

RESOLUTION NO. 1980-16:

Comm. Jimmy Westbrook, Jr. moved to amend resolution No. 1980-16 by deleting item 11 out of the resolution. Motion seconded, by Comm. Biggs Danner. Upon being put to a voice vote motion carried.

RESOLUTION NO. 1980-16 AS AMENDED:

## RESOLUTION NO. 1980-16

A RESOLUTION AUTHORIZING AN APPLICATION FOR AN ENERGY CONSERVATION RETRO-FIT GRANT FROM THE INSTITUTE FOR PUBLIC SERVICE, THE UNIVERSITY OF TENNESSEE, AND ASSURING COMPLIANCE WITH REGULATIONS RELATED TO THE USE OF FEDERAL FUNDS.

WHEREAS, the National Energy Conservation Policy Act (NECPA; 95-619) contains grant programs to promote energy conservation in buildings owned by units of local government; and

WHEREAS, the Tennessee Energy Act (Public Acts 1977, ch. 303) authorizes the Tennessee Energy Authority to accept grants, and to make grants, from funds provided by the federal government; and

WHEREAS, the County Technical Assistance Service and Municipal Technical Advisory Service, units of the Institute for Public Service, the University of Tennessee, are, under a contract with the Energy Extension Service of the Tennessee Energy Authority, authorized to allocate grants in an amount not to exceed \$1,000 to a unit of local government for the purpose of implementing energy conservation measures; and

WHEREAS, the Weakley County Board of County Commissioners in recognition of the magnitude of the national energy shortage, proposes to reduce energy consumption by implementing appropriate energy conservation measures; now, therefore,

BE IT RESOLVED by the Weakley County Board of County Commissioners that the County Judge is hereby authorized and instructed to implement certain of those energy conservation measures identified in an energy audit conducted by the County Technical Assistance Service/Municipal Technical Assistance Service, and to make application to the Institute for Public Service, The University of Tennessee, for a RETRO-FIT grant to recover all, or a portion, of the costs of implementing such energy conservation measures.

BE IT FURTHER RESOLVED, that Weakley County hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements, including OMB Circulars No. A095, A-102 and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this federally-assisted project. Also, the Applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained

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therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and in accordance with Title VI of that Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement.
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.
4. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs.
5. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
6. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
7. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family business, or other ties.
8. It will maintain and give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
9. It will comply with all requirements imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
10. It will insure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) List of Violating Facilities and that it will notify the Federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
12. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

ADOPTED: Charles G. Smith

(Date)

ATTEST: \_\_\_\_\_

Pursuant to the Rules of the Commission, this Resolution is sponsored by the following members of the Weakley County Board of County Commissioners:

James H. Bell

James Porter

Motion made by Comm. James H. Bell, seconded by Comm. James Porter that the foregoing resolution be approved as amended. Upon being put to a voice vote motion carried.