

STATE OF ALABAMA)
COUNTY OF BALDWIN)

**RESOLUTION #2023-130
OF THE
BALDWIN COUNTY COMMISSION**

**A RESOLUTION TO APPROVE THE USE OF ARPA FUNDS FOR TOWN OF SUMMERDALE
WATER TOWER PROJECT**

WHEREAS, Baldwin County, Alabama, (the "County") has received American Rescue Plan Act State and Local Fiscal Recovery Funds ("ARPA funds") and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, ARPA funds may be used for necessary investments in water and sewer infrastructure ("eligible water and sewer ARPA infrastructure projects"); and

WHEREAS, pursuant to 603(c)(3) of the ARPA, PL 117-2, March 11, 2021, 135 Stat 4, the County may transfer ARPA funds to municipalities, water and sewer authorities, and other public third-party providers ("third-party providers") in order to make these necessary investments; and

WHEREAS, the County has identified, with assistance from an independent consultant, an eligible ARPA infrastructure project to serve the County's citizens, to wit: the Water Tower project in Summerdale, Alabama (the "Project"); and

WHEREAS, the cost of the Project is estimated to be approximately \$2,201,200; and

WHEREAS, the County desires to enter into an agreement with the Town of Summerdale ("Town"), a municipality, to carry out the ARPA infrastructure project for a public purpose; and

WHEREAS, the Baldwin County Commission (the "Commission") has determined that appropriating ARPA funds through agreement with the Town, to make necessary investments in water and sewer infrastructure is a necessary, eligible, and reasonable use of these funds; and

WHEREAS, the Commission has reviewed the proposed agreement with the Town attached to this Resolution (the "Agreement") and desires to enter into the Agreement and to formally appropriate funding for the Project upon execution of the Agreement.

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


1) The County hereby makes a one-time allocation of up to \$1,000,000 of its ARPA funds to be awarded to and used by the Town of Summerdale for the cost of the Project, to construct an adequately sized elevated storage tank along with an eight-inch C900 watermain, and SCADA upgrades to ensure a reliable water supply during peak demand.

2) The Commission Chair is hereby authorized to execute the Agreement on behalf of the County.

3) Notwithstanding the provisions of this Resolution to the contrary, expenditure of the funds for the purposes described herein for costs associated with the project shall be contingent on compliance with applicable state and federal laws related to competitive procurement of goods and services.

4) The expenditure of ARPA funds for the purposes described herein shall be further 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 6th day of June, 2023.



Charles F. Gruber, Chairman
Baldwin County Commission

ATTEST:



Roger H. Rendleman
County Administrator

