

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2023-120
OF THE
BALDWIN COUNTY COMMISSION**

**RESOLUTION ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS FOR BALDWIN COUNTY
COURTHOUSE ATRIUM**

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 certain expenditures incurred for capital improvements to mitigate the spread of COVID-19 are eligible uses of ARPA funds, including adaptations to existing public facilities to address mitigation needs; and

WHEREAS, current CDC guidance regarding COVID-19 mitigation efforts (updated January 26, 2023) include avoiding crowded areas by increasing space and distance and, as possible, moving indoor activities outside; and

WHEREAS, currently citizens seeking entry to the Baldwin County Courthouse located at 1 Courthouse Square, Bay Minette, Alabama (the “Courthouse”), to access government services are subjected to crowded conditions in the public entryway to the Courthouse while awaiting security screening; and

WHEREAS, as a result, the current configuration of the entryway renders it impossible to manage the flow of individuals seeking entry to the Courthouse to access government services, while complying with social distancing requirements necessary to mitigation efforts and security protocols needed to ensure citizens’ safe and secure access to and use of this facility; and

WHEREAS, currently there exists some covered outdoor queuing areas adjacent to the Courthouse’s public entryway; however, these structures are not sufficient to address socially distanced queuing needs, particularly during the conduct of jury trials and other activities during which public access to the Courthouse is substantially heightened; and

WHEREAS, the Commission has considered alternative adaptations to the exterior of the public entryway of the facility to address this issue and has determined that the most cost effective and proportionate alternative to address this issue is the construction of an additional covered queuing structure adjacent to the public entryway to the Courthouse that will allow citizens waiting to access the Courthouse to queue in a socially distanced manner, while being protected in part from the outdoor elements; and

WHEREAS, due to the interior layout of the entry floor of the Courthouse, there is no viable means of addressing this issue via internal renovations or adaptations; and

WHEREAS, the Commission has determined that the construction of a covered queuing structure adjacent to the public entry way to the Courthouse (the "Project") will adequately and proportionately address the harm described herein, while being more cost-effective than the construction of a fully enclosed structure that would accommodate socially distanced queuing for citizens waiting to access the Courthouse, while providing full protection from the outdoor elements; and

WHEREAS, the cost of the Project is estimated to be approximately \$948,830; and

WHEREAS, the Commission has determined that using a portion of the County's ARPA funds for the Project is an eligible, necessary, and reasonable use of these funds, and that the estimated cost of constructing this is reasonable and proportionate to the harm to be addressed; and

WHEREAS, to facilitate the implementation of the Project, the Commission desires to engage PH&J Architects to provide design and related services.

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

1) The Commission hereby authorizes the Commission Chair to enter into the design services agreement (the "Agreement") attached to this resolution with PH&J Architects, Inc., for the provision of design and related services necessary for the implementation of the Project.

2) Following the execution of the Agreement, the County Administrator is authorized to use a portion of the County's ARPA revenue replacement funds to cover costs related to the Agreement

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 16th day of May, 2023.

Charles F. Gruber, Chairman
Baldwin County Commission

ATTEST:

Roger H. Rendleman
County Administrator