

**ORDINANCE CO. 12-21-
SECOND AMENDMENT TO EXHIBIT A: CHAPTER 3.27
VANDERBURGH COUNTY AMERICAN RESCUE PLAN (ARP)
CORONAVIRUS LOCAL FISCAL RECOVERY FUND UTILIZATION PLAN**

The American Rescue Plan (ARP) Act of 2021 provides funds to local governments to assist with recovery efforts related to the COVID-19 public health emergency. Vanderburgh County (the "County") has received a total of Seventeen Million Six Hundred Twenty-two Thousand Three Hundred Sixty-five Dollars (\$17,622,365.00) in ARP funds (the "funds") to date.

ARP requires each recipient to establish a local fund for the grant money, to identify the uses for which the recipient intends to use the grant money, and to adopt a plan detailing the use of the funds. The County previously adopted a preliminary ARP Coronavirus Local Fiscal Recovery Fund Utilization Plan (the "Plan"), which is Exhibit A of County Ordinance 21-012, and a First Amendment by adding the listed project expenditures numbered one (1) through five (5). The County now further amends the Plan by adding a project number six (6) below and identifying the category for which it intends to use funds for the use category. As further guidance and directives become available, the County may further amend the Plan. In accordance with Section 603(c)(1)(c) of the Social Security Act and Vanderburgh County Ordinance 10-21-012, the County plans to use the funds as follows:

1. Broadband

Expenditure Category 5.17 Broadband: Other Projects. The County will allocate and spend Nine Million Nine Hundred Thousand Dollars (\$9,900,000.00) as its share of a Thirty-nine Million Six Hundred Thousand Dollar (\$39,600,000.00) project with AT&T to install a 10 Gbps symmetric XGSPON fiber network that will offer highspeed broadband service to unserved and underserved residents and businesses. The project will bring a fiber broadband service to rural areas of Vanderburgh County including an additional twenty thousand six hundred thirty-three (20,633) customer locations.

2. Kansas Road Storm Sewers, Phase 2 - \$550,000.00

Expenditure Category 5.6 Clean Water: Stormwater. The County will allocate and spend Five Hundred Fifty Thousand Dollars (\$550,000.00) for Kansas Road Storm Sewers, Phase 2. Kansas Road is being reconstructed between Petersburg Road and Cayes Drive, which is a length of approximately 0.67 miles. The scope of work for this project includes improvements in the inadequate storm water drainage system along the road. The existing roadside ditches are not adequate for the existing storm water flows due to increased development along the road combined with more intense rainfall events. New storm sewers will be installed on the road in order to upgrade the drainage system to meet current standards. The construction of the storm sewers will result in infrastructure that will be more capable of accommodating severe weather events. By providing new drainage systems, the frequency of flooding will be reduced and the

safety of the road will be improved. Due to increasing costs and reductions in revenue, sufficient funding is not currently available to complete these projects. This project was delayed in 2020 due to the concerns associated with lost revenues caused by the COVID pandemic.

The project will satisfy the objective of meeting a critical need for investments and improvements to storm water infrastructure as stated in the May 17, 2021 interim final rule for the use of Coronavirus State and Local Fiscal Recovery Funds. The use of the Fiscal Recovery Funds on the storm sewer project will lay the foundation for a strong, equitable economic recovery by providing opportunities for Minority-Owned Business Enterprises and Women-Owned Business Enterprises through the County's existing MBE/WBE policies. These existing policies require construction contracts to have MBE/WBE hiring goals. The utilization of these policies in the local construction projects helps to develop skilled labor in the local workforce. By promoting the development of additional skilled workers, this helps to ensure the timely completion of local infrastructure projects both now and also on future projects.

3. Boonville New Harmony Road Storm Sewers - \$1.9 Million

Expenditure Category 5.6 Clean Water: Stormwater. The County will allocate and spend One Million Nine Hundred Thousand Dollars (\$1,900,000.00) for Boonville-New Harmony Road Storm Sewers. Boonville-New Harmony Road is being reconstructed between Petersburg Road and State Road 57, which is a length of approximately one mile. The scope of work for this project includes improvements in the inadequate storm water drainage system along the road. The existing roadside ditches are not adequate for the existing storm water flows due to increased development along the road combined with more intense rainfall events. New storm sewers will be installed on the road in order to upgrade the drainage system to meet current standards. The construction of the storm sewers will result in infrastructure that will be more capable of accommodating severe weather events. By providing new drainage systems, the frequency of flooding will be reduced and the safety of the road will be improved. Due to increasing costs and reductions in revenue, sufficient funding is not currently available to complete these projects. This project was delayed in 2020 due to the concerns associated with lost revenues caused by the COVID pandemic.

The project will meet the objective of meeting a critical need for investments and improvements to storm water infrastructure as stated in the May 17, 2021 interim final rule for the use of Coronavirus State and Local Fiscal Recovery Funds. The use of the Fiscal Recovery Funds on the storm sewer project will lay the foundation for a strong, equitable economic recovery by providing opportunities for Minority-Owned Business Enterprises and Women-Owned Business Enterprises through the County's existing MBE/WBE policies. These existing policies require construction contracts to have MBE/WBE hiring goals. The utilization of these policies in the local construction projects helps to develop skilled labor in the local workforce. By promoting the development of additional skilled workers, this helps to ensure the timely completion of local infrastructure projects both now and also on future projects.

4. Boonville-New Harmony Road – Interstate 69 Sanitary Sewer - \$3.0 Million

Expenditure Category 5.2 Clean Water: Centralized Wastewater Collection and Conveyance. The County will allocate and spend Three Million Dollars (\$3,000,000.00) for the Boonville-New Harmony Road – Interstate 69 Sanitary Sewer. The west side of the Interstate 69 – Boonville-New Harmony Road interchange is not currently served by sanitary sewers. The existing residential properties near this interchange are currently on septic systems. The proposed sanitary sewer for this interchange will provide a lift station in the southwest quadrant of the interchange, as well as approximately one thousand six hundred (1,600) feet of gravity sewer. The gravity sewer will allow numerous existing homes to connect to a sanitary sewer, thereby eliminating the possibility of storm water pollution associated with the discharge from their existing septic systems. The construction of this will also facilitate the proposed construction of a new school for an existing church located within the project limits. The lift station construction will also allow for commercial growth on the west side of the interchange. No commercial development can currently be constructed near this interchange due to the lack of sewers. As the completion of Interstate 69 nears completion in Indiana, more traffic will utilize the highway and travel by the Boonville-New Harmony – 69 interchange. This additional traffic will make the interchange a more desirable site from a development perspective.

This sewer project was also delayed due to funding concerns resulting from the COVID pandemic. The design of the project was halted for most of 2020.

This project meets the objectives of interim final rules for the use of the Fiscal Recovery Funds in several ways. First, the project will assist in meeting a critical need for investment in sanitary sewer infrastructure. Second, the project will help establish the foundation for a strong equitable economic recovery through the additional jobs that will be created as a result of the development of the land surrounding the project. There will be commercial land available next to the ramps on the west side of the interchange, and future extensions of the gravity sewers will allow for more residential growth in the vicinity of the project. The use of Fiscal Recovery Funds for this sewer project will also provide funding for a project that protects public health and safety. By providing sanitary sewer service to an area that is currently not served, this will help to protect nearby waterbodies, such as Schlensker Ditch, from pollution as a result eliminating additional septic systems that could pollute storm water runoff. As is the case with the Kansas Road and Boonville New Harmony Road storm sewer projects, this sewer project will also utilize the County's MBE/WBE policies. As a result, this project helps to promote the development of a skilled local workforce.

5. Woods Avenue/Franklin Street/Elm Street Drainage Improvements - \$500,000.00

Expenditure Category 5.6 Clean Water: Stormwater. The County will allocate and spend Five Hundred Thousand Dollars (\$500,000.00) for Woods Avenue/Franklin Street/Elm Street Drainage Improvements. The Woods Avenue/Franklin Street/Elm

Street neighborhood is an example of a location that is experiencing routine flooding as a result of more frequent and extreme precipitation events. The planned scope of work for this project is the installation of storm sewers that would replace existing undersized storm sewers, and it would also add storm sewers where none currently exist. This neighborhood is a lower income neighborhood that has been fully developed for decades. The use of Fiscal Recovery Funds on this project will provide an investment in infrastructure that will assist in meeting the critical need for improvements to existing storm sewer infrastructure in western Vanderburgh County. The use of the Fiscal Recovery Funds on this storm sewer project will lay the foundation for a strong, equitable economic recovery by providing opportunities for Minority-Owned Business Enterprises and Women-Owned Business Enterprises through the County's existing MBE/WBE policies. These existing policies require construction contracts to have MBE/WBE hiring goals. The utilization of these policies in the local construction projects helps to develop skilled labor in the local workforce.

6. Record Archival Scanning - \$11,356.00

Expenditure Category 5.17 Broadband: Other Projects. The County will allocate and spend not more than Eleven Thousand Three Hundred Fifty-Six Dollars (\$11,356.00) for Record Archival Scanning. ARC Document Solutions, Inc. will scan County documents from the Vanderburgh County Engineer to provide digital imaging and document conversion. Under ARP, Record Archival Scanning is eligible as a pre-project cost associated with planning and engineering for an eligible broadband infrastructure build-out. This will eventually lead to updated and more accurate road and right-of-way information on the GIS system for ease of search and use by residents and vendors.

The County Auditor, or his designee, will review, assess, and evaluate guidance and directives issued by the U.S. Department of Treasury and the State Examiner regarding ARP funds, uses, and accounting processes; and will propose updates, modifications and amendments of the Plan to the Board of County Commissioners for approval and adoption as the Board of Commissioners of Vanderburgh County deems appropriate and necessary. The County Auditor shall transmit this Plan and Ordinance to the Vanderburgh County Council for consideration and appropriation from the fund.

First passed by the Board of Commissioners of Vanderburgh County, Indiana this ____ day of _____, 2021.

Final passage by the Board of Commissioners of Vanderburgh County, Indiana this ____ day of _____, 202__.

THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY INDIANA

By: _____
Ben Shoulders, President

By: _____
Jeff Hatfield, Vice President

By: _____
Cheryl Musgrave, Member

ATTEST:

By: _____
Brian Gerth, Vanderburgh County Auditor

APPROVED AS TO LEGAL FORM:

By: _____
David L. Jones, Vanderburgh County Attorney