

**RESOLUTION TITLE: TO ACCEPT AND APPROPRIATE AN AMERICAN RESCUE PLAN (ARP) STORMWATER GRANT FROM THE NC DEPARTMENT OF ENVIRONMENTAL QUALITY (NCDEQ) IN THE AMOUNT OF \$275,674**

WHEREAS, Gaston County has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2022-74 to assist eligible units of government with meeting their water/wastewater infrastructure needs; and,


WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$275,674.00 to perform work detailed in the submitted application; and,

WHEREAS, Gaston County intends to perform said project in accordance with the agreed scope of work.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Gaston County:

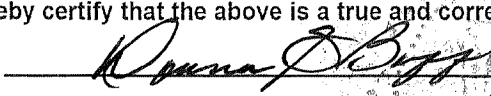
1. That Gaston County does hereby accept and appropriate the American Rescue Plan Grant offer of \$275,674.00.
2. That Gaston County does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That Joseph Brian Sciba, Assistant County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted the 28<sup>th</sup> day of January, 2025.

  
Chad Brown, Chairman  
Gaston County Board of Commissioners

DO NOT TYPE BELOW THIS LINE

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:

NO.	DATE	M1	M2	JBailey	CBrown	CCloninger	AFrale	BHovis	TKeigher	SShehan	Vote
2025-027	01/28/2025	AF	SS	A	A	AB	A	A	A	A	U

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER INFRASTRUCTURE**

**Funding Offer and Acceptance**

**Legal Name and Address of Award Recipient**

Gaston County  
PO Box 1578  
Gastonia, North Carolina 28053

**Project Number(s): SRP-SW-ARP-0029**

**Assistance Listing Number: 21.027**

**Unique Entity ID Number: QKY9R8A8D5J6**

**Funding Program**

Drinking Water	<input type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Stormwater	<input checked="" type="checkbox"/>	Funding Increases		
Wastewater	<input type="checkbox"/>			
State Revolving Fund-Repayable Loan	<input type="checkbox"/>			
State Revolving Fund-Principal Forgiveness	<input type="checkbox"/>			
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)	<input type="checkbox"/>			
American Rescue Plan Act - LASII	<input checked="" type="checkbox"/>			\$275,674

**Project Description:**

Cramerton Central Park Stream Restoration

**Total Financial Assistance Offer: \$275,674**

**Total Project Cost: \$275,674**

**Estimated Closing Fee\*: \$0.00**

For Loans

**Interest Rate:**

**Maximum Loan Term:**

*\*Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure  
North Carolina Department of Environmental Quality**

DocuSigned by:

*Shadi Eskaf*

Signature

2/28/2024

Date

On Behalf of:

Name of Representative in Resolution:

Title (Type or Print):

Gaston County

*Joseph Brian Seiler*  
*Assistant County Manager*

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature

Date

**APPLICABLE STANDARD CONDITIONS**

**Project Applicant: Gaston County**

**Project Number(s): SRP-SW-ARP-0029**

1. Acceptance of this Funding Offer does not exempt the Recipient from complying with requirements stated in the U.S. Treasury's Final Rule for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the SLFRF Compliance and Reporting Guidance, not explicitly referred to in this document and any future requirements implemented by the U.S Treasury.
2. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
3. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
4. Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
5. Projects with a total cost of \$10,000,000 or more must meet U.S. Treasury requirements for prevailing wage rates, project labor agreements, and related requirements. Recipients can either certify meeting the requirements or provide plans and reports as the SLFRF Compliance and Reporting Guidance specifies.
6. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects must also adhere to North Carolina State law, specifically NC General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS 143-64.32 cannot be used to exempt funding recipients from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.
7. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).
8. Funds made available by the ARPA that are not disbursed to the entity accepting the funds in this document by December 31<sup>st</sup>, 2026, will no longer be available for the project. Unused Federal funds will revert from the State of North Carolina to the U.S. Treasury.

**ASSURANCES****Project Applicant: Gaston County****Project Number(s): SRP-SW-ARP-0029**

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division. The recipient acknowledges that in the event a milestone contained in the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for ARPA funding.
3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
4. The Applicant will provide and maintain adequate engineering supervision and inspection.
5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
6. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
7. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
8. Funds must be fully spent (i.e., fully disbursed to the recipient) by December 31, 2026.
9. The applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.



# Gaston County

Gaston County  
Board of Commissioners  
www.gastongov.com

## Natural Resources

### Board Action

File #: 24-648

Commissioner Hovis - Natural Resources - To Accept and Appropriate an American Rescue Plan (ARP) Stormwater Grant from the NC Department of Environmental Quality (NCDEQ) in the Amount of \$275,674

#### STAFF CONTACT

Will Wier - Natural Resources - 704-922-2156

#### BUDGET IMPACT

No budget impact. Grant funds were previously appropriated in FY23 with resolution #2022-303.

#### BACKGROUND

The NC Division of Water Infrastructure awarded approximately \$82 million in American Rescue Plan Act funding for stormwater projects through its competitive funding process from the newly created Local Assistance for Stormwater Infrastructure Investments (LASII) program. Funds were available for cities, counties, regional councils of government and nonprofit partners for construction and planning projects that will improve or create infrastructure for controlling stormwater quantity and quality.

Gaston County was awarded these funds to complete a stream restoration project within Central Park in the Town of Cramerton. This stream restoration will reduce streambank erosion, reconnect the floodplain, and improve water quality runoff by implementing natural streambank design and processes in order to promote resilience, reduce peak flow rates, and minimize pollutants.

#### POLICY IMPACT

N/A

#### ATTACHMENTS

Resolution, Funding Offer and Acceptance

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