



# Media Release

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## *Complaint for Declaratory and Injunctive Relief- For Immediate Release*

Date: May 19, 2021

Contact: Rebecca Corrigan, Township Administrator

Organization: Olmsted Township

Olmsted Township Board of Trustees

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The Olmsted Township Board of Trustees filed a complaint in the United States District Federal Court for the Northern District of Ohio Eastern Division to demand the United States Department of Treasury Secretary Janet Yellen, in her official capacity, include townships as Non-Entitlement Units of local government (NEU) for receipt of the stimulus package as enacted into law on March 11, 2021 (H.R. 1319), the American Rescue Plan Act of 2021 (ARPA).

To date Secretary Yellen has not issued a ruling defining the eligibility of Ohio townships for allocation and payment of funds from the Coronavirus Local Fiscal Recovery Fund giving rise to the uncertainty and real justiciable controversy which this suit seeks to redress.

While cities have been specifically named as recipients of funding and have already received one-half of the apportioned funding, townships in Ohio and six other states have not. Many cities have already planned for appropriate spending of funds received. 1305 townships in Ohio accounting for more than 4 million residents-taxpayers continue to await a decision regarding status.

Olmsted Township qualifies as a Non-Entitlement Unit of local government (NEU) serving 16,000 residents within a 10-square mile area. A staff of 70 provides complete Police, Fire/Emergency Medical Services, a Department of Public Service, and a certified Building Department.

Olmsted Township further meets the criteria for a Non-Entitlement Unit of local government (NEU) as defined by the Housing and Community Development Act of 1974 and has received Community Development Block Grant (CDBG) funding from Cuyahoga County for ADA ramps on two separate occasions (2019 & 2021) totaling more than \$300,000 based on this status.

Under CARES in 2020, Olmsted Township received over \$800,000 which was allocated and spent in accordance with guidelines of the Act to assist at-risk residents, the business community, protection of the workforce and expenses directly related to reduction and elimination of COVID related expenses.

Olmsted Township is seeking funds payable in accordance with section 603 of ARPA based on a population-based formula. More than \$843 billion has been set aside for Ohio alone for townships designated as Non-Entitlement Units of local government (NEU) through ARPA. Under a population-based formula, estimates from the Congressional Research office have determined Olmsted Township should receive almost \$2.5 million for eligible projects.

This legal action requests prompt judicial resolution identifying Olmsted Township a qualifying Non-Entitlement Unit of local government (NEU) under ARAP. Olmsted Township further seeks injunctive relief and judgment against any ruling which restricts or limits Olmsted Township's eligibility for payment from ARPA to which its residents-taxpayers are entitled.