

STATE OF ALABAMA            )  
COUNTY OF BALDWIN        )

**RESOLUTION #2022-170  
OF THE  
BALDWIN COUNTY COMMISSION**

**RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS FOR VENTILATION SYSTEM  
IMPROVEMENTS**

**WHEREAS**, Baldwin County, Alabama, (the “County”) has received American Rescue Plan Act State and Local Fiscal Recovery Funds (“ARPA funds”); and

**WHEREAS**, the Baldwin County Commission (the “Commission”) is charged with ensuring that such funds are expended in accordance with state and federal law; and

**WHEREAS**, the Final Rule issued by the U.S. Department of Treasury on January 6, 2022, provides that improvements to ventilation systems in public facilities to mitigate the spread of COVID-19 are an eligible use of ARPA funds; and

**WHEREAS**, the Commission has contracted with the Association of County Commissions of Alabama, through its Investing in Alabama Counties program (“IAC”), to provide technical and administrative services related to the administration of the County’s ARPA funds; and

**WHEREAS**, IAC has made available to the County services conducted by a duly licensed architectural and engineering team to evaluate the current ventilation systems in County-owned public facilities and provide recommendations for improvements to bring these systems into compliance with the core guidelines and recommendations for mitigating the spread of COVID-19 issued by the Centers for Disease Control; and

**WHEREAS**, this architectural/engineering team conducted an on-site assessment of the ventilation system servicing the County-owned Probate Office building located at 220 Courthouse Square, Bay Minette, Alabama, and, based on this assessment, has determined that improvements to this system are needed to bring it into compliance with these guidelines; and

**WHEREAS**, the Commission has determined that use of a portion of the County’s ARPA funds to effect these improvements is an eligible, necessary, and reasonable use of these funds.

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

1)       The Commission hereby allocates up to \$947,307.00 of the County’s ARPA funds to implement improvements to the ventilation system servicing the County-owned Probate Office building located at 220 Courthouse Square, Bay Minette, Alabama, that are reasonably necessary to bring the

system into compliance with the core guidelines and recommendations for mitigating the spread of COVID-19 issued by the Centers for Disease Control.

2) The funds allocated herein shall not be expended without further authorization by the Commission and may only be used to cover expenditures for professional services and other expenditures that comply with federal and state procurement laws and guidelines, including compliance with applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) and Title 39 of the Code of Alabama 1975.

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.

4) In no event shall this resolution be construed to obligate or authorize the allocation and expenditure of County funds in the absence of available ARPA funds.

**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 20th day of September, 2022.

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James E. Ball  
Chairman, Baldwin County Commission

ATTEST:

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Ronald J. Cink, Budget Director/Interim County Administrator