

**HARDIN COUNTY FISCAL COURT
RESOLUTION NO. 2022-193**

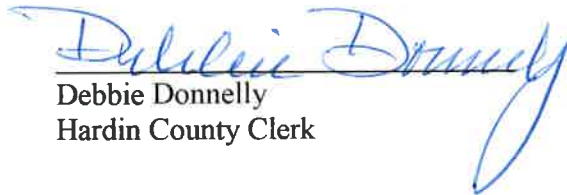
BE IT RESOLVED, upon recommendation of Judge/Executive Harry L. Berry, to approve the following Letter of Intent for funding from the American Rescue Plan Act's State and Local Fiscal Recover Fund (SLFRF) to Hardin County Water District #2.

BE IT FURTHER RESOLVED to authorize the Judge/Executive to sign all documents concerning these funds.

ADOPTED, by the Hardin County Fiscal Court in its regular meeting on 27 September 2022.


Harry L. Berry
Hardin County Judge/Executive

ATTEST:


Debbie Donnelly
Hardin County Clerk



Hardin County Government

Judge/Executive Harry L. Berry

P.O. Box 568, Elizabethtown, Kentucky 42702

*The Commonwealth's
Premier County
To Live, Work, and
Raise a Family*

September 27, 2022

Hardin County Water District No. 2
Mr. Mike Bell, Chairman
P.O. Box 970
1951 W. Park Road Elizabethtown, KY 42702

RE: ARPA Letter of Intent

Dear Mr. Chairman,

It is agreed that this letter of intent constitutes a binding Letter of Intent with respect to all terms and conditions contained herein.

By its Fiscal Court adopting Resolution No. 2022-193 approving this Letter of Intent and the commitments made herein, the County of Hardin, Kentucky ("County") commits a sum of Four Million Five Hundred Thousand Dollars (\$4,500,000) of the County's funds awarded pursuant to the American Rescue Plan Act's State and Local Fiscal Recovery Fund ("SLFRF"), Assistance Listing Number 21.027 (the "Committed Amount"), to the Hardin County Water District No. 2 ("Water District") for purposes of carrying out water infrastructure projects eligible under the SLFRF program that will serve the residents of Hardin County, Kentucky ("Eligible Project(s)").

Between the date of this Letter of Intent and December 31, 2023, the Water District and the County may enter into one or more definitive subaward agreements (an "Agreement") setting forth more completely the understandings of each party with respect to a particular Eligible Project to be funded by all or part of the Committed Amount. The County and the Water District agree to undertake good faith negotiations in order to select Eligible Project(s) and determine mutually satisfactory terms and conditions for an Agreement. No contract or agreement for the County to fund any Eligible Project will exist or be deemed to exist unless and until 1) the Water District has proposed, and the County has approved, an Eligible Project, and 2) an Agreement has been negotiated and duly executed by each of the parties for said Eligible Project.

All Water District Eligible Projects are subject to County review and approval, for eligibility and compliance with SLFRF regulations, guidance, and other applicable law. The County shall have the right to reject any and all projects on grounds of SLFRF ineligibility or other noncompliance with applicable law.

Upon the Water District's acceptance of the terms of this Letter of Intent, and until the termination of this Letter of Intent as described herein, the County shall not otherwise obligate, commit, or expend the Committed Amount dedicated hereunder

This Letter of Intent shall terminate and become null and void upon January 1, 2024, unless extended by mutual written agreement of the parties hereto. If this Letter of Intent is terminated, the parties shall have no further obligation to each other pursuant to this Letter of Intent.

Time is of the essence with respect to all dates and deadlines set forth in this Letter of Intent and in any Agreement executed between the parties hereto.


Neither this Letter of Intent nor the interests of the County or the Water District hereunder may be assigned, transferred, or delegated without the other party's prior written consent.

If the Water District accepts this Letter of Intent, please sign it below and return it to the Hardin County Fiscal Court.

Sincerely,



Harry L. Berry
County Judge/Executive

The undersigned accepts and agrees to the foregoing Letter of Intent as a binding agreement, enforceable in accordance with its terms.
Hardin County Water District No. 2
By: 
Name: Mike Bell
Title: Chairman
Date: