



# TOWN OF MOUNT GILEAD BOARD OF COMMISSIONERS MEETING MINUTES

110 West Allenton Street, Mount Gilead, North Carolina, 27306  
October 4, 2022

The Mount Gilead Board of Commissioners met at 7:00 p.m. at the Mount Gilead Fire Station, 106 E. Allenton St., Mt. Gilead, NC on Tuesday, October 4, 2022, for the regular monthly business meeting. Present were Mayor Beverly Harris, Mayor Pro Tem Tim McAuley, Commissioners Mary Lucas and Vera Richardson, Town Manager David Smith, Town Clerk Amy Roberts, Police Lieutenant Austen Morton, incoming Police Chief Talmedge Legrand, Fire Chief Keith Byrd and Public Works Director Daniel Medley.

**ITEM I. CALL TO ORDER**

Mayor Harris called the meeting to order with a moment of silence and the Pledge of Allegiance.

**ITEM II. ADOPTION OF THE AGENDA**

Commissioner Richardson made a motion to adopt the agenda as is with a second from Commissioner Covington. Agenda was unanimously adopted.

**ITEM III. APPROVAL OF THE MINUTES**

Commissioner Covington made a motion to adopt the September 26, 2022 Regular Meeting Minutes. Commissioner Richardson seconded the motion. Minutes were unanimously approved.

**ITEM IV. PUBLIC COMMENT**

Town Manager David Smith read aloud the approved rules for Public Comment.

Ms. Patsi Laracuate, 305 Stanback St., Mt. Gilead – Ms. Laracuate spoke about the Story Walk that was being installed in conjunction with the Partnership for Children as well as the Born Learning Trail at Highland Community Center. She stated that the sidewalks would begin being painted on October 18, 2022 and volunteers were needed.

**ITEM V. OLD BUSINESS**

**A. ARPA Funds**

**i. ARPA Project Request and Eligibility Determination**

Town Manager Smith presented the ARPA Project Request and Eligibility Determination that had to be approved in an open Board meeting. This request would allow ARPA funds to pay for already budgeted payroll expenses for the 22-23 fiscal year and in turn free up the budgeted payroll money to use on special projects throughout the year. Commissioner Covington made a motion to approve the ARPA Project Request and Eligibility Determination. Mayor Pro Tem McAuley seconded the motion. Motion carried unanimously.

**ii. ARPA Grant Project Ordinance**

Town Manager Smith presented an ARPA Grant Project Ordinance which is required to proceed with receiving and disbursing ARPA funds. Mayor Pro Tem McAuley made a motion to approve the ARPA Grand Project Ordinance. Commissioner Covington seconded the motion. Motion carried unanimously.

- B. Water AIA Project Ordinance**  
Town Manager Smith presented a Water AIA Project Ordinance which is required to proceed with receiving and disbursing AIA Grant funds. Commissioner Lucas made a motion to approve the Water AIA Project Ordinance. Commissioner Richardson seconded the motion. Motion carried unanimously.
- C. Wastewater AIA Project Ordinance**  
Town Manager Smith presented a Wastewater AIA Project Ordinance which is required to proceed with receiving and disbursing AIA Grant funds. Commissioner Lucas made a motion to approve the Wastewater AIA Project Ordinance. Mayor Pro Tem McAuley seconded the motion. Motion carried unanimously.
- D. ABC Board Recommendation**  
The ABC Board sent a letter to the Board recommending Mr. Jones Almond to replace deceased representative Mr. Ben Haithcock. Mr. Almond had already agreed to serve if the Board so chooses. Commissioner Covington made a motion to accept the recommendation of naming Mr. Jones Almond as the representative for the Montgomery ABC Board. Commissioner Richardson seconded the motion. Motion carried unanimously.

**ITEM VI. NEW BUSINESS**

- A. New Police Chief – Introduction and Oath of Office**  
Town Clerk Amy Roberts administered the Oath of Office to newly appointed Police Chief Talmadge Legrand. The Board welcomed Mr. Legrand to the Mount Gilead team.
- B. Recognition of newly appointed Assistant Chief Morton and Lieutenant Shuping**  
Town Manager Smith recognized Officers Austen Morton and Jake Shuping as they accepted their new positions as Assistant Chief and Lieutenant. He spoke to the Board about the excitement within the Police Department about the new structuring and positions within the department.
- C. Budget Amendment – BA22-10-04-01**  
Town Manager Smith presented a budget amendment BA22-10-04-01 for approval. This amendment is to account for the personal donations received to upgrade the Tennis and Pickleball courts at Stanback Park. Commissioner Covington made a motion to approve the budget amendment BA22-10-04-01. Mayor Pro Tem McAuley seconded the motion. Motion carried unanimously.

**ITEM VII. COMMITTEE REPORTS**

- A. Community Appearance Board**  
Ms. Susie Routh, Chairman of the CATb updated the Board on the progress of the Town Entryway sign on Highway 109. She also updated the Board on the Story walk signs being installed as well as the Born Learning path at Highland Community Center.
- B. Parks and Recreation Committee Update**  
Town Manager Smith updated the Board on the progress of reforming the Parks and Rec Committee. He stated that an email had been sent to all the current members asking if they plan to continue their membership with the committee. Applications will be accepted for a designated amount of time in the near future to complete the re-formation of this committee.

**ITEM VIII. STAFF REPORTS**

Staff reports were presented by Public Works Director Daniel Medley, Assistant Police Chief Austen Morton, Fire Chief Keith Byrd, and Town Manager David Smith and were attached to the Board packets. A copy of these reports is on file in the Clerk's office and are available for public viewing.

**ITEM IX. MAYOR AND COMMISSIONERS REPORT**

None

**ITEM X. CLOSED SESSION – Pursuant to NCGS 143-318.11 (a)**

*The open meetings law authorizes a public body to meet in closed session for: Confidential Records, Attorney Consultations, Economic Development, Purchase of Real Property, Employment Contracts, Public Employees, and Criminal Investigations, which is listed in NC GS 143-318.11(a) (1) through (9).*

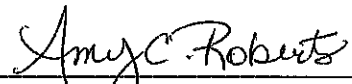
Commissioner Lucas made a motion to go into closed session. Commissioner Richardson seconded the motion. Motion carried unanimously.

Commissioner Covington made a motion to return to open session with a second from Commissioner Richardson. Motion carried unanimously.

**ITEM XI. ADJOURNMENT**

With no more Board business Mayor Pro Tem McAuley made a motion adjourn the meeting. Commissioner Lucas seconded the motion. Meeting was unanimously adjourned at 9:25 p.m.

  
\_\_\_\_\_  
Beverly A. Harris, Mayor

  
\_\_\_\_\_  
Amy C. Roberts, CMC, NCCMC Town Clerk



# TOWN OF MOUNT GILEAD BOARD OF COMMISSIONERS AGENDA

110 West Allenton Street, Mount Gilead, North Carolina, 27306  
October 4, 2022

The Mount Gilead Board of Commissioners will meet at 7:00 p.m. at the Mount Gilead Fire Station, 106 E. Allenton St., Mt. Gilead, NC on Tuesday, October 4, 2022, for the regular monthly business meeting.

ITEM I. **CALL TO ORDER – Mayor Harris**

ITEM II. **PLEDGE OF ALLEGIANCE – Mayor Harris**

ITEM III. **MOMENT OF SILENCE**

*“It is the intent of the Town Board to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence.”*

ITEM IV. **ADOPTION OF THE AGENDA (Action)**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_

ITEM V. **APPROVAL OF THE MINUTES (Pages 1-4) (Action)**

A. September 6, 2022, Regular Meeting Minutes

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ In Favor: \_\_\_\_\_ Opposed: \_\_\_\_\_

ITEM VI. **PUBLIC COMMENT**

A. Reading of the Rules for Public Comment – Town Manager

*Meetings of the Mount Gilead Town Board of Commissioners typically include a segment dedicated to public comment. The purpose of this time is for members of the community and the general public to make their views known directly to the Town Board. To ensure a fair proceeding for all who wish to speak, please be aware of the following rules that will be observed during all public meetings:*

- 1. All persons wishing to speak shall do so from the podium to ensure an accurate record of testimony. No one is permitted to speak from the audience. This is a public comment session and not a public debate. A Mayor nor the Board of Commissioners are allowed to respond to public comment or debate with a citizen during this time. If a response is necessary, a separate meeting can be called to discuss the issue at hand or if the answer is readily available it will be answered during Department Reports by the Town Manager.*
- 2. Each person who has signed up to speak shall have one opportunity to speak for a period not to exceed 3 minutes in duration. The speaker will not be permitted to speak again once they leave the podium, or their 3 minutes expire.*
- 3. The Board requests that a group be represented by a spokesperson in order to keep repetitive testimony at a minimum. If this spokesperson is representing a group of more than 5 citizens, he/she is afforded the opportunity to speak for a period not to exceed 5 minutes.*
- 4. Town staff will note all comments and provide answers directly to citizens or make information available town-wide during department reports or at the next meeting.*
- 5. Inflammatory or immaterial testimony will not be allowed.*
- 6. In addition to the comment period during the public meeting, individuals can provide written comments to the Town Board of Commissioners by submitting them in writing to the Town Clerk. This can be addressed by email to [clerk@mtgileadnc.com](mailto:clerk@mtgileadnc.com) or via USPS at PO Box 325, Mt. Gilead, NC 27306.*



**ITEM VII. OLD BUSINESS (Pages 5-35)**

**A. ARPA Funds**

**i. ARPA Project Request and Eligibility Determination (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**ii. ARPA Grant Project Ordinance (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**B. Water AIA Project Ordinance (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**C. Wastewater AIA Project Ordinance (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**D. ABC Board Recommendation – (Tabled from 9-6-22 meeting) (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**ITEM VIII. NEW BUSINESS (Page 36)**

**A. New Police Chief – Introduction and Oath of Office (Town Clerk)**

**B. Recognition of newly appointed Assistant Chief Morton and Lieutenant Shuping**

**C. Budget Amendment – BA22-10-04-01 (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**ITEM IX. COMMITTEE REPORTS**

**A. Community Appearance Board – Ms. Susie Routh, Chairman**

**B. Parks and Recreation Committee Update – Town Manager**

**ITEM X. STAFF REPORTS (Pages 37-80)**

**A. Public Works – Public Works Director Daniel Medley**

**B. Police Department – Interim Chief Austen Morton**

**C. Fire Department – Chief Keith Byrd**

**D. Town Manager - David Smith**

**E. Code Enforcement Report**

**ITEM XI. MAYOR AND COMMISSIONERS REPORT**

**ITEM XII. CLOSED SESSION – Pursuant to NCGS 143-318.11 (a) – (Action)**

*The open meetings law authorizes a public body to meet in closed session for: Confidential Records, Attorney Consultations, Economic Development, Purchase of Real Property, Employment Contracts, Public Employees, and Criminal Investigations, which is listed in NC GS 143-318.11(a) (1) through (9).*

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**A. Public Employees**

**B. Employment Contracts**

**ITEM XIII. REOPENING OF PUBLIC SESSION (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_

**ITEM XIV. ADJOURNMENT (Action)**

*Motion:* \_\_\_\_\_ *Second:* \_\_\_\_\_ *In Favor:* \_\_\_\_\_ *Opposed:* \_\_\_\_\_



# TOWN OF MOUNT GILEAD BOARD OF COMMISSIONERS MEETING MINUTES

110 West Allenton Street, Mount Gilead, North Carolina, 27306  
September 6, 2022

The Mount Gilead Board of Commissioners met at 7:00 p.m. at the Mount Gilead Fire Station, 106 E. Allenton St., Mt. Gilead, NC on Tuesday, September 6, 2022, for the regular monthly business meeting. Present were Mayor Beverly Harris, Mayor Pro Tem Tim McAuley, Commissioners Paula Covington, Mary Lucas and Vera Richardson, Town Manager David Smith, Clerk Amy Roberts, Interim Police Chief Austen Morton, Fire Chief Keith Byrd and Public Works Director Daniel Medley.

Mayor Harris called the meeting to order at 7:02 p.m. with a moment of silence and the Pledge of Allegiance.

## ITEM I. ADOPTION OF AGENDA

Commissioner Richardson made a motion to adopt the agenda with the addition of ITEM X. CLOSED SESSION – Personnel. Commissioner Covington seconded the motion. Motion carried unanimously.

## ITEM II. APPROVAL OF MINUTES

### A. June 28, 2022 – Regular Meeting Minutes

Commissioner Lucas made a motion to adopt the minutes. Commissioner Covington seconded the motion. Minutes were unanimously approved.

## ITEM III. PUBLIC COMMENT

Ms. Patty Almond – East Allenton St. Mt. Gilead – Ms. Almond spoke about the safety of our sidewalks and that we should be considering using any grant money we may receive to help promote the safety for children by giving them better sidewalks to walk on, ride their bikes. She also stressed the need for a centralized community center that all can use.

Ms. Mary Poplin, E. Haywood Lane, Mt. Gilead – Ms. Poplin stated that the Board really needs to consider adding a PA system at the Fire Department for use during Board meetings. She also wanted to stress the importance of the growth at Lake Tillery and what a great idea she thinks it is to consider annexing this development into the Town because the Town really needs the increase in tax revenue and the increased tax base.

Ms. Patsi Laracuate – Stanback Street, Mt. Gilead – Ms. Laracuate wanted to speak about an article that the Town Manager posted in the Speckled Paw newsletter in July. She stated her opinions and dislikes with some of the statements the Town Manager made in his article. She also stressed her disappointment with the lack of communication between her and the Town Manager and how disappointed she is that he has disregarded her numerous emails, texts, and phone calls.

## ITEM IV. PROCLAMATIONS/PRESENTATIONS

### A. Resolution to declare Police Surplus Property

Mayor Harris read a Resolution declaring the gun and badge of the retiring Police Chief, Pat Preslar, as surplus property and selling it to the Police Chief for a sum of \$1.00.

Commissioner Lucas made a motion to approve this declaration with a second from Commissioner Covington. The property was unanimously declared as surplus and the sum of \$1.00 was accepted as payment from Police Chief Pat Preslar.

- B. Presentation of Badge and Gun to Retired Police Chief  
Mayor Harris presented a sealed and signed copy of the resolution to Chief Pat Preslar and thanked him for his service to the Town of Mount Gilead.  
Preslar spoke to the Board and staff and thanked them for allowing him to serve the Town as Chief and stated that he is always available if needed. He also stated that he will remain on staff as a reserve officer, working special events and such, at least for a little while.

ITEM V. OLD BUSINESS

- A. Presentation LKC Engineering  
Mr. Rob McIntyre, Engineer with LKC Services spoke to the Board about the progress that has been made and that is in process with the Water and Wastewater AIA Grant funds as well as the need for upgrades to the WWTP to prepare for development within Lake Tillery and the Industrial Park across from Unilin on Highway 109. He presented three resolutions required by the State that provides the Town's intent to request State loan and/or grant assistance for projects requested.
- B. Resolution Mt. Gilead Stormwater Construction  
Mr. McIntyre with LKC presented a resolution to request funding from the State for Stanback Park Stormwater Construction. Mayor Pro Tem McAuley made a motion to adopt this resolution with a second from Commissioner Richardson. Resolution was unanimously approved.
- C. Resolution Mt. Gilead Stormwater AIA  
Mr. McIntyre with LKC presented a resolution to request funding from the State for Stormwater AIA. Commissioner Lucas made a motion to adopt this resolution with a second from Mayor Pro Tem McAuley. Resolution was unanimously approved.
- D. Resolution Mt. Gilead WWTP Construction  
Mr. McIntyre with LKC presented a resolution to request funding from the State for WWTP Construction. Commissioner Richardson made a motion to adopt this resolution with a second from Commissioner Lucas. Resolution was unanimously approved.

ITEM VI. NEW BUSINESS

- A. BA 2223-09-01  
Town Manager Smith requested approval for a Budget Amendment that will relieve the Town of Mount Gilead from receiving and budgeting for annual funds that are received by Mt. Gilead Fire Department from Montgomery County that are designated ONLY for the Fire Truck provided by the County to pay for repairs and maintenance to the County Fire Truck. A Truist Checking Account will be opened to hold these annual funds so that they cannot be dispensed for any other expense other than the County Fire Truck funding. Mayor Pro Tem McAuley made a motion to approve Budget Amendment BA2223-09-01. Commissioner Richardson seconded the motion. The amendment was unanimously approved.
- B. ABC Board Replacement Recommendation  
Mr. Phil Richardson, General Manager of the ABC Board, sent a letter of request for a new appointment to the ABC Board after the passing of long time Mt. Gilead ABC Board member, Ben Haithcock. The ABC recommended either Mr. Jones Almond or Mr. Chip Miller. Mr. Almond has agreed to serve if he is appointed by the Mt. Gilead Board of Commissioners. Mr. Miller could not be reached as of meeting time. The Board of Commissioners decided to table this replacement recommendation until the October Board meeting to allow time to try and reach Mr. Miller and see if he has interest in serving before making an appointment to the Board.

- C. ARPA Funding Reclassification Approval  
Town Manager Smith spoke to the Board about the use of ARPA funds received and possibly reclassing the use of these funds. The Board had originally designated \$102,000 of these funds for LKC Engineering to do a survey of needs for sewer upgrades between Lily's Bridge Road and Lake Tillery. Smith stated that this study can now be tied into other projects in process and other grant monies that could be coming down the pike. This can free up some of the current ARPA funding for other projects to be determined. Commissioner Covington made a motion to approve the reclassification of ARPA funds. Mayor Pro Tem McAuley seconded the motion. Reclassification was unanimously approved.
- D. Police Department Restructuring  
Town Manager Smith discussed with the Board the need to restructure the Police Department to allow for the opportunity for a new position of Assistant/Deputy Chief of Police. This would not require any more funding but pull money from the current vacant position within the department as well as reclassify the current positions in the department. He stressed the accelerated need for strong community policing and restructuring the department will greatly enhance an already great department. The Board was unsure of depth of the request and decided to table this request until they could gather more information.
- E. Update to Personnel Policy Section IX. Leave of Absence  
During the annual audit, it was discovered that the Town's Southern Software (FMS) system was automatically accruing 4 hours per bi-weekly pay period rather than 8 hours per month. The policies and procedures manual were never updated when the Town went from a weekly pay period to bi-weekly and accrual was no longer being entered manually. Town Manager Smith requested that the Board approve the re-wording of the Personnel Policy to state vacation and sick leave accrual reflect hours accrued bi-weekly rather than by the month. Commissioner Richardson made a motion to change the wording in the policy. Commissioner Covington seconded the motion. Motion carried unanimously.

ITEM VII. COMMITTEE REPORTS

- A. Community Appearance Board  
Ms. Susie Routh, Chairman of the Community Appearance Board reported that the Committee had met and discussed the ongoing project of entryway signage and the progress that has been made. She also discussed the Community Garden and the planting of sunflowers that will rejuvenate and enhance the dirt and ground for next spring's crops.
- B. Restructuring of Parks and Recreation Committee  
Town Manager Smith stated that since the creation of the Parks and Rec Committee in the early spring of 2022 there has only been one meeting and due to no fault of anyone, he feels that the Committee needs restructuring and reforming. He plans to contact all current members of the committee within the next couple of weeks and tell them his plans for restructuring and give them the opportunity to either continue as members of the committee or resign. Once this is done, he will report back to the Board and open an invitation to the public to apply for membership on this committee.

ITEM VIII. STAFF REPORTS

Staff reports were presented by Public Works Director Daniel Medley, Interim Police Chief Austen Morton, Fire Chief Keith Byrd, and Town Manager David Smith and were attached to the Board packets. A copy of these reports is on file in the Clerk's office and are available for public viewing.

ITEM IX. COMMISSIONER REPORTS

Mayor Pro Tem McAuley wanted to publicly thank the Mt. Gilead Fire Department for doing a wonderful job burning an outbuilding on his property.

Commissioner Lucas requested Town Manager Smith explore getting time clocks installed for employees. She also requested that Smith speak to someone with Valley Proteins in reference to waste spills in our roads within Town.

ITEM X. CLOSED SESSION – Personnel (NCGS 143.11. (a) (6)

Commissioner Covington made a motion to end open session and go in to closed session. Commissioner Richardson seconded the motion. Motion carried unanimously.

Commissioner Richardson made a motion to return to open session. Commissioner Covington seconded the motion. Motion carried unanimously to return to open session.

Mayor Pro Tem McAuley asked the Board if they could re-open the discussion of ITEM V. (D) – Restructuring of the Police Department that they had tabled earlier during the meeting. The Board consensus was to re-open the discussion. Town Manager Smith explained further his purpose for requesting to restructure the Police Department and the importance of this move. He feels this will help move the Town forward in the direction that is needed and broaden our community policing efforts. After much discussion, Commissioner Lucas made a motion to approve the restructuring of the Police Department. Mayor Pro Tem McAuley seconded the motion. Motion carried unanimously. Town Manager Smith stated that following this approval, he would contact the Police Advisory Committee to discuss how to proceed with the selection of the new Chief of Police.

ITEM XI. ADJOURNMENT

With no more Board business, Commissioner Richardson made a motion to adjourn the meeting. Commissioner Richardson seconded the motion. The meeting was unanimously adjourned at 9:45 p.m.

---

Beverly A. Harris, Mayor

---

Amy C. Roberts, CMC, NCCMC  
Town Clerk



## Town of Mount Gilead

### American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recover Fund

### Project Request and Eligibility Determination

#### BASIC INFORMATION AND DESCRIPTION

Program/Project Name:	<u>Mount Gilead ARPA Revenue Replacement for Salaries and Benifits</u>
Responsible Department:	<u>Management</u>
Program/Project Manager Name:	<u>David Smith, Town Manager; Amy Roberts, Finance Officer</u>
Total Amount Requested:	<u>\$363,952.48</u>
Internal Account Code(s): (assigned by Finance)	
Treasury Expenditure Category Level:	<u>6 Revenue Replacement</u>
Treasury Expenditure Category:	<u>6.1 Provision of Governmnet Services</u>

#### ELIGIBILITY REVIEW

<b>1. Provision of Government Services: Employee Salaries and Benefits</b>
Administration: (10-400, 20-400) Salaries: \$120,578; Benefits: \$47,848 Public Works: (10-450, 20-410, 20-415) Salaries: \$108,201; Benefits: \$45,925 WWTP: (20-420) Salaries: \$36,775; Benefits: \$13,845

#### JUSTIFICATION AND LEGAL REVIEW FOR STATE AUTHORITY:

See <u>G.S. 160A-162</u> (municipalities)
---

#### PROPOSED EXPENDITURE ITEMS AND ALLOWABLE COST REVIEW:

Proposed Project Budget, delineated by Cost Item for Allowable Cost Review

U.G. Provisions	Cost Items	Estimated Amount	Necessary/ Reasonable	% Allocable	Required Documentation
	Compensation	<b>\$265,554</b>	<u>Yes</u>		<u>Payroll records</u>
	Fringe Benefits	<b>\$107,618</b>	<u>Yes</u>		<u>Payroll records</u>
	Travel		<u>No</u>		
	Equipment & Other Capital		<u>No</u>		
	Materials & Supplies		<u>No</u>		
	Contractual Services & Subawards		<u>No</u>		
	Consultants / Professional Services		<u>No</u>		
	Occupancy (Rent & Utilities)		<u>No</u>		
	Telecommunications		<u>No</u>		
	Training & Education		<u>No</u>		

	Direct Administrative Costs		<u>No</u>		
	Add'l Cost Item		<u>No</u>		
	Total Direct Costs		<u>No</u>		
<u>200.414</u>	Indirect Costs		<u>No</u>		
<b>Total Project Budget</b>		<b>\$373,172</b>			

**\* All required documentation will be maintained in the project file.**

**AWARD TERMS AND COMPLIANCE:**

**Prohibitions Verification:**

By checking these boxes, the Town Manager-David Smith, and Finance Officer-Amy Roberts, attests that the statements are true.

- Project does not contravene the statutory purpose of ARP, including program, service, or capital expenditure that includes a term or condition that undermines efforts to stop the spread of COVID-19
- No Conflict of Interest, according to Conflict of Interest policy
- Complies with all state and federal laws and local ordinance (attorney review completed)
- No pension fund deposit
- No borrowings or debt service
- No financial reserves

**Uniform Guidance Compliance Requirements:**

By checking these boxes, the Town Manager-David Smith, and Finance Officer-Amy Roberts, attests that the statements are true.

- Financial Management Compliance (adopted grant project ordinance; accounting system that tracks obligations and expenditures by project and provides comparison to budgeted amounts; appropriate journal entries completed and documented)
- Internal Controls (adopt and routinely monitor internal controls related to all financial processes for receiving, managing, obligating, and expending the federal award funds)
- Civil Rights Compliance (policy adopted and implemented)
- Eligible Project Documentation (policy adopted and this worksheet completed and approved according to the policy)
- Allowable Cost / Cost Principles Compliance (policy adopted and this worksheet completed and approved according to the policy)
- UG Procurement Compliance (only if applicable; policy adopted and implemented)
- UG Property Management Compliance (only if applicable; policy adopted and implemented)
- Program Income Compliance (only if applicable; policy adopted and implemented)
- Subaward Compliance (only if applicable; policy adopted and implemented)

Reviewed By: Amy Roberts, Financial Officer and David Smith, Town Manager

**Signatures:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**ADOPTED** by the Town Council of the Town of Mount Gilead, North Carolina, on this 4<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Beverly Harris, Mayor

ATTEST:

\_\_\_\_\_  
Amy C. Roberts, Town Clerk

## Grant Project Ordinance for the Town of Mount Gilead American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds

**BE IT ORDAINED** by the town council of the Town of Mount Gilead, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Mount Gilead (Town) has received the first and second tranche in the amount of \$363,524.48 of CSLFRF funds. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Administration (10-400 & 20-400) services for period of November 1, 2022 through June 30, 2023	6.1	Salaries	\$120,578
			Benefits	\$47,848

002	Public Works (10-450, 20-410 & 20-415 services for period of November 1, 2022 through June 30, 2023	6.1	Salaries	\$108,201
			Benefits	\$45,925
003	WWTP (20-420) services for period of July 1, 2021 through December 31, 2024	6.1	Salaries	\$36,775
			Benefits	\$13,845
	Unassigned			\$0
	<b>TOTAL</b>			<b>\$373,172</b>

**Section 4:** The following revenues are anticipated to be available to complete the project:

**ARP/CSLFRF Funds:** \$363,952.48  
**General Fund Transfer:** \$9,219.52  
**Total:** **\$373,172.00**

**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town’s Uniform Guidance Allowable Costs and Cost Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

**Section 8:** This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

**ADOPTED** by the Town Council of the Town of Mount Gilead, North Carolina, on this 4<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
Beverly Harris, Mayor

ATTEST:

\_\_\_\_\_  
Amy C. Roberts, Town Clerk



## **A POLICY FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY NORTH CAROLINA LOCAL GOVERNMENTS**

**WHEREAS** the Town of Mount Gilead, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

**WHEREAS** the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**WHEREAS** the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the [Assistance Listing](#); and

**WHEREAS** the [Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds](#) provides, in relevant part:

**Allowable Costs/Cost Principles.** As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. Recipients must implement robust internal controls and effective monitoring to ensure compliance with the Cost Principles, which are important for building trust and accountability.

[ARP/CSLFRF] Funds may be, but are not required to be, used along with other funding sources for a given project. Note that [ARP/CSLFRF] Funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs, e.g., funds may not be used for the State share for Medicaid.



Treasury's Interim Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

- a. Administrative costs: Recipients may use funds for administering the SLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements. Further, costs must be reasonable and allocable as outlined in 2 CFR 200.404 and 2 CFR 200.405. Pursuant to the [ARP/CSLFRF] Award Terms and Conditions, recipients are permitted to charge both direct and indirect costs to their SLFRF award as administrative costs. Direct costs are those that are identified specifically as costs of implementing the [ARP/CSLFRF] program objectives, such as contract support, materials, and supplies for a project. Indirect costs are general overhead costs of an organization where a portion of such costs are allocable to the [ARP/CSLFRF] award such as the cost of facilities or administrative functions like a director's office. Each category of cost should be treated consistently in like circumstances as direct or indirect, and recipients may not charge the same administrative costs to both direct and indirect cost categories, or to other programs. If a recipient has a current Negotiated Indirect Costs Rate Agreement (NICRA) established with a Federal cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, then the recipient may use its current NICRA. Alternatively, if the recipient does not have a NICRA, the recipient may elect to use the de minimis rate of 10 percent of the modified total direct costs pursuant to 2 CFR 200.414(f).
- b. Salaries and Expenses: In general, certain employees' wages, salaries, and covered benefits are an eligible use of [ARP/CSLFRF] award funds; and

**WHEREAS** Subpart E of the UG dictates allowable costs and cost principles for expenditure of ARP/CSLFRF funds; and

**WHEREAS** Subpart E of the UG (specifically, 200.400) states that:

The application of these cost principles is based on the fundamental premises that:

- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.
- (b) The non-Federal entity assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.

- (c) The non-Federal entity, in recognition of its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the Federal award.
- (d) The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-Federal entity. However, the accounting practices of the non-Federal entity must be consistent with these cost principles and support the accumulation of costs as required by the principles, and must provide for adequate documentation to support costs charged to the Federal award.
- (e) In reviewing, negotiating and approving cost allocation plans or indirect cost proposals, the cognizant agency for indirect costs should generally assure that the non-Federal entity is applying these cost accounting principles on a consistent basis during their review and negotiation of indirect cost proposals. Where wide variations exist in the treatment of a given cost item by the non-Federal entity, the reasonableness and equity of such treatments should be fully considered.
- (f) For non-Federal entities that educate and engage students in research, the dual role of students as both trainees and employees (including pre- and post-doctoral staff) contributing to the completion of Federal awards for research must be recognized in the application of these principles.
- (g) The non-Federal entity may not earn or keep any profit resulting from Federal financial assistance, unless explicitly authorized by the terms and conditions of the Federal award;

**BE IT RESOLVED** that the governing board of The Town of Mount Gilead hereby adopts and enacts the following UG Allowable Costs and Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

## The Town of Mount Gilead Allowable Costs and Costs Principles Policy

### I. ALLOWABLE COSTS AND COSTS PRINCIPLES POLICY OVERVIEW

[Title 2 U.S. Code of Federal Regulations Part 200](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart E, defines those items of cost that are allowable, and which are unallowable. The tests of allowability under these principles are: (a) the costs must be reasonable; (b) they must be allocable to eligible projects under the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); (c) they must be given consistent treatment through application of those generally accepted accounting principles appropriate to the circumstances; and (d) they must conform to any limitations or exclusions set forth in these principles or in the ARP/CSLFRF grant award as to types or amounts of cost items. Unallowable items fall into two categories: expenses which are by their nature unallowable (e.g., alcohol), and unallowable activities (e.g., fund raising).

The Town of Mount Gilead shall adhere to all applicable cost principles governing the use of federal grants. This policy addresses the proper classification of both direct and indirect charges to ARP/CSLFRF funded projects and enacts procedures to ensure that proposed and actual expenditures are consistent with the ARP/CSLFRF grant award terms and all applicable federal regulations in the UG.

Responsibility for following these guidelines lies with the Town Manager and Finance Officer, who are charged with the administration and financial oversight of the ARP/CSLFRF. Further, all local government employees and officials who are involved in obligating, administering, expending, or monitoring ARP/CSLFRF grant funded projects should be well versed with the categories of costs that are generally allowable and unallowable. Questions on the allowability of costs should be directed to Amy Roberts, Finance Officer. As questions on allowability of certain costs may require interpretation and judgment, local government personnel are encouraged to ask for assistance in making those determinations.

## II. GENERAL COST ALLOWABILITY CRITERIA

All costs expended using ARP/CSLFRF funds must meet the following general criteria:

### 1. **Be necessary and reasonable for the proper and efficient performance and administration of the grant program.**

A cost must be *necessary* to achieve a project object. When determining whether a cost is necessary, consideration may be given to:

- Whether the cost is needed for the proper and efficient performance of the grant project.
- Whether the cost is identified in the approved project budget or application.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment.
- Whether the cost addresses project goals and objectives and is based on program data.

A cost is *reasonable* if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices. When determining reasonableness of a cost, consideration must be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the Town of Mount Gilead or the proper and efficient performance of the federal award.
- The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state, and other laws and regulations; and terms and conditions of the ARP/CSLFRF award.

- Market prices for comparable goods or services for the geographic area.
- Whether individuals concerned acted with prudence in the circumstances considering their responsibilities to Town of Mount Gilead, its employees, the public at large, and the federal government.
- Whether The Town of Mount Gilead significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the ARP/CSLFRF award's cost.

- 2. Be allocable to the ARP/CSLFRF federal award.** A cost is allocable to the ARP/CSLFRF award if the goods or services involved are chargeable or assignable to the ARP/CSLFRF award in accordance with the relative benefit received. This means that the ARP/CSLFRF grant program derived a benefit in proportion to the funds charged to the program. *For example, if 50 percent of a local government program officer's salary is paid with grant funds, then the local government must document that the program officer spent at least 50 percent of his/her time on the grant program.*

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Where the purchase of equipment or other capital asset is specifically authorized by the ARP/CSLFRF, the costs are assignable to the Federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required.

- 3. Be authorized and not prohibited under state or local laws or regulations.**
- 4. Conform to any limitations or exclusions set forth in the principles, federal laws, ARP/CSLFRF award terms, and other governing regulations as to types or amounts of cost items.**
- 5. Be consistent with policies, regulations, and procedures that apply uniformly to both the ARP/CSLFRF federal award and other activities of The Town of Mount Gilead.**
- 6. Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost. And a cost must be treated consistently for both federal award and non-federal award expenditures.
- 7. Be determined in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in the UGG.**
- 8. Be net of all applicable credits.** The term "applicable credits" refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to and received by the local



government related to the federal award, they shall be credited to the ARP/CSLFRF award, either as a cost reduction or a cash refund, as appropriate and consistent with the award terms.

**9. Be adequately documented.**

### III. SELECTED ITEMS OF COST

The UGG examines the allowability of fifty-five (55) specific cost items (commonly referred to as Selected Items of Cost) at 2 CFR § 200.420-.475.

The Town Manager and Finance Officer is responsible for determining cost allowability must be familiar with the Selected Items of Cost. The Town of Mount Gilead must follow the applicable regulations when charging these specific expenditures to the ARP/CSLFRF grant. The Town Manager and Finance Officer personnel will check costs against the selected items of cost requirements to ensure the cost is allowable and that all process and documentation requirements are followed. In addition, State laws, the Town of Mount Gilead's regulations, and program-specific rules may deem a cost as unallowable, and the Town of Mount Gilead's personnel must follow those non-federal rules as well.

Exhibit A identifies and summarizes the Selected Items of Cost.

### IV. DIRECT AND INDIRECT COSTS

Allowable and allocable costs must be appropriately classified as direct or indirect charges. It is essential that each item of cost be treated consistently in like circumstances either as a direct or an indirect cost.

*Direct costs* are expenses that are specifically associated with a particular ARP/CSLFRF-eligible project and that can be directly assigned to such activities relatively easily with a high degree of accuracy. Common examples of direct costs include salary and fringe benefits of personnel directly involved in undertaking an eligible project, equipment and supplies for the project, subcontracted service provider, or other materials consumed or expended in the performance of a grant-eligible project.

*Indirect costs* are (1) costs incurred for a common or joint purpose benefitting more than one ARP/CSLFRF-eligible project, and (2) not readily assignable to the project specifically benefited, without effort disproportionate to the results achieved. They are expenses that benefit more than one project or even more than one federal grant. Common examples of indirect costs include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

For indirect costs, the Town of Mount Gilead may charge a 10 percent de minimis rate of modified total direct costs (MTDC). According to UGG Section 200.68 MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance the subawards under the award). MTDC EXCLUDES equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000.



## V. SPECIAL PROVISIONS FOR STATE AND LOCAL GOVERNMENTS

There are some special provisions of the UG that apply only to states, local governments, and Indian Tribes.

### § 200.444 General costs of government.

(a) For states, local governments, and Indian Tribes, the general costs of government are unallowable (except as provided in [§ 200.475](#)). Unallowable costs include:

- (1) Salaries and expenses of the Office of the Governor of a [state](#) or the chief executive of a [local government](#) or the chief executive of an [Indian tribe](#);
- (2) Salaries and other expenses of a [state](#) legislature, tribal council, or similar local governmental body, such as a county supervisor, city council, school board, etc., whether incurred for purposes of legislation or executive direction;
- (3) Costs of the judicial branch of a government;
- (4) Costs of prosecutorial activities unless treated as a direct cost to a specific program if authorized by statute or regulation (however, this does not preclude the allowability of other legal activities of the Attorney General as described in [§ 200.435](#)); and
- (5) Costs of other general types of government services normally provided to the general public, such as fire and police, unless provided for as a direct cost under a program statute or regulation.

(b) For [Indian tribes](#) and Councils of Governments (COGs) (see definition for *Local government* in [§ 200.1](#) of this part), up to 50% of salaries and expenses directly attributable to managing and operating [Federal programs](#) by the chief executive and his or her staff can be included in the indirect cost calculation without documentation.

[NOTE THAT EXPENDITURES OF ARP/CSLFRF FUNDS IN THE REVENUE REPLACEMENT CATEGORY ARE EXPLICITLY AUTHORIZED IN THE FINAL RULE TO BE SPENT ON GENERAL GOVERNMENT SERVICES.]

### § 200.416 COST ALLOCATION PLANS AND INDIRECT COST PROPOSALS.

(a) For states, local governments and Indian tribes, certain services, such as motor pools, computer centers, purchasing, accounting, etc., are provided to operating agencies on a centralized basis. Since Federal awards are performed within the individual operating agencies, there needs to be a process whereby these central service costs can be identified and assigned to benefitted activities on a reasonable and consistent basis. The central service cost allocation plan provides that process.

(b) Individual operating agencies (governmental department or agency), normally charge Federal awards for indirect costs through an indirect cost rate. A separate indirect cost rate(s) proposal for each operating agency is usually necessary to claim indirect costs under Federal awards. Indirect costs include:

(1) The indirect costs originating in each department or agency of the governmental unit carrying out Federal awards and

(2) The costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

(c) The requirements for development and submission of cost allocation plans (for central service costs and public assistance programs) and indirect cost rate proposals are contained in appendices V, VI and VII to this part.

**§ 200.417 INTERAGENCY SERVICE.**

The cost of services provided by one agency to another within the governmental unit may include allowable direct costs of the service plus a pro-rated share of indirect costs. A standard indirect cost allowance equal to ten percent of the direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) may be used in lieu of determining the actual indirect costs of the service. These services do not include centralized services included in central service cost allocation plans as described in Appendix V to Part 200.

## VI. COST ALLOWABILITY REVIEW PROCESS

### **PREAPPROVAL COST ALLOWABILITY REVIEW**

Before an ARP/CSLFRF-funded project is authorized, the Town Manager and Finance Officer must review the proposed cost items within an estimated project budget to determine whether they are allowable and allocable and whether cost items will be charged as direct or indirect expenses. This review will occur concurrently with the review of project eligibility and *before* obligating or expending any ARP/CSLFRF funds.

- Local government personnel must submit proposed ARP/CSLFRF projects to the Town Manager and Finance Officer for review. In addition to other required information, all proposed project submissions must delineate estimated costs by cost item.
- Along with a general review of project eligibility and conformance with other governing board management directives, the Town Manager and Finance Officer must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by the US Treasury
- If a proposed project includes a request for an unallowable cost, Town Manager and Finance Officer will return the proposal to the requesting party for review and, if practicable, resubmission with corrected cost items.
- Once a proposed project budget is pre-approved by the Town Manager and Finance Officer, the local government personnel responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget.



## **POST-EXPENDITURE COST ALLOWABILITY REVIEW**

Once an expenditure is incurred related to an eligible project, and an invoice or other demand for payment is submitted to the local government, the Town Manager and Finance Officer must perform a second review to ensure that actual expenditures comprise allowable costs.

- All invoices or other demands for payment must include a breakdown by cost item. The cost items should mirror those presented in the proposed budget for the project. If an invoice or other demand for payment does not include a breakdown by cost item, the Finance Officer will return the invoice to the project manager and/or vendor, contractor, or subrecipient for correction.
- The Town Manager and Finance Officer must review the individual cost items listed on the invoice or other demand for payment to determine their allowability and allocability.
- If all cost items are deemed allowable and properly allocable, the Finance Officer must proceed through the local government's normal disbursement process.
- If any cost item is deemed unallowable, the Finance Officer will notify the project management and/or vendor, contractor, or subrecipient that a portion of the invoice or other demand for payment will not be paid with ARP/CSLFRF funds. The Town Manager and Finance Officer, may in their discretion, and consistent with this policy, allow an invoice or other demand for payment to be resubmitted with a revised cost allocation. If the local government remains legally obligated by contract or otherwise to pay the disallowed cost item, it must identify other local government funds to cover the disbursement. The Town of Mount Gilead's governing board must approve any allocation of other funds for this purpose.
- The Finance Officer must retain appropriate documentation of budgeted cost items per project and actual obligations and expenditures of cost items per project.

## **VII. COST TRANSFERS**

Any costs charged to the ARP/CSLFRF federal award that do not meet the allowable cost criteria must be removed from the award account and charged to an account that does not require adherence to federal UGG or other applicable guidelines.

Failure to adequately follow this policy and related procedures could result in questioned costs, audit findings, potential repayment of disallowed costs and discontinuance of funding.

## **EXHIBIT A**

Selected Items of Cost	Uniform Guidance General Reference	Allowability
Advertising and public relations costs	2 CFR § 200.421	Allowable with restrictions
Advisory councils	2 CFR § 200.422	Allowable with restrictions
Alcoholic beverages	2 CFR § 200.423	Unallowable
Alumni/ae activities	2 CFR § 200.424	Not specifically addressed
Audit services	2 CFR § 200.425	Allowable with restrictions
Bad debts	2 CFR § 200.426	Unallowable
Bonding costs	2 CFR § 200.427	Allowable with restrictions
Collection of improper payments	2 CFR § 200.428	Allowable
Commencement and convocation costs	2 CFR § 200.429	Not specifically addressed
Compensation – personal services	2 CFR § 200.430	Allowable with restrictions; Special conditions apply (e.g., § 200.430(i)(5))
Compensation – fringe benefits	2 CFR § 200.431	Allowable with restrictions
Conferences	2 CFR § 200.432	Allowable with restrictions
Contingency provisions	2 CFR § 200.433	Unallowable with exceptions
Contributions and donations	2 CFR § 200.434	Unallowable (made by non-federal entity); not reimbursable but value may be used as cost sharing or matching (made to non-federal entity)
Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435	Allowable with restrictions

Depreciation	2 CFR § 200.436	Allowable with qualifications
Employee health and welfare costs	2 CFR § 200.437	Allowable with restrictions
Entertainment costs	2 CFR § 200.438	Unallowable with exceptions
Equipment and other capital expenditures	2 CFR § 200.439	Allowability based on specific requirement
Exchange rates	2 CFR § 200.440	Allowable with restrictions
Fines, penalties, damages and other settlements	2 CFR § 200.441	Unallowable with exceptions
Fund raising and investment management costs	2 CFR § 200.442	Unallowable with exceptions
Gains and losses on disposition of depreciable assets	2 CFR § 200.443	Allowable with restrictions
General costs of government	2 CFR § 200.444	Unallowable with exceptions
Goods and services for personal use	2 CFR § 200.445	Unallowable (goods/services); allowable (housing) with restrictions
Idle facilities and idle capacity	2 CFR § 200.446	Idle facilities - unallowable with exceptions; idle capacity - allowable with restrictions
Insurance and indemnification	2 CFR § 200.447	Allowable with restrictions
Intellectual property	2 CFR § 200.448	Allowable with restrictions
Interest	2 CFR § 200.449	Allowable with restrictions
Lobbying	2 CFR § 200.450	Unallowable
Losses on other awards or contracts	2 CFR § 200.451	Unallowable (however, they are required to be included in the indirect cost rate base for allocation of indirect costs)



Maintenance and repair costs	2 CFR § 200.452	Allowable with restrictions
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453	Allowable with restrictions
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454	Allowable with restrictions; unallowable for lobbying organizations
Organization costs	2 CFR § 200.455	Unallowable except federal prior approval
Participant support costs	2 CFR § 200.456	Allowable with prior approval of the federal awarding agency
Plant and security costs	2 CFR § 200.457	Allowable; capital expenditures are subject to § 200.439
Pre-award costs	2 CFR § 200.458	Allowable if consistent with other allowabilities and with prior approval of the federal awarding agency
Professional services costs	2 CFR § 200.459	Allowable with restrictions
Proposal costs	2 CFR § 200.460	Allowable with restrictions
Publication and printing costs	2 CFR § 200.461	Allowable with restrictions
Rearrangement and reconversion costs	2 CFR § 200.462	Allowable (ordinary and normal)
Recruiting costs	2 CFR § 200.463	Allowable with restrictions
Relocation costs of employees	2 CFR § 200.464	Allowable with restrictions
Rental costs of real property and equipment	2 CFR § 200.465	Allowable with restrictions
Scholarships and student aid costs	2 CFR § 200.466	Not specifically addressed
Selling and marketing costs	2 CFR § 200.467	Unallowable with exceptions
Specialized service facilities	2 CFR § 200.468	Allowable with restrictions

Student activity costs	2 CFR § 200.469	Unallowable unless specifically provided for in the federal award
Taxes (including Value Added Tax)	2 CFR § 200.470	Allowable with restrictions
Termination costs	2 CFR § 200.471	Allowable with restrictions
Training and education costs	2 CFR § 200.472	Allowable for employee development
Transportation costs	2 CFR § 200.473	Allowable with restrictions
Travel costs	2 CFR § 200.474	Allowable with restrictions
Trustees	2 CFR § 200.475	Not specifically addressed

## **Recitals**

**WHEREAS**, the Town of Mount Gilead has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”).

**WHEREAS**, CSLFRF funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

**WHEREAS**, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, the Town of Mount Gilead agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

**RESOLVED**, That the governing board of the Town of Mount Gilead hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

## Nondiscrimination Policy Statement

It is the policy of the Town of Mount Gilead to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the Town of Mount Gilead, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF"), which the Town of Mount Gilead received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CSLFRF award").

### **I. Governing Statutory & Regulatory Authorities**

As required by the CSLFRF [Award Terms and Conditions](#), the Town of Mount Gilead shall ensure that each "activity," "facility," or "program"<sup>1</sup> that is funded in whole, or in part, with CSLFRF and administered under the ARP/CSLFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

---

<sup>1</sup> 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

## **II. Discriminatory Practices Prohibited in the Administration of the ARP/CSLFRF Award**

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, the Town of Mount Gilead shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;
6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

## **III. Reporting & Enforcement**

1. The Town of Mount Gilead shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that

may result from these actions. The Town of Mount Gilead shall comply with information requests, on-site compliance reviews, and reporting requirements.

2. The Town of Mount Gilead shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Town of Mount Gilead shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town of Mount Gilead in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence: Amy Roberts, Town Hall, 910-210-0951 at 110 W. Allenton Street, NC 27306.

**Record Retention Policy: Documents Created or Maintained Pursuant to the  
ARP/CSLFRF Award**

**Retention of Records:** The Coronavirus Local Fiscal Recovery Funds (“CSLFRF”) [Award Terms and Conditions](#) and the [Compliance and Reporting Guidance](#) set forth the U.S. Department of Treasury’s (“Treasury”) record retention requirements for the ARP/CSLFRF award.

It is the policy of the Town of Mount Gilead to follow Treasury’s record retention requirements as it expends CSLFRF pursuant to the APR/CSLFRF award. Accordingly, the [LOCAL GOVERNMENT] agrees to the following:

- Retain all financial and programmatic records related to the use and expenditure of CSLFRF pursuant to the ARP/CSLFRF award for a period of five (5) years after all CLFRF funds have been expended or returned to Treasury, whichever is later.
- Retain records for real property and equipment acquired with CSLFRF for five years after final disposition.
- Ensure that the financial and programmatic records retained sufficiently evidence compliance with section 603(c) of the Social Security Act “ARPA,” Treasury’s regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
- Allow the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, the right of timely and unrestricted access to any records for the purpose of audits or other investigations.
- If any litigation, claim, or audit is started before the expiration of the 5-year period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.

**Covered Records:** For purposes of this policy, records are information, regardless of physical form or characteristics, that are created, received, or retained that evidence Town of Mount Gilead’s expenditure of CSLFRF funds on eligible projects, programs, or activities pursuant to the ARP/CSLFRF award.

Records that shall be retained pursuant to this policy include, but are not limited to, the following:

- Financial statements and accounting records evidencing expenditures of CSLFRF for eligible projects, programs, or activities.



- Documentation of rationale to support a particular expenditure of CSLFRF (e.g., expenditure constitutes a general government service);
- Documentation of administrative costs charged to the ARP/CSLFRF award;
- Procurement documents evidencing the significant history of a procurement, including, at a minimum, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract cost or price;
- Sub-award agreements and documentation of sub-recipient monitoring;
- Documentation evidencing compliance with the Uniform Guidance property management standards set forth in 2 C.F.R. §§ 200.310-316 and 200.329;
- Personnel and payroll records for full-time and part-time employees compensated with CSLFRF, including time and effort reports; and
- Indirect cost rate proposals

**Storage:** The Town of Mount Gileads's records must be stored in a safe, secure, and accessible manner. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

**Departmental Responsibilities:** Any department or unit of the Town of Mount Gilead, and its employees, who are responsible for creating or maintaining the covered documents in this policy shall comply with the terms of this policy. Failure to do so may subject the Town of Mount Gilead to civil and/or criminal liability. Any employee who fails to comply with the record retention requirements set forth herein may be subject to disciplinary sanctions, including suspension or termination.

The Finance Officer is responsible for identifying the documents that The Town of Mount Gilead must or should retain and arrange for the proper storage and retrieval of records. The Finance Officer shall also ensure that all personnel subject to the terms of this policy are aware of the record retention requirements set forth herein.

**Reporting Policy Violations:** The Town of Mount Gilead is committed to enforcing this policy as it applies to all forms of records. Any employee that suspects the terms of this policy have been violated shall report the incident immediately to that employee's supervisor. If an employee is not comfortable bringing the matter up with the supervisor, the employee may bring the matter to the attention of the Town Manager. The Town of Mount Gilead prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

**Questions about the Policy:** Any questions about this policy should be referred to Amy Roberts, Finance Officer at 910-220-0781; aroberts@mtgileadnc.com, who is in charge of administering, enforcing, and updating this policy.



**ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021  
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

**BY THE TOWN OF MOUNT GILEAD**

**WHEREAS** the Town of Mount Gilead, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

**WHEREAS** US Treasury is responsible for implementing ARP/CSLFRF and has enacted a Final Rule outlining eligible projects; and

**WHEREAS** the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

**WHEREAS** the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the [Assistance Listing](#); and

**WHEREAS** US Treasury has issued a [Compliance and Reporting Guidance v.2.1 \(November 15, 2021\)](#) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

**WHEREAS** the Compliance and Reporting Guidance states on page 6 that

Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the SLFRF award constitute eligible uses of funds, and document determinations.

**BE IT RESOLVED** that the Town of Mount Gilead hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds.

## Eligibility Determination Policy for American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

This policy defines the permissible and prohibited uses of the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF) funds. It also outlines the procedures for determining how [Local Government Name] will spend its ARP/CSLFRF funds.

### I. PERMISSIBLE USES OF ARP/CSLFRF FUNDING

US Treasury issued its [Final Rule](#) regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its [Interim Final Rule](#) or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Local governments must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

### II. PROHIBITED USES OF ARPA FUNDING

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:



1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;
3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (There is an exception to this prohibition if the settlement or judgment requires the [Local Government Name] to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);
5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;
6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

The Town of Mount Gilead, and any of its contractors or subrecipients, may not expend any ARP/CSLFRF funds for these purposes.

### III. PROCEDURES FOR PROJECT APPROVAL

The following are procedures for ARP/CSLFRF project approvals. All Town of Mount Gilead employees and officials must comply with these requirements.

1. Requests for ARP/CSLFRF funding, must be made in writing and include all the following:
  - a. Brief description of the project
  - b. Identification of ARP/CSLFRF Expenditure Category (EC) (A list of ECs in in the Appendix to the [US Treasury Compliance and Reporting Guidance](#).)
  - c. Required justifications for applicable projects, according to the requirements in the Final Rule. Employees or any applicant seeking ARPA funding should review the [Final Rule](#) and [Final Rule Overview](#) prior to submitting a proposal.
  - d. Proposed budget, broken down by cost item, in accordance with the [Local Government Name]'s Allowable Cost Policy.
  - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Requests for funding must be submitted to David Smith, Town Manager, for approval. All requests will be reviewed by David Smith, Town Manager, for ARP/CSLFRF compliance and by Amy Roberts, Finance Officer, for allowable costs and other financial review.

3. No ARP/CSLFRF may be obligated or expended before final written approval by the Town Manager. [Along with BOARD APPROVAL AND BUDGET AMENDMENTS AS REQUIRED BEFORE APPROVAL.]
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by the Town Manager and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the Town Manager immediately.
6. Amy Roberts, Finance Officer, must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. Amy Roberts, Finance Officer, must maintain written project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.



**CAPITAL PROJECT ORDINANCE FOR  
THE WATER ASSET INVENTORY ASSESSMENT (AIA) GRANT FUND**

**BE IT ORDAINED** by the Governing Board of the Town of Mount Gilead, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is an Asset Inventory Assessment for the Water Infrastructure System.

**Section 2:** The following expenses are appropriated for the project:

Record Drawing, Archiving and Digital Scanning	7400.00
WATER SYSTEM MAPPING UPDATE	25000.00
WATER USAGE AUDIT	13500.00
DETAILED HYDRAULIC MODEL	25000.00
ASSET INVENTORY AND ASSESSMENT REPORT	25000.00
CRITICAL ASSET INVENTORY REVIEW & O&M REPORT	20000.00
CAPITAL IMPROVEMENT PLAN	20000.00
MANAGEMENT SOFTWARE/DEVICES/START UP	<u>2000.00</u>
	<b>\$137,900.00</b>

**Section 3:** The following revenue is to be awarded for use through this Capital Project from the NC Department of Environmental Quality Division of Water Infrastructure.

WATER ASSEST INVENTORY AND ASSESSMENT GRANT FUNDS **\$140,000.00**

**Section 4:** The Finance Officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

**Section 5:** Funds may be advanced from the Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

**Section 6:** The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

**Section 7:** The Finance Officer is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

**Section 8:** Copies of this capital project shall be furnished to the Town Clerk, Finance Officer and Town Manager for direction in carrying out this project.

**ADOPTED** by the Board of Commissioners of the Town of Mount Gilead, North Carolina, on this 4<sup>th</sup> day of October 2022.

\_\_\_\_\_  
Beverly A. Harris, Mayor

ATTEST:

\_\_\_\_\_  
Amy C. Roberts, Town Clerk

(Town Seal)

**CAPITAL PROJECT ORDINANCE FOR  
THE WASTEWATER ASSET INVENTORY ASSESSMENT (AIA) GRANT FUND**

**BE IT ORDAINED** by the Governing Board of the Town of Mount Gilead, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**Section 1:** The project authorized is an Asset Inventory Assessment for the Wastewater Infrastructure System.

**Section 2:** The following expenses are appropriated for the project:

Record Drawing, Archiving and Digital Scanning	7400.00
COLLECTIONS SYSTEM INSPECTION	20000.00
COLLECTIONS SYSTEM MAPPING UPDATE	25000.00
FLOW TRACKING/SUB-BASIN FLOW REVIEW	22000.00
ASSET INVENTORY AND ASSESSMENT REPORT	28000.00
CRITICAL ASSET INVENTORY REVIEW & O&M REPORT	17000.00
CAPITAL IMPROVEMENT PLAN	16500.00
MANAGEMENT SOFTWARE/DEVICES/START UP	<u>2000.00</u>
	<b>\$137,900.00</b>

**Section 3:** The following revenue is to be awarded for use through this Capital Project from the NC Department of Environmental Quality Division of Water Infrastructure.

WASTEWATER ASSEST INVENTORY AND ASSESSMENT GRANT FUNDS    **\$140,000.00**

**Section 4:** The Finance Officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

**Section 5:** Funds may be advanced from the Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

**Section 6:** The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

**Section 7:** The Finance Officer is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

**Section 8:** Copies of this capital project shall be furnished to the Town Clerk, Finance Officer and Town Manager for direction in carrying out this project.

**ADOPTED** by the Board of Commissioners of the Town of Mount Gilead, North Carolina, on this 4<sup>th</sup> day of October 2022.

\_\_\_\_\_  
Beverly A. Harris, Mayor

ATTEST:

\_\_\_\_\_  
Amy C. Roberts, Town Clerk

(Town Seal)



Department: PARKS AND REC

Amendment # BA22-10-04-01

Title/Project Name: TENNIS COURT UPGRADES

Date Processed: \_\_\_\_\_

Page 1 of 1

Department Head Signature: \_\_\_\_\_

Date of Approval by the Board: \_\_\_\_\_

*Notes: Amendments are required in all cases where budget line appropriations are expected to exceed fiscal year appropriations or when new grants or other funds which will be expended enter the town's system after the fiscal year budget ordinance is approved.*

**Required Signatures**

Department Head \_\_\_\_\_ Date: \_\_\_\_\_

Manager \_\_\_\_\_ Date: \_\_\_\_\_

Mayor \_\_\_\_\_ Date: \_\_\_\_\_

Finance Director \_\_\_\_\_ Date: \_\_\_\_\_

G/L ACCOUNT NUMBER	LINE ITEM DESCRIPTION	CURRENT BUDGET	INCREASE	DECREASE	AMENDED BUDGET	NARRATIVE JUSTIFICATION FOR EACH INCREASE/DECREASE
10-315-16	DONATIONS - PARKS AND REC	\$ 17,000.00	\$ 52,000.00		\$ 69,000.00	INCREASE REVENUE TO ACCOUNT FOR DONATIONS TO THE TENNIS/PICKLEBALL COURTS FROM SUE JORDAN, JORDAN LUMBER AND BRUCE HAYWOOD.
10-500-39	TENNIS COURT EXPENSE	\$ -	\$ 52,000.00		\$ 52,000.00	INCREASE BUDGET TO ACCOUNT FOR EXPENSE TO TENNIS/PICKLEBALL COURT(S)
		\$ -			\$ -	



# TOWN OF MOUNT GILEAD PUBLIC WORKS DEPARTMENT REPORT

---

110 WEST ALLENTON STREET, MOUNT GILEAD, NORTH  
CAROLINA, 27306  
SEPTEMBER, 2022

## PUBLIC WORKS

The following is a list of the activities and duties performed by the Public Works Department

### Water/Sewer Services

- Read master meters
- Sewer unclogs TWIN HARBOR
- Repair LS# 9
- Water and sewer locate
- Sewer investigations Twin Harbor
- Repair sewer leaks Twin harbor area area

### Repairs and Cleanup Activities

1. Clean storm drains
2. Cleaned park
3. Picked up trash on streets
4. Mowing
5. Prep ball field
6. Lawn equipment repair
7. Mow WWTP
8. Clean up storm damage at park

### **Equipment/Vehicle Maintenance**

- Maintenance to all the town's 15 Lift Stations Generators
- Repair LS#9 generator

### **Routine Monthly Activities**

- Lift stations 1-15 - weekly checks
- Non-payment cutoffs - Completed -6
- Cleaned curbs and gutters on Julius Chambers, W. Allenton St N. Main
- Other street cleaning removing trash from right-of-way.

### **Completed Projects**

### **In Progress Jobs**

- AIA study by LKC
- Pickle ball court resurfacing



Town of  
**MOUNT GILEAD POLICE  
DEPARTMENT**

---

---

**123 North Main Street - Post Office Box 325  
Mount Gilead, North Carolina, 27306**  
Phone: (910) 439-6711 Fax: (910) 439-1855

**MEMORANDUM**

**To: David Smith  
Town Manager**

**From: Austen Morton  
Police Lieutenant**

**Date: September 28, 2022**

**Subject: Mount Gilead Police Department Monthly Report for September  
2022**

The month of September has been used to follow up on open cases and leads. During this month, we had fewer checkpoints due to weather and staff shortages.

The department has had several meetings in reference to the transitioning of the new chief.

We continue to be one officer short of having a full staff. As of yet, we have not received any interest in the position.

**Administration and Patrol**

- Provided escort for Edwards Funeral Home.
- Officers continue to greet students at MGES in the mornings.
- Officers attended the scheduled grand jury session.
- Officers are continuing to check business doors each night.
- Continued with follow-up investigations in recent cases.
- Officers conducted various traffic stops.
- Officers finished their annual in-service training.
- Ranking officers continue to fill in shifts for officers as needed shift schedule (sickness, training, vacancy etc.).
- Entered IBR (monthly crime report) to state database for crime statistics. □  
Continued entry of SBI Traffic Stop Reports.
- Routinely reviewed body camera videos.

- Continued escorts for businesses as they close at night.
- Department vehicles serviced with oil changes and tire rotations.
- Department personnel are continuing to take the necessary steps to limit exposure when dealing with the public.

### **Investigations Report**

05/09/2022, OCA: 2205-0065 - Murder Investigation, Julius Chambers Boulevard. Active and ongoing investigation.

05/11/2022, OCA: 2205-0067 - Breaking & Entering, C&R Drug. Ongoing investigation.

09/09/2022, OCA: 2209-0149 – Shooting & Damage to Property, Burger Shack. Ongoing investigation.

### **Attachments**

- Calls for Service
- Activity Summary
- Reported Incidents – Officer assigned



Montgomery County Communications  
 199 South Liberty St Troy , NC 27371

CFS By Department - Select Department By Date  
 For MT GILEAD POLICE DEPT 8/31/2022 - 9/27/2022

MT GILEAD POLICE DEPT	Count	Percent
911 HANG UP	2	0.74%
ALARM (NOT FIRE) COMMERCIAL	6	2.23%
ALARM (NOT FIRE) RESIDENTIAL	3	1.12%
ANIMAL CALL (NOT ATTACKS)	3	1.12%
ASSIST MOTORIST	4	1.49%
B-E	2	0.74%
CARDIAC OR RESPIRATORY ARREST - DEATH	1	0.37%
CARELESS & RECKLESS	2	0.74%
CIVIL	1	0.37%
CIVIL DISTURBANCE	3	1.12%
COMMUNICATING THREATS	2	0.74%
DAMAGE TO PROPERTY	4	1.49%
DOMESTIC	5	1.86%
ESCORT	54	20.07%
FALLS	1	0.37%
FIGHT	1	0.37%
FOLLOWUP INVESTIGATION	5	1.86%
ILLEGAL BURN	1	0.37%
INFORMATION	16	5.95%
LARCENY	3	1.12%
LIFELINE	1	0.37%
MUTUAL AID - ASSIST OUTSIDE AGENCY	1	0.37%
No CallType	2	0.74%
NOISE VIOLATION	1	0.37%
OVERDOSE - POISONING (INGESTION)	1	0.37%
PROPERTY (Found-Lost-Seized-Recoverd)	1	0.37%
PROWLER	2	0.74%
ROAD HAZARD	1	0.37%
SCHOOL CROSSING	12	4.46%
SECURITY CHECK	23	8.55%
SERVE PAPER	1	0.37%
SHOTS FIRED	1	0.37%
SICK PERSON (SPECIFIC DIAGNOSIS)	1	0.37%
SUSPICIOUS PERSON/VEH/ACTIVITY	52	19.33%
TRAFFIC ACCIDENTS (PD)	3	1.12%
TRAFFIC STOP	38	14.13%
TRANSPORTATION PI	2	0.74%
TRESPASSING	3	1.12%
VANDALISM	1	0.37%
WELFARE CHECK	3	1.12%
Total Records For MT GILEAD POLICE DEPT	269	Dept Calls/Total Calls 100.00%



# Activity Detail Summary (by Category)

## MOUNT GILEAD POLICE DEPARTMENT

(08/31/2022 - 09/27/2022)

---

### Incident\Investigations

13A - Aggravated Assault	2
13B - Simple Assault	1
23G - Theft of Motor Vehicle Parts or Accessories	1
23H - All Other Larceny	1
290 - Destruction/Damage/Vandalism of Property	2
35A - Drug/Narcotic Violations	1
90D - Driving Under the Influence	1
90E - Drunkenness	1
90J - Trespass of Real Property	1
90Z - All Other Offenses	6
<b>Total Offenses</b>	<b>17</b>
<b>Total Incidents</b>	<b>11</b>

---

### Arrests

35A - Drug/Narcotic Violations	1
90D - Driving Under the Influence	1
90E - Drunkenness	1
90J - Trespass of Real Property	1
90Z - All Other Offenses	6
<b>Total Charges</b>	<b>10</b>

Total Arrests 5

---

**Accidents**

Total Accidents 2

---

**Citations**

Expired Registration 1

Other (Infraction) 5

Seat Belt 1

Speeding (Infraction) 19

Date: 09/28/2022 -- Time: 15:48

Page 1

**Activity Detail Summary (by Category)**

**MOUNT GILEAD POLICE DEPARTMENT**

**(08/31/2022 - 09/27/2022)**

---

**Citations**

Unsafe Movement 1

Secondary Charge 11

Total Charges 38

Total Citations 27

---

**Warning Tickets**

Total Charges 8

Total Warning Tickets 6

# Incident Offenses/Victims/Status By Reporting Officer

## MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (08/31/2022 - 09/28/2022)

### 4531 - Corporal Hunter T. Stone

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2209-0157	23H - Larceny	Rhodes, Lisa Renee	Active	Not Applicable	09/24/2022

Officer Total Incidents: 1

### 6280 - Patrol Officer Bobby A. Hall

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2209-0145	90Z - WFA Service 90Z - OFA Service	State of NC	Closed by Arrest	Not Applicable	09/01/2022
2209-0146	35A - Possess Methamphetamine 90J - Second Degree Trespass 90Z - Restisting Public Officer	State of NC Mansfield, Jessica Haywood	Closed by Arrest	Not Applicable	09/06/2022
2209-0149	13A - Discharging Firearm into an Occupied Motor Vehicle 13A - Discharging a Firearm from a Motor Vehicle 290 - Injury to Personal Property	Dumas, Letha Shade Harris, Chistopher Scott Robinson, Ruth Little Brower, Jackson Bennett	Active	Not Applicable	09/09/2022
2209-0150	90Z - DOA	Lynthacum, Harold Junior	Closed by Other Means	Not Applicable	09/15/2022
2209-0156	90Z - Child Support Warrant	State of NC	Closed by Arrest	Not Applicable	09/20/2022

Officer Total Incidents: 5

### 7532 - Patrol Officer Joshua C. Shuping

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2209-0154	90D - Driving Under the Influence	State of NC	Closed by Arrest	Not Applicable	09/17/2022
2209-0155	90Z - Second Degree Trespass 90E - Intoxicated and Disruptive	River Wild	Closed by Arrest	Not Applicable	09/17/2022
2209-0158	23G - Theft of Motor Vehicle Battay	Hudson, Robert	Active	Not Applicable	09/26/2022



# Incident Offenses/Victims/Status By Reporting Officer

## MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (08/31/2022 - 09/28/2022)

---

### 7532 - Patrol Officer Joshua C. Shuping

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
------------------	----------	---------	--------------	------------------------	------------

---

Officer Total Incidents: 3

---

### 8523 - Sergeant Adam W. Lucas

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
------------------	----------	---------	--------------	------------------------	------------

---

2209-0148	13B - Simple Assault	Tyson, Stephanie Denise	Closed by Other Means	Prosecution Declined	09/08/2022
-----------	----------------------	-------------------------	-----------------------	----------------------	------------

---

2209-0151	290 - Damage of Property	Thompson, Ellen Gardner	Closed by Other Means	Not Applicable	09/16/2022
-----------	--------------------------	-------------------------	-----------------------	----------------	------------

---

Officer Total Incidents: 2

Total Incidents: 11

**October 4, 2022**

1. Where we started in January
2. Fire Department Kitchen Plan
3. Albert Johnson Memorial Park Plan
4. Shankle Park Concept Plan
5. Julius Chambers Concept Plan
6. Downtown Mount Gilead Social District
7. Downtown Adaptive Reuse
8. Town Hall Renovations
9. Library Renovations
10. Storyboard Walk placement



# New Business Action Items for the Mount Gilead Town Board

January 4, 2022

## Town Innovation

1. Creation of Community Appearance Tree Board (CATb)
  - Members Appointed at February 1 Meeting
2. Creation/ReActivation of the Mount Gilead Parks and Recreation Commission
  - Members Appointed at February 1 Meeting
  - Permission/Direction to proceed with Mt Gilead Comp Plan parks & recreation recommendations
3. Acknowledge/Permission/Direction to Explore/Initiate visioning conversations on:
  - RePurposing East Montgomery Playing Fields with Montgomery County
    - MSA montgomery soccer association
  - Planning and Zoning Collaboration: Specifically, for Lake Tillery with Montgomery County/Planning
  - Water and Sewer Collaboration
  - Economic Development Collaboration
    - Industrial Park
    - Lake Tillery Residential Commercial
    - Main Street Mount Gilead
4. Acknowledge/Permission/Direction on Town Hall/Police/Public Works Office Renovations/Move
  - Permission/Direction to conduct a Space/Use Allocation and Renovations study for addressing:
    - Water Billing Collections: Drive Thru      -ADA Compliance      -Employee/Customer Service      -Lobby Space
    - Employee Safety and Boundaries      -Privacy and Security      -Town Board Meeting Space      -Police Needs      -Public Works Needs
  - Cost Study and Budget
5. Acknowledge/Permission/Direction to start utilizing the New Mount Gilead ReBranding Logo that was part of the Comprehensive Plan
6. Acknowledge/Permission/Direction to work with Staff to study the needs at the Mount Gilead Library
  - Plan for Immediate refurbishing of Library Sign; which now reads as (Mt Gilead), can't see the G
  - Plan for Restroom Upgrades

## Better Citizen Communication

1. Acknowledge/Permission to undertake a Redesign of Town Web Site
2. Acknowledge/Permission/Direction to Approach/Work with Radio WMTG on Town News and Advertising; Montgomery Herald, etc.
3. Acknowledge/Permission to Direct Public Works to study a strategy for "Operation Community Clean-Up"
4. Acknowledge Town News Letter to be published every quarter

## Town Beautification Projects

1. Permission to proceed with Design, Cost Estimates of Albert Johnson Memorial Park
  - Mount Gilead Civitans are going to lead the fundraising efforts
  - Landscaping: Planters, Trees, plants, pavers
  - Water Tower Gazebo (needs stabilizing because of rust)
2. Refurbish Mount Gilead Welcome Sign on NC Hwy 109/Lewis Street
  - Lighting
  - Landscaping and the Planting of 5 Trees
  - Refurbish Mount Gilead Sign
3. Permission to Landscape the area around Cashpoint Machine at North School Street and Allenton

4. Permission to approach McRae Industries about Landscaping Park Setting beside of C's; need a landscape/beautification plan for area around Carwash, etc.
5. Permission to have additional Lighting installed on Main Street Parking Lot adjacent Dance Studio

### **Planning Board**

1. Permission/Direction to proceed with Mt Gilead Comp Plan recommendations for Implementation

### **Infrastructure**

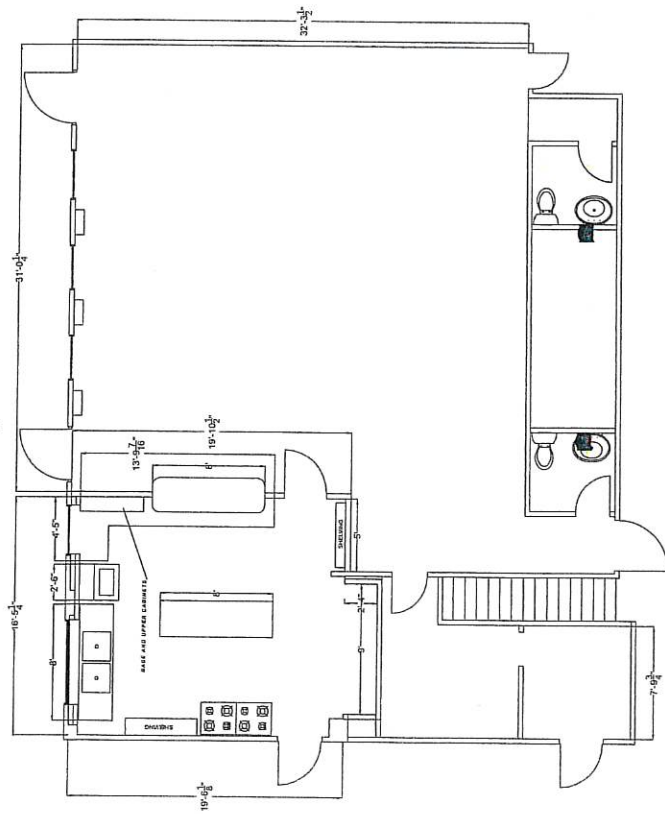
1. Acknowledge/Permission to Study Sewer Connection Ordinance and Fees with Town Attorney/Public Works/LKC
2. Acknowledge/Permission to Further Discussion with UNILIN/MOHAWK on Fee Structure, etc. on taking additional discharge-based on LKC recommendations.
3. Acknowledge/Permission/Direction on Stanback Park Sidewalk Extension; TIP Planning  
-Meeting with DOT, WithersRavenel to discuss MAJOR concerns with project: COST.
4. Acknowledge/Permission/Direction on Sewer Collections: online bill paying, viewing, bank drafting, etc.

### **Town Staff**

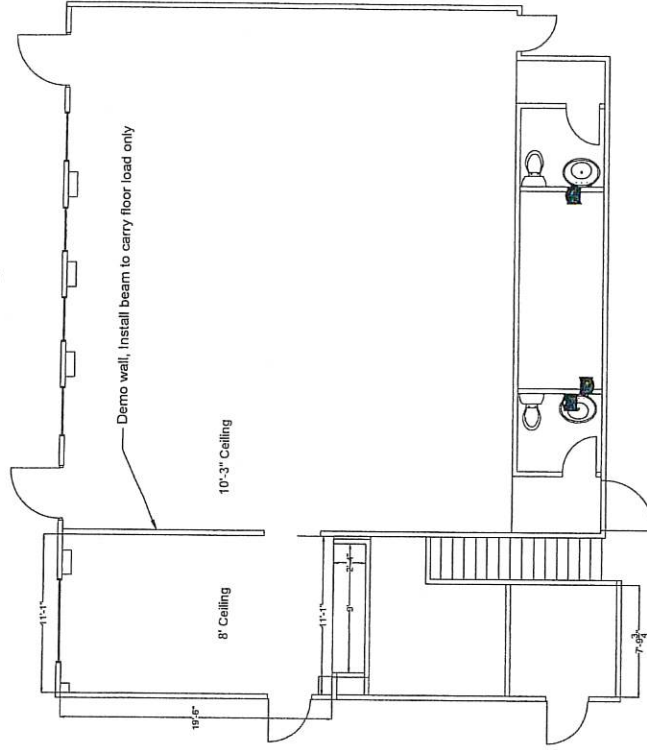
1. Acknowledge that Town Manager is conducting work studies for all Staff with goal of Cross-Training; staff input and ideation meetings
2. Will initiate once per month employee Thank You Lunch once per quarter
3. Appreciation and Accountability Discussions



# Proposed



# Existing



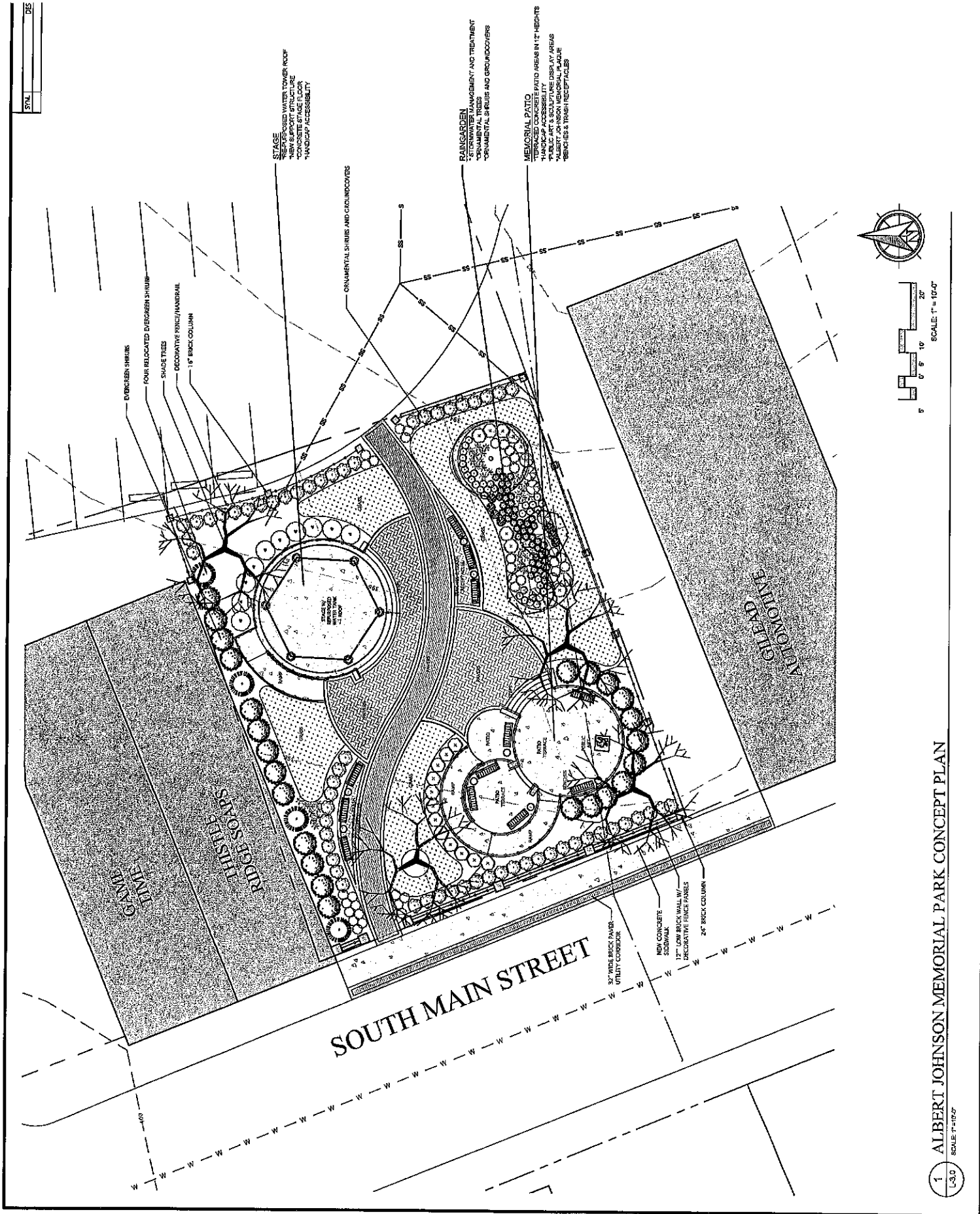
**BECO**  
CONSTRUCTION, LLC  
P.O. Box 72  
Mt. Gilead, NC 27306

DATE 9/9/2022  
SCALE 1/4" = 1'  
DRAWN Randy  
REVISION 201

PROJECT TITLE  
Kitchen Renovation

DRAWING TITLE  
Mt. Gilead Fire Dept.





STAGE  
 RELOCATED WATER TOWER ROOF  
 NEW SUPPORT STRUCTURE  
 HANDICAP ACCESSIBILITY  
 HANDICAP ACCESSIBILITY

RAINGARDEN  
 STORMWATER MANAGEMENT AND TREATMENT  
 ORNAMENTAL SHRUBS AND GROUNDCOVERS  
 ORNAMENTAL SHRUBS AND GROUNDCOVERS

MEMORIAL PATIO  
 TERRACED CONCRETE PATIO AREAS IN 12' HEIGHTS  
 HANDICAP ACCESSIBILITY  
 ALBERT JOHNSON MEMORIAL PLaque  
 BENCHES & TRASH RECEPTACLES

DIVERSE SHRUBS  
 FOUR RELOCATED DIVERSE SHRUBS  
 SHADE TREES  
 DECORATIVE FENCE/HANDICAP  
 1 1/2" BRICK COLUMN

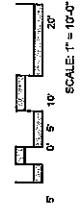
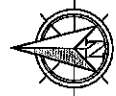
ORNAMENTAL SHRUBS AND GROUNDCOVERS

GAMING TIME  
 ROUGE SOAKS

SOUTH MAIN STREET

37" WIDE BRICK PAVEMENT  
 UTILITY CORRIDOR

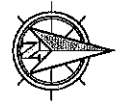
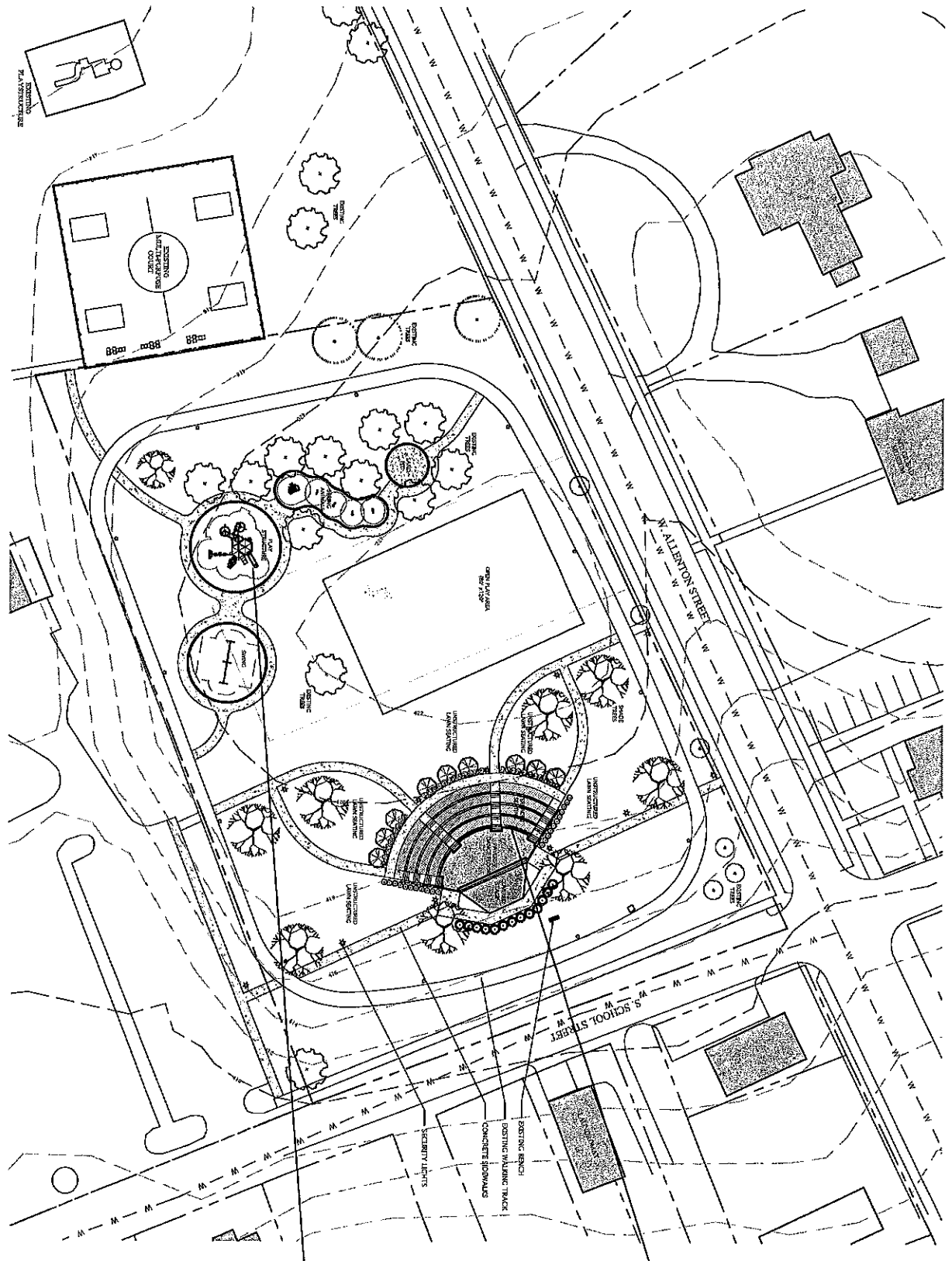
RED CONCRETE  
 SIDEWALK  
 12" HIGH BRICK WALL W/  
 DECORATIVE FACE PANELS  
 24" BRICK COLUMN



1 ALBERT JOHNSON MEMORIAL PARK CONCEPT PLAN  
 L-310 SCALE: 1" = 10'-0"



1 SHANKLE PARK CONCEPT PLAN  
 L2.0 SCALE: 1" = 30'-0"



PLAYGROUND  
 CLIMBING WALL  
 SLIDES  
 SWINGS  
 SAND PIT  
 SPRING RIG  
 SPINNING DISCS  
 SPINNING ANIMALS  
 HANDICAP ACCESSIBLE  
 CONNECTING SIDEWALKS TO EX  
 SCHOOL PLAYGROUND

AMPHITHEATER  
 CONCRETE BIOWAYS  
 EXISTING WALKING TRACK  
 TERRAZZO SEATING PATIO  
 JUST IN CASE SEATING PATIO  
 SHADE TREES AND ORNAMENTAL PLANTS  
 SECURITY DECORATIVE POSTS

SYN	DATE









## **EXAMPLE for Downtown Mount Gilead Social District**

Several restrictions will be in place to ensure the downtown area remains a safe family-friendly destination.

1. ABC permitted establishments must ensure they meet all legal requirements for carding and limiting consumption of alcoholic beverages. The establishment can only serve two beers/wine drinks or one liquor drink to one patron at a time.
2. Drinks must be purchased and consumed within the boundaries of the Downtown Mount Gilead Social District.
3. Anyone with a drink in the designated Downtown Mount Gilead Social District must throw away the drink before leaving the district.
4. Drinks must be in specially labeled cups which will be sold by establishments in the Downtown Mount Gilead Social District. They must be 16 ounces or less and designated clear cups.
5. Drinks will only be allowed in the district from \_\_\_\_\_ to \_\_\_\_\_ Monday thru Saturdays.
6. Once the patron leaves the establishment with the drink container the patron cannot enter any other ABC licensed establishment in the downtown or a vehicle without discarding the drink.
7. Any business without an ABC permit located in or contiguous to the designated social district has the option to participate, or not, in allowing customers with beverages to enter the premises. The establishments allowing patrons to enter with beverages will have a clear label in their window.
8. Mount Gilead Police Officers and ALE will enforce the restrictions of the Downtown Mount Gilead Social District.



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H

1

HOUSE BILL 781

Short Title: Bring Business Back to Downtown. (Public)

---

Sponsors: Representatives Moffitt, Reives, Tyson, and Moss (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

---

Referred to: Alcoholic Beverage Control, if favorable, Rules, Calendar, and Operations of the House

---

May 4, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO AUTHORIZE A CITY OR COUNTY TO DESIGNATE SOCIAL DISTRICTS  
3 WHERE PERSONS MAY POSSESS AND CONSUME ALCOHOLIC BEVERAGES  
4 PURCHASED FROM CERTAIN ABC PERMITTEES AND TO AUTHORIZE A CITY OR  
5 COUNTY TO ALLOW CERTAIN ABC PERMITTEES TO EXTEND THEIR LICENSED  
6 PREMISES FOR PURPOSES OF MAINTAINING SOCIAL DISTANCING.  
7 The General Assembly of North Carolina enacts:

8  
9 **PART I. AUTHORIZATION OF SOCIAL DISTRICTS**  
10 **SECTION 1.1.** Article 6 of Chapter 153A of the General Statutes is amended by  
11 adding a new section to read:  
12 **"§ 153A-145.9. Authorization of social district.**  
13 A county may adopt an ordinance designating a social district for use in accordance with  
14 G.S. 18B-904.1."

15 **SECTION 1.2.** Article 8 of Chapter 160A of the General Statutes is amended by  
16 adding a new section to read:  
17 **"§ 160A-205.4. Authorization of social district.**  
18 A city may adopt an ordinance designating a social district for use in accordance with  
19 G.S. 18B-904.1."

20 **SECTION 1.3.** Article 9 of Chapter 18B of the General Statutes is amended by  
21 adding a new section to read:  
22 **"§ 18B-904.1. Authorization and regulation of social districts.**

- 23 (a) Definitions. – The following definitions apply in this section:  
24 (1) Permittee. – An establishment holding any of the following permits issued by  
25 the Commission:  
26 a. An on-premises malt beverage permit issued pursuant to  
27 G.S. 18B-1001(1).  
28 b. An on-premises unfortified wine permit issued pursuant to  
29 G.S. 18B-1001(3).  
30 c. An on-premises fortified wine permit issued pursuant to  
31 G.S. 18B-1001(5).  
32 d. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).  
33 e. A distillery permit issued pursuant to G.S. 18B-1100(5).



- 1           (2) Social district. – A defined outdoor area in which a person may consume  
2 alcoholic beverages sold by a permittee. This term does not include the  
3 permittee's licensed premises or an extended area allowed under  
4 G.S. 18B-904(h).
- 5           (b) Authorization. – Pursuant to G.S. 153A-145.9, a county may adopt an ordinance  
6 designating a social district in the parts of the county outside any city. Pursuant to  
7 G.S. 160A-205.4, a city may adopt an ordinance designating a social district.
- 8           (c) Requirements for Designation. – A social district designated under this section shall  
9 meet all of the following requirements:
- 10           (1) The social district shall be clearly defined with signs posted in a conspicuous  
11 location indicating which area is included in the social district, the days and  
12 hours during which alcoholic beverages may be consumed in the social  
13 district, the telephone number for the ALE Division and the local law  
14 enforcement agency with jurisdiction over the area comprising the social  
15 district, and a clear statement that an alcoholic beverage purchased for  
16 consumption in a social district shall (i) only be consumed in the social district  
17 and (ii) be disposed of before the person in possession of the alcoholic  
18 beverage exits the social district unless the person is reentering the licensed  
19 premises where the alcoholic beverage was purchased. The hours set by a city  
20 or county during which alcoholic beverages may be consumed in a social  
21 district shall be in accordance with G.S. 18B-1004.
- 22           (2) The city or county shall establish management and maintenance plans for the  
23 social district and post these plans, along with a rendering of the boundaries  
24 of the social district and days and hours during which alcoholic beverages may  
25 be consumed in the social district, on the website for the city or county. The  
26 social district shall be maintained in a manner that protects the health and  
27 safety of the general public.
- 28           (3) The city or county shall submit to the Commission a detailed map of the social  
29 district with the boundaries of the social district clearly marked and the days  
30 and hours during which alcoholic beverages may be consumed in the social  
31 district.
- 32           (d) Requirements for Sale of Alcoholic Beverages. – A permittee located in or contiguous  
33 to a social district may sell alcoholic beverages for consumption within the social district it is  
34 located in or contiguous to in accordance with the following requirements:
- 35           (1) The permittee shall only sell and serve alcoholic beverages on its licensed  
36 premises.
- 37           (2) The permittee shall only sell alcoholic beverages for consumption in the social  
38 district in a container that meets all of the following requirements:
- 39           a. The container clearly identifies the permittee from which the alcoholic  
40 beverage was purchased.
- 41           b. The container clearly displays a logo or some other mark that is unique  
42 to the social district in which it will be consumed.
- 43           c. The container is not comprised of glass.
- 44           d. The container displays, in no less than 12-point font, the statement,  
45 "Drink Responsibly – Be 21."
- 46           e. The container shall not hold more than 16 fluid ounces.
- 47           (3) The permittee shall not allow a person to enter or reenter its licensed premises  
48 with an alcoholic beverage not sold by the permittee.
- 49           (e) Requirements for Possession and Consumption of Alcoholic Beverages. – The  
50 possession and consumption of an alcoholic beverage in a social district is subject to all of the  
51 following requirements:



- 1           (1) Only alcoholic beverages purchased from a permittee located in or contiguous  
2 to the social district may be possessed and consumed.
- 3           (2) Alcoholic beverages shall only be in containers meeting the requirements set  
4 forth in subsection (d) of this section.
- 5           (3) Alcoholic beverages shall only be possessed and consumed during the days  
6 and hours set by the city or county in accordance with subsection (b) of this  
7 section.
- 8           (4) A person is not allowed to consume more than one alcoholic beverage at a  
9 time while within the social district. Nothing in this subdivision shall be  
10 construed as authorizing the sale and delivery of alcoholic beverage drinks in  
11 excess of the limitation set forth in G.S. 18B-1010.
- 12           (5) A person shall dispose of any alcoholic beverage in the person's possession  
13 prior to exiting the social district unless the person is reentering the licensed  
14 premises where the alcoholic beverage was purchased.
- 15       (f) Additional Requirements. – The Commission may adopt rules to impose requirements  
16 in addition to the requirements set forth in subsections (c) through (e) of this section."  
17

18 **PART II. MAKE PERMANENT THE EXPANSION OF LICENSED PREMISES FOR**  
19 **PURPOSES OF OUTDOOR SEATING**

20           **SECTION 2.1.** Article 6 of Chapter 153A of the General Statutes is amended by  
21 adding a new section to read:

22 **"§ 153A-145.10. Authorization of expanded area for ABC licensed premises.**

23 In accordance with G.S. 18B-904(h), a county may adopt an ordinance authorizing permittees  
24 holding a permit under Article 10 or 11 of Chapter 18B of the General Statutes to utilize an area  
25 that is not part of the permittee's licensed premises for the outdoor possession and consumption  
26 of alcoholic beverages sold by the permittee."

27           **SECTION 2.2.** Article 8 of Chapter 160A of the General Statutes is amended by  
28 adding a new section to read:

29 **"§ 160A-205.5. Authorization of expanded area for ABC licensed premises.**

30 In accordance with G.S. 18B-904(h), a city may adopt an ordinance authorizing permittees  
31 holding a permit under Article 10 or 11 of Chapter 18B of the General Statutes to utilize an area  
32 that is not part of the permittee's licensed premises for the outdoor possession and consumption  
33 of alcoholic beverages sold by the permittee."

34           **SECTION 2.3.** G.S. 18B-904 reads as rewritten:

35 **"§ 18B-904. Miscellaneous provisions concerning permits.**

36 ...  
37       (h) Extension of Licensed Premises. – A permittee holding a permit issued under Article  
38 10 or 11 of this Chapter that allows the on-premises consumption of alcoholic beverages may  
39 utilize an area that is not part of the permittee's licensed premises for the outdoor possession and  
40 consumption of alcoholic beverages sold by the permittee subject to all of the following  
41 requirements:

- 42           (1) If the licensed premises is located in a city, an ordinance has been adopted by  
43 the city authorizing permittees to expand their licensed premises. If the  
44 licensed premises is located outside of a city, an ordinance has been adopted  
45 by the county authorizing permittees to expand their licensed premises.
- 46           (2) If the property to which the premises will be extended to is not owned by the  
47 permittee, the owner of the property has provided written permission to the  
48 permittee allowing the use of the property for the purpose set forth in this  
49 subsection.
- 50           (3) The permittee has provided written notification, including the diagram  
51 required under subdivision (5) of this subsection and, if applicable, a copy of

- 1                   the written permission required under subdivision (2) of this subsection, to the  
 2                   district office of the ALE Division, and local law enforcement agency, with  
 3                   jurisdiction over the licensed premises.  
 4           (4)       The permittee shall visibly and vertically mark off the extended area so a  
 5                   reasonable person could distinguish between the extended area and any  
 6                   sidewalk or walkway.  
 7           (5)       The permittee shall maintain a diagram on the licensed premises detailing the  
 8                   size and location of the extended area. The diagram required under this  
 9                   subdivision shall have the boundaries of the extended area clearly marked,  
 10                   specify the types of barriers used to mark the boundaries of the extended area,  
 11                   and specify the number of tables and seats placed in the extended area.  
 12           (6)       The extended area shall only be used to increase the ability of customers of  
 13                   the permittee to maintain social distancing and shall not be used to increase  
 14                   the occupant load for the licensed premises.  
 15           (7)       The extended area shall comply with all applicable laws governing  
 16                   accessibility.  
 17           (8)       Except as allowed under G.S. 18B-904.1 or to reenter the licensed premises,  
 18                   a person shall not exit an extended area with an alcoholic beverage purchased  
 19                   from the permittee.  
 20           (9)       Any additional requirements imposed by the Commission through the  
 21                   adoption of rules."

22  
 23       **PART III. SPECIFY THAT ALE AUTHORITY TO INSPECT PREMISES INCLUDES**  
 24       **SOCIAL DISTRICTS AND EXTENDED AREAS**

25           **SECTION 3.** G.S. 18B-502(a) reads as rewritten:

26           "(a) Authority. – To procure evidence of violations of the ABC law, alcohol  
 27 law-enforcement agents, employees of the Commission, local ABC officers, and officers of local  
 28 law-enforcement agencies that have contracted to provide ABC enforcement under  
 29 G.S. 18B-501(f) shall have authority to investigate the operation of each licensed premises for  
 30 which an ABC permit has been issued, to make inspections that include viewing the entire  
 31 premises, and to examine the books and records of the permittee. The inspection authorized by  
 32 this section may be made at any time it reasonably appears that someone is on the premises.  
 33 Alcohol law-enforcement agents are also authorized to be on the premises to the extent necessary  
 34 to enforce the provisions of Article 68 of Chapter 143 of the General Statutes. For purposes of  
 35 this subsection, the phrase "licensed premises for which an ABC permit has been issued" includes  
 36 a social district authorized under G.S. 18B-904.1 and an extended area authorized under  
 37 G.S. 18B-904(h)."

38  
 39       **PART IV. RULEMAKING, SAVINGS CLAUSE, AND EFFECTIVE DATE**

40           **SECTION 4.1.** The Alcoholic Beverage Control Commission shall adopt rules, or  
 41 amend its rules, consistent with the provisions of this act. The Commission may use the procedure  
 42 set forth in G.S. 150B-21.1 to adopt or amend any rules as required under this subsection.

43           **SECTION 4.2.** Prosecutions for offenses committed before the effective date of this  
 44 act are not abated or affected by this act, and the statutes that would be applicable but for this act  
 45 remain applicable to those prosecutions.

46           **SECTION 4.3.** This act is effective when it becomes law.

**From:** David Smith <hamdes@me.com>  
**Sent:** Thursday, July 14, 2022 1:52 PM  
**To:** David Smith  
**Subject:** The Town of Norwood Designates Social District

<https://norwoodgov.com/the-town-of-norwood-designates-social-district/>

# The Town of Norwood Designates Social District

December 9, 2021 By

The Town of Norwood Council has approved designating a social district in downtown Norwood. The vote was passed on December 6th, 2021. This district, outlined below, will allow patrons of the downtown ABC permitted establishments to drink an alcoholic beverage on sidewalks and public areas in the social district. Norwood was able to designate this social district following legislation that was approved by the N.C. General Assembly earlier this month.

Several restrictions will be in place to ensure the downtown area remains a safe family-friendly destination.

1. ABC permitted establishments must ensure they meet all legal requirements for carding and limiting consumption of alcoholic beverages. The establishment can only serve two beers/wine drinks or one liquor drink to one patron at a time.
2. Drinks must be purchased and consumed within the boundaries of the Downtown Social District.
3. Anyone with a drink in the designated Downtown Social District must throw away the drink before leaving the district.
4. Drinks must be in specially labeled cups which will be sold by establishments in the Downtown Social District. They must be 16 ounces or less and designated clear cups.
5. Drinks will only be allowed in the district from 10 a.m. to midnight Monday thru Sundays.



# Planning Report for the Mount Gilead Arts Center Project

Funded by a grant from the Rural Economic Development Center, Inc.

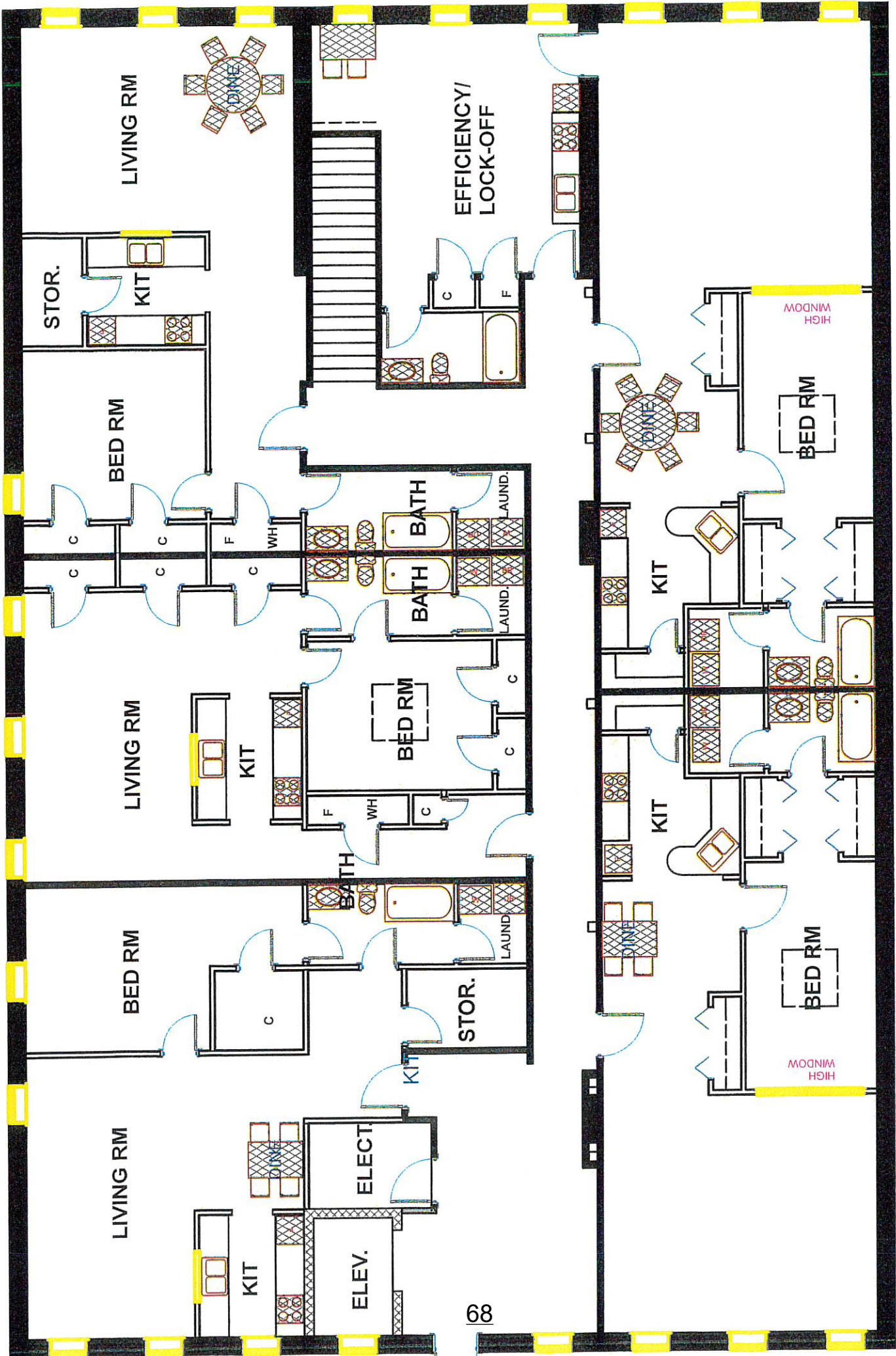


A study of the Feasibility for Adaptive Reuse of the McRae  
Building as an Arts Center and Residential Apartments

Prepared by Jacob S. Kanoy, AIA, of Kanoy Architecture, P.A.

Phone: 910-215-5885, Fax: 910-215-5886, Email: [Jake@Kanoy.com](mailto:Jake@Kanoy.com)





# MOUNT GILEAD ARTS CENTER - SECOND FLOOR

KANOY ARCHITECTURE, P.A. 1995 JUNIPER LAKE ROAD, WEST END, NC PHONE 910-215-5885, FAX 910-215-5886





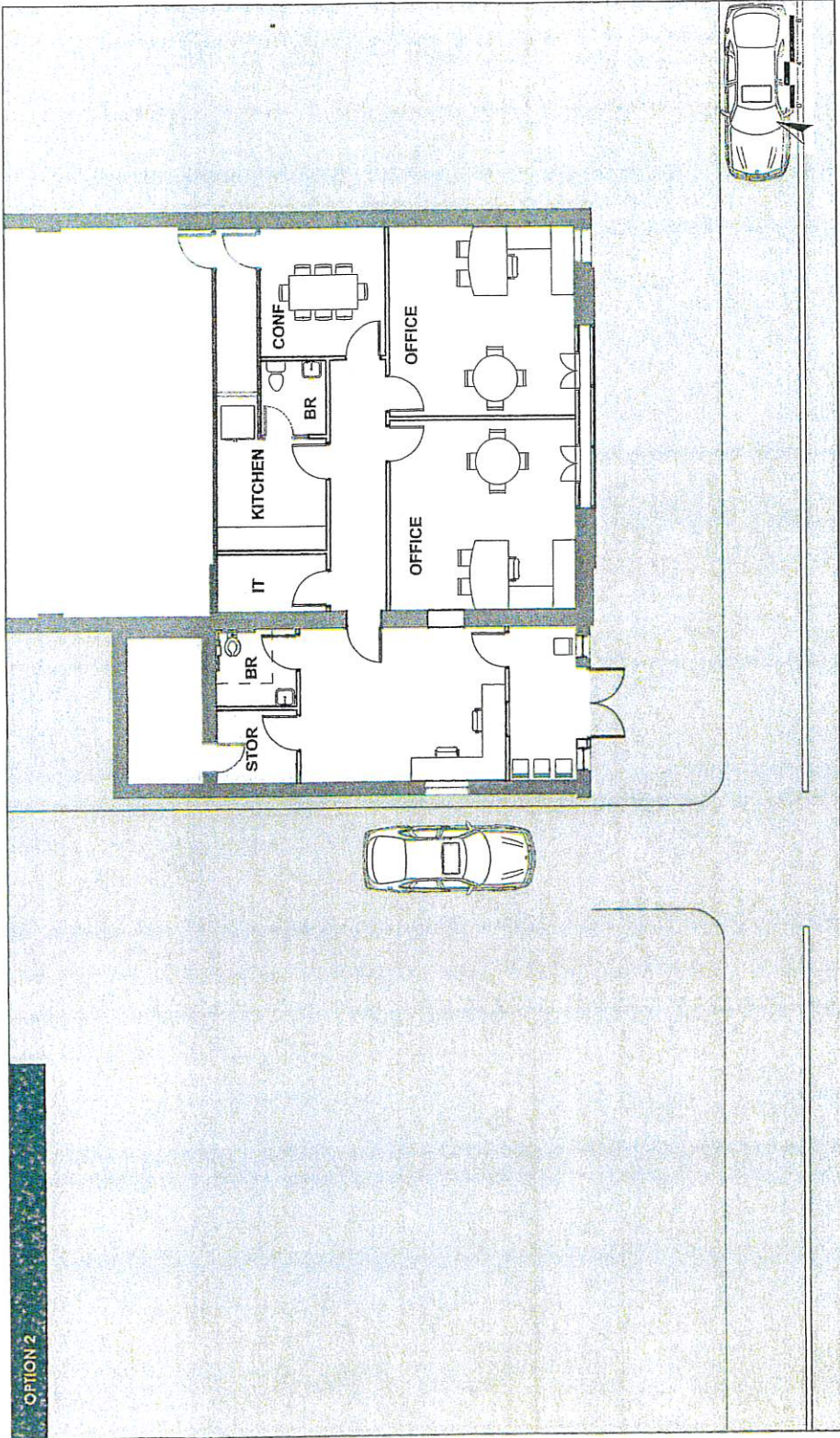
# FLOOR PLAN STUDY

MT. GILEAD

JUNE 23, 2022

CREECH & ASSOCIATES





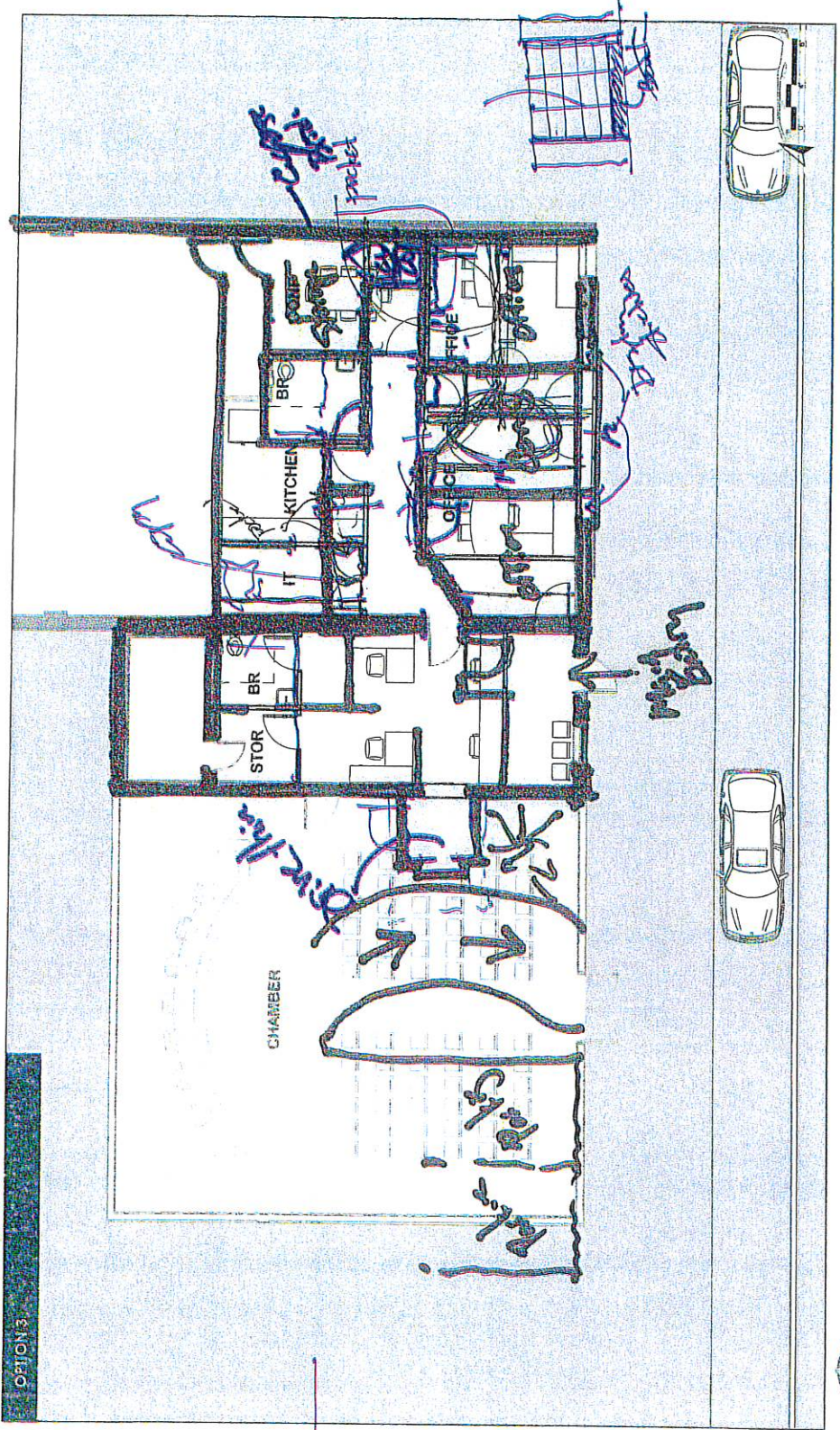
OPTION 2

CREECH  
 &  
 ASSOCIATES  
 06-23-2022 3

MT. GILEAD FLOOR PLAN OPTIONS







OPTION 3



CREECH  
&  
ASSOCIATES  
06-29-2022 4

MT. GILEAD FLOOR PLAN OPTIONS

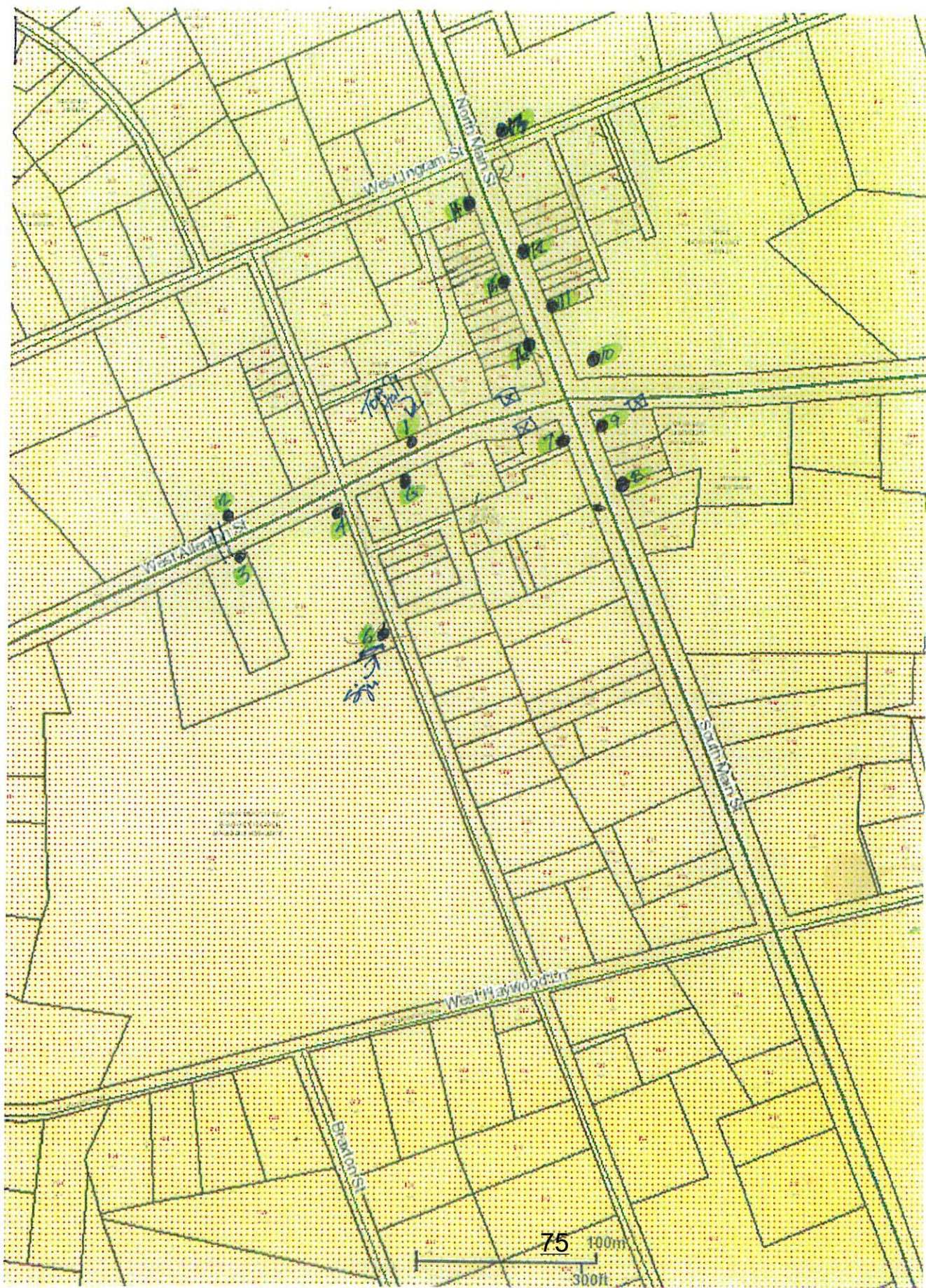


### **Library Wish List for Renovations**

1. Lights in the Conference Table area will not come on sometimes and sometimes they trip a breaker. Probably a short somewhere.
2. Paneling down. Sheetrock up. Walls painted a nice creamy color. (Not white)  
Doors painted too. Trim to be painted white.
3. Back door has issues. Bugs and lizards can get in too easily.
4. Ceiling tiles addressed. Some have water stains. Part of the dropped ceiling looks like it is going to fall.
5. New, shorter front windows with a wide shelf casing on bottom.
6. Fix steps and paint entrance trim white.
7. Old carpet needs to be replaced and I will need my desk, copier, printer, rearranged for better sightline to the front door.
8. Light in secondary storage room needs to be fixed. Switch is bad. This room also needs to be cleaned out, painted, and a desk and 2 chairs put in there. Sometimes teachers come here to test a student and they need a quiet, private place to do the testing.
9. Bathroom needs to be painted to match. White trim. Need a mirror. Needs a stand-alone cabinet with doors that can be locked for storage.
10. Need an exterminator to come quarterly. We have entirely too many spiders and I'm finding roach droppings on my desk and computer desks.







Topical

Blue handwritten notes

75 100m 300ft









PROTECTING QUALITY OF LIFE

Alliance Code  
Enforcement LLC

Monthly Report  
Town of Mt. Gilead

Updated  
September 28, 2022

**ANSWER KEY**

**MH** - Minimum Housing / **OL** - Overgrown Lot / **JV** - Junk Vehicle / **JP** - Junk Pile /  
**AWG** - Abandoned White Goods / **AC** - Animal Complaint / **ZV** - Zoning Violation

605 Julius Chambers Ave	MH/JP/OL	OPEN
101 Julius Chambers Ave	JV	OPEN
182 Washington Park Rd.	MH/JP	OPEN
421 W Allenton St	MH/JP	OPEN
500 W Allenton St	MH/OL	OPEN
535 W Allenton St	JV	OPEN
533 W Allenton St	JV	OPEN
537 W Allenton St	MH/OL	OPEN
414 S Wadesboro Blvd	MH/OL	OPEN
506 S Wadesboro Blvd	JV	OPEN
426 S Wadesboro Blvd	JV/OL	OPEN
308 N Main St	MH/JP	OPEN
403 Cedar St	JV	OPEN
303 Cedar St	JV	OPEN
302 Cedar St	JV	OPEN
507 S Wadesboro Blvd	MH/OL	OPEN
166 Emmaline St	JV	OPEN
154 Emmaline St	JV	OPEN
150 Emmaline St	JV	ABATED
PID 750306478756	JV	ABATED
101 N Main St	MH	ABATED
214 S Main St	JV	ABATED
134 Emmaline St	JV	OPEN
609 Julius Chambers Ave	JV	OPEN
306 Julias Chambers Ave	JV	ABATED
112 S Main St	JV	ABATED
118 S Main St	JV	ABATED
216 S Main St	JV	OPEN



PROTECTING QUALITY OF LIFE

Alliance Code  
Enforcement LLC

Monthly Report  
Town of Mt. Gilead

Updated  
September 28, 2022

526 Parkertown Rd	JP	<b>OPEN</b>
532 Parkertown Rd	MH	<b>OPEN</b>
534 Parkertown Rd	JV	<b>OPEN</b>
432 S Wadesboro Blvd	JV	<b>OPEN</b>
430 S Wadesboro Blvd	JP/OL	<b>OPEN</b>
429 S Wadesboro Blvd	MH	<b>OPEN</b>
303 W Allenton Blvd	OL	<b>OPEN</b>
200 S Main St	MH	<b>OPEN</b>
206 S Main St	OL	<b>OPEN</b>

#### HIGHLIGHTS

- 6 New Cases Opened
- 2 Cases Abated
- Notice of Hearings will be sent out in the coming weeks



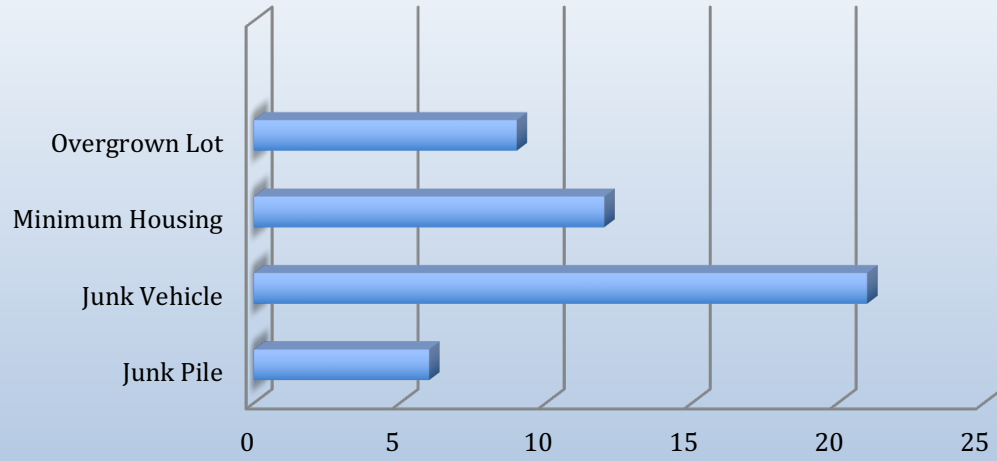
PROTECTING QUALITY OF LIFE

Alliance Code  
Enforcement LLC

Monthly Report  
Town of Mt. Gilead

Updated  
September 28, 2022

### Violations by the Numbers



	Junk Pile	Junk Vehicle	Minimum Housing	Overgrown Lot	
■ Violations by the Numbers	6	21	12	9	



PROTECTING QUALITY OF LIFE

Alliance Code  
Enforcement LLC

Monthly Report  
Town of Mt. Gilead

Updated  
September 28, 2022

