

RESOLUTION

NO: 2022-12-192

LIVINGSTON COUNTY

DATE: December 12, 2022

Resolution Implementing Livingston County's Strategic Use of American Rescue Plan Act Funding – Board of Commissioners

WHEREAS, Livingston County will receive \$ 37,292,778 from the American Rescue Plan Act (ARPA) of 2021; and

WHEREAS, ARPA funding has certain allowable uses, and allows for designation up-to \$10 Million for lost-revenue expenses; and

WHEREAS, the Livingston County Board of Commissioners intends to utilize ARPA funding strategically for maximum impact and benefit to Livingston County citizens and Livingston County as an organization; and

WHEREAS, the Livingston County Board of Commissioners adopted its Vision Tour for the Strategic Use of ARPA-funds consisting of strategic-initiative categories and potential spending allocations in Resolution 2022-03-040, to guide project selection and use of ARPA-funds and to create a Vision Tour Contingency fund; and

WHEREAS, the Livingston County Board of Commissioners requested input from county department leadership and the public for use of ARPA-funds in the county; and

WHEREAS, Livingston County received many requests for projects to be funded by ARPA-funds, including projects eligible for coverage by lost-revenue funding; and

WHEREAS, the Livingston County Board of Commissioners opened up requests for several months to allow for internal Livingston County government proposals, and external community proposals, and received more than 120 detailed requests, totaling over \$85,000,000; and

WHEREAS, the Livingston County Board of Commissioners held several open discussions as a full board and in the Finance and Asset Management Committee to discuss priorities, opportunities, and requests for ARPA-funds, and further implemented changes to the Capital Improvement Plan, to monitor and consider ARPA projects now and in the future; and

WHEREAS, Livingston County previously designated \$10 Million for lost-revenue expenses in accordance with ARPA, subject to further action by the Finance and Asset Management Committee and the Board of Commissioners for allocation and use; and

WHEREAS, Livingston County is projected to pay General-Fund-budgeted ARPA-eligible expenses with ARPA-funds in excess of over \$18,000,000, which will then be reclassified to the Vision-Tour Contingency fund in accordance with Resolution 2022-03-040; and

WHEREAS, the Board of Commissioners have previously approved ARPA-funding for the following projects:

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| IT | IT Equipment (<u>only</u>) | \$ 98,130 |
| IT | Cybersecurity Upgrade (<u>only</u>) | \$ 685,000 |
| Clerk | Vital Records Projects (<u>only</u>) | \$ 120,000 |
| Administration | Guidehouse ARPA Consulting | \$ 300,000 |
| Human Resources | Wage Study (<u>only</u>) | \$ 86,405 |
| Fiscal Services | Covid Sick-Leave (<u>only</u>) | \$ 553,725 |

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| Drain | Howell City Drain | \$ 125,000 |
| IT | Broadband Survey | \$ 80,559 |
| IT | E-Rate Consulting (TripleR) | \$ 25,000 |
| IT | Fiber Optic Planning and Consulting (MERIT) | \$ 125,000 |

THEREFORE, BE IT RESOLVED, that the Livingston County Board of Commissioners approves additional ARPA-funds and Vision-Tour Contingency funds for allocation in the amounts listed for the following departments:

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| Drain | Infrastructure Projects | \$ 6,175,870 |
| Sheriff | Service Enhancement Projects | \$ 1,750,000 |
| Clerk | Microfilm Conversion | \$ 243,125 |
| Fiscal Services | County Services Addressing Legacy Costs | \$ 5,000,000 |
| Facilities Services | Facilities Replacement Projects | \$ 1,622,147 |
| Animal Shelter | Animal Shelter New-Facility Expansion (<u>only</u>) | \$ 1,850,000 |
| Courts | On Base Implementation (<u>only</u>) | \$ 1,235,936 |
| EMS | Rural Ambulance Bases (<u>only</u>) | \$ 1,850,000 |
| 911 | Tower Repair and Replacement (<u>only</u>) | \$ 1,500,000 |
| IT | Safety/Education/Municipal Open Access Broadband (<u>only</u>) | \$ 12,551,365 |

BE IT FURTHER RESPOVED, that the Safety/Education/Municipal Open Access Broadband shall first include the portion of the project proposal completing the broadband loop to Putnam and Unadilla Townships.

BE IT FURTHER RESOLVED that additional projects from external requests not covered by the above (e.g. Open Access Broadband) are allocated \$1,260,000.

BE IT FURTHER RESOLVED that the following external requests shall be funded:

- a. **\$450,000** shall be allocated for use only to support the senior centers in Livingston County, and the United Way or its counterparts working directly with the six active, and one inactive, senior centers in Livingston County shall propose specific projects to the Livingston County Board of Commissioners, through the F.A.M Committee, including the proposed use for such funding, and once approved the associated funds shall be disbursed in accordance with the existing disbursement policies of Livingston County directly to the relevant senior center, and shall be used only for the referenced purpose;
- b. each of the five school districts in Livingston County shall receive \$30,000, for a total of **\$150,000** for use only for the sole and distinct purpose of implementing Reaching Higher, Inc. programs;

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- c. the Livingston County Senior Nutrition shall receive **\$100,000** for use only in accordance with its request for senior breakfast meals;
 - d. the Community Mental Health Authority shall receive **\$40,000** for use only in accordance with its request for mental health outreach support and education;
 - e. the Bountiful Harvest shall receive **\$20,000** for use only in accordance with its request for feeding those in need in Livingston County;
 - f. the Livingston Family Center Emergency Shelter project shall receive **\$20,000** for use only in accordance with its request;
 - g. the Howell Nature Center shall receive **\$20,000** for use only in accordance with its request for the outdoor teen activity center;
 - h. the Family Emergency Readiness Expo shall receive **\$4,000** for use only in accordance with its request; and
 - i. the Salvation Army shall receive **\$56,000** for the summer lunch break program; and
 - j. **\$400,000** in funds shall be allocated by further action of the Finance and Asset Management Committee and the Board of Commissioners for use in external community projects;

BE IT FURTHER RESOLVED, that except as expressly identified as “only” herein, which shall mean allocated funds for that project may only be used for that project, that department directors or elected officials in charge of departments may allocate funding received as between all previously requested ARPA-fund projects (excluding requests for Hazard Pay, or similar), including as between previously approved projects listed herein.

BE IT FURTHER RESOLVED, that ARPA funds shall be used to fund Pre-Pandemic Level Staffing, and in accordance with Resolution 2022-03-040, which shall remain in effect, shall be followed for purposes of reclassification of general fund budget savings and applied in order to fund the projects within this resolution, funding for position 26700120 in Resolution 2022-12-294 (which identified ARPA as the funding source) is moot; and authorized spending for Guidehouse Consulting is reduced to \$295,048.

BE IT FURTHER RESOLVED that each recipient (whether an internal department or external group) of ARPA-Funds or Vision-Tour contingency funds shall return to the Board of Commissions through the appropriate committee for final approval of the recommended projects/expenditures upon the receipt of bids and project costs for review of project scope, timeline, and costs to ensure viability within the scope of the allocated budget. Final project approval within the allocated amount, including funding any cost overruns above budget, are at the discretion of the Board of Commissioners, and source of such funding shall be determined at such time.

BE IT FURTHER RESOLVED that the County Administrator shall direct \$10 million for lost-revenue expenses on budgeted expenditures in the general fund in accordance with ARPA for use to accomplish the expenditures set forth in this resolution.

BE IT FURTHER RESOLVED that once the County Administrator directs the \$10 Million for lost-revenue expenses on budgeted expenditures in the general fund in accordance with ARPA, County Administration is authorized to use the Vision-Tour Contingency to pay \$5,000,000 to MERS, as “surplus unassociated” funds contributing to the Livingston County pension unfunded liability.

BE IT FURTHER RESOLVED, that \$60,468 in funding remains un-allocated for use by the County Administrator to reconcile spending on the approved project for Covid-Sick Leave for 2022 first, and then to allocate as necessary to accomplish projects covered by funding approval in this resolution.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes the County Administrator to use, reallocate, and reclassify ARPA-funds and Vision-Tour Contingency Funds as necessary to accomplish the resolutions contained herein, all in accordance with the rules, regulations, and procedures of ARPA.

BE IT FURTHER RESOLVED, that at the time of project approval, the project request before the Livingston Board of Commissioners in the appropriate committee shall identify the funding source, and for any project or project grouping approved that comes in under budget, the excess funds shall be transferred to, or remain in, the Vision Tour Contingency and shall be subjected to the controls set forth in resolution 2022-03-040.

BE IT FURTHER RESOLVED, that on December 1, 2023, all interest earned on ARPA funds shall be transferred to the Vision Tour Contingency, shall be characterized as un-allocated ARPA funds, to be allocated as necessary by the County Administrator to accomplish projects covered by funding approval in this resolution, and on the last possible day to disburse ARPA funds, all interest earned shall be transferred to the Vision Tour Contingency and shall be characterized as un-allocated ARPA funds, to be allocated as necessary by the County Administrator to accomplish projects covered by funding approval in this resolution.

BE IT FURTHER RESOLVED that the Livingston County Treasurer is hereby authorized to transfer funds as needed for all ARPA related transactions.

BE IT FURTHER RESOLVED that the Finance and Asset Management Committee and the Livingston County Board of Commissioners shall retain responsibility for ARPA-funds and Vision-Tour contingency funds, and utilize this Resolution Implementing the Strategic Use of ARPA Funding, in accordance with Resolution 2022-03-040, to assess and prescribe the use of any excess funds available as ARPA-funds and Vision-Tour contingency funds as related to the resolutions herein.

BE IT FINALLY RESOLVED that each recipient (whether an internal department or external group) shall provide a written update every three (3) months on the status of the project(s) for which such recipient received ARPA-funds or Vision-Tour contingency funds, and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project(s) are complete.

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