

**COMMITTEE OF THE WHOLE
GENESEE COUNTY LEGISLATURE
OLD COURTHOUSE LEGISLATIVE CHAMBERS
WEDNESDAY, MAY 26, 2021**

The Genesee County Committee of the Whole met on Wednesday, May 26, 2021 following the regular Legislature Meeting in the Legislature Conference Room in the Old County Court House, Batavia, New York.

Legislature Chair Stein called the meeting to order at 6:05 pm. A motion was made by Legislator Dibble to amend the agenda to add an executive session for a privileged and confidential discussion with the county attorney seconded by Legislator Deleo, carried unanimously.

County Manager Matt Landers began the discussion regarding the American Rescue Plan Act of 2021 with a handout identifying questions and answers based on preliminary guidance made available to county administrators. He explained that half of the \$11 million is expected any day now. NYSAC is working to provide additional guidance and advocacy.

Question: What can the ARPA money be used for, and what is the best use?

Answer: Interim final guidance provides us with a lot of information, but also a lot of questions. It is too early to provide a complete list of recommendations, but it is safe to say we will be able to allocate all of the \$11,125,969 and will allocate it in the most impactful and transparent way.

I. Still waiting on the final rule, we only have a 151 page interim final rule to work from now. The final rule is expected in July, and the Treasury is taking comments currently.

II. The funding is provided in two tranches, partly because the intent is for local governments to not spend all at once, but monitor how the pandemic progresses and react accordingly.

III. Additional webinars and advisories are ongoing, which will better inform on how to best allocate these resources.

IV. 6/4 meeting of County Administrators and NYSAC will help shed light on how best to allocate resources.

V. Below is a listing of the four main eligible uses:

a. To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.

i. We are calculating what is not being covered by other federal sources (CARES, FEMA, etc) and will cover the shortages with this source ARPA monies.

ii. Still investigating what we can and can't do here regarding tourism, but I am investigating if this is the way we can provide assistance to the Chamber for a rebranding effort, along with assistance to some of our local businesses most impacted by the pandemic and to assist our tourism sector. See attached request from the Chamber of Commerce.

b. To respond to workers performing essential work during COVID-19 public health emergency by providing premium pay to eligible workers

i. The regulations and intent of this section is not something I would recommend at this point as it looks like it is not intended to cover a majority of our workforce that should have been included

c. For the provision of government services to the extent of the reduction in revenue due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency

i. The Treasurer's Office has calculated the amount of lost revenue by Genesee County, using the prescribed three formulas. The most beneficial calculation of lost revenue is approximately \$6 million. There are strings attached to this money, but early thoughts on how to utilize this portion is on the construction of the Genesee County Jail

ii. Gathering recommendations from County department heads on potential investments. One recommendation I will be taking to committee is for cybersecurity upgrades proposed by IT (see attached)

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

i. It is still too early to decide on final allocations, but there could be approximately \$5 million available for allocating to broadband and water infrastructure needs. The final rule will better indicate how Genesee County should break out these allocations.

ii. Limitations on upload/download speed may impact the effectiveness of the broadband allocation.

The funds will be parked in a Bank that is willing to accept and hold the money and the funds will earn 2% interest. Guidance is not available for how the county accounts for the funds however the first report is due in August. Treasurer Scott German completed the application process to allow the County to receive the funds.

Treasurer Scott German asked to bring a timely matter before the Legislature and explained that LeRoy Meadows has not made back-taxes payments and his position on the foreclosure process is to proceed with foreclosure. He provided two options for the Legislature to consider; take title to the property or convey the property. Suggestions were made to grant an extension, which the property owner has requested, to allow the opportunity to receive back taxes owed.

At 6:50 PM Legislator Maha made a motion to enter executive session for a privileged and confidential discussion with the county attorney seconded by Legislator Yunker, carried unanimously.

At 7:50 PM Legislator Maha made a motion to resume the Committee of the Whole meeting seconded by Legislator Hawley, carried unanimously.

At 7:50 PM the meeting adjourned upon motion of Legislator Yunker seconded by Legislator Klotzbach, carried unanimously.