



Baldwin County Commission

Legislation Details (With Text)

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On agenda: 1/17/2023 **Final action:**
Title: Resolution #2023-039 - Allocation of Interest Earned from the American Rescue Plan Act (ARPA) Funds for the Lehman Road Project

Indexes:

Attachments: 1. Proposal Eval ACCA - ARPA SLFRF - Lehman Road Watermain Relocation, 2. Resolution #2023-039 for Expenditure of Interest (Lehman Road), 3. Exhibit A to Resolution #2023-039, 4. *Resolution 2023-039 SIGNED.pdf

Date	Ver.	Action By	Action	Result
1/17/2023	1	Baldwin County Commission Regular	Approved	Pass

Meeting Type: BCC Regular Meeting

Meeting Date: 1/17/2023

Item Status: New

From: Ronald J. Cink, Budget Director/Interim County Administrator; Cian Harrison, Clerk/Treasurer

Submitted by: Katrina Taylor, Grants Coordinator

ITEM TITLE

Resolution #2023-039 - Allocation of Interest Earned from the American Rescue Plan Act (ARPA) Funds for the Lehman Road Project

STAFF RECOMMENDATION

Take the following actions:

- 1) Approve the allocation of interest earned from the American Rescue Plan Act (ARPA) funds in the amount of \$10,084.00 to East Central Baldwin County Water, Sewer, and Fire Protection Authority for the Lehman Road project; and
- 2) Approve payment to the East Central Baldwin County Water, Sewer, and Fire Protection Authority in the amount of \$10,084.00 for the Lehman Road Project; and
- 3) Adopt Resolution #2023-039 of the Baldwin County Commission allocating up to \$10,084.00 of interest earned from the American Rescue Plan Act (ARPA) funds to East Central Baldwin County Water, Sewer, and Fire Protection Authority for the Lehman Road project.

BACKGROUND INFORMATION

Background: Treasury has excepted ARPA fund awards from the requirements of 2 CFR 200.305 (b)(8)-(9) and issued guidance providing that, as a result, ARPA funds may be deposited into interest bearing accounts and that interest earned on these funds may be retained by the County. Treasury

has further advised that the County's use of interest earned on ARPA funds is not limited to uses of ARPA funds authorized by the American Rescue Plan Act.

Previous Commission action/date:

December 20, 2022 - The BCC approved the following projects:

- 1) Approved Resolution #2023-041 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds for the Lexipol, LLC, Law Enforcement Training in the amount of \$69,995.80.
- 2) Approved Resolution #2023-042 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds to the Historic Blakeley State Park Authority in the amount of \$46,000.00.
- 3) Approved Resolution #2023-043 - Allocation of American Rescue Plan Act (ARPA) Funds for the Surfside Shores Drainage Improvement Project in the amount of \$2,763,273.00.
- 4) Approved Resolution #2023-044 - Allocation of American Rescue Plan Act (ARPA) Funds for the Turberville Bank Water Infrastructure Project in the amount of \$700,734.00.
- 5) Approved Resolution #2023-045 - Allocation of American Rescue Plan Act (ARPA) Revenue Replacement Funds for Novelis South Access Road Construction in the amount of \$1,000,000.00.
- 6) Approved the Fund Allocation Application to the U.S. Department of the Treasury for the Local Assistance and Tribal Consistency Fund (LATCF)
- 7) Approved the Quote for Architectural Services for a Feasibility Study to Scope the Design and Installation of Touchless Upgrades to Various Baldwin County Commission Facilities in the amount of \$14,200.00 with PH&J Architects, Inc.
- 8) Approved the Quote for Architectural Services for a Feasibility Study Relating to a New Mental Health Holding Area at the Baldwin County Corrections Center Located in Bay Minette, Alabama for the Baldwin County Commission in the amount of \$5,000.00 with PH&J Architects, Inc.
- 9) Approved the Quote for Architectural Services for a Feasibility Study Relating to a New Mental Health Holding Area at the Baldwin County Juvenile Detention Center Located in Bay Minette, Alabama for the Baldwin County Commission in the amount of \$1,500.00 with PH&J Architects, Inc.
- 10) Approved the Purchasing Director to place a competitive bid for the Surfside Shores Drainage Improvements Project.
- 11) Approved the Purchasing Director to place a competitive bid for the Turberville Lane Drainage Improvements Project.

December 5, 2022 - Awarded the quote to the lowest bidder, One Cut Glass, LLC, in the amount of \$49,327.00 for the Purchase and Installation of Partitions in the Building Inspection Department located at the Central Annex in Robertsedale, Alabama and authorized the Chairman to execute the Contract for Public Works Services and Certificate of Compliance for Public Works Services.

November 1, 2022 - The BCC approved the following projects: 1) Approved the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$50,460.00 for the installation of partitions at the Council on Aging Vaughn S.A.I.L. Center (\$1,133.00) and the Building Inspection Department located at Central Annex in Robertsedale, Alabama (\$49,327.00); 2) Approved the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$37,149.65 to cover direct administrative costs for Baldwin County Commission Staff through September 30, 2022; 3) Approved the allocation of "real" American Rescue Plan Act (ARPA) funds in the amount of \$91,400.00 to cover prior COVID-19 related expenses for Symbol Health Clinic claims and Blue Cross Blue Shield of Alabama / MedOne healthcare claims from July 1, 2022, through September 30, 2022.

October 18, 2022 - The BCC adopted Resolution #2023-012 allocating up to \$70,000.00 in American Rescue Plan Act (ARPA) funds to provide ventilation system improvements to mitigate the spread of

COVID-19 at the Bay Minette Probate Office located at 220 Courthouse Square, Bay Minette, Alabama; and authorized the Professional Services Agreement between Labella Associates D.P.C. for architectural and engineering (A&E) costs associated with full architectural and design services related to the ventilation system improvements for the Bay Minette Probate Office. This item was previously pulled from the October 4, 2022 agenda.

October 4, 2022 - Staff pulled item 23-0008 due to the Professional Services Agreement pending legal review.

September 6, 2022 - The BCC adopted Resolution #2022-163 amending Resolutions #2022-102 (as previously approved on 06-07-2022) and #2022-158 (as previously approved on 08-16-2022) to eliminate and terminate Temporary Premium Pay (TPP) Payments for certain eligible exempt employees whose total wages and remuneration are greater than, or would become greater than as a result of TPP payments, 150% of the higher of Alabama's or Baldwin County's (i.e., Daphne-Fairhope-Foley MSA) average annual wage for all occupations as defined by the most recent Bureau of Labor Statistics' (BLS) Occupational Employment and Wage Statistics (BLS Threshold), which at the time of Resolutions #2022-102 and #2022-158 was \$72,165.00, to be effective immediately.

August 16, 2022 - The BCC approved terminating the appropriation of ARPA funds previously approved by resolution of the Commission, including funds appropriated by Resolution #2022-102 for a temporary premium pay program, effective December 31, 2022.

June 7, 2022 - The BCC approved the allocation of the following ARPA project:
To provide Temporary Premium Pay Program to eligible County Commission and Baldwin County Sheriff's Office employees as additional compensation, for the first full pay period of each month, effective July 4, 2022, in the amount of \$8.66 per regular hour, and \$12.99 per overtime hour. The monthly payments will be capped at \$700.00 for full-time employees and \$500.00 for part-time employees, with a lifetime cap of \$25,000.00. TPP payments will include full-time employees and part-time employees only and will end on December 31, 2024, contingent upon the continued need to perform essential work during the COVID-19 public health emergency and continued appropriation and availability of ARPA funds for this purpose, subject to the Commission's discretion. The approval also included funding from other County funds for those eligible exempt employees' total wages and remuneration greater than or would become greater than as a result of TPP payments, \$72,165 which is 150% of the higher of Alabama's or Baldwin County's (i.e., Daphne-Fairhope-Foley MSA) average annual wage for all occupations as defined by the most recent Bureau of Labor Statistics Occupational Employment and Wage Statistics.

January 18, 2022 - The BCC accepted ARPA funds for Lost Revenue due to COVID-19 pandemic: The Final Rule offered a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. The standard allowance may be used for government services, with streamlined reporting requirements; however, this is a one-time irrevocable selection.

December 7, 2021 - The BCC approved the allocation of the following ARPA project:
Execute the Association of County Commissions of Alabama Investing in Alabama Counties Program Maintenance and Support Membership Agreement between the Baldwin County Commission and the

Association of County Commissions of Alabama (ACCA) for participation in the Association's Investing in Alabama Counties Program.

A flat fee of 6% on the first \$7 million in funds to be received and 4% on any funds to be received in excess of \$7 million, excluding funds designated as Revenue Loss as defined by Treasury's Interim Final Rule. In no case, however, shall the fee be less than 3% of the total funds received by the County, regardless of the amount of funding designated as Revenue Loss.

December 7, 2021 - The BCC approved the allocation of the following ARPA project:

Temporary Premium Pay - To provide premium pay to eligible Baldwin County Commission and Baldwin County Sheriff's Office employees as additional compensation in the amount of \$12.50 per hour, up to \$1,000.00, for full-time employees and \$12.50 per hour, up to \$725.00, for part-time employees. The designated pay period will be pay period ending December 19, 2021, to be paid concurrently with the regular payroll.

October 19, 2021 - The BCC approved the allocation of the following ARPA project:

Funds for air-surface hospital grade disinfectant backpack foggers:

Baldwin County Commission Facilities \$141,898.20

Baldwin County Sheriff's Office Facilities \$37,872.50

Total Cost: \$179,770.70

August 3, 2021 - The BCC approved the allocation of the following ARPA project:

Boros Road Bowl Est: \$1,122,256.00

10% Contingency Est: \$112,225.00

10% Administrative Costs Est: \$112,225.00

Total Estimated Cost: \$1,346,706.00

July 6, 2021 - The BCC approved the allocation of the following ARPA project:

Magnolia Landfill Recycling Facility Est: \$5,500,000.00

10% Contingency Est: \$550,000.00

10% Administrative Costs Est: \$550,000.00

Total Estimated Cost: \$6,600,000.00

June 15, 2021 - The BCC approved the allocation of the following ARPA projects:

COA Main Office COVID Upgrades Est: \$11,875.00

Baldwin Together Case Manager Est: \$25,000.00

Tyler Technologies Software Training Est: \$28,000.00

Countywide Touchless Bathroom Equipment Est: \$80,459.00

Set aside for Nonprofits Est: \$100,000.00

Ionizer in Buildings Est: \$175,000.00

Document Library Est: \$285,000.00

BCSO Hazard Pay and Law Enforcement Est: \$400,000.00

Motorola Projects (2) Est: \$469,181.00

10% Contingency Est: \$157,451.50

10% Administrative Costs Est: \$157,451.50

Total Estimated Cost: \$1,889,418.00

June 1, 2021 - The BCC approved the following action:

Agreement for Coronavirus State & Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021 (ARPA), between the U.S. Department of the Treasury and the Baldwin County Commission, which was executed by the Baldwin County Commission Chairman, Joe Davis III, on May 18, 2021, and made part of the June 1, 2021, Baldwin County Commission regular meeting minutes.

February 2, 2021 - The BCC approved the following action:

Contract for Professional Services with Hagerty Consulting, Inc., for the Baldwin County Emergency Management Consulting and Contract Services for Response, Recovery, Mitigation, Preparedness, and Planning based on a time and materials cost with an initial cost not to exceed cost of \$1,500,000.00. Task Order of \$100,000 was issued for ARPA related tasks.

FINANCIAL IMPACT

Total cost of recommendation: \$10,084.00 in interest earned from American Rescue Plan Act (ARPA) funds

Budget line item(s) to be used: 299.47100

If this is not a budgeted expenditure, does the recommendation create a need for funding?

Yes, the request for budget resolution has been submitted to Ron Cink, Budget Director/Interim County Administrator 12/09/2022.

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?

Yes

Reviewed/approved by: Brad Hicks, County Attorney on 12/09/2022 (KDT)

Additional comments: N/A

ADVERTISING REQUIREMENTS

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Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Finance and Accounting Staff allocate interest earned on ARPA funding to this project. Budget Staff prepare ARPA budget resolution.

Action required (list contact persons/addresses if documents are to be mailed or emailed):
N/A

Additional instructions/notes: N/A