

Warren County Board of Supervisors

RESOLUTION NO. 432 OF 2024

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, GERACI, MERLINO, MADAY, DRISCOLL, CROCITTO, STROUGH, BRUNO AND ETU

**AUTHORIZING ARPA FUNDS DISBURSEMENT TO
ADK EXCURSIONS, LLC; AND AMENDING WARREN COUNTY BUDGET FOR 2024**

RESOLUTION FAILED

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 to the negative economic impacts of the public health emergency and the enumerated eligible use of 31 C.F.R. 35.6(b)(3)(ii)(B)(2), assistance to small businesses including a program, service, capital expenditure, or other assistance that responds to disproportionately impacted small businesses, including rehabilitation of commercial properties; storefront and facade improvements; technical assistance, business incubators, and grants for start-ups or expansion costs for small businesses; and programs or services to support micro-businesses, and

WHEREAS, section 603(c)(3) of the Social Security Act authorizes the County to transfer ARPA funds to a private nonprofit organization, the ARPA Committee has considered and approved a request to distribute funds in an amount not to exceed Thirty Thousand Dollars (\$30,000), beginning retroactive to October 6, 2022 and ending December 31, 2024, to ADK Excursions, LLC, for use of grant money to fund safety related capital improvements, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the allocation of ARPA

funds in an amount not to exceed Thirty Thousand Dollars (\$30,000), retroactive to October 6, 2022 through December 31, 2024, to ADK Excursions, LLC for use of grant money to fund safety related capital improvements as an eligible use, and

RESOLVED, that as a condition of the ARPA funding, ADK Excursions, LLC shall comply with all reporting requirements set forth in the ARPA Funding Agreement (hereafter, “ARPA Agreement”), and in a form approved by the County Attorney for this award, and shall comply with any modifications to the reporting requirements enacted by the Federal Government to include the Department of Treasury, as a condition of funding, after the effective date for the ARPA Agreement, and be it further

RESOLVED, that the Board of Supervisors does hereby authorize the following budget amendment for 2024 in accordance with the aforementioned allocation of ARPA funding:

<u>CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
DEPARTMENT: LEGISLATIVE BOARD		
<u>ESTIMATED REVENUE</u>		
A.1010.4999 4090	Legislative Board, American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Funds (CLFRF)	\$30,000
<u>APPROPRIATIONS</u>		
A.1010.4999 470	Legislative Board, American Rescue Plan Act (ARPA), Contract	\$30,000