

RESOLUTION

NO: 2023-05-085

LIVINGSTON COUNTY

DATE: May 22, 2023

Resolution Authorizing the Improvements to Orchard Park Intercounty Drain and Distribution of American Rescue Plan Act (ARPA) Funding – Drain Commissioner

WHEREAS, Resolution 2022-12-192 outlined a plan for the strategic use and distribution of American Rescue Plan Act (ARPA) funding; and

WHEREAS, a total of \$6,175,870 of ARPA funding was identified for the Drain Commissioner’s Office for water infrastructure projects; and

WHEREAS, the Drain Commissioner’s Office is requesting \$700,000 of this allocation to install new drainage system consisting of 24-to-30-inch diameter pipe and structures to facilitate better movement of stormwater runoff to the south from Fenton Township into Tyrone Township, within a portion of the North Ore Creek Watershed. This includes lands within the Orchard Park Intercounty Drain Drainage District. This would include properties in Fenton and Tyrone Townships (and the owners of these properties), and public roads (Livingston and Genesee County Roads) within the Drainage District; and

WHEREAS, this is an eligible use of ARPA funding and will be listed under the *Expenditure Category: 5.6 Clean Water: Stormwater* for federal reporting purposes.

THEREFORE, BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the distribution of ARPA funds and improvements to Orchard Park Intercounty Drain in the amount of up to \$700,000 to install new drainage system, and have significant reduction in flooding frequency for the homes that have historically experienced flooding.

BE IT FURTHER RESOLVED that, Pursuant to the requirements of the Michigan Drain Code, Act 40 of the Public Acts of 1956, the Livingston County Drain Commissioner is authorized to sign all forms, assurances, contracts/agreements, and future amendments with contract language adjustments related to above upon review and/or preparation by Civil Counsel.

BE IT FURTHER RESOLVED that the Board of Commissioners authorizes any budget amendments needed to effectuate this project.

BE IT FURTHER RESOLVED that from the date of approval of this resolution until the project is completed, as outlined in Resolution 2022-12-192, the Drain Commissioner’s Office shall provide a written update on the status of the project every three (3) months and shall present, in person, to the Finance and Asset Management Committee every six (6) months until the project is complete.

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**MOVED:
SECONDED:
CARRIED:**