

Warren County Board of Supervisors

RESOLUTION NO. 262 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, DICKINSON, SEEBER, THOMAS, BEATY AND WILD; AND COMMITTEE MEMBERS LAMOTHE, AGNEW, GILLES, BITTEL, MOORE, SWAN AND GADDY

AUTHORIZING ARPA FUNDS DISBURSEMENT TO ADIRONDACK SPORTS COMPLEX, LLC

WHEREAS, the United States Department of the Treasury adopted Final Rule, 31 CFR Part 35, Subpart A, sections 35.1 through 35.12, entitled Coronavirus State and Federal Fiscal Recovery Funds, effective April 1, 2022, (hereafter, “Final Rule”) implementing the Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, under section 9901 of the American Rescue Plan Act (hereafter “ARPA”), which amended Title VI of the Social Security Act, (42 U.S.C. Sec. 801, et seq.) by adding sections 602 and 603 to establish the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund, and

WHEREAS, the County entered into an agreement with the United States Department of Treasury, dated May 18, 2021 (hereafter, “Treasury Agreement”) that awarded Twelve Million Four Hundred Twenty Thousand Three Hundred Seventy-Two Dollars (\$12,420,372) to the County in ARPA funds to be allocated to cover costs incurred from March 3, 2021 through December 31, 2024, for the enumerated purposes set forth in sections 602(c)(1) and 603(c)(2) of the Social Security Act, as implemented by the Final Rule, and the Treasury Agreement, and subject to the restrictions set forth by sections 602(c)(2) and 603(c)(2) of the Social Security Act; and

WHEREAS, Part 35.6 of the Final Rule authorizes the County to use ARPA funds to respond to the public health emergency or its negative economic impacts when the County identifies an eligible response, applies ARPA funds to an identified harm, or authorizes funding for an eligible use for a beneficiary or class of beneficiaries; and

WHEREAS, the ARPA Committee determined that the use of ARPA funds is required to respond

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to the negative economic impacts of the public health emergency and the enumerated eligible use of assistance to small businesses, including programs, services, or capital expenditures that respond to the negative economic impacts of the COVID-19 public health emergency, including loans and grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, or providing technical assistance, and

WHEREAS, section 603(c)(3) of the Social Security Act authorizes the County to disburse ARPA funds to tourism, travel, hospitality, and other impacted industries, the ARPA Committee has considered and approved a request to distribute funds as a grant in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) beginning March 3, 2021 and ending December 31, 2024, to the Adirondack Sports Complex, LLC, a small business which suffered significant negative economic impacts due to the COVID-19 public health emergency such as declines in revenues and impacts from periods of business closure, in the County, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves as an eligible use the disbursement of ARPA Funds to Adirondack Sports Complex, LLC, as a grant in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) as small business assistance to mitigate financial hardship such as declines in revenues and the impacts from periods of business closure, from March 3, 2021 through December 31, 2024, and be it further

RESOLVED, that as a condition of the ARPA funding, Adirondack Sports Complex, LLC shall comply with all reporting requirements set forth in the ARPA Funding Agreement for Tourism, Travel, Hospitality (hereafter, "ARPA Agreement"), and in a form approved by the County Attorney, and shall comply with any future modifications to the reporting requirements enacted by the Federal Government, after the effective date for the ARPA Agreement.