



# Albemarle County

## Legislation Text

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**File #:** 20-443, **Version:** 1

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**AGENDA DATE:** 8/19/2020

**TITLE:**

CARES Coronavirus Relief Fund (CRF) Agreement between the County of Albemarle and the Town of Scottsville

**SUBJECT/PROPOSAL/REQUEST:** Approval of a CARES CRF Agreement with the Town of Scottsville for eligible CARES CRF expenses

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Birch, Kamptner, Bessette, Allshouse, Shifflett

**PRESENTER (S):** Lori Allshouse

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 provides funding for a number of different programs to address the COVID-19 pandemic. One of the CARES Act programs is the Coronavirus Relief Fund (CRF), which directly provides assistance to state, local, territorial, and tribal governments for impacts of the COVID-19 pandemic.

On May 12, 2020, Aubrey Layne, Jr., the Commonwealth of Virginia's Secretary of Finance, notified the County of Albemarle that the Commonwealth of Virginia has provided an allocation of \$9,538,621 in CRF funding to Albemarle County, which is based on the proportion that the County's population represents of the statewide total population. (Attachment A). A further \$9,538,621 allocation is expected in late August, 2020. The Board approved the County's implementation plan for the first allocation of CARES CRF funding on June 1.

Funding has been provided to counties based on population. This includes the populations of the towns within their borders. Consequently, Albemarle County will provide a proportional share of its CRF funds to the Town of Scottsville. This funding must be expended in accordance with the same Federal compliance requirements as the County.

The CARES Act specifies that expenditures using Fund payments must be "necessary." CARES CRF funding is "one-time" and will not be available for ongoing services. The County is required to maintain all necessary documentation to ensure compliance with the Federal requirements and would be responsible to return funds to the Federal government if it were determined that the funds were spent for purposes that do not qualify.

**STRATEGIC PLAN:** Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** The attached Agreement states that the Town of Scottsville will comply with all provisions of

the Agreement, will only use these funds in a manner that complies with the CARES Act and guidance on use of CRF funds issued by the U.S. Department of the Treasury, and will expend the funds on or before December 20, 2020. Any unspent funds will be returned to the County.

Scottsville will be responsible for complying with the CARES Act and guidance on the use of CRF funds issued by the U.S. Department of the Treasury Scottsville, and shall retain documentation relating to every use of funds, and will provide any documentation that the County deems fit to confirm that a use is eligible under the CARES Act. Scottsville shall notify the County's Chief Financial Officer/Director of Finance notice of any funds it moves out of the CRF Account within one week of moving those funds, as well as the amount moved and a brief description of the use. If the County's Chief Financial Officer/Director of Finance determines that Scottsville removed funds from the CRF Account for an ineligible use, Scottsville shall replenish the funds within 30 days. Failure to do so will create a debt from Scottsville to the County, and the County may withhold any funds, from any source, otherwise due from the County to Scottsville to recuperate those funds.

This Agreement will be effective from August 19, 2020 until December 30, 2025 to align with the U.S. Department of the Treasury Office of the Inspector General's authority to audit CRF records for 5 years.

Additional funding may be granted to Scottsville, on the same terms, if additional CRF funds are provided to the County in the future.

**BUDGET IMPACT:** The agreement includes \$50,000 in CARES CRF funding for the Town of Scottsville from the June 1, 2020 allocation. It is expected that an additional \$50,000, from a future allocation, will also be granted to the Town.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Resolution (Attachment A) approving the Agreement with the Town of Scottsville, authorizing the County Executive to execute the agreement once it has been approved as to substance and form by the County Attorney, and authorizing the Chief Financial Officer/ Director of Finance to execute an additional, future, Agreement with Scottsville, on the same terms.

**ATTACHMENTS:**

A: Resolution

B: Cares CRF Agreement between Albemarle County and the Town of Scottsville