

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is made and entered into pursuant to the provisions of T.C.A. § 5-1-113, § 5-1-114, § 12-9-104 and/or § 12-9-108 by and between BLOUNT COUNTY, TENNESSEE (hereinafter "Blount County") and the CITY OF FRIENDSVILLE, a municipal corporation organized and existing under the laws of the State of Tennessee which provides utility services to citizens in the City of Friendsville and Blount County, Tennessee, (hereinafter "City").

WITNESSETH:

WHEREAS, the federal government has enacted the American Rescue Plan Act of 2021 (ARPA) on March 11, 2021 to provide federal funding to state and local governments for, among other projects, investments in water and sewer infrastructure; and

WHEREAS, Blount County has been allocated \$12,885,976 directly for this purpose from this grant Act; and

WHEREAS, the Tennessee Department of Environment and Conservation (TDEC) has received ARPA funds and will distribute \$6,619,757 locally to Blount County; and

WHEREAS, the City of Friendsville will obligate its award of TDEC funds up to \$600,000 towards this project; and

WHEREAS, TDEC has issued a new source document entitled "Water Infrastructure Investment Plan Updates" dated February 3, 2022 which identifies recipients, the total allocation received by each recipient and the corresponding co-funding level required and this document is attached hereto as Exhibit 1; and

WHEREAS, Blount County has needs throughout the County for water and sewer infrastructure updates; and

WHEREAS, Blount County is not directly in the business of operating water or sewer facilities, but utilizes the various utility districts throughout and adjoining the County to provide these services to its citizens; and

WHEREAS, the City of Friendsville operates a utility district which provides utility services to Blount County, Tennessee; and

WHEREAS, Blount County and the City of Friendsville have agreed for the City to construct certain water and sewer infrastructure upgrades with the ARPA grant funds described above, which are two (2) projects consisting of construction of a sewer force main along US 321 from Dunlap Hollow Road to South Union Grove Road and construction of a water line along US 321 from the east City limits to the Loudon County line, all as set forth in Appendix D hereto; and

WHEREAS, Blount County is the recipient of the ARPA funds and Blount County will fund and administer the projects in a manner consistent with the program objectives and terms and conditions of the award and will follow all applicable state, federal and local guidelines; and

WHEREAS, the City of Friendsville will act as project manager and will be required to follow all applicable federal, state and local guidelines; and

WHEREAS, for the project duration, all materials will be assets of Blount County and at project conclusion, Blount County will evaluate the work and determine that all goals and objectives have been met and that all work has been met and that all work has been satisfactorily completed; and

WHEREAS, upon satisfactory completion of the projects, the matter will come back before the Blount County Commission at which time the approval of the Commission will be sought to dedicate the assets constructed back to the utility district for operation and maintenance; and

WHEREAS, pursuant to the ARPA, all projects must be completed by December 31, 2026.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and agreements contained herein, it is agreed by and between the parties hereto as follows:

1. Blount County will fund the two (2) projects with the City of Friendsville as outlined in Appendix D, consisting of construction of a sewer force main along US 321 from Dunlap Hollow Road to South Union Grove Road and construction of a water line along US 321 from the east City limits to the Loudon County line.
2. Blount County agrees that it will fund and administer these projects in a manner consistent with the program objectives and terms and conditions of the award and follow all applicable federal, state and local guidelines.
3. Blount County and the City of Friendsville agree that they will follow the requirements outlined in the "Water Infrastructure Investment Plan Updates" attached hereto as Exhibit 1.
4. The City of Friendsville will act as the project manager and perform the construction and will be required to follow all applicable federal, state and local guidelines.
5. For the duration of the project, all of the materials will be assets of Blount County, Tennessee.
6. At the projects' conclusion, Blount County will evaluate the work to determine that all goals and objectives have been met and that all work has been satisfactorily completed.

7. Upon conclusion of the projects, if Blount County approves and determines the work has been satisfactorily completed, it is anticipated that the matter will come back before the Blount County Commission wherein they will be asked for approval to dedicate the assets constructed in the projects back to the utility district for the continued operation and maintenance.
8. The parties agree that all of the projects must be completed by December 31, 2026 pursuant to the terms of ARPA. Both parties agree that they will fully and completely follow the program objectives, terms and conditions as set forth under the ARPA and any other guidelines issues by the federal, state or local government through the completion of this project.
9. The parties agree that the monies herein are all coming from the funding from the ARPA and the State of Tennessee as grants and that no local money will be utilized on the project.
10. This agreement shall be submitted to the Blount County Commission for approval and to the City of Friendsville for approval. Upon approval of both entities, the same shall be executed by an executive officer of each entity.

IN WITNESS WHEREOF, the parties have executed duplicate counterparts of this agreement each of which shall be deemed an original, as of the 21st day of April, 2022.

BLOUNT COUNTY, TENNESSEE

By: _____


ED MITCHELL, MAYOR

Approved as to form:


CRAIG L. GARRETT, COUNTY ATTORNEY

CITY OF FRIENDSVILLE

By:


_____, MAYOR


_____, CITY RECORDER

Approved as to form:



ROBERT N. GODDARD, CITY ATTORNEY