

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2024-013
OF THE
BALDWIN COUNTY COMMISSION**

**RESOLUTION TO RETROACTIVELY ALLOCATE AMERICAN RESCUE PLAN ACT FUNDS FOR
GOVERNMENTAL SERVICES USING REVENUE REPLACEMENT FUNDS**

WHEREAS, Baldwin County, Alabama, (the “County”) has received an award of Coronavirus State and Local Fiscal Recovery Funds under the American Rescue Plan Act from the U.S. Department of the Treasury (“Treasury”), \$10,000,000 of which have been duly designated as revenue replacement funds (“ARPA revenue replacement funds”) in accordance with the final rule issued by Treasury on January 6, 2022; and

WHEREAS, the Baldwin County Commission (the “Commission”) is charged with ensuring the expenditure of the County’s ARPA revenue replacement funds in accordance with state and federal law; and

WHEREAS, the County may use Revenue Replacement ARPA funds to cover the costs to provide government services, including the provision of solid waste management and disposal services; and

WHEREAS, the Commission has determined that designing and constructing a solid waste material recovery facility located adjacent to the existing Magnolia Landfill at 15093 Landfill Drive, Summerdale, Alabama (the “Baldwin County Material Recovery Project”), to provide for a long-term solution for the recycling needs of the County using Revenue Replacement ARPA funds is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, on February 1, 2022, during a Regular Meeting, the Commission approved entering the Professional Services Agreement No. 1895R3 between LaBella Associates, D.P.C. (“LaBella”) and the Commission to provide full architectural and engineering services for design and bid support for the Baldwin County Material Recovery Project; and

WHEREAS, the Commission has determined that using ARPA revenue replacement funds to cover payments to LaBella to perform architectural and engineering services is a necessary, reasonable, and appropriate expenditure.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION AS FOLLOWS:

1) The Commission hereby retroactively allocates up to \$620,000 in ARPA funds, so designated as ARPA revenue replacement funds, for the professional architectural and engineering

services provided to the County by LaBella for the design and construction bidding of the Baldwin County Material Recovery Project, those professional services approved by the Commission on February 1, 2022.

2) The Commission hereby approves entering into an amendment to the Agreement in substantially the same form as attached hereto as Addendum 1, consistent with the County's ARPA award terms and conditions.

3) The allocation and expenditure of ARPA funds for the purposes described herein shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any expenses not obligated by December 31, 2024, and expended by December 31, 2026.

IN WITNESS WHEREOF, the Baldwin County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on the 7th day of November 2023.

Billie Jo Underwood
Chairman, Baldwin County Commission

ATTEST:

Roger H. Rendleman, County Administrator