

**TOWN COUNCIL  
TOWN OF DAYTON, INDIANA**

**ORDINANCE NO. 2024-2**

**AN ORDINANCE APPROPRIATING FUNDS TO THE TOWN OF DAYTON, INDIANA,  
ARP CORONAVIRUS LOCAL FISCAL RECOVERY GRANT FUND AND APPROVING  
THE TOWN OF DAYTON, INDIANA, ARP FUND PLAN**

WHEREAS, the Town of Dayton, Indiana (hereinafter the "Town") is a duly organized municipal entity and political subdivision under the laws of the State of Indiana, governed by its duly elected Town Council of the Town of Dayton, Indiana (hereinafter the "Town Council") which is this Town's legislative body and is therefore authorized to appropriate funds received by the Town; and

WHEREAS, the federal government adopted Section 9901 of the American Rescue Plan Act of 2021 (hereinafter "ARP"), which established the Coronavirus Local Fiscal Recovery Fund (hereinafter "Fund") to provide grant funds to units of local government (hereinafter "ARP Funds"); and

WHEREAS, the Town has been awarded Three Hundred Seventy-six Thousand Five Hundred Eighty-eight and 59/100 Dollars (\$376,588.59) in ARP Funds, half of which was distributed in 2021 and the remaining half was distributed in 2022; and

WHEREAS, the Town Council adopted an ordinance establishing the ARP Coronavirus Local Fiscal Recovery Grant Fund; and

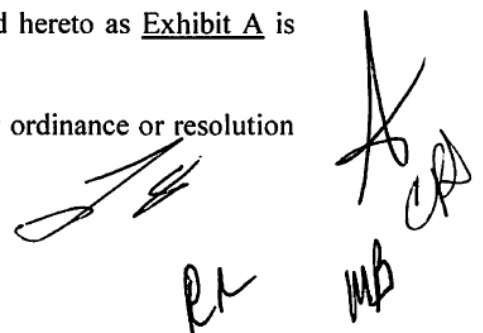
WHEREAS, prior to distributing ARP Funds for the uses permitted by the ARP, the Town Council is required to appropriate the ARP Funds and approve a plan for the use and distribution of the ARP Funds;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAYTON, INDIANA, AS FOLLOWS:**

1. Appropriation to ARP Coronavirus Local Fiscal Recovery Grant Fund. A total of Three Hundred Seventy-six Thousand Five Hundred Eighty-eight and 59/100 Dollars (\$376,588.59) is hereby appropriated to the ARP Coronavirus Local Fiscal Recovery Grant Fund for use and distribution. These funds shall be used only for the purposes set forth in the Town of Dayton, Indiana, ARP Fund Plan. Any funds remaining at the end of 2024 shall be carried over for use in 2025-2026 for the purposes set forth in the Town of Dayton, Indiana, ARP Plan. Notwithstanding the foregoing, no costs shall be incurred for use under the ARP Fund Plan after December 31, 2024, and all incurred costs shall be expended on or before December 31, 2026.

2. Adoption of ARP Fund Plan. The ARP Fund Plan attached hereto as Exhibit A is hereby adopted as the plan for use and distribution of the ARP Funds.

3. Amendment. The ARP Fund Plan may be amended only by ordinance or resolution of the Town Council of the Town of Dayton, Indiana.

  
The block contains several handwritten signatures in black ink. On the left, there is a signature that appears to be 'JH'. To its right is a signature that looks like 'A'. Below these, there are two more signatures: 'RL' and 'MB'. To the right of 'MB' is a signature that looks like 'CPD'.

4. Administration of the Fund. The Town Clerk-Treasurer shall keep records and monitor activities of the ARP Fund. Disbursements made from the ARP Fund will be made in accordance with the Town's claims approval process.

5. Effective Date. This Ordinance shall be in full force and effect immediately upon adoption and compliance with Indiana Code.

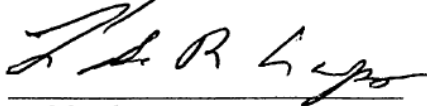
Passed and Adopted by the Town Council of the Town of Dayton, Indiana on March 19, 2024.

TOWN COUNCIL  
TOWN OF DAYTON, INDIANA

By:   
President

By:   
Member

By:   
Member

By:   
Member

By:   
Member

ATTEST:

  
Town Clerk-Treasurer

RA  
MB  
CRS

h.c

TOWN OF DAYTON, INDIANA

American Rescue Plan Act

ARP Fund Allocation and Plan

DATED THIS 19 DAY OF March, 2024

RA  
MB  
CA  
A

## ARP Allocation and Plan

The Act: The federal government adopted Section 9901 of the American Rescue Plan Act of 2021 (hereinafter "ARP"), which established the Coronavirus Local Fiscal Recovery Fund (hereinafter "Fund") to provide grant funds to units of local government (hereinafter "ARP Funds"). ARP requires recipients of ARP Funds to establish a plan for use of the funds to be adopted by the fiscal body of the recipient. In addition, ARP funds must be appropriated by the fiscal body prior to distribution.

Funding Allocation: The Town of Dayton, Indiana, has been allocated Three Hundred Seventy-six Thousand Five Hundred Eighty-eight and 59/100 Dollars (\$376,588.59) in ARP Funds, half of which was distributed in 2021 and the remaining half was distributed in 2022.

Permitted Use of Funds: Pursuant to the Section 603(C) of the ARP and the Department of the Treasury's Final Ruling, the funds shall be used only for the following purposes:

- (A) to replace lost public sector revenue by providing government services up to the amount of revenue lost due to the pandemic;
- (B) to respond to the public health emergency with respect to Coronavirus (hereinafter "COVID-19") or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries, and the public sector;
- (C) to respond to workers performing essential work during the COVID- 19 public health emergency by providing premium pay to eligible workers; and
- (D) to make necessary investments in water, sewer, or broadband infrastructure.

Process of Distribution: All ARP Funds must be appropriated by the Town Council prior to distribution, and all ARP Funds shall be distributed in accordance with this ARP Fund Plan and the ARP. Prior to distribution, the Town of Dayton, Indiana shall obtain written authorization from the Clerk-Treasurer. The Town of Dayton, Indiana, may contract with a private nonprofit organization, a public benefit corporation or a special-purpose unit of State or local government for the purpose of distributing ARP Funds in accordance with this ARP Fund Plan and preparing the required reporting to the Secretary of the Treasury as required by ARP. ARP Funds must be obligated for expenditure by December 31, 2024, unless extended by the federal government.

Plan Preparation & Amendments: This ARP Fund Plan was prepared with the assistance and input of the Town Council of the Town of Dayton, Indiana, and the Clerk-Treasurer. This ARP Fund Plan shall not be effective unless and until it is approved by the Town Council of the Town of Dayton, Indiana. This ARP Fund Plan may be amended by the Town Council at any time to comply with Section 603(C) of the ARP and any official guidance issued by the United States Treasury Department.

FL  
MB  
CPS

Plan for ARPA-Eligible Projects: As set forth in §603(c) of the ARP and the Department of Treasury's Interim Final Ruling, the Town's plan for Recovery Fund spending includes the following:

1. Three Hundred Seventy-six Thousand Five Hundred Eighty-eight and 59/100 Dollars (\$376,588.59) for investing in water, sewer, and/or broadband infrastructure.

Internal Controls and Reporting: The Town of Dayton, Indiana, shall design and implement internal controls to provide reasonable assurance that the ARP Funds will be safeguarded and used in accordance with the ARP. The internal controls shall include written documentation/receipts of distributions made from the ARP Fund, written agreements with fund recipients or authorized third parties that will distribute ARP Funds in accordance with this ARP Fund Plan and required reporting from recipients of ARP Funds to ensure ARP Funds are spent in accordance with this ARP Fund Plan and the ARP. Legal counsel for the Town of Dayton, Indiana, shall provide advice in establishing the criteria and eligibility in relation to the permitted uses for ARP Funds.

RR  
MB  
CS  
A