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Mike DeWine, Governor
Jon Husted, Lt. Governor

Kimberly Murnieks, Director

Coronavirus Relief Fund (CRF)

Local Government Assistance Program

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Guidance & Frequently Asked Questions

Funding Period:
March 1, 2020 – December 30, 2020

NOTE: As U.S. Department of the Treasury issues future guidance and clarifications, the specific guidelines listed in this document are subject to change. Changes will be addendums to this document in the Frequently Asked Questions section.

CORONAVIRUS RELIEF FUND (CRF) LOCAL GOVERNMENT ASSISTANCE PROGRAM

Ohio | Office of Budget and Management

The purpose of this document is to provide guidance to local governments receiving Coronavirus Relief Funding through the Ohio Office of Budget and Management as a result of legislation from the Ohio General Assembly and the Ohio Controlling Board allocating federal funding.

Funding Information

Funds were awarded to the State of Ohio as Federal Financial Assistance from the U.S. Department of Treasury. Funds were awarded under the Social Security Act, as amended by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") as the Coronavirus Relief Fund (CRF).

Federal Assistance Information

The US Department of Treasury did not provide a notice of award to the State of Ohio, thus a Federal Award Identification Number (FAIN) is unknown and the federal award date is presumed to be the date of enactment of the CARES Act, March 27, 2020.

Funds are considered federal financial assistance and have been assigned a Catalog of Federal Domestic Assistance (CFDA) or Assistance Listing Number of 21.019. Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Performance Period

The U.S. Department of Treasury has determined that CRF funds may only cover costs ***incurred*** between **March 1, 2020 and December 30, 2020**. HB 481 dictates the following timelines in use of funds:

- County auditor shall distribute returned funds on or before **October 22, 2020**; and
- The balance of unexpended funds remaining must be returned to the state treasury not later than **December 28, 2020**.

Eligibility

When determining eligibility to distribute CRF funds it received, a local jurisdiction should evaluate all proposed expenditures based on guidance contained within the U.S. Department of Treasury Guidance and Coronavirus Relief Fund Frequently Asked Questions which can be found at https://home.treasury.gov/policy-issues/cares/state-and-local-governments. This guidance document calls out some specific eligibility areas and related Frequently Asked Questions provide information about specific uses, but the examples are not all-inclusive.

If a jurisdiction has any questions regarding the eligibility of a cost, please contact the Ohio Grants Partnership via e-mail at grants@obm.ohio.gov.

General Eligibility Information

The CARES Act requires that the payments from the CRF only be used to cover expenses that -

(1) are ***necessary*** expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

(2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the government; and

(3) were ***incurred during the period that begins on March 1, 2020 and ends on December 30, 2020***.

While the CRF distributions are not required to be the funding of last resort, the expenditures cannot be used in multiple programs or be reimbursed by other funds. Expenditures necessary to take direct action in response to the COVID-19 public health emergency are allowable. The basic eligibility requirement is "a cost is either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget (recently approved as of March 27, 2020) OR (b) the cost is for a ***substantially different use*** from any expected use of funds in such a line item, allotment, or allocation." Expenditures are required to be related to current COVID-19 needs and not in preparation of or stock piling for future emergencies.

Permissible Use of Funds

The following list of specific permissible uses is not intended to be comprehensive:

Medical Expenses

- COVID-19-related expenses of public hospitals, clinics, and similar facilities.
- Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
- Costs of providing COVID-19 testing, including serological testing.
- Emergency medical response expenses related to COVID-19, including emergency medical transportation.
- Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
- Personal Protective Equipment to address the current COVID-19 pandemic.

Public Health and Related Measures

- Expenses for communication and enforcement by governments for public health orders related to COVID-19.

- Expenses for acquisition, distribution, and disposal of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
- Expenses for disinfection of public areas and other facilities, e.g., nursing homes, government facilities, parks, etc., in response to the COVID-19 public health emergency.
- Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
- Expenses for public safety measures undertaken in response to COVID-19.
- Expenses for quarantining individuals.
- Expenses associated with COVID-19 contact tracing.
- Food delivery to vulnerable populations to enable compliance with COVID-19 public health precautions.
- Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
- Expenses of providing paid sick and paid family and medical leave to public employees who are infected/directly impacted to enable compliance with COVID-19 public health precautions. Full costs are eligible despite leave being in previously approved budget.
- COVID-19-related expenses of maintaining correctional facilities and jails, including as related to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
- Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

Personnel (updated July 16, 2020)

Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are ***substantially dedicated*** to mitigating or responding to the COVID-19 public health emergency are allowable. Personnel that fall into these sector areas are presumed for administrative convenience to be substantially dedicated unless the chief executive determines that specific circumstances indicate otherwise. Each jurisdiction decides if their costs are appropriate by virtue of charging to the CRF, unless the chief executive determines otherwise. For our state-level purposes, we are sharing that OBM generally defines a benchmark for identifying substantial dedication to be a contribution of 50% or more of time. Jurisdictions are welcome to follow this benchmark or not; it is up to each jurisdiction to define its own thresholds of substantial dedication and document the justification for that decision.

In addition, personnel that that were diverted to a **substantially different use** due entirely to the COVID-19 public health emergency and are supporting the response to COVID-19 are allowable. This could mean the repurpose of positions who would have been furloughed or laid off (in other words were underutilized due to COVID) to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

This payroll topic has been a frequent discussion point among states and local leaders in discussions with officials from the U.S. Department of Treasury. Future federal guidance may clarify these requirements. In the meantime, OBM recommends that jurisdictions maintain detailed documentation about decisions to use the CRF for employee payroll.

Equipment

- Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
- Equipment and lease costs if previously unbudgeted and consistent with other criteria.

Economic Support

- Small business assistance related to required and/or voluntary closures and the expenditures related to providing these programs.
- Increased workers compensation related to expanded coverage due to COVID-19.
- Unemployment insurance costs incurred by the Recipient as an employer.
- Financial assistance to individuals and families directly impacted by a loss of income due to COVID-19
    - Could include payment of overdue rent and mortgage to avoid eviction or foreclosure, unforeseen costs for funerals, or other emergency individual needs.

Prohibited Use of Funds

- Revenue replacement/forgone revenue including unpaid property taxes and utility fees.
- Expenses covered by business interruption insurance or reimbursed through other federal aid received in response to COVID-19.
- Expenses that have been or will be reimbursed under any other federal program.
- Any costs, including indirect, administrative, and payroll, that were already in the most recently approved budget as of March 27th.
- Personnel expenses for employees whose work duties are not substantially dedicated to mitigating or responding to COVID-19.
- Personnel costs of private employees paid directly (grants or loans to private employers may be allowed to cover this).
- Workforce bonuses, this prohibition does not include hazard pay or overtime.

- Severance Pay.
- Medicaid Match.
- Property tax assistance, some exceptions may be made if assistance is provided to individuals who have been economically impacted by COVID-19 to prevent foreclosures.
- Prepayments on contracts related to COVID-19, unless this is part of the normal policies and procedures.
- Damages covered by insurances.
- Reimbursement to donors for donated items or services.
- Legal settlements.

Reporting

OBM will require reporting in the OBM grants portal. The grants contact listed on the registration will be provided a log-in to access and complete the financial status reports. OBM is requiring an interim and a final financial status report. The interim report is due October 6th for activity through September 30th and a final financial status report is due December 30th as a close-out report for all activity, from initial payment and any redistributed funds received.

Responsibilities, Records, & Future Audits

The U.S. Treasury has limited compliance to the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, § 200.330 through § 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements. Effective internal controls must be established and maintained (2 C.F.R. § 200.303). Every CRF dollar should be accounted for with supporting documentation. Jurisdictions should maintain documentation evidencing that the funds were expended in accordance with federal, state, and local regulations.

The CRF is subject to future audits to ensure appropriate use with ultimate recoupment by Treasury. Records must be made available to OBM, the Ohio Auditor of State, Independent Public Auditors that perform audits on behalf of Ohio Auditor of State, the federal government, and/or other oversight entities for audit or review. While these funds are considered payments, they are also subject to and count towards the threshold of the Single Audit Act (31 U.S.C. § 7501-7507).

Frequently Asked Questions

NOTE: In the event of a conflict between this document and state law, federal law, or U.S. Treasury guidance, the state and federal laws and guidance supersede this document. This document will be updated if the U.S. Treasury provides future clarifications.

Does this guidance apply to Coronavirus Relief Funding that jurisdictions with populations over 500,000 received via direct disbursements from the U.S. Department of the Treasury (Cuyahoga, Franklin, Hamilton, Montgomery, and Summit Counties and the City of Columbus)? (Updated July 16, 2020)
No, it does not. The following information is provided as guidance and FAQs regarding payments received through the state of Ohio as a result of Ohio H.B. 481. Jurisdictions that received direct payments may find the information helpful for review. All jurisdictions are encouraged to also review information regarding the Coronavirus Relief Fund provided by U.S. Treasury at https://home.treasury.gov/policy-issues/cares/state-and-local-governments.

The registration form requires a project description, what do I need to put there?
This can be a basic description and can be as simple as "costs incurred by [insert local government] as a result of the COVID-19 public health emergency." OBM recognizes many jurisdictions have not determined specifically how funds will be utilized at the time of registration.

What is the difference between the Authorized Representative and the Grant Contact?
OBM is collecting information from jurisdictions receiving funds to allow for future administration and monitoring. The Authorized Representative is the main executive within the jurisdiction that can authorize acceptance of the funds on behalf of the jurisdiction. The grant contact will be the main person OBM will reach out to for monitoring, obtaining resolutions, or other questions regarding the funds. This contact will be responsible for completing the reporting in the OBM grants portal on behalf of the jurisdiction. Jurisdictions can enter the same person for both contacts if applicable.

Are all jurisdictions required to register on OBM's grants site?
Yes, OBM requires jurisdictions to register on the OBM website at https://grants.ohio.gov/fundingopportunities.aspx. After the registration is approved, the grant contact will receive an e-mail confirmation and a temporary log-in to the OBM grants portal. Grant contacts will access the portal to complete the required interim and final financial reporting.

Does my local government need to register or provide additional documentation to receive the second funding disbursement approved by the Controlling Board? (added August 28, 2020)
No, OBM does not require another registration for this round of funding.

How do I access the OBM grants portal after receiving a log-in? (updated August 28, 2020)
The grants portal can be accessed at https://grantsportal.ohio.gov. **Jurisdictions will be required to complete their reporting requirements within the portal. Additional details to include a job aid will be sent out in September to the Grants Contact registered with OBM.**

When will the financial status reports be due to OBM? (updated August 28, 2020)
OBM is requiring an interim and a final financial status report. The interim report is due October 6th for activity through September 30th and a final financial status report is due December 30th as a close-out report for all activity, from initial payment and any redistributed funds received.

What will be required to be reported as part of the financial status reports due to OBM? (added August 28, 2020)
The US Treasury released guidance on July 31 which provided 18 categories which will be required for OBM to report back on spending. The Treasury requires OBM to report spending by each subrecipient in the following categories:

A) Administrative Expenses
B) Budgeted Personnel and Services Diverted to a Substantially Different Use
C) COVID-19 Testing and Contact Tracing
D) Economic Support (Other than Small Business, Housing, and Food Assistance)
E) Expenses Associated with the Issuance of Tax Anticipation Notes
F) Facilitating Distance Learning
G) Food Programs
H) Housing Support
I) improve Telework Capabilities of Public Employees
J) Medical Expenses
K) Nursing Home Assistance
L) Payroll for Public Health and Safety Employees
M) Personal Protective Equipment
N) Public Health Expenses
O) Small Business Assistance
P) Unemployment Benefits
Q) Workers' Compensation
R) Items Not Listed Above

In addition to spending, OBM will be asking for the total of funds received, encumbrances, and a brief description of activities on the expenditures reported.

Is a jurisdiction required to pass a resolution stating that they do not want funding if they do not wish to receive the funds? In this case, does the funds remain in the County treasury until the October redistribution mandated under the legislation or can the share be added back into the county-wide pool and reallocated over the remaining taxing districts?
HB 481 does not contemplate an ability to redistribute across jurisdictions prior to October. It does indicate the legislative authority must adopt the resolution or ordinance, or the subdivision's share of the money shall remain in the County's fund. Therefore, a jurisdiction may elect to not participate and not adopt a resolution. In such cases, the funds would remain in the county treasury and would be redistributed in October.

HB 481 states that counties must disburse funds to cities, villages, and townships within seven days of receiving funds from the state, but also requires each local jurisdiction to pass a resolution/ordinance accepting the funding and the provisions of the CARES Act. If a county receives a local subdivision's resolution on day 8, or 10, or 30, can the county disburse the funding to the local government?
Yes. If a local subdivision submits a resolution/ordinance to the county more than seven days after the county has received the disbursement of Coronavirus Relief Funds from the state and prior to October 15, the county can disburse the funds to the subdivision. In such cases, counties should disburse the funding to the subdivision within seven days of receiving the resolution/ordinance.

Is a County required to hold funds until all jurisdictions approve resolutions?
HB 481 requires a local jurisdiction to submit a resolution or ordinance to the County Auditor and to OBM. A County is required to not disburse to a jurisdiction until a resolution or ordinance is approved and submitted as directed by HB 481. A County can distribute to all jurisdictions that met the requirements as soon as they receive the funds from OBM and should not wait until all jurisdictions comply.

How does a County Auditor report back to OBM the distribution of funds? (added August 28, 2020)
HB 481 requires the County Auditor to report back to OBM the distribution of funds to eligible jurisdictions. OBM has created a template that should be completed and either uploaded to the grants portal or sent back via e-mail to grants@obm.ohio.gov. An updated template is now available on the grants website at https://grants.ohio.gov/fundingopportunities.aspx#funding-opportunities-coronavirus-relief to allow for reporting of the second distribution on the same template with the first distribution. County Auditors are required to return this initial distribution reporting to OBM prior to the re-distribution in October.

Where should the resolution or ordinance required by HB 481 be sent?
A jurisdiction is required to send their resolution/ordinance to their County Auditor and to OBM. OBM is accepting electronic copies to the Ohio Grants Partnership e-mail box at grants@obm.ohio.gov.

Should my local government setup a separate fund to account for the CARES Act Coronavirus Relief Fund (CRF) distribution under HB 481?
Yes, local governments will need a separate Special Revenue Fund to separately track the receipt and expenditure activity of the CRF distributed pursuant to HB 481. Since this is a new federal program with a restricted purpose, local governments have authority under Ohio Revised Code Section 5705.09 to establish the new fund, without seeking Auditor of State (AOS) approval (see AOS FAQs at: https://www.ohioauditor.gov/resources/covid19/Coronavirus_new_FAQ_final.pdf).

On August 24, 2020, the Controlling Board approved a second round of Coronavirus Relief Funding for local governments. How will these funds be distributed and administered? (added August 28, 2020)
The Ohio Office of Budget and Management received appropriation authority from the State of Ohio Controlling Board on Monday August 24, 2020 to distribute $175 million in Coronavirus Relief Funding. This additional $175 million was distributed and will be administered following the provisions of Section 27 of H.B. 481. The funding was distributed on August 28 The additional funding should be distributed from the county's coronavirus relief distribution fund to counties, municipalities, and townships who have adopted a resolution or ordinance in accordance with H.B. 481 affirming that the subdivision will spend funds only on pandemic-related expenses as required under the CARES Act. Subdivisions shall deposit the additional funds received as a result of the Controlling Board action to local coronavirus relief funds established in accordance with H.B. 481 and shall use funds in accordance with the provisions of H.B. 481.

Is the second round of funding subject to the October redistribution? (added August 28, 2020)
Yes, Local coronavirus relief funds, including funds received as a result of the Controlling Board action, that remain unencumbered and unspent as of October 15, 2020, will be redistributed to local governments that have spent their full allocation in accordance with the provisions of and distribution methodology adopted in H.B. 481. Subdivisions are further required to return unspent Coronavirus Relief Funds to the state by December 28, 2020.

Should my local government setup a separate fund to account for the second allocation of funding approved by the Ohio Controlling Board on August 24, 2020? (added August 28, 2020)

Local governments may place these funds into the same fund established for the management of distribution pursuant to HB 481. Funds distributed as part of the controlling board action follow the same requirements as the first distribution from HB 481.

Should my local government setup a separate fund to account for CARES Act Coronavirus Relief Fund (CRF) subawards/loans received from the City of Columbus, Cuyahoga County, Franklin County, Hamilton County, Montgomery County, or Summit County?
These six local governments are direct recipients of CRF assistance from the U.S. Department of Treasury. Under the authority of the CARES Act and guidelines published by Treasury, these six local governments can make subgrants/loans to public or private entities within their jurisdictions so long as they are consistent with the requirements established by the CARES Act and Treasury.
In addition to subawards they may receive from the six prime recipients, local governments within these jurisdictions will receive an allocation of CRF from the State of Ohio pursuant to HB 481. Where this is the case, local governments should take care to establish separate Special Revenue Funds for each CRF award.

In addition to the CARES Act CRF Fund, should my local government setup a separate fund to account for other CARES Act and federal COVID-19 financial assistance?
Local governments should refer to the terms and conditions of their federal award. Generally, federal programs with new or expanded COVID-19 assistance require separate accountability and local government will need to establish either a Special Revenue Fund (for a new program) or a subfund/special cost center (for expanded assistance within an existing federal program) to separately track the receipt and expenditure activity of the COVID-19 funding.

Are these funds allowed to be used as cost-share or match to other federal grant programs? (updated June 29, 2020)
On June 24, 2020, the U.S. Department of Treasury updated their Frequently Asked Questions to allow for the use of funds to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19 related costs that otherwise satisfy the CRF eligibility requirements and the Stafford Act. The ability to use funds to match any other grant programs is prohibited.

What does the prohibition, or limitation against using CRF Funds for costs already in an approved budget prior to March 27 mean? Does this mean I am unable to be reimbursed if I already incurred the costs with budgeted funds?
A cost is allowable if either: 1. The cost cannot lawfully be funded using a line item, allotment, or allocation within that budget, or 2. The cost is for a substantially different use from an expected use of funds in such a line item, allotment, or allocation. A jurisdiction may have incurred costs prior to the receipt of CRF funds in response to COVID-19 utilizing budgeted resources that

were previously budgeted for another purpose. Thus, necessitating a reimbursement – and that is allowable.

This may be best explained by considering the following hypothetical example: If the jurisdiction's most recently approved budget prior to March 27, 2020 had a provision to allocate $10,000 for personal protective equipment (PPE) to address COVID-19. The jurisdiction must use their funds to purchase $10,000 of PPE and any amounts spent over $10,000 for PPE can be covered by CRF monies.

What is "the most recently approved" budget and how do adjustment, amendment or supplemental appropriations effect the use of CRF funds?
The "most recently approved" budget refers to the enacted budget for the relevant fiscal period for your jurisdiction, which includes subsequent supplemental appropriations or other budgetary adjustments, or amendments made in response to COVID-19 that were approved prior to March 27, 2020. Temporary appropriation measures allowable by Ohio law that were passed prior to March 27, 2020 are considered an approved budget.

Generally, what expenses related to cleaning government buildings and facilities are allowable uses of the CRF funds?
Expenses for disinfection of public areas, buildings, parks, and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency, is an allowable expense.

Can payroll expenses, which are already budgeted, be funded by CRF funds? (updated June 29, 2020)
CRF money can be used for payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to COVID-19 public health emergency. Further, personnel that were diverted to a substantially different use due entirely to the COVID-19 public health emergency and are substantially dedicated to mitigating or responding to COVID-19 are allowable expenses.

On June 24, 2020, the US Treasury updated their Frequently Asked Questions stating CRF money can be used for payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to COVID-19 public health emergency. OBM recommends the local government Chief Executive Official declare a proclamation in some manner and document the individuals or job positions with the specific duties that meet the substantially dedicated criteria. Please be familiar with the Auditor of State FAQ related to payroll costs and be aware the US Treasury may clarify the payroll expense requirements in the future.

What constitutes "substantially dedicated" for payroll expenses of which employees can be funded with CRF funds? (Updated July 16, 2020)

At the state level, OBM generally defines a benchmark for identifying substantial dedication to be a contribution of 50% or more of time and for local determinations, jurisdictions are welcome to follow this benchmark or not; it is up to a jurisdiction to define its own thresholds of substantial dedication and to maintain clear documentation of the justification for that decision.

Must jurisdictions keep time sheets or other accounting of the time that an employee spends on COVID-19 related work to document that the employee is "substantially dedicated"? (updated June 29, 2020)

For public safety, public health, health care, human services, and similar employees whose services are substantially dedicated it is presumed for administrative convenience that personnel costs related to these areas are substantially dedicated unless the chief executive determines that specific circumstances indicate otherwise. On June 24, 2020, the US Treasury updated their Frequently Asked Questions further clarifying as a matter of administrative convenience that the entire payroll cost of an employee in these sectors whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible. OBM recommends the local government Chief Executive Official declare a proclamation in some manner and document the individuals or job positions with the specific duties that meet the substantially dedicated criteria.

For personnel that were diverted to a substantially different use due entirely to the COVID-19 public health emergency to mitigating or responding to COVID-19 there must be some supporting documentation or evidence which corroborates the substantially different use and the time charged. Time sheets may be useful documentation for audit purposes.

Please be familiar with the Auditor of State FAQ related to payroll costs and be aware the US Treasury may clarify the payroll expense requirements in the future.

When can CRF funds be used to cover payroll expenses of employees on leave? (Updated July 16, 2020)

CRF money may be used for leave required in the Families First Coronavirus Response Act (FFCRA). The jurisdiction must ensure that the leave was taken for reasons outlined in FFCRA. Regardless of what your government calls the leave - bonus leave, emergency leave, etc. - the leave is reimbursable if used for FFCRA leave. OBM suggests structuring leave under the FFCRA leave types and making sure that employees are properly recording time. Budget amendments and changes to your government's budget do not affect the ability to reimburse these expenses.

Fund payments may also be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace. The statute requires that payments be used only to cover costs that were not

accounted for in the budget most recently approved as of March 27, 2020. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund. A jurisdiction must document administrative leave was used, the leave was beyond amounts budgeted, and the circumstance for the leave to include the inability for the employee to telework and an active stay at home order or case of COVID-19 in the workplace.

Can CRF be used for hazard pay and how should hazard pay be determined?
Hazard pay is an allowable expense; however, please note that the U.S. Treasury guidance has limited allowable hazard pay to those employees who are performing hazardous duty work directly responding the COVID-19. The local government must determine the rate of hazard pay to be provided and that should be set forth in a policy. Hazard pay cannot be across the board to all employees and must relate to COVID-19. Hazard pay is a form of payroll expense and so CRF payments may only be used to cover hazard pay for individuals that meet the other requirements for eligible CRF payroll expenses.

Can my jurisdiction use a portion of its distribution to set up a grant program, including programs to non-profits that serve homeless, hungry, mental health or other impacted groups?
Yes, your jurisdiction can set up and administer a grant program if the grants are directly related to remediating or responding to COVID-19 and meet the requirements for eligibility in the US Department of Treasury guidance. Keep in mind the Uniform Guidance, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, are applicable.

Can my jurisdiction provide funds to another governmental entity such as a health department, fire district, school district, etc.? (updated August 20, 2020)
Yes, 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 this guidance document and the US Treasury guidance. Revenue replacement or losses in revenue are not eligible. Jurisdictions should evaluate and document the relationship when providing funds to determine if a contractor or subrecipient relationship exists. Jurisdictions can find a checklist for use to make this determination and document at https://www.agacgfm.org/Intergov/More-Tools/Subrecipient-vs-Contractor-Checklist.aspx Keep in mind the Uniform Guidance, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, are applicable.

Can a jurisdiction provide a subgrant to a non-governmental entity? (added August 28, 2020)

A jurisdiction may find it necessary to subgrant funds to a non-governmental entity to run programs or support activities deemed necessary by the jurisdiction. A subgrant must meet the requirements of the US Treasury guidance as necessary due to COVID-19, was not accounted

for in the budget most recently approved as of March 27, 2020, and supports costs incurred during the covered period of March 1 to December 30, 2020. Jurisdictions should keep in mind the Uniform Guidance, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, are applicable.

Are non-profits eligible for economic support? (added August 28, 2020)
Yes, not-for-profit corporations could be provided relief for business interruptions and/or for direct cost of responding to the COVID-19 pandemic if a local government deems the expenditures to be necessary in response to the public health emergency, in the same manner as a local government may provide assistance to a for-profit business.

Are there tax considerations to funds provided to businesses and non-profits? (added August 28, 2020)
Jurisdictions should review the frequently asked questions published by the IRS at https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions.

Can I dispose of assets purchased with CRF funds?
If assets are disposed of prior to December 30, 2020, then the proceeds are subject to the restrictions on eligible use of payments from the Fund.

What happens if there is interest earned on CRF funds?
Funds are not subject to the Cash Management Improvement Act of 1990. Interest funds earned must be used place back into the program and used in a manner consistent with the U.S. Department of Treasury guidance on eligible costs within the performance period.

Under FEMA, there are equipment use rates to determine cost. Is there something comparable under this funding?
There are no schedules for equipment time.

Are in-kind costs such as donated time allowable to be reimbursed using a standard labor rate?
No, only actual costs incurred.

Can CRF funds be used to reimburse for expenses already incurred (dating back to 3/1/2020) or only for new expenses going forward?
CRF monies can be used to reimburse expenses already incurred dating back to March 1, 2020 assuming the expense meets the other requirements for use of the Coronavirus Relief Fund. Per U.S. Treasury Guidance, costs must have been incurred on or after March 1, 2020. Treasury guidance defines "incurred" as being "when the responsible unit of government has expended funds to cover the cost." Thus, if a jurisdiction obligated funds for COVID-19 related

expenses prior to March 1, 2020 but had not yet expended those funds as of March 1, 2020 those expenses are an allowable use.

Can CRF funds be used to pay for expenses in preparation for a future COVID-19 outbreak or for pandemic public health measures for a future pandemic or disaster?
CRF funds may be used only for expenditures necessary to address the current COVID-19 public health emergency. CRF funds cannot be used to prepare for or stockpile excess supplies for possible use related to future disasters. However, it may be necessary to create a reserve of eligible items to address areas that are likely to be impacted by the current COVID-19 pandemic.

When is a cost incurred? (updated July 16, 2020)
A cost is incurred when the responsible party has expended funds to cover the cost. The US Treasury updated their guidance document on June 30 to further extend the definition of an incurred cost to include the performance or delivery, as well as a need for receipt, during the "covered period" (March 1, 2020 to December 30, 2020). This guidance applies in a like manner to subawards to municipalities or businesses. HB 481 directs the return of unencumbered funds to the county treasurer on October 15, 2020 and the balance of unspent funds to the state treasury on December 28, 2020, which is within the US Treasury covered period.

Can we prepay for services or goods that will be provided or received after December 30, 2020?
No. Prepayment for any goods or services is not allowed.

If the funds are encumbered, would they be considered spent? (Updated July 16, 2020)
No, an encumbrance is an obligation, but funds are not considered spent. However, an encumbrance may mean a cost is incurred. See question above regarding when a cost is incurred.

Will receiving CRF funds impact or limit the amount of FEMA Category B reimbursement that my jurisdiction is eligible for?
Unlike CRF funding, which was appropriated in specific total dollar amounts, the total dollar amounts of FEMA Category B reimbursement that an applicant may receive is not capped at an overall dollar amount. If a local government exhausts its CRF funds and still has COVID-19 expenses that are eligible for FEMA Category B reimbursement, it may still apply to FEMA for reimbursement of those funds. It is important to avoid duplication of benefits. Expenses paid for with CRF funds cannot also be reimbursed by FEMA, and vice versa. Jurisdictions should carefully track both their COVID-19 expenses along with all sources of federal funds used to pay for those expenses to avoid duplication of benefits and to be prepared to document no duplication of benefits if requested by OBM, the Auditor of State, or federal oversight agency.

Is the County I received funds through responsible for monitoring my activities with the funds?

No, the Office of Budget and Management will be performing subrecipient monitoring of the financial activities with the funds. The County will be responsible for the distribution of the funding within the guidelines of the enacted legislation.

How long should jurisdictions retain records relating to the CRF and supporting expenditures? (updated July 16, 2020)

Records shall be maintained for a period of five (5) years after final payment is made using Coronavirus Relief Fund monies. These record retention requirements are applicable to all prime recipients and their grantees and subgrant recipients, contractors, and other levels of government that received transfers of Coronavirus Relief Fund payments from prime recipients.

What types of records should be retained? (updated July 16, 2020)

Recipients of Coronavirus Relief Fund payments shall maintain and make available upon request all documents and financial records sufficient to establish compliance with subsection 601(d) of the Social Security Act, as amended, (42 U.S.C. 801(d)). Records to support compliance with subsection 601(d) may include, but are not limited to, copies of the following:

1. general ledger and subsidiary ledgers used to account for (a) the receipt of Coronavirus Relief Fund payments and (b) the disbursements from such payments to meet eligible expenses related to the public health emergency due to COVID-19;
2. budget records for 2019 and 2020;
3. payroll, time records, human resource records to support costs incurred for payroll expenses related to addressing the public health emergency due to COVID-19;
4. receipts of purchases made related to addressing the public health emergency due to COVID-19;
5. contracts and subcontracts entered into using Coronavirus Relief Fund payments and all documents related to such contracts;
6. grant agreements and grant subaward agreements entered into using Coronavirus Relief Fund payments and all documents related to such awards;
7. all documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients;
8. all documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards;
9. all internal and external email/electronic communications related to use of Coronavirus Relief Fund payments; and
10. all investigative files and inquiry reports involving Coronavirus Relief Fund payments.

Who is my grant contact at OBM for questions or concerns?

The Ohio Grants Partnership is available to answer any questions or concerns that you may have via e-mail at grants@obm.ohio.gov.

What is the process for returning funds to the State of Ohio?

Final returns of payment must be received by the Office of Budget and Management no later than December 28, 2020. Returns can be made via check payable to the Treasurer of the State of Ohio and mailed to:

Ohio Office of Budget and Management
ATTN: Fiscal Section
30 E. Broad St., 34th Floor
Columbus, OH 43215