

BAYFIELD COUNTY ARPA PROJECT JUSTIFICATION, text from Interim final rule

[Interim Final Rule \(treasury.gov\)](#)

1. Courthouse Annex Ventilation

35.6 Eligible uses

(xvi) Expenses for the improvement of **ventilation systems** in congregate settings, public health facilities, or other public facilities;

Rationale: The constitutional hallway and health department annex wing have inadequate air filtration with no fresh air supplied. This improvement will provide fresh and filtered air to these offices.

2. Broadband/Broadband Grant

35.5 Use of fund

e) To Make Necessary Investments in Infrastructure. A recipient may use funds to make investments in: (1) Clean Water State Revolving Fund and Drinking Water State Revolving Fund investments. Projects or activities of the type that would be eligible under section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)) or section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); or, 144 (2) Broadband. Broadband infrastructure that is **designed to provide service to unserved or underserved households and businesses** and that is designed to, upon completion....

RATIONALE: Project will provide fiber to the home service to over 500 underserved households in Bayfield County. Project will meet minimum speed requirements.

3. Health staffing and testing equipment

*The Interim Final Rule identifies a non-exclusive list of uses that address the effects of the COVID-19 public health emergency, including: • **COVID-19 Mitigation and Prevention. A broad range of services and programming are needed to contain COVID-19.** Mitigation and prevention efforts for COVID-19 include vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools;40 ventilation improvements in congregate settings, health*

care settings, or other key locations; enhancement of public health data systems; and other public health responses.⁴¹ T

Public Health and Safety Staff. Treasury recognizes that responding to the public health and negative economic impacts of the pandemic, including administering the services described above, requires a substantial commitment of State, local, and Tribal government human resources. As a result, the Fiscal Recovery Funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to the COVID–19 public health emergency.⁴⁶ Accordingly, the Fiscal Recovery Funds may be used to support the payroll and covered benefits for the portion of the employee’s time that is dedicated to responding to the COVID-19 public health emergency. For administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated to responding to the COVID-19 public health emergency.

Rationale: Additional staffing assistance is needed to address COVID 19 activities of the County Health Department.

4. Nursing Home:

COVID-19 public health emergency, including: • *COVID-19 Mitigation and Prevention. A broad range of services and programming are needed to contain COVID-19. Mitigation and prevention efforts for COVID-19 include vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools;⁴⁰ ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses.*

§ 35.6 Eligible uses. (a) In General. Subject to §§ 35.7 and 35.8 of this subpart, a recipient may use funds for one or more of the purposes described in paragraphs (b)-(e) of this section (b) Responding to the public health emergency or its negative economic impacts. A recipient may use funds to respond to the public health emergency or its negative economic impacts, including for one or more of the following purposes: (1) COVID-19 response and prevention. Expenditures for the mitigation and prevention of COVID-19, including: (i) Expenses related to COVID-19 vaccination programs and sites, including staffing, acquisition of equipment or supplies, facilities costs, and information technology or other administrative expenses; (ii) COVID–19-related

expenses of public hospitals, clinics, and similar facilities; (iii) COVID-19 related expenses in congregate living facilities, including skilled nursing facilities, long-term care facilities, incarceration settings, homeless shelters, residential foster care facilities, residential behavioral health treatment, and other group living facilities;

RATIONALE: Services in the nursing home must continue 24 x 7, adequate backup power is critical. Funds will be used to replace the nursing home generator. Existing sewer lines are fracturing and breaking creating unsanitary environments. Replacement will improve overall facility sanitation.

5. ASSISTANCE TO HOUSEHOLDS: The BRICK

As discussed, the pandemic and the necessary actions taken to control the spread had a severe impact on households and small businesses, including in particular low-income workers and communities and people of color. While eligible uses under sections 602(c)(1)(A) and 603(c)(1)(A) provide flexibility to recipients to identify the most pressing local needs, Treasury encourages recipients to provide assistance to those households, businesses, and non-profits in communities most disproportionately impacted by the pandemic.

Rationale: The BRICK food shelf provides basic services to local residents with pressing needs. Infrastructure upgrades will allow for safe operations, the opportunity for social distancing and proper hygiene in restrooms.

6. Hospitality: Bayfield County Tourism

Aid to Impacted Industries. Sections 602(c)(1)(A) and 603(c)(1)(A) recognize that certain industries, such as tourism, travel, and hospitality, were disproportionately and negatively impacted by the COVID-19 public health emergency. Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic on those and similarly impacted industries. F

Rationale: support the hospitality sector by improving marketing with up to date brochures and imagery.

7. Hospitality/Privy, Bayfield County Forestry

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NOTE FROM AUDITOR:

Rationale: outdoor recreation was a safe venue for area residents and visitors. Traffic at many county trail sites doubled, raising the importance of adequate sewer facilities at these sites.

NOTE FROM CONSULTANT

I think your trail head pit privies would be a rationally eligible item.

We have authored information regarding the ARPA funding program, relating to how municipal entities may be able to spend their allocations for sewer/water related initiatives.

May 18 R/M article

<http://www.ruekertmielke.com/blog/2021/american-rescue-plan-projects-updated>

April 12 R/M article

<http://www.ruekertmielke.com/blog/2021/american-rescue-plan-projects>

The below info is from the May 18 article which highlighted the Interim Final Rule. There are a few items there that I think would relate well to a pit privy.

ELIGIBLE PROJECTS

The Interim Final Rule aligns eligible uses of the LFR funds with the types of projects that are eligible to receive financial assistance through the EPA's [Clean Water State Revolving Fund \(CWSRF\)](#) and/or [Drinking Water State Revolving Fund \(DWSRF\)](#). However, use of LFR funds is not limited to such projects. The Treasury specifies, "The Interim Final Rule is intended to preserve flexibility for award recipients to direct funding to their own particular needs and priorities and would not preclude recipients from applying their own additional project eligibility criteria."

Projects may include, but are not limited to:

- Water treatment, transmission, and distribution (including lead service line replacement)
- Source rehabilitation and decontamination
- Water storage
- Water system consolidation
- ✘ • New systems development
 - Construction of publicly owned treatment works
 - Nonpoint source pollution management
 - National estuary program projects
- ✘ • Decentralized wastewater treatment systems
 - Storm water systems
- ✘ • Water conservation, efficiency, and reuse measures
 - Watershed pilot projects
 - Energy efficiency measures for publicly-owned treatment works
 - Water reuse projects
 - Security measures at publicly-owned treatment works

In addition, the April 12 article highlights the 5 areas for eligible expenses. I think it would be rational to justify that the trail head pit privies would related to (a) and "aid to impacted industries such as tourism".

ACCEPTABLE USE OF FUNDS: H.R. 1319: THE AMERICAN RESCUE PLAN ACT 2021

The ARP Act defines the following as acceptable use of funds

(a) To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(c) For the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency;

- The base year against which you will measure lost revenue is the most recent full fiscal year prior to the emergency (i.e., the most recent full year budget that was set before March of 2020) (source: National League of Cities).

(d) To make necessary investments in water, sewer, or broadband infrastructure.

Most municipalities that I have spoken with are keeping their powder dry, seeing how their 2022 budget process plays out, and then planning to deploy the ARPA funding to areas that will help relieve the stress in their overall finances.


I am curious how Bayfield County is strategizing for its usage of funds. I am available next week for a phone call if you would like to dive deeper with potential ideas for utilizing the funding.


Ryan

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8. Sewer/City of Washburn:

. Water and Sewer Infrastructure The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the Interim Final Rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure.

RATIONALE: Funds will be used for a City Sewer Project for the Washburn Ironworks. Funding will allow the business to grow, they propose a \$1 million business expansion.

9. IT Infrastructure

§ 35.6 Eligible uses. (a) In General. Subject to §§ 35.7 and 35.8 of this subpart, a recipient may use funds for one or more of the purposes described in paragraphs (b)-(e) of this section (b) Responding to the public health emergency or its negative economic impacts. A recipient may use funds to respond to the public health emergency or its negative economic impacts, including for one or more of the following purposes: (1) COVID-19 response and prevention. Expenditures for the mitigation and prevention of COVID-19, including: (i) Expenses related to COVID-19 vaccination programs and sites, including staffing, acquisition of equipment or supplies, facilities costs, and information technology or other administrative expenses;

sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building123 of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services. H

Rationale: Funds will be used to update the network storage device (SAN) for county departments including Public Safety, Health and Emergency Management. The advanced storage network will provide improved cyber security and improved remote access.

ADDITIONAL JUSTIFICATION:

- **All VPN software\servers run on the SAN.**
- **All county servers reside on the SAN.**
- **The majority of data used by employees while working from home is also on the SAN.**
- **The public can gain access to the SAN by accessing the mapping site, zoning application, published Laserfiche documents, tax information etc.**

- **Municipal Treasurers access the tax database via the VPN .**

10. TOWER ALARMS: 4 Towers, \$15k

Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building¹²³ of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and **protection of critical infrastructure;** health services; environmental remediation; school or educational services; and the **provision of police, fire, and other public safety services.** H

11. Business Park Sewer: .

Water and Sewer Infrastructure The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure.¹²⁵ By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the Interim Final Rule provides these governments with wide latitude to identify investments in water and sewer **infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure.** The Interim Final Rule does this by aligning eligible uses of the Fiscal Recovery Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's (EPA) Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)

12. Job Training: LEARN

- Assistance to Households. Assistance to households or populations facing negative economic impacts due to COVID-19 is also an eligible use. This includes: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance (discussed below); emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training. A

13. BOARD ROOM CAMERA:

- a. Facilitate remote attendance**

14. LEGAL EXPENSES: REVIEW AND AGREEMENT PREPARATIONS

15. HUMAN SERVICES

Finally, the Interim Final Rule aims to promote and streamline the provision of assistance to individuals and communities in greatest need, particularly communities that have been **historically disadvantaged and have experienced disproportionate impacts of the COVID-19** 120 crisis. Targeting relief is in line with Executive Order 13985 On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, which laid out an Administration-wide priority to support “equity for all, including people of color and others who have been **historically underserved, marginalized, and** adversely affected by persistent poverty and inequality.”¹⁸⁵

D. Investments in Infrastructure To assist in meeting the critical need for investments and improvements to existing infrastructure in water, sewer, and broadband, the Fiscal Recovery Funds provide funds to State, local, and Tribal governments to make necessary investments in these sectors. The Interim Final Rule outlines eligible uses within each category, allowing for a broad range of necessary investments in projects that improve access to clean drinking water, improve wastewater and stormwater infrastructure systems, and provide access to high-quality broadband service. **Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds.** Necessary investments include projects that are required to maintain a level of service that, at least, meets applicable **health-based standards**, taking into account resilience to climate change, or establishes or improves broadband service to unserved or underserved populations to reach an adequate level to permit a household to work or attend school, and that are unlikely to be met with private sources of funds. P 62

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