

Warren County Board of Supervisors

RESOLUTION NO. 388 OF 2022

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

AUTHORIZING THE APPROPRIATION OF ARPA FUNDS TO THE WARREN COUNTY DEPARTMENT OF PUBLIC WORKS TO FUND EMERGENCY CULVERT REPAIRS AND CAPITAL IMPROVEMENTS; AND AMENDING WARREN COUNTY BUDGET FOR 2022

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 to assist the County of Warren’s Department of Public Works to make necessary investments in water, sewer and broadband infrastructure, to specifically include stormwater infrastructure projects and culvert infrastructure projects to manage increased volumes of stormwater through the repair, replacement, or removal of culverts or other road-stream crossing infrastructure for the purpose of managing stormwater at the Stony Creek Road (County Route 2) over Number Nine Brook Project (hereafter, “Number Nine Brook Project”) and at the Bay

RESOLUTION NO. 388 OF 2022

PAGE 2 OF 2

Road (County Route 7) over Glen Lake Outlet Project (hereafter, “Glen Lake Outlet Project”), as provided by Part 35, Subpart A, section 35.6(e)(1) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and has agreed to allocate funds in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) for same, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA funds to County of Warren (Department of Public Works) in an amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) to fund the cost of stormwater infrastructure projects and culvert infrastructure projects to manage increased volumes of stormwater through the repair, replacement, or removal of culverts or other road-stream crossing infrastructure for the purpose of managing stormwater at the Number Nine Brook Project and at the Glen Lake Outlet Project, as provided by Part 35, Subpart A, section 35.6(e)(1) of the Code of Federal Regulations from the effective date of this Resolution through December 31, 2024, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2022 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: PUBLIC WORKS		
<u>ESTIMATED REVENUE</u>		
H390.9550.4999 4090	County Bridge & Culvert Projects, Capital Projects, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Funds (CLFRF)	\$3,500,000
<u>APPROPRIATIONS</u>		
H390.9550.4999 280	County Bridge & Culvert Projects, Capital Projects, American Rescue Plan Act (ARPA), Projects	\$3,500,000