

**Minutes of  
Clay County Board of Supervisors  
Meeting Held on Monday, April 4, 2022 at 9:00 a.m.**

**BE IT REMEMBERED** a regular meeting of the Clay County Board of Supervisors was held at the Clay County Courthouse, West Point, Mississippi, on Monday, April 4, 2022.

PRESENT:

Lynn D. Horton, *Supervisor District 1, Presiding*  
Luke Lummus, *Supervisor District 2, Not Present*  
R.B. Davis, *Supervisor District 3*  
Shelton Deanes, *Supervisor District 4*  
Joe Chandler, *Supervisor District 5*

Amy G. Berry, *Clay County Chancery Clerk*  
Angela Turner Ford, *Board Attorney*  
Anthony Cummings, *Clay County Deputy Sheriff*

County Residents

The following proceedings were had:

CALL TO ORDER/INVOCATION

The meeting was called to order by Deputy Sheriff, Anthony Cummings. The welcome was given by Supervisor Horton with invocation given by Supervisor R. B. Davis.

ADOPTION OF AGENDA

Supervisor Deanes moved to adopt the agenda as prepared.

The motion was seconded by Supervisor Chandler.

(Exhibit "A")

AMENDMENT OF AGENDA

Supervisor Davis moved to call for amendments to the agenda.

The motion was seconded by Supervisor Chandler.

AMENDMENTS TO THE AGENDA

The following items were added to the agenda for further discussion and consideration by the Board:

- Supervisor Chandler and Supervisor Deanes report on Moon-Heard Road.

**AUTHORIZE AND APPROVE THE CLAIMS DOCKET FOR THE MONTH OF APRIL, 2022**

Supervisor Deanes moved to authorize and approve the claims docket for the month of April, 2022.

The motion was seconded by Supervisor Chandler.

(Exhibit "B")

**AUTHORIZE AND APPROVE PAYMENT TO RANDY JONES FOR SERVICES RENDERED IN THE AMOUNT OF \$966.65 AS THE FLOOD PLAIN COORDINATOR OF THE COUNTY**

Supervisor Chandler moved to authorize and approve payment to Randy Jones for services rendered in the amount of \$966.65 as the Flood Plain Coordinator of Clay County

The motion was seconded by Supervisor Davis.

(Exhibit "C")

**AUTHORIZE AND APPROVE TO SPREAD UPON THE MINUTES THE RESOLUTION OF THE BOARD AUTHORIZING THE GOLDEN TRIANGLE PLANNING & DEVELOPMENT DISTRICT TO APPLY FOR GRANT FUNDING ON BEHALF OF CLAY COUNTY MISSISSIPPI THROUGH THE COMMUNITY BLOCK GRANT APPLICATION FOR ADA IMPROVEMENTS TO THE CLAY COUNTY COURTHOUSE**

Supervisor Davis moved to authorize and approve to spread upon the minutes the Resolution of the Board authorizing the Golden Triangle Planning & Development District to apply for grant funding through the Community Block Grant Application for Clay County Mississippi for ADA improvements to the Clay County Courthouse

The motion was seconded by Supervisor Chandler.

(Exhibit "D")

**AUTHORIZE AND APPROVE FOR THE CLERK TO ADVERTISE FOR PROPOSALS FOR ARCHITECTURAL FIRMS FOR THE PURPOSES OF THE GRANT FUNDING FOR ADA**

IMPROVEMENTS TO THE CLAY COUNTY COURTHOUSE WITH A DEADLINE OF MAY 20, 2022

Supervisor Chandler moved to authorize and approve the Clerk to advertise for proposals for architectural firms for the purposes of the grant funding for ADA improvements to the Clay County Courthouse with a deadline of May 20, 2022

The motion was seconded by Supervisor Davis.

(Exhibit "E")

PHYLISS BENSON OF GOLDEN TRIANGLE PLANNING & DEVELOPMENT DISTRICT UPDATED THE BOARD ON THE EQUIPMENT PURCHASE THROUGH USDA GRANT FUNDING. TRINA GEORGE IS THE NEW DIRECTOR OF USDA. ANY PURCHASE OF EQUIPMENT CANNOT BE MADE PRIOR TO APPROVAL AND THE REQUEST CANNOT EXCEED \$500,000 WITH THE PAYMENT BEING PAID 80% BY GRANT AND 20% BY THE COUNTY. MS. BENSON REQUESTED THE BOARD MEMBERS TO MAKE A LIST OF EQUIPMENT THAT EACH DISTRICT NEEDS SO SHE CAN PRESENT SAME TO THE DIRECTOR OF USDA. SUPERVISOR HORTON (DISTRICT 1) REQUESTED A 100 HP CAB AND AIR 4 WHEEL DRIVE TRACTOR AND 15 FOOT BUSHHOG. SUPERVISOR DEANES (DISTRICT 4) REQUESTED 100 HP AND AIR WHEEL DRIVE TRACTOR AND 7-8 YARD DUMP TRUCK AND A SWEEPER BROOM. SUPERVISOR DAVIS (DISTRICT 3) STATED HE WOULD GET BACK WITH THE BOARD AS TO WHAT HIS DISTRICT NEEDS.

AUHORIZE AND APPROVE THE PURCHASE OF THREE (3) LED MONITORS FOR CLAY COUNTY JUSTICE COURT

Supervisor Davis moved to authorize and approve the purchase of three (3) LED monitors for use by the Clay County Justice Court

The motion was seconded by Supervisor Deanes

(Exhibit "F")

AUTHORIZE AND APPROVE THE TRAVEL REQUEST OF RANDY JONES, CLAY COUNTY FLOOD PLAIN COORDINATOR, TO TRAVEL TO BILOXI, MISSISSIPPI ON MAY 2-4, 2022 FOR THE AFMAS ANNUAL CONFERENCE

Supervisor Deanes moved to authorize and approve the travel request of Randy Jones, Clay County Flood Plain Coordinator, to travel to Biloxi, Mississippi on May 2-4, 2022 for the AFMAS Annual Conference

The motion was seconded by Supervisor Davis.

(Exhibit "G")

AUTHORIZE AND APPROVE PAYMENT TO PURCHASE \$500 ADVERTISING RESOURCES TO THE MISSISSIPPI ASSOCIATION OF SUPERVISORS FOR ADVERTISEMENT IN THE SUMMER EDITION OF THE MISSISSIPPI SUPERVISORS' MAGAZINE

Supervisor Deanes moved to authorize and approve the payment of \$500 in advertisement resources to the Mississippi Association of Supervisors for advertisement by Clay County in the summer edition of the Mississippi Supervisors magazine.

The motion was seconded by Supervisor Davis.

(Exhibit "H")

AUTHORIZE AND APPROVE AND SPREAD UPON THE MINUTES THE RESOLUTION OF THE BOARD COMMEMORATING THE 100<sup>TH</sup> BIRTHDAY OF WESLEY BELL

Supervisor Chandler moved to authorize and approve and to spread upon the minutes the Resolution of the Board commemorating the 100<sup>th</sup> birthday of Wesley Bell

The motion was seconded by Supervisor Deanes

(Exhibit "I")

AUTHORIZE AND APPROVE TO SEND THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT A RESOLUTION TO ASSIST THE COUNTY WITH THE INSTALLALATION OF A CULVERT ON MOON-HEARD ROAD AT BELL CREEK

Supervisor Deanes moved to authorize and approve to send a resolution to the Tombigbee River Valley Water Management District to assist the county with the installation of a culvert on Moon Heard Road at Bell Creek

The motion was seconded by Supervisor Chandler.

(Exhibit "J")

AT THIS TIME THE COUNTY ENGINEER, ROBERT CALVERT, SR, REQUESTED THE BOARD'S CONSIDERATION TO HAVE SIMMONS ROAD WIDENED. NO ACTION WAS TAKEN BY THE BOARD.

RECESS

Supervisor Deanes moved for a short recess.

The motion was seconded by Supervisor Chandler.

RETURN TO OPEN SESSION

Supervisor Deanes moved to come back in session

Seconded by Supervisor Davis.

AUTHORIZE AND APPROVE TO GO INTO CLOSED SESSION

Supervisor Davis moved to authorize and approve to go into closed session.

The motion was seconded by Supervisor Deanes.

AUTHORIZE AND APPROVE TO GO FROM CLOSED SESSION TO EXECUTIVE SESSION AS ALLOWED UNDER SECTION 25-41-7 OF THE *MISSISSIPPI CODE OF 1972*, AS AMENDED AND ANNOTATED, TO DISCUSS POTENTIAL LITIGATION AND A PERSONNEL MATTER

Supervisor Davis moved to authorize and approve to go from closed session to executive session as allowed under Section 25-41-7 of the *Mississippi Code of 1972*, as amended and annotated, to discuss potential litigation and a personnel matter.

The motion was seconded by Supervisor Deanes.

AUTHORIZE AND APPROVE TO COME OUT OF EXECUTIVE SESSION

Supervisor Deanes moved to authorize and approve to come out of executive session.

The motion was seconded by Supervisor Davis.

AUTHORIZE AND APPROVE TO ELECT TO TAKE THE STANDARD ALLOWANCE OF UP TO \$10 MILLION DOLLARS IN REVENUE LOSS REGARDLESS IF THERE WAS AN ACTUAL REVENUE LOSS FYE 9/30/2020

Supervisor Deanes moved to authorize and approve to elect to take the Standard Allowance up to \$10 Million Dollars in revenue loss as allowed through the U. S. Treasury Final Rule, regardless if there was an actual revenue loss

The motion was seconded by Supervisor Davis.

(Exhibit "K")

AUTHORIZE AND APPROVE TO TRANSFER FROM THE ARPA ACCOUNT \$1,500,000 TO THE GENERAL FUND CHECKING ACCOUNT TO BE EVENLY DIVIDIED BY THE FIVE DISTRICTS BY CREATING FIVE (5) SPECIAL FUNDS SET UP FOR EACH DISTRICT ROAD CAPITAL IMPROVEMENTS AND MAINTEANCE ARPA MONIES FUND TO BE USED FOR INFRASTRUCTURE PROJECTS IN EACH DISTRICT

Supervisor Deanes moved to authorize and approve to transfer \$1,500,000 from the ARPA Account to the General Fund account to be evenly distributed among the five districts by creating five Road Capitol Improvements and Maintenance ARPA Monies Fund for infrastructure projects in each district.

The motion was seconded by Supervisor Davis.

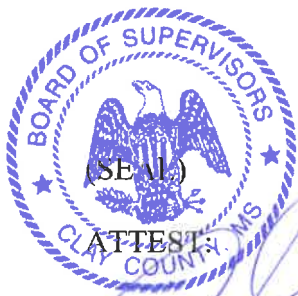
RECESS

Supervisor Deanes moved to authorize and approve to recess until Thursday, April 7, 2022 at 9:00 a.m. at the Clay County Courthouse.

The motion was seconded by Supervisor Chandler.

\*\*\* All motions were carried unanimously unless otherwise indicated.

SO ORDERED, this the 4<sup>th</sup> day of April, 2022.



Lynn Horton, President of the Board of Supervisors of Clay County, Mississippi

Amy G. Berry, Clerk of the Board of Supervisors of Clay County, Mississippi and Chancery Clerk of Clay County, Mississippi

# EXHIBIT A



***Clay County Board of Supervisors  
Agenda for Regular Meeting  
Monday, April 4, 2022, at 9:00 a.m.***

- Call to Order
- Welcome & Prayer
- Adopt and Amend Agenda
- Authorize and approve the Claims Docket for April 2022
- Authorize and approve payment to Randy Jones, Flood Plain Coordinator, for services rendered in the amount of \$966.65 for Flood Plain Coordinator Services
- Phyllis Benson, *Golden Triangle Planning and Development*
  - Authorize and approve to apply for grant funding through CDBG for ADA Improvements to the Courthouse
  - Authorize and approve to advertise for proposals for Architect
- Amy Berry, *Chancery Clerk*
  - Authorize and approve the purchase of monitors for Justice Court Staff
- Authorize and approve travel for Flood Plain Coordinator to Biloxi, MS for training, May 2-4, 2022
- Consider purchasing an advertisement for MAS Magazine
- Request to go into Executive Session to discuss a Personnel Matter and Potential Litigation as allowed under Section 25-41-7 of the *Mississippi Code of 1972*
- Recess until Thursday, April 7, 2022, at 9:00 a.m. at the Clay County Courthouse

**Amendments:**

---

---

---

---



# EXHIBIT B

4/28/2022 CLAY COUNTY  
 11:22:17 CLAIMS SUMMARY FOR: 4/2022  
 FOR THE PERIOD ENDED APRIL 04, 2022

PAGE 1  
 APCSDPR

FND-DPT DEPARTMENT NAME	DEPT TOTAL
001-000	53507.51
001-100 BOARD OF SUPERVISORS	176706.52
001-101 CHANCERY CLERK	5213.38
001-102 CIRCUIT CLERK	1463.60
001-105 TAX ASSESSOR/COLLECTOR	1869.79
001-122 PURCHASE CLERK	25.79
001-150 SUPT. OF CLAY COUNTY SCHOOLS	147.19
001-151 MAINTENANCE BUILDINGS/GROUNDS	35505.18
001-152 DATA PROCESSING	13747.28
001-154 VETERANS ASSOC.	255.97
001-160 CHANCERY COURT	2920.90
001-161 CIRCUIT COURT	5523.77
001-163 YOUTH COURT	6368.12
001-164 16TH CIR COURT DRUG COURT	924.00
001-165 LUNACY COURT	6382.00
001-166 JUSTICE COURT	1425.69
001-167 CORONER	1735.04
001-168 DISTRICT ATTORNEY	2487.27
001-170 PUBLIC DEFENDER	59.58
001-171 CIRCUIT COURT ADMINISTRATOR	895.71
001-180 ELECTION EXPENSE	609.84
001-200 SHERIFF'S DEPARTMENT	19726.76
001-220 JAIL	7405.14
001-261 NATIONAL GUARD	200.00
001-262 CONSTABLES	2319.81
001-270 FLOOD PLAIN COORDINATOR	966.65
001-420 PUBLIC HEALTH ADMINISTRATION	3998.67
001-440 MENTAL HEALTH	2000.00
001-450 WELFARE ADMINISTRATION	3862.81
001-451 OTHER WELFARE ASSISTANCE	2583.33
001-630 CONSERVATION	800.00
001-631 EXTENSION OFFICE	2011.77
001-662 MISCELLANEOUS	140.57
001-800	7809.97
013-153 UTILIZATION	9100.00
040-219 SHERIFF'S INMATE CANTEEN	2601.11
095-500 SPECIAL LIBRARY LEVY	6748.93
097-230 PHONE ASSESSMENT	7929.34
097-800	6724.21
104-131 LAW LIBRARY	436.30
114-250 VOLUNTEER FIRE DEPT.	108.34
114-800	1386.57
116-800	2993.38
138-676	4001.25
151-301 DISTRICT 1 ROAD	64.56

152-302 DISTRICT 2 ROAD	10965.02
153-303 DISTRICT 3 ROAD	1744.74
154-304 DISTRICT 4 ROAD	8098.13
155-305 DISTRICT 5 ROAD	13105.84
161-301 DISTRICT 1 BRIDGE	12217.80
162-302 DISTRICT 2 BRIDGE	9133.98
163-303 DISTRICT 3 BRIDGE	2694.09
164-304 DISTRICT 4 BRIDGE	14779.88
165-305 DISTRICT 5 BRIDGE	455.42
165-800	1867.01
171-301	25698.00
173-303	5473.48
174-304	3664.11
250-800	46300.00
361-301	56701.47
362-302	129250.00
400-340 SANITATION	13914.57
400-800	2500.31
650-000	39450.08
690-000	16325.57
692-000	10443.35
697-000	8884.56
698-000	7922.96
699-000	10291.61
*** TOTAL DISBURSEMENTS ***	865575.58

THIS IS A SUMMARY OF EXPENDITURES FOR APRIL, 2022 LISTING THE TOTAL DISBURSEMENTS BY EACH DEPARTMENT. A COMPLETE LIST OF ALL EXPENDITURES REPRESENTING THESE TOTALS IS RECORDED IN SUPERVISORS DOCKET AND IS OPEN FOR PUBLIC INSPECTION IN THE CHANCERY CLERKS OFFICE DURING REGULAR HOURS.

CLERK OF THE BOARD

**Clay County, MS  
Prepaid For March 31, 2022**

<u>Vendor Paid</u>	<u>Amount Paid</u>
Payroll Clearing Account	102,465.65
Payroll Clearing Account	30,790.98
Payroll Clearing Account	501.21
Payroll Clearing Account	25,001.00
Payroll Clearing Account	282,410.59
American Family Life Insurance Company	307.58
Boston Mutual Insurance	419.16
Center for Government and Community Development	60.00
Cassandra Smith	192.80
City of West Point	36,767.67
Clay County Tax Assessor	10.00
Colonial Life Insurance Company	380.64
Daniel Irions	200.00
Shelton Deanes	214.10
East MS Community College	68,945.84
Fast Track Title Program	39.00
Fast Track Title Program	39.00
AT&T Mobility	223,594.00
Gloria N. Clark	357.60
Golden Triangle Planning & Development	18,750.00
Gulf Guaranty	16,659.05
Heads Up Contracting, LLC	300.00
Cigna Health & Life Ins. Co.	1,220.15
Sherman Ivy	183.10
Liberty National Insurance Company	2,810.41
Life Insurance Company of Alabama	1,636.37
Miss Constable Association	400.00
Marriott Courtyard Gulfport	580.00
Mid-South Uniforms	4,274.72
MS Development Authority	5,545.98
Ms Department of Revenue	12.00
New York Life	204.82
RB Davis	176.60
Robert Ivy	600.00
RWJ Consulting, LLC	496.30
Sun Life Financial	3,363.78
Thomas B. Storey, Jr.	267.40
Willie Logan	13.79
<b>TOTAL</b>	<b><u>830,191.29</u></b>

# EXHIBIT C

# RWJ Consulting, LLC

## Invoice for: Clay County Floodplain Administration March 7, 2022 – April 4, 2022

Clay County Board of Supervisors  
Attn: The Honorable Lynn Horton, President  
P.O. Box 815, West Point, MS 39773

ITEM	<sup>1</sup> HOURS	*MILEAGE	TOTAL
03/11/22 Conference, research, travel, letter, Thompson, Bobby & Morgan 505 West Hazelwood Road, West Point, MS 39773	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/11/22 Conference, research, travel, letter, Taylor, John & Shelley Forrester (Taylor, John Henry & Cathy) 1093 Wilson Road, Cedar Bluff, MS 39741	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/15/22 Conference, research, travel, letter Brittaney Harpole & Billie Jo McCarter (Kristofer McCarter) 589 3 <sup>rd</sup> Avenue, Pheba, MS 39755	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/18/22 Conference, research, travel, letter Victoria Hannah Sharon Applewhite) 29154 Highway 50 East, West Point, MS 39773	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/18/22 Conference, research, travel, letter Catherine Haughton (Marvin Haughton et al) 468 Railroad Road, West Point, MS 39773	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/18/22 Conference, research, travel, letter Inell Melton, 3808 East Tibbee Road, West Point, MS 39773	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/18/22 Conference, research, travel, letter Griffith, Joe & Nancy Carol 391 Shirley Road, West Point, MS 39773	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/18/22 Conference, research, travel, letter David Daily (Bishop Bottom Farms) 55 Riverchase Drive, West Point, MS 39773	1.5 @ \$24.00=\$36.00 1.5 @ \$48.00=\$72.00	See Attachment	\$98.00
03/18/22 Conference, research, travel, letter Wendell Foad, 1575 CCC Line Road, Prairie, MS 39756	1.0 @ \$24.00=\$24.00 1.0 @ \$48.00=\$48.00	See Attachment	\$72.00
03/07/22 – 04/04/22 Travel Driving time, report and copies for Board of Supervisors, Tax Assessor, Property Owners, & MEMA	4.5 @ \$24.00=\$108.00 2.0 @ \$48.00=\$96.00	158.3 @ \$0.56=\$88.65 See Attachment	\$292.65
<b>TOTALS</b>	<b>\$878.00</b>	<b>\$88.65</b>	<b>\$966.65</b>

<sup>1</sup> Driving time billed at half technical/research rate. Copies of correspondence, research, and letters are attached.

Respectfully Submitted:



Please mail to: **RWJ Consulting, LLC**  
**P.O. Box 1284**  
**West Point, Mississippi 39773**

CF: Chancery Clerk

RWJ/rj  
Encl as

# EXHIBIT D

**RESOLUTION**

**Authorizing the Golden Triangle Planning and  
Development District  
to Prepare and Submit A  
Community Development Block Grant Application  
for Clay County, Mississippi**

WHEREAS, Clay County, Mississippi has certain pressing Community Development needs; and

WHEREAS, the Mississippi Development Authority has available funds under the FY-2022 Community Development Block Grant (CDBG) Program; and

WHEREAS, the Clay County Board of Supervisors is eligible to apply for said CDBG assistance; and

WHEREAS, the Golden Triangle Planning and Development District (GTPDD) has sufficient, experienced professional staff to prepare necessary application documents, and upon approval, to administer said CDBG projects;

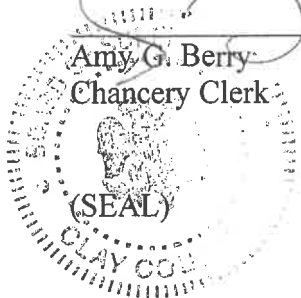
THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Clay County:

- That the Golden Triangle Planning and Development District is hereby authorized to prepare an FY-2022 CDBG Public Facilities Application on behalf of the Clay County Board of Supervisors for public building ADA improvements; and
- That, upon approval of said application, the Golden Triangle Planning and Development District is hereby authorized to administer said CDBG Project; and
- That Lynn Horton in his official capacity as the President of the Clay County Board of Supervisors, is hereby authorized to advertise and conduct required public hearings, and to sign all necessary documents, including Grant Agreements with the State of Mississippi, upon approval of said application by the Mississippi Development Authority.

SO ORDERED THIS THE 4th day of April 2022, by the Board of Supervisors of Clay County, Mississippi in a Regular Scheduled Meeting.

  
Amy G. Berry  
Chancery Clerk

  
Lynn Horton  
President





# EXHIBIT E

## REQUEST FOR PROPOSALS

The Clay County Board of Supervisors will accept sealed proposals from qualified firms and individuals interested in providing architectural services for a proposed ADA improvements project for the Clay County Courthouse. The work will be constructed with funding through Community Development Block Grant Program (CDBG) as administered by the Mississippi Development Authority.

Architectural Services required include, but are not limited to the following: The selected architectural firm will be responsible for the preparation of project cost estimates and architectural reports for application preparation and if awarded, the selected architect will provide all architectural services through closeout in accordance with federal, state and local laws, regulations and policies. Post application architectural responsibilities include but are not limited to the following: (1) prepare plans and specifications, (2) distribute bid documents, (3) assist in bid opening and prepare bid tabulations, (4) assist in the execution of construction contracts, (5) hold preconstruction conference, and (6) perform construction inspection including periodic reports to the County and approve all payment requests.

Subject to grant awards and the removal of all environmental conditions, the award of the aforementioned contract will be made to the responsible party whose proposal has the highest number of cumulative points and is most advantageous to the Clay County Board of Supervisors. Proposals will be rated according to the following criteria: (1) Previous experience with Federal Grant Programs; (2) Knowledge of Federal and State laws concerning bid procedures and contracts; (3) General experience and technical expertise in the profession; and (4) Previous experience in performing the required services in a timely manner, with equal value assigned to each category. Cost is not a factor in the selection process and should not be a part of the proposal. Cost will be negotiated with the firm or individual receiving the highest rating according to the stated criteria. Clay County will designate a selection committee to evaluate the proposals, with final decisions being made within a period not to exceed thirty (30) days.

Interested parties are invited to submit sealed proposals, five (5) copies, until 9:00 AM, Thursday, May 5, 2022, to the Board of Supervisors at the Clay County Courthouse, Office of the Chancery Clerk, Attention: Amy Berry, 205 Court Street or Post Office Box 815, West Point, Mississippi 39773. All proposals should be marked clearly as being a "Proposal for Architectural Services". Clay County does not discriminate on the basis of race, color, religion, sex, age or national origin and reserves the right to reject any and all proposals. Clay County is an Equal Opportunity Employer and encourages Minority-owned Business enterprises (MBE's) and Woman-owned Business Enterprises (WBE's) to submit proposals. Clay County also encourages Section 3 eligible businesses to submit proposals. Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 17010) requires, to the greatest extent feasible, that Clay County and its contractors that participate in the above referenced program give opportunities for job training and employment to lower income residents of Clay County, Mississippi. Section 3 also requires that contracts for work in connection with the Section 3 area be awarded to Section 3 eligible business concerns.

---

Publish as a legal advertisement on April 6, 2022 and April 13, 2022 in the Daily Times Leader newspaper. Proof of publication is required. Billing should be made to the Clay County Board of Supervisors, Post Office Box 815, West Point, MS 39773.

# EXHIBIT F

Shipping Delays: Due to global supply chain constraints, delivery on some items may be delayed. [Learn More](#)



Hardware Software Services IT Solutions Brands Research Hub

32" monitor

Notifications Sign In Cart

## ViewSonic VX3276-mhd - LED monitor - Full HD (1080p) - 32"

MFG.PART: VX3276-MHD CDW.PART: 6127324 UNSPSC: 43211902

Tech Specs Warranties Reviews (2)

~~\$345.00~~

\$279.99

Advertised Price

1



Add to Cart

Buy Now

Availability: In Stock


Get it Tuesday, April 5 to **39401** if ordered within 6 hrs 47 mins.



39401

### Enhance your hardware


Add Warranty



No Protection Plan

Selected

\$0.00



CDW 4 Year Warranty

Select

\$18.94

Show (1) Warranties

*Request 3 for O/C  
- Harriett  
- Lisa  
- Chrissy*

### Quick tech specs

- mhd
- LED monitor
- 32" (31.5" viewable)
- 1920 x 1080 Full HD (1080p)
- IPS
- 250 cd/m<sup>2</sup>
- 1200:1
- 8 ms

# EXHIBIT G

Clay County, MS  
Travel Request Form

Date of Request: 04/01/22

To the Board of Supervisors of Clay County, MS:

Destination of Travel: BILOXI, MS

Dates of Travel: 2-4 MAY 22

Cost of Travel: REGISTRATION \$195.00 LODGING \$230.00 MEALS/MILEAGE \$75/0.900

Nature of Official Business: AFMVA ANNUAL CONFERENCE - CONTINUING EDUCATION

CEM FLOODPLAIN ADMINISTRATION

RANDOLPH W. JONES

Printed Name of Official/  
Requesting Authority to Travel



Official or Employee Requesting  
Authority to Travel

The above form must be completed and signed prior to travel. Additionally, it must be filed with the Clerk of the Board of Supervisors to be presented to the Board for authority to travel as per Section 25-3-41 of the *Mississippi Code 1972*. This form must be received prior to a Board meeting to be presented to the Board of Supervisors. **The Board meets as follows:** First Monday of the month, First Thursday following the First Monday, and The Fourth Thursday of the month.

It is your responsibility to make sure I received this form. If you leave the form and I am not here, please be sure to follow up with a phone call to confirm I received your request to present to the Board.

If you should have any questions, please do not hesitate to call me. Thanks!

Amy G. Berry  
Chancery Clerk

**Randy Jones**

---

**From:** info@msafmm.org  
**Sent:** Wednesday, March 16, 2022 1:41 PM  
**To:** Randy Jones  
**Subject:** Association of Floodplain Managers of Mississippi Meeting Announcement



## 2022 ANNUAL CONFERENCE

### WHEN

May 02, 2022 8:00 AM CDT to  
May 04, 2022 12:00 PM CDT

[Add to Calendar](#)

### TICKETS

\$15.00 Guest/One Day  
Participants only - A La Carte  
Pricing Luncheon (Wed)

\$15.00 Guest/One Day  
Participants only - A La Carte  
Pricing Reception (Tues)

\$775.00 Platinum

### CONFERENCE INFORMATION

**Location:** The conference will be held at the Golden Nugget Hotel & Casino, 115 Beach Blvd, Biloxi, MS, 39530.

**Lodging:** A special conference rate of \$89.99 plus tax, for a single and \$109.99 plus tax, for a double, per night, has been established at the Golden Nugget Hotel & Casino. Reserve your room by calling Golden Nugget, Biloxi at 1-800-777-7568 and use group code S220388 or [CLICK HERE](#). The last day to register under the group rate is **April 10, 2022**. The following is included with your room reservation: Complimentart Wi-Fi in the Hotel and Meeting Space, and Complimentary Parking. An Incidental Deposit of \$100 will be



Sponsor/Exhibitor

\$625.00 Gold Sponsor/Exhibitor

\$475.00 Silver Sponsor/Exhibitor

\$325.00 Bronze

Sponsor/Exhibitor

\$195.00 Member-Full

Conference Registration

\$295.00 Non-Member Full

Conference Registration

\$75.00 Student-Full Conference

Registration

\$200.00 Non-Profit Sponsorship

Rate

[Register Now](#)

## DIRECTIONS

Golden Nugget Casino Biloxi,

MS

151 Beach Blvd

Biloxi, MS 39530

[Get Directions](#)

taken at check-in and returned to you at check-out.

**(If using a debit card for this deposit, your bank may hold it for several days, so a credit card is recommended)**

**Exhibitors:** Companies and organizations will exhibit their products, services, and activities all day Monday and Tuesday.

**Sponsors:** We invite you to be a sponsor for the Spring Conference or donate a door prize. All sponsors will be identified in the conference program, at workshops, and during all social events.

### Bronze

\$325.00

Notation in the conference packets & 1 conference registration

### Silver

\$475.00

Notation in the conference packets, 2 conference registrations, & an information booth.

### Gold

\$625.00

Notation in the conference packets, 3 conference registrations, promotional material (if provided) placed in conference packets, & an information booth.

### Platinum

\$775.00

The ability to have a part of the conference named on behalf i.e. social, luncheon, etc., notation in the conference packets, 4 conference registrations, promotional material (if provided) placed in conference packets, & an information booth.

**Included with registration:**

- Reception (Monday)
- Luncheon (Tuesday)
- Evening Event (Wed)

AFMM 2022 Annual Conference will be held May 2 – May 4, 2022 at the Golden Nugget Hotel & Casino in Biloxi, MS. The conference provides a forum for professionals involved in floodplain management throughout the state to meet and share their knowledge and experience. We invite you to be a conference sponsor/exhibitor for 2022. All sponsors/exhibitors will be recognized in the conference program and at workshops and all social events.

**Door Prize Information:** Our traditional door prizes are awarded during the general membership meeting and we will also present door prizes at the luncheon. We welcome door prize contributions in support of the conference. Door prizes may be specific items or monetary contributions for door prizes. You may make arrangements to deliver the door prizes to an AFMM officer in your area or

# EXHIBIT H

# Mississippi Association of Supervisors 2022 County Advertising Contract



The Mississippi Association of Supervisors is now accepting advertising contracts for the 2022 publication cycle of the *Mississippi Supervisor* magazine. The *Mississippi Supervisor* is a quarterly publication, with new issues published following each of the Association's conferences. *\*Moving forward all ads will be published in color.*

Ad Size & Cost (Per Issue)		
Half Page	<input checked="" type="checkbox"/>	\$500
Full Page	<input type="checkbox"/>	\$800
Double Spread	<input type="checkbox"/>	\$1200

**ISSUE PLACEMENT:** Select each issue you wish your ad to run.

- Winter (Following Mid-Winter Conf.)     
  Spring (Following Legislative Session)     
  Summer (Following Convention)     
  Fall (Following Workshop)

**AD DESIGN:** Please indicate if you will provide your own ad design, or if you wish MAS to create an ad for you (additional charge applies).

- Copy enclosed (JPEG or PDF accepted on CD, flash drive or by email)  
 Use prior ad (copy attached)  
 Create new ad (\$150 design charge; photos and content to be provided by County)

**AD REQUIREMENTS:** Half Page: 7.25"x4.75"; Full Page, Back/Inside Front Cover: 8.75"x11.25" (includes .125" bleed) or 7.25"x 9.75" (no bleed); double spread: 17.25"x11.25" (with bleed) or 16.5"x10.5" (no bleed). Formats: JPG, TIFF, or PDF accepted by email [ygamez@massup.org](mailto:ygamez@massup.org) on CD or flash drive.

New camera-ready ad copy or confirmation of previously submitted ad copy must be provided by the 10<sup>th</sup> of the month preceding publication. *Mississippi Supervisor* reserves the right to reject any advertisement that it deems unsuitable due to content, style or size. Upon execution of contract, client agrees to the terms of this contract and to pay upon receipt of invoice. *Mississippi Supervisor* reserves the right to cancel future ad placements for failure to pay as agreed.

\*\*\*\*\*

Ad Cost: \$ \_\_\_\_\_ + Design Fee (if applicable): \$ \_\_\_\_\_ = Order Total: \$ \_\_\_\_\_

- Bill me   
  Check Enclosed (Check No. \_\_\_\_\_)   
  Purchase Order (No. \_\_\_\_\_)

County Name: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Title: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Bill Attention: \_\_\_\_\_ Billing Email: \_\_\_\_\_

Billing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

**Return completed contract and content to:**  
 Mississippi Association of Supervisors Magazine Staff  
 793 North President Street  
 Jackson, MS 39202

Phone: 601.353.2741  
 Fax: 601.353.2749  
 Email: [ygamez@massup.org](mailto:ygamez@massup.org)

## ***Who Reads the Mississippi Supervisor?***

### **Over 1,000 Mississippi, Regional and National Readers**

- 410 Mississippi County Supervisors (all 82 counties in the state)
- County Administrators, Chancery Clerks, Circuit Clerks, County Engineers, Board Attorneys, Road Managers, Tax Assessors/Collectors, Clerks and other county officials
- MAS Affiliate Partners (corporate members)
- Local, regional and national vendors doing business with counties in Mississippi and other states
- Statewide elected officials, state legislators, Senators and Congressional Delegation
- Planning and development districts (PDDs) around the state
- County associations in other states
- Other subscribers

## ***Why Advertise in the Mississippi Supervisor?***

The *Mississippi Supervisor* is the only magazine for and about Mississippi's county government leaders and is proud to educate, inform and spread county news statewide.

The *Mississippi Supervisor* currently has over 1,000 subscribers, with more subscribers joining each quarter.

The *Mississippi Supervisor* is the premier publication of the Mississippi Association of Supervisors (MAS), a statewide, nonprofit, nonpartisan Association representing all 82 counties and 410 County Supervisors.

The *Mississippi Supervisor* serves as a mouthpiece for county and local government issues and provides education and information about counties to its readers.

The *Mississippi Supervisor* is also going digital! Be on the lookout for the subscription order form for digital and/or hard copies of the Magazine.

## ***When is Mississippi Supervisor published?***

The Mississippi Supervisor is published quarterly during the winter, spring, summer and fall of each year. The publication schedule coincides with each of MAS' major conferences and the close of the legislative session.

## ***Questions?***

Contact Yamaiky Gamez, Member Services Coordinator at 601.353.2741 or [ygamez@massup.org](mailto:ygamez@massup.org).

**Amy G Berry**

---

**From:** MS Association of Supervisors <ygamez@massup.org>  
**Sent:** Tuesday, March 29, 2022 3:10 PM  
**To:** aberry@claycounty.ms.gov  
**Subject:** MAS Supervisor Magazine



[Check out our Website](#)

[Check out our Gallery](#)



**Empowering County Government Since 1908**

Hello Amy,

## **Supervisor Magazine Ad Submission Deadlines & Accepting Ads for the 2022 Publication Cycle**

---

If you purchased an ad to run in the Spring Issue of the Supervisor Magazine, and have not yet submitted your final ad, please email your ad to Yamaiky Gamez at YGamez@massup.org by **Friday, April 8, 2022**. If you need a couple days extension, please let Yamaiky know asap.

Mississippi Association of Supervisors is still accepting advertising contracts for the 2022 publication cycle of the *Mississippi Supervisor* magazine. Run your ad in the Spring, Summer and/or Fall Issue. Get your ad into the upcoming Spring Issue (May), but hurry, time is running out.

The *Mississippi Supervisor* is a quarterly publication, with new issues published following each of the Association's conferences. So send in your advertising contract to be published in the *Mississippi Supervisor* magazine!

## **2022 Ad Submission Deadlines:**

### **Spring Issue:**

Ad is due by **Friday, April 8, 2022**

Magazine will run in May.

### **Summer Issue:**

Ad is due by **Monday, June 6, 2022**

Magazine will run in August.

### **Fall Issue:**

Ad is due by **Monday, October 3, 2022**

Magazine will run in November.

## ***Who Reads the Mississippi Supervisor?***

### **Over 1,000 Mississippi, Regional and National Readers:**

- 410 Mississippi County Supervisors (all 82 counties in the state)
- County Administrators, Chancery Clerks, Circuit Clerks, County Engineers, Board Attorneys, Road Managers, Tax Assessors/Collectors, Clerks and other county officials
- MAS Affiliate Partners (corporate members)
- Local, regional and national vendors doing business with counties in Mississippi and other states
- Statewide elected officials, state legislators, Senators and Congressional Delegation
- Planning and development districts (PDDs) around the state
- County associations in other states
- Other subscribers

## ***Why Advertise in the Mississippi Supervisor?***

The *Mississippi Supervisor* is the only magazine for and about Mississippi's county government leaders and is proud to educate, inform and spread county news statewide.

The *Mississippi Supervisor* currently has over 1,000 subscribers, with more subscribers joining each quarter.

The *Mississippi Supervisor* is the premier publication of the Mississippi Association of Supervisors (MAS), a statewide, nonprofit, nonpartisan Association representing all 82 counties and 410 County Supervisors.

The *Mississippi Supervisor* serves as a mouthpiece for county and local government issues and provides education and information about counties to its readers.

The *Mississippi Supervisor* is also going digital! Be on the lookout for subscription order form for digital and/or hard copies to the Magazine.

*\*Moving forward, all ads will be printed in color.*

## ***When is Mississippi Supervisor published?***

The Mississippi Supervisor is published quarterly during the winter, spring, summer and fall of each year. The publication schedule coincides with each of MAS' major conferences and the close of the legislative session.

## ***Questions?***

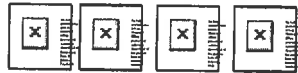
Contact Yamaiky Gamez, Member Services Coordinator at 601.353.2741 or [ygamez@massup.org](mailto:ygamez@massup.org).

To view updates on the American Rescue Plan Act (ARPA), you may visit our website or click the ARPA button below.

[Learn More on ARPA](#)

[View Member Services](#)

## **Get Social with Us**



**Address:** 793 North President Street  
Jackson, MS 39202.

Phone: 601-353-2741

Fax: 601-353-2749



MS Association of Supervisors | 793 N President St, Jackson, MS 39202

[Unsubscribe aberry@claycounty.ms.gov](mailto:aberry@claycounty.ms.gov)

[Update Profile](#) | [About Constant Contact](#)

Sent by ygamez@massup.org in collaboration with



Try email marketing for free today!

# EXHIBIT I

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF CLAY COUNTY,  
MISSISSIPPI COMMEMORATING THE 100<sup>TH</sup> BIRTHDAY OF WESLEY BELL**

---

BE IT RESOLVED, that Wesley Bell, a resident of Clay County, Mississippi, will celebrate his 100<sup>th</sup> birthday on April 11, 2022; and

BE IT RESOLVED, that Mr. Bell was born in 1922 in Oktibbeha County, Mississippi; and

BE IT FURTHER RESOLVED, that Mr. Bell later moved and resided in the Pheba Community in Clay County, Mississippi. He has been married to his wife of 57 years, Georgia Aann Wooten Bell. He and his wife are the parents of 11 children; and

BE IT FURTHER RESOLVED, that during his lifetime, Mr. Bell worked as a farmer of the land until 1955, at which time he then began work with Babcock & Wilcox in West Point, Mississippi, where he was employed until his retirement; and

BE IT FURTHER RESOLVED, that Mr. Bell has been an active, faithful and diligent member of Mt. Zion M.B. Church, where he has served in numerous capacities for the Church, including Deacon and Sunday School teacher; and

BE IT FURTHER RESOLVED, that on April 11, 2022, Mr. Bell will have lived for a century, seeing many changes in his community, state and world during his lifetime. He has lived a life of integrity, honor and humility and has provided valuable insight and wisdom to his friends and family.

IT IS THEREFORE RESOLVED, that on this the 4<sup>th</sup> day of April, 2022, the Clay County Board of Supervisors does hereby express its appreciation and good wishes to Wesley Bell in the celebration of his 100<sup>th</sup> birthday on April 11, 2022.

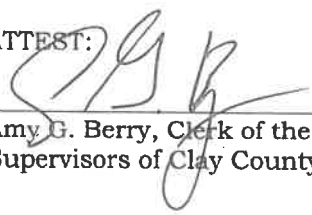
Upon Motion by Supervisor Chandler and second by Supervisor Deanes, the above Resolution was duly adopted with a unanimous vote by the Board.

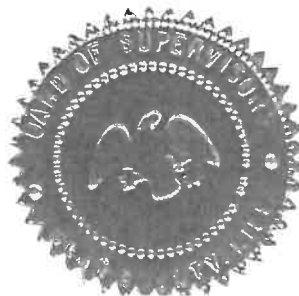
SO ORDERED this the 4<sup>th</sup> day of April, 2022.

---

Lynn Horton, President

ATTEST:

  
\_\_\_\_\_  
Amy G. Berry, Clerk of the Board of  
Supervisors of Clay County, Mississippi



# EXHIBIT J

NO. \_\_\_\_\_

***IN THE MATTER OF REQUESTING THE TOMBIGBEE RIVER VALLEY WATER  
MANAGEMENT DISTRICT TO ASSIST THE COUNTY WITH THE INSTALLATION OF A  
PIPE AT BELL CREEK***

Supervisor Deanes offered and moved the adoption of the following resolutions,

**RESOLUTION**

WHEREAS, there is an urgent need of assisting the county with the installation of a pipe at Bell Creek as located on MoonHeard Road.

WHEREAS, without immediate attention taken toward this problem, considerable damage to property may result; and

WHEREAS, Clay County, Mississippi is without sufficient resources with which to perform such task.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clay County, Mississippi, that the Board hereby requests the Tombigbee River Valley Water Management District to perform the above stated tasks in Clay County, Mississippi as within their means to do so.

Supervisor Chandler seconded the motions and with all members present and saying "AYE", the President declared the motion carried and resolution adopted.

SO ORDERED, this the 4th day of April, 2022.



Lynn Horton, President  
Clay County Board of Supervisors

**ATTEST:**

  
\_\_\_\_\_  
Amy G. Berry, Chancery Clerk  
Clerk of the Board of Supervisors

# EXHIBIT K

**RESOLUTION OF THE CLAY COUNTY BOARD OF SUPERVISORS  
SELECTING THE STANDARD ALLOWANCE OF UP TO TEN MILLION DOLLARS  
AS LOSS REVENUE**

**(Coronavirus State and Local Fiscal Recovery Funds)**

---

WHEREAS, The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a part of the American Rescue Plan, delivered \$350 billion to state, local, and tribal governments to support their response to and recovery from the COVID-19 pandemic.

WHEREAS, of the \$350 billion to be received by state, local and tribal governments, Clay County, Mississippi, is to receive a total allocation of \$3,746,219.25.

WHEREAS, in May of 2021 U.S. Department of Treasury published Interim Final Rule, which described eligible and ineligible uses of program funds.

WHEREAS, on January 6, 2022, U.S. Department of Treasury issued Final Rule, effective April 1, 2022, which offers broader flexibility and greater simplicity by allowing recipients to select a standard amount of revenue loss or complete full revenue loss calculations.

WHEREAS, Treasury has published Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule, which provides that recipients may use SLFRF funds to:

1. Replace lost public sector revenue;
2. Support the COVID-19 public health and economic response;
3. Provide premium pay for eligible workers performing essential work; and
4. Invest in water, sewer and broadband infrastructure.

WHEREAS, Overview of the Final Rule expressly states recipients are authorized to use SLFRF funds to provide government services up to the amount of revenue loss suffered by the recipient due to the COVID-19 pandemic. (See p. 6 of Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule).

WHEREAS, the two (2) available options to determine loss revenue are as follows:

1. Elect a standard allowance of up to \$10 million to spend on government services through the period of performance; or
2. Calculate actual revenue loss according to the formula articulated in the final rule.

WHEREAS, the Clay County Board of Supervisors, having been advised of the increased flexibility afforded by the Final Rule, wishes to exercise the standard allowance loss revenue option provided by Treasury, thereby designating its \$3,746,219.25 allocation to be used for government services through the period of performance.<sup>1</sup> Although not an exhaustive list, the County acknowledges that one of the identified examples of authorized government services is that of road building and maintenance.

WHEREAS, recipients have considerable flexibility to use funds to address the diverse needs of their communities, the Clay County Board of Supervisors understands and acknowledges that recipients of program funds have been cautioned against using SLFRF funds to make extraordinary contributions to pension funds for the purpose of reducing accrued, unfunded liabilities, replenishing rainy day funds, satisfying debts, settlements and judgments or for any other uses that contravene or violate the American Rescue Plan Act, Uniform Guidance conflicts of interest requirements, and other federal, state, and local laws.

WHEREAS, the Clay County Board of Supervisors finds that road building and road maintenance pose significant needs throughout all five (5) supervisor districts.

---

<sup>1</sup> One-half of the amount allocated by Treasury has been received by the Chancery Clerk of Clay County, Mississippi, and deposited into a fund designated strictly for Clay County's ARPA SLFRF program.



NOW, THEREFORE, BE IT RESOLVED the Clay County Board of Supervisors hereby finds as follows:

1. The Chancery Clerk of Clay County is authorized and hereby directed to divide \$1.5 million dollars of available ARPA funds equally among the five supervisor districts, thereby resulting in a \$300,000.00 disbursement to an ARPA Road and Bridge Fund for Supervisor Districts One (1), Two (2), Three (3), Four (4) and Five (5).
2. The ARPA Road and Bridge Fund for each supervisor district is to be maintained in an account separate from that of the road and bridge fund currently held by Supervisor Districts One (1), Two (2), Three (3), Four (4) and Five (5).
3. Each supervisor shall make findings, as needed, and provide an accurate and detailed accounting of all ARPA Road and Bridge Fund expenditures in compliance with program guidelines.

The above and foregoing resolution was offered upon the motion of Supervisor Shelton L. Deanes and seconded by Supervisor R.B. Davis. After being called to a vote, the resolution passed, with each Supervisor's vote being recorded, to-wit:

Supervisor Lynn Horton

AYE

Supervisor Luke Lummus

AYE

Supervisor R. B. Davis

AYE

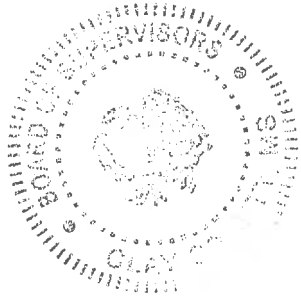
Supervisor Shelton L. Deanes

AYE

Supervisor Joe Chandler

AYE

SO ORDERED, this the 4<sup>th</sup> day of April, 2022.



CLAY COUNTY BOARD OF SUPERVISORS  
CLAY COUNTY, MISSISSIPPI

\_\_\_\_\_  
D. LYNN HORTON, PRESIDENT

Attest:

\_\_\_\_\_  
AMY G. BERRY,  
CHANCERY CLERK OF CLAY COUNTY

<https://canons.sog.unc.edu/2022/04/american-rescue-plan-act-of-2021-coronavirus-state-and-local-fiscal-recovery-funds-arp-cslfrf-the-standard-allowance/>



## Coates' Canons NC Local Government Law

### American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds (ARP/CSLFRF): The Standard Allowance

Published: 04/05/22

Author Name: [Kara Millonzi](#)

As the deadline approaches for NC local governments to decide whether to elect the Standard Allowance for the Revenue Replacement category of their American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery funds (ARP/CSLFRF) (that deadline is April 30, 2022), I'm getting many questions from local government officials about what the Standard Allowance is and what it means (or does not mean). Click [here](#) for a general overview of the Standard Allowance. This post addresses some additional FAQs about the Standard Allowance and provides information about an upcoming course on implementing the Standard Allowance.

#### What is the Standard Allowance?

The **Final Rule** implementing the ARP/CSLFRF authorizes 4 main expenditure categories:

1. *Addressing the COVID-19 public health emergency and its negative economic impacts*: authorizing projects that address the ongoing pandemic or its negative economic impacts on certain households, groups, areas, or the local government itself
2. *Premium pay*: authorizing additional pay for local government employees (and employees in certain other sectors) for work performed in person during the pandemic and targeted to low or moderate income employees or those who experience unique financial or health risks from working during the pandemic
3. *Necessary water, wastewater, stormwater, and broadband infrastructure*: authoring investments in certain water, wastewater, stormwater, and broadband infrastructure projects
4. **Revenue replacement: authorizing expenditures for the provision of government services**

The Standard Allowance relates to the Revenue Replacement category. With the Interim Final Rule (which is no longer in effect), a local government had to use a detailed formula to calculate whether it experienced or will experience lost revenue growth over a 4-year period from 2020 through 2023. If the formula revealed lost revenue growth in any year, the local government could expend up to that amount

Copyright © 2009 to Present School of Government at the University of North Carolina.

<https://canons.sog.unc.edu/2022/04/american-rescue-plan-act-of-2021-coronavirus-state-an...> 7/24/2022

<https://canons.sog.unc.edu/2022/04/american-rescue-plan-act-of-2021-coronavirus-state-and-local-fiscal-recovery-funds-arp-cslfrf-the-standard-allowance/>

in the Revenue Replacement category. Based on the formula most NC local governments did not experience lost revenue growth and are not projected to experience it for the remainder of the calculation period. Again under the Interim Final Rule, that meant that most NC local governments could not expend any of their ARP/CSLFRF funds as Revenue Replacement. **Luckily, the Final Rule (effective now) added another option—the Standard Allowance. The Standard Allowance allows a local government to expend up to their full allotment of ARP/CSLFRF funds (up to a maximum of \$10 million) in the Revenue Replacement category WITHOUT having to demonstrate any actual lost revenue growth.** All local governments receiving from \$1 through \$10 million in ARP/CSLFRF funds should elect the Standard Allowance. Local governments receiving over \$10 million in total ARP/CSLFRF funds may elect either the Standard Allowance or the (now modified) Formula Approach, if the formula approach is expected to reveal more than \$10 million in lost revenue growth.

**Why would a local government want to spend some or all of its ARP/CSLFRF funds in the Revenue Replacement category?** First, expending ARP/CSLFRF in the Revenue Replacement category allows for a much broader array of potential expenditures. **A local government may expend ARP/CSLFRF funds in this category for the provision of government services. This likely includes anything that a local government has state law authority to spend money on, including general fund and enterprise fund expenditures, capital and operating expenditures, and even administrative expenditures, such as employee salaries/benefits.** US Treasury did not define “government services” but has provided two non-exclusive lists of examples that illustrate how broad this category is:

From the US Treasury Final Rule Supplement

Government services include, but are not limited to, “maintenance or pay-go funded building 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.”

From the US Treasury Final Rule Overview

“Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive: Construction of schools and hospitals; Road building and maintenance, and other infrastructure; Health services; General government administration, staff, and administrative facilities; Environmental remediation; [and] Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles).”