



**RESOLUTION TITLE: TO APPROVE AN INTERLOCAL AGREEMENT BETWEEN GASTON COUNTY AND THE CITY OF BESSEMER CITY FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDED TRYON ELEMENTARY WATER LINE PROJECT**

WHEREAS, pursuant to N.C.G.S. §160A-461, any unit of local government in the State of North Carolina and any one or more other units of local government may enter into contracts or agreements with each other in order to execute any undertaking; and,

WHEREAS, in May 2021, Gaston County was awarded \$43,612,126 in federal grant funds to meet urgent community needs in the wake of COVID-19. On April 26, 2022, Resolution 2022-141 approved and appropriated funds for the Tryon Elementary Waterline Extension (hereinafter, referred to as the "Project"). On April 26, 2022, Resolution 2022-144 authorized the execution of a professional services contract for the design of the Project; and,

WHEREAS, Gaston County and the City of Bessemer City desire to jointly extend City water infrastructure to serve Tryon Elementary School, Tryon Park, Tryon Recycling Center, and property owners along the construction route, collectively the Tryon Community. The Tryon Community is currently served by groundwater wells or community well systems; and,

WHEREAS, the cost of the Project is to be funded by the County using the secured grant funds and available local funds to cover any remaining costs; and,

WHEREAS, the purpose of the interlocal agreement between the County and the City Bessemer City is to set forth the terms and conditions, as described therein, under which the County will construct, and the City of Bessemer City, through an operating agreement, will operate and maintain the water infrastructure and comply with US Treasury Terms and Conditions of Program Income requirements through the end of the period of performance; and,

WHEREAS, upon the end of the grant's performance period, the County will transfer ownership of the Project to Bessemer City as part of its municipal water system. Bessemer City is responsible for meeting all Federal, State, and Local requirements for operating and maintaining the Project.

NOW, THEREFORE, BE IT RESOLVED that the Gaston County Board of Commissioners, pursuant to N.C.G.S. §160A-461, hereby approves the attached interlocal agreement (Exhibit A), incorporated herein by reference, between Gaston County and the City of Bessemer City for the American Rescue Plan Act (ARPA) funded Tryon Elementary Water Line Project, and authorizes the County Manager, or Designee, to Execute such Agreement.

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I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

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