to the pandemic impact identified

Counties are required to write a written justification for capital expenditures equal to or greater than $1 million that explains why a capital expenditure is appropriate and why the proposed capital expenditure is superior to alternatives

- Depending on project size, a county may be required to submit written justification with reporting; no pre-approval is provided by Treasury

PROJECTS PRESUMED ELIGIBLE BY TREASURY

- Testing labs and equipment
- Emergency operations center & equipment
- Affordable housing
- Childcare facilities
- Schools (for disproportionately impacted communities)
- Primary care health clinics and hospitals (for disproportionately impacted communities)

PROJECTS GENERALLY PRESUMED TO BE INELIGIBLE BY TREASURY*

- Construction of NEW correctional facilities as a response to an increase in rate of crime
- Construction of NEW congregate facilities to decrease spread of COVID-19 in facility
- Construction of convention centers, stadiums or other large capital projects for general economic development or aid to impacted industries

*Except funds used under the revenue loss category
PREMIUM PAY FOR ESSENTIAL WORKERS

Counties may provide premium pay (up to $13 per hour and capped at $25,000 per individual) to eligible workers performing essential work, either in public sector roles or through grants to third-party employers. Premium pay may be provided retroactively for work performed at any time since the start of the COVID-19 public health emergency on January 27, 2020.

Examples of Eligible Workers:

- All county and state employees
- Staff at nursing homes, hospitals and home-care settings
- Public health, safety and emergency response
- Workers at food production facilities, grocery stores, restaurants and food delivery services
- Janitors and sanitation workers
- Truck drivers, transit staff and warehouse workers
- Childcare workers, educators and school staff
- Social service and human services staff
- Additional sectors designated by recipients (i.e. county)

ELIGIBLE WORKERS AND ESSENTIAL WORK

Counties shall undergo the following steps to provide premium pay to eligible workers:

A. Identify an eligible worker, as outlined in the examples to the right

B. Verify that the eligible worker performs essential work, meaning work that may:
   1. Not be performed while teleworking in a residence
   2. Include indirect exposure to COVID-19 through physical handling of items

C. Confirm that the premium pay responds to workers performing essential work during the pandemic. Counties may meet this requirement without providing a written justification in three ways:
   1. Eligible worker earns at or below 150 percent of their state or county's average annual wage, or
   2. Eligible worker is not exempt from Fair Labor Standards overtime rules, or
   3. If the worker does not meet either of the above requirements, the county must submit written justification to Treasury
WATER AND SEWER INFRASTRUCTURE

Counties may use Recovery Funds to make necessary investments in water and sewer infrastructure to address the impacts of deferred maintenance in water systems, the management and treatment of sewage and stormwater and to implement additional resiliency measures needed to address negative impacts of climate change.

The Final Rule aligns eligible projects with those under the Environmental Protection Agency’s (EPA) Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) and expands eligibility for a handful of other water and sewer projects, including stormwater as championed by NACo.

PROJECTS ELIGIBLE UNDER EPA'S STATE REVOLVING FUNDS

- Construction of publicly owned treatment works
- Decentralized wastewater treatment systems construction, upgrades & repair
- Management & treatment of stormwater or subsurface drainage water
- Water conservation, efficiency or reuse measures
- Reuse or recycling of wastewater, stormwater or subsurface drainage water
- New facilities to improve drinking water quality
- New sources to replace contaminated drinking water or increase drought resilience
- Green infrastructure
- Storage of drinking water
- New community water systems
- Lead service line replacement

ADDITIONAL PROJECTS ELIGIBLE UNDER FINAL RULE

- Broad suite of additional lead remediation activities, including lead testing and lead service line replacement (including replacement of faucets, fixtures and internal plumbing in schools and childcare facilities)
- Additional stormwater infrastructure, including culvert repair, resizing and removal and replacement of storm sewers
- Residential wells
- Certain dam and reservoir rehabilitation related to drinking water supply
BROADBAND INFRASTRUCTURE

Recovery Funds may be used to make necessary investments in broadband infrastructure. The Final Rule broadens the set of eligible broadband infrastructure investments that counties may undertake. Flexibility in eligible areas for investment may also complement broadband funding under the Bipartisan Infrastructure Law (BIL) (P.L. 117-58). Recipients may also invest in cybersecurity for broadband infrastructure regardless of service delivery standards.

REQUIREMENTS FOR ELIGIBLE PROJECTS:

1. Identify an Eligible Area for Investment
   - Counties are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100 Mbps download/20 Mbps upload speeds
   - Beyond the threshold, counties have broad flexibility to define need in a community. Examples of need include:
     - Lack of access to a reliable high-speed broadband connection
     - Lack of affordable broadband
     - Lack of reliable service

2. Design a Project to Meet High-Speed Technical Standards
   - Projects are required to meet or exceed 100 Mbps download/100 Mbps upload (with flexibility for 100 Mbps/20 Mbps upgrades in more limited scenarios)

3. Requires Enrollment in Low-Income Subsidy Program
   - Must offer the Federal Communications Commission's Affordable Connectivity Program (ACP) or provide access to broadband affordability program to low-income consumers as part of the project
DEFINING INELIGIBLE EXPENSES

The Final Rule maintains the Interim Final Rule's restriction on use with additional clarifications:

1. **Pension Funds**: Final Rule clarifies that prohibition of "extraordinary contributions" to pension funds applies to all recipients except for Tribal governments. This does not apply to pension contributions that are part of regular payroll contributions for employees whose wages and salaries are an eligible use of Recovery Funds.

2. **Other Restrictions on Debt Service, Rainy Day Funds and Legal Settlements**: Funding debt service, legal settlements or judgements, as well as deposits to rainy day funds or financial reserves.

3. **Net Reduction in Revenue (States & Territories only)**: Final Rule maintains the prohibition on states and territories for using Recovery Funds to directly or indirectly offset a reduction in net tax revenue.

4. **Additional Clarification on Compliance with Other Federal Requirements**: Uses of funds shall not undermine COVID-19 mitigation practices in line with CDC guidance. Uses of funds shall not violate federal Uniform Guidance, conflict of interest requirements and other federal laws.

TOTAL ALLOCATION FOR COUNTY FISCAL RECOVERY FUNDS
(includes consolidated funds)

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Executive Summary: Overview of U.S. Treasury Final Rule for ARPA Fiscal Recovery Fund for Counties