



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 Laracunte – Stanback Street, Mt. Gilead – Ms. Laracunte 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))

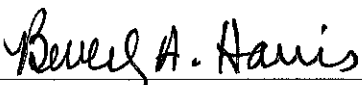
Commissioner Covington made a motion to end open session and go in to closed session. Commissioner Richardson seconded the motion. Motion carried unanimously.

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

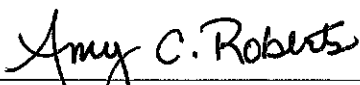
Mayor Pro Tem McAuley asked the Board if they could re-open the discussion of ITEM V. (D) – Restructuring of the Police Department that they had tabled earlier during the meeting. The Board consensus was to re-open the discussion. Town Manager Smith explained further his purpose for requesting to restructure 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 BOARD OF COMMISSIONERS AGENDA

110 West Allenton Street, Mount Gilead, North Carolina, 27306
September 6, 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, September 6, 2022, for the regular monthly business meeting.

- CALL TO ORDER (Mayor Harris)
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
- ITEM I. ADOPTION OF AGENDA (Action)
- ITEM II. APPROVAL OF MINUTES (pages 1 - 2)
A. June 28, 2022 – Regular Meeting Minutes (Action)
- ITEM III. PUBLIC COMMENT
- ITEM IV. PROCLAMATIONS/PRESENTATIONS (page 3)
A. Resolution to declare Police Surplus Property (Action)
B. Presentation of Badge and Gun to Retired Police Chief (Mayor Harris)
- ITEM IV. OLD BUSINESS (pages 4 - 9)
A. Presentation LKC Engineering (Information)
B. Resolution Mt. Gilead Stormwater Construction (Action)
C. Resolution Mt. Gilead Stormwater AIA (Action)
D. Resolution Mt. Gilead WWTP Construction (Action)
- ITEM V. NEW BUSINESS (pages 10 - 26)
A. BA 2223-09-01 (Action)
B. ABC Board Replacement Recommendation (Action)
C. ARPA Funding Reclassification Approval (Action)
D. Police Department Restructuring (Action)
E. Update to Personnel Policy Section IX. Leave of Absence (Action)
- ITEM VI. COMMITTEE REPORTS
A. Community Appearance Board (Ms. Susie Routh)
B. Restructuring of Parks and Recreation Committee (Town Manager)
- ITEM VII. STAFF REPORTS (pages 26-51)
A. Public Works (Mr. Daniel Medley)
B. Police Department (Chief Pat Preslar)
C. Fire Department (Chief Keith Byrd)
C. Town Manager (Mr. David Smith)
- ITEM VIII. COMMISSIONER REPORTS
- ITEM IX. ADJOURNMENT (Action)



TOWN OF MOUNT GILEAD BOARD OF COMMISSIONERS MEETING MINUTES

110 West Allenton Street, Mount Gilead, North Carolina, 27306
June 28, 2022

The Mount Gilead Board of Commissioners met on Tuesday, June 28, 2022, at 7:00 p.m. at the Mount Gilead Fire Station, 106 E. Allenton St., Mt. Gilead, NC for the approved July monthly business meeting. Present for the meeting were Mayor Beverly Harris, Mayor Pro Tem Tim McAuley, Commissioners Mary Lucas and Vera Richardson, Town Manager David Smith, Town Clerk Amy Roberts, Police Chief Pat Preslar and Public Works Director Daniel Medley.
Absent: Fire Chief Keith Byrd

CALL TO ORDER

Mayor Harris called the Meeting to order at 7:01 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 as is. Commissioner Lucas seconded the motion. Agenda was unanimously adopted.

ITEM II. APPROVAL OF MINUTES

A. June 7, 2022 – Regular Meeting Minutes

Commissioner Lucas made a motion to approve the June 7, 2022, minutes. Commissioner Richardson seconded the motion. Minutes were unanimously approved.

ITEM III. PUBLIC COMMENT - None

ITEM IV. OLD BUSINESS

A. Presentation and Adoption of FY 22-23 Budget Ordinance

Town Manager David Smith presented the Budget Message and Ordinance for Fiscal Year 2022-2023 and stated that this was a very aggressive and balanced budget that focused on the employees. The tax rate did not change for this fiscal year and maintained operation expenses that will continue to service the citizens at the current levels. Commissioner Richardson made a motion to adopt the FY 2022-2023 Budget as presented. Mayor Pro Tem McAuley seconded the motion. The Budget was unanimously adopted.

B. AIA Water and Wastewater Resolutions

Town Manager Smith presented two resolutions that are required as part of the acceptance of the AIA Water and Wastewater grants that have been awarded to the Town. Commissioner Richardson made a motion to adopt both resolutions. Mayor Pro Tem McAuley seconded the motion. Resolutions were unanimously adopted.

C. ARPA Sewer System Funding Resolution

Town Manager Smith presented a resolution for the offer and acceptance of ARPA Funding offered from the State Fiscal Recovery Fund in the amount of \$3,500,000. Commissioner Lucas made a motion to adopt this resolution. Commissioner Richardson seconded the motion. Resolution was unanimously adopted.

ITEM V. NEW BUSINESS

A. Land Exchange Agreement for Dollar General

Town Manager Smith presented a Land Exchange Agreement between Jimmy and Marie Bowles, Mt. Gilead DG, LLC, and the Town of Mount Gilead. Bowles has agreed to sell their property at South Wadesboro Blvd to Dollar General (Mt. Gilead DG, LLC). Once the land is purchased by DG and completes its development of the property, DG will deed the remaining undeveloped property to the Town of Mount Gilead in an Exchange Agreement. Commissioner Richardson made a motion to accept this Land Exchange Agreement. Mayor Pro Tem McAuley seconded the motion. The agreement was unanimously approved.

B. Adoption of new Holiday Schedule to include Juneteenth (June 19)

A new Town employee paid holiday was presented to the Board that would include all State Holidays as well as the addition of the Juneteenth holiday (officially June 19) which will be observed annually on June 19th or the next following business day. Town Hall offices will be closed on this day and the holiday will officially be added to the personnel policy as a paid holiday for all full-time employees of the Town. Mayor Pro Tem McAuley made a motion to adopt this new Holiday schedule. Commissioner Richardson seconded the motion. The motion was unanimously carried.

C. Budget Amendment BA22-0628-01 was presented to increase a revenue line item and expense line item to accept donations of funds received for Park Program snacks and concessions after the Town had received multiple large donations. Mayor Pro Tem McAuley made a motion to adopt this budget amendment. Commissioner Lucas seconded the motion. BA22-0628-01 was unanimously approved.

D. Declaration of Surplus Property

Town Manager Smith presented a list of several “junk” abandoned police vehicles that are sitting at our Wastewater Treatment Plant that need to be declared surplus by the Board to start the process of selling these. Once approved, advertisements for open bidding will begin on these vehicles. Commissioner Lucas made a motion to approve the Declaration of Surplus Property. Commissioner Richardson seconded the motion. Motion carried unanimously.

ITEM VI. COMMITTEE REPORTS

A. Community Appearance Board

Town Manager Smith discussed that the CATb Board has been busy discussing landscaping of all Town entryway signs as well as working with the Partnership for Children to get a Story Walk project in place throughout the town.

ITEM VII. STAFF REPORTS

Staff reports were presented by Public Works Director Daniel Medley, Police Chief Pat Preslar 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 VIII. COMMISSIONER REPORTS

Mayor Pro Tem McAuley thanked the Fire Department for their professional handling of a controlled burn as part of training for new firefighters at a residence on Emmaline Street.

ITEM IX. ADJOURNMENT

With no more Board business Commissioner Richardson made a motion to adjourn the meeting. Commissioner Covington seconded the motion. Meeting was unanimously adjourned at 7:40 p.m.

Beverly A. Harris, Mayor

Amy C. Roberts, CMC, NCCMC



Resolution 2022-08

Surplus of Personal Property carried by Chief Patrick L. Preslar

WHEREAS Police Chief Patrick L. Preslar began his career with the Mount Gilead Police Department June 17, 2015, as Chief of Police; and

WHEREAS he served the Mount Gilead Police Department, as well as the Town of Mount Gilead and its citizens with honor and integrity for seven faithful years, building the department to capacity and maintaining the highest standards throughout his tenure: and

WHEREAS Chief Preslar has announced his retirement effective August 31, 2022; and

WHEREAS North Carolina General Statute §20-187.2(a) permits the Town to donate to Chief Preslar his badge upon retirement; and

WHEREAS, North Carolina General Statute §20-187.2(a) states the governing body of a law-enforcement agency may, in its discretion, also award to a retiring member, upon request, the service side arm of the retiring member, at a price determined by such governing body, upon determining that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under the provisions of State or federal law,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Town of Mount Gilead, that the service weapon and badge issued to Mount Gilead Police Chief Patrick Lee Preslar are declared surplus as of August 31, 2022, and upon his retirement, his badge will be donated to him and his service side arm, Glock 21, 45 Automatic, Serial Number LLH878 sold to him for the price of \$1.00.

ADOPTED by Town of Mount Gilead Board of Commissioners and **SIGNED** by the Mayor of the Town of Mount Gilead this the 6th day of September 2022.

Beverly A. Harris, Mayor

ATTEST: (Seal)

Amy C. Roberts, CMC, NCCMC
Town Clerk

RESOLUTION BY THE TOWN COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

WHEREAS, The Town of Mount Gilead has need for and intends to construct, plan for, or conduct a study in a project described as Stanback Park Stormwater Improvements and

WHEREAS, The Town of Mount Gilead intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

That the Town of Mount Gilead, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Mount Gilead to make a scheduled repayment of the loan, to withhold from the Town of Mount Gilead any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That David Smith, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September at Mount Gilead, North Carolina.

(Signature of Chief Executive Officer)

David Smith, Town Manager

(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Mount Gilead does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of
the Town Council duly held on the 6th day of September, 2022; and, further, that such resolution has
been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I
have hereunto set my hand this _____ day of _____, 20 ____.

(Signature of Recording Officer)

(Title of Recording Officer)

RESOLUTION BY THE TOWN COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

WHEREAS, The Town of Mount Gilead has need for and intends to construct, plan for, or conduct a study in a project described as Stormwater System AIA and

WHEREAS, The Town of Mount Gilead intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

That the Town of Mount Gilead, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Mount Gilead to make a scheduled repayment of the loan, to withhold from the Town of Mount Gilead any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That David Smith, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September at Mount Gilead, North Carolina.

(Signature of Chief Executive Officer)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Mount Gilead does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of
the Town Council duly held on the 6th day of September, 2022; and, further, that such resolution has
been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I
have hereunto set my hand this _____ day of _____, 20____.

(Signature of Recording Officer)

(Title of Recording Officer)

RESOLUTION BY THE TOWN COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

WHEREAS, The Town of Mount Gilead has need for and intends to construct, plan for, or conduct a study in a project described as Town of Mount Gilead WWTP Improvements and

WHEREAS, The Town of Mount Gilead intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE COMMISSIONERS OF THE TOWN OF MOUNT GILEAD

That the Town of Mount Gilead, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Mount Gilead to make a scheduled repayment of the loan, to withhold from the Town of Mount Gilead any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That David Smith, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 6th day of September at Mount Gilead, North Carolina.

(Signature of Chief Executive Officer)

David Smith, Town Manager

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Mount Gilead does hereby certify:
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of
the Town Council duly held on the 6th day of September, 2022; and, further, that such resolution has
been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I
have hereunto set my hand this _____ day of _____, 20 ____.

(Signature of Recording Officer)

(Title of Recording Officer)

Department: FIRE DEPARTMENT

Amendment # BA2223-09-01

Title/Project Name: COUNTY FIRE FUNDING

Date Processed: _____

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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
10-600-77	COUNTY FIRE FUNDING EXPENSE ACCOUNT	\$ 35,000.00		\$ 35,000.00	\$ -	REDUCING THIS EXPENSE TO \$0.00. GOING FORWARD THE TOWN WILL NOT HANDLE THESE FUNDS. THEY WILL GO DIRECTLY TO THE MGF D AND DEPOSITED AND AUDITED BETWEEN MONTGOMERY COUNTY AND THE MGF D.
10-399-52	COUNTY FIRE FUNDING REVENUE	\$ 35,000.00		\$ 35,000.00	\$ -	REDUCING THIS REVENUE TO \$0.00. GOING FORWARD THE TOWN WILL NOT HANDLE THESE FUNDS. THEY WILL GO DIRECTLY TO THE MGF D AND DEPOSITED AND AUDITED BETWEEN MONTGOMERY COUNTY AND THE MGF D.
		\$ -			\$ -	

MONTGOMERY ABC BOARD
PO BOX 279
BISCOE, NC 27209

(910) 428-2231

Phillip Richardson
General Manager



James McLeod
Chairman

August 30, 2022

Amy Roberts, Town Clerk
Town of Mt. Gilead
P.O. Box 325
Mt. Gilead, NC 27306

SUBJECT: BOARD APPOINTMENT

Dear Amy,

This letter is to request the Town of Mt. Gilead please appoint a representative to fill Mr. Benton Haithcock's vacant seat on the Montgomery ABC Board. Mr. Haithcock served faithfully on the Montgomery ABC for over 30 years. To say Ben and his leadership will be greatly missed is an understatement.

I reached out to a couple of your citizens, Jones Almond and Chip Miller. I was unable to reach Mr. Miller. Mr. Almond indicated he would serve if appointed. Thank you for your time and consideration. We look forward to hearing from the Town Board soon.

Sincerely,

A handwritten signature in black ink that reads "Phillip Richardson". The signature is written in a cursive style and extends across the width of the text below it.

Phillip Richardson
General Manager



Coates' Canons NC Local Government Law

American Rescue Plan Act of 2021: Spending Revenue Replacement Funds on Salaries and Benefits

Published: 06/03/22

Last-Revised: August 26, 2022

Author Name: Kara Millonzi

UPDATED August 2022: On July 27, 2022, US Treasury amended its Final Rule FAQs to exempt expenditures in the Revenue Replacement category from some Uniform Guidance provisions.

Those changes are reflected in the updated post below.

Many NC local governments, particularly those receiving under \$10 million and claiming the **standard allowance**, have decided to spend some or all their American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund (ARP/CSLFRF) monies to cover employee salary and benefit expenditures. Spending ARP/CSLFRF funds on these internal expenditures affords a local government the easiest path through the applicable compliance requirements. **And, importantly, it frees up the non-grant revenues that would have been used to cover the salaries and benefits to be expended on new projects or programs, to increase fund balance, or to replace other revenue sources. The freed up non-grant revenues are not subject to award terms, time limits, or other federal grant regulations.**

Although this expenditure option reduces the administrative burden of expending ARP/CSLFRF funds, it does not eliminate it. This post walks through the legal authority and federal substantive and process requirements related to using ARP/CSLFRF funds to pay salary and benefit costs. It includes a checklist to help local governments ensure full compliance.

Legal Authority to Expend ARP/CSLFRF Funds for Local Government Salaries and Benefits

There are several allowable expenditure categories for ARP/CSLFRF funds. The most expansive category (known as the revenue replacement category) allows the grant monies to fund the *provision of government services* to the extent that the local government experiences lost revenue growth due to the pandemic. A local government that claimed the standard allowance in the April 30, 2022 Project and Expenditure report may spend up to their full amount of ARP/CSLFRF funds or \$10 million, whichever is less, on the provision of government services without having to demonstrate any actual lost revenue growth. As explained [here](#), the standard allowance allows a local government to presume this lost revenue growth even if it did not happen.

If a local government does not elect the standard allowance, it may only expend ARP/CSLFRF funds in this category to the extent that US Treasury’s detailed formula reveals actual lost revenue due to the pandemic. For local governments receiving more than \$10 million, if the formula approach reveals more than \$10 million in actual lost revenue growth, the local government may expend the full amount of its lost revenue growth in this category, up to the maximum of its ARP/CSLFRF award. (Note that US Treasury will now allow local governments to make a final decision on the standard allowance or formula approach for revenue replacement through April 30, 2023.)

What constitutes “government services?” In other words, what can a local government spend these revenue replacement monies to fund? US Treasury does not define “government services,” but provides several non-exclusive examples:

In **US Treasury’s Final Rule Supplement**, government services include: “maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.”

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

And in **US Treasury's FAQs on the Final Rule**, the answer to Q 3.2 states: "Treasury is clarifying here that under the final rule, payroll for government employees, contracts, grants, supplies and equipment, rent, and the many other costs that governments typically bear to provide services are costs that could comprise the costs of government services, and are eligible uses of funds."

As these examples attest, the authority to expend ARP/CSLFRF funds in the revenue replacement category is very broad. It encompasses almost anything a local government has state law authority to undertake, including administrative expenses and local government employees' and officials' salaries and benefits, subject to the limitations below.

Limitations on Salary and Benefit Cost Items

There are some restrictions on ARP/CSLFRF salary and benefit expenditures, including prohibited double-dipping and allowable cost limitations.

No double-dipping. If a local government has (or will) receive other external funds to specifically cover or reimburse certain salaries and benefits, it MAY NOT also use ARP/CSLFRF for these costs.

Allowable Cost Limitations. As detailed below, the expenditures of all ARP/CSLFRF funds, including revenue replacement ARP/CSLFRF funds, are subject to grant award terms and some of the provisions of the Uniform Guidance (UG), 2 CFR Sect. 200, which is an extensive set of federal regulations governing federal grants. Among other things, the UG imposes limits on allowable cost items. Cost items generally align with purpose codes under state law. Common examples include compensation (salaries), fringe benefits, supplies, equipment and other capital, communications, contract expenses, and audits. A local government must ensure that cost items are necessary, reasonable, allocable, not duplicative, consistently treated, and properly documented. What this means for salaries and benefit expenditures is that ARP/CSLFRF funds may be used to cover regular / ordinary costs. A local government should follow its normal processes for hiring employees, setting their compensation, and determining their work schedules. It may not increase employees' salaries or benefits or authorize additional overtime hours just because of the availability of federal funds to cover the costs. It also must document, and follow ARP/CSLFRF retention requirements, all payroll expenditures that are paid for with

the grant funds. As of July 27, 2022, US Treasury has exempted revenue replacement expenditures from the more detailed cost item regulations, including 2 CFR 200.430 and 200.431.

Expenditure Timing

The ARP/CSLFRF allows local governments to obligate funds between March 3, 2021 and December 31, 2024. That is the period a local government should focus on for supplanting salaries and benefits. It means that a local government may reimburse itself for salary and benefit expenditures that occurred between March 3, 2021 and now and/or it may appropriate ARP/CSLFRF funds to cover salary and benefit expenditures that are paid from now through December 31, 2024. A local government may cover all, or some portion, of its salary and benefit costs during this award term or it may select some more limited time period between these dates. (Technically, a local government only has to obligate ARP/CSLFRF funds by December 31, 2024 and has until December 31, 2026 to pay the expenditures, but the local government will take on some risk that all ARP/CSLFRF funds will not be able to be spent if employees quit or are terminated between December 31, 2024 and December 31, 2026 because the funds will not be able to be re-obligated to another employee (or other expenditures) at that point. For this reason, it is safest to supplant only salaries and benefits that are actually paid out between March 3, 2021 and December 31, 2024.)

Federal Compliance Requirements

As indicated above, although using ARP/CSLFRF funds to supplant salaries and benefits reduces federal compliance requirements, it does not eliminate them. There are a handful of policies and procedures that a local government must adopt and implement for ALL ARP/CSLFRF expenditures. They include setting up basic financial administration and internal control provisions; adopting and implementing certain policies; completing all required reporting; maintaining appropriate records; and complying with state law budgeting and fiscal control provisions. The good news is that the applicable federal provisions are relatively easy to implement.

Compliance Checklist for Using Revenue Replacement ARP/CSLFRF to Fund Salaries and Benefits

The following serves as a checklist of compliance requirements to expend ARP/CSLFRF funds to supplant salaries and benefits:

STEP 1: SET UP BASIC FINANCIAL ADMINISTRATION AND INTERNAL CONTROL PROVISIONS

Financial administration (2 CFR 200.302). A local government must have a financial management system that is sufficient to allow it to complete all necessary reporting requirements related to the ARP/CSLFRF award. It does not have to be a sophisticated system. For many local governments a simple spreadsheet will suffice. At a minimum, a local government must track obligations and expenditures of ARP/CSLFRF funds by project and include real-time comparisons to budgeted amounts for those projects. For salary and benefit expenditures, that means being able to track payroll encumbrances and disbursements by department. If a local government's current financial management system does not allow for this level of tracking, it may use this [simple Excel template](#) for these ARP/CSLFRF funds.

Additionally, the regulations related to financial administration require proper documentation for all covered financial transactions, written procedures to implement internal controls, written policy and procedures for performing allowable cost item reviews, retention of all relevant information for at least 5 years post award term, and compliance with all other applicable UG requirements.

Internal Controls (2 CFR 200.303). A local government must have a written set of internal controls related to its financial transactions. The nature of these controls will vary based on the size of the unit and its staffing capacity, but there are some minimum requirements. The regulation prompts a local government to generally conform its internal controls to those that apply to federal agencies through what is known as the federal "**Green Book**." That does not mean that a local government must adopt all the specific controls that apply to federal agencies; rather, it should simply follow the same general framework for its own controls. Also as part of its internal controls, a local government must regularly monitor and evaluate compliance with applicable federal and state laws and must take reasonable measures to safeguard protected personally identifiable information. The controls fall within 5 main categories. A local government's written internal controls should identify specific actions/procedures within each of these categories. The five categories are:

1. **Control Environment.** Include provisions related to the role of the board in setting the tone for full compliance by all local government employees and officials and the board's commitment to integrity and ethics. Also include provisions related to how the board enforces accountability—periodic reporting, internal audits, audit committees, consequences for noncompliance, etc.

2. **Risk Assessments.** Include provisions about how the local government identifies and analyzes risk of fraud, mistake, or other misappropriation. Who performs this function? What is involved in risk assessments? How are they documented? How often are risk assessments performed? What changes impact risk?
3. **Control Activities.** Include provisions about activities that address potential risks. This section should include the specific controls that the local government has adopted, such as segregating duties for financial transactions, processes and oversight related to cash drawers, processes for receiving and reconciling revenues, rotating duties for financial transactions, controls over access to technology, cash management, deposits, and disbursement controls, etc. It should specify who performs what duties and who is responsible for supervision/oversight.
4. **Communication/Training.** Include provisions related to how personnel are informed and trained on appropriate controls and how any changes are communicated.
5. **Monitoring Activities.** Include provisions related to how the local government will monitor all financial activities to ensure proper compliance with controls and to ensure controls are effective. Who performs this function? How is it documented? This section should also detail what happens when deficiencies are detected and identify specific consequences for noncompliance.

STEP 2: ADOPT THE FOLLOWING POLICIES:

Records Retention. This policy supplements a local government's regular records retention policy to establish procedures to retain all ARP/CSLFRF-related information for at least 5 years after the end of the award term (through December 31, 2031). (**Sample policy here.**)

Eligible Use. This is a simple policy that indicates allowable and unallowable projects, based on the expenditure categories in the ARP/CSLFRF Final Rule. It requires a local government to identify staff to document and review ARP/CSLFRF expenditures. That documentation must be retained according to the record retention requirements. (**Sample policy here.**)

Allowable Cost. This is policy requires a local government to perform a general review of each cost item to ensure they are allocable, reasonable, consistently treated, and properly documented. (**Sample policy here.**) As noted above, the specific cost item regulations in the UG do not apply to revenue replacement expenditures. That section of the allowable cost policy will not be triggered for expenditures in this category.

Civil Rights Compliance. This policy reaffirms the local government's commitment to compliance with federal civil rights laws and establishes processes for reporting potential violations and tracking complaints and resolutions. (**Sample policy here.**)

Conflict of Interest. The UG requires recipients and subrecipients of federal financial assistance to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. (**Sample policy here.**)

STEP 3: IMPLEMENT ELIGIBLE USE AND ALLOWABLE COST POLICES FOR SUPPLANTING SALARIES AND BENEFITS

As stated above, the implementation of these policies related to supplanting salary and benefit costs is not complicated. A local government must do the following:

Document eligibility determination for salary and benefit costs as part of the provision of government services. This is a simple process that can be accomplished with this **Sample Form**. **Document basic allowable cost review for salary and benefit costs.** This is also a simple process that can be accomplished with the same **Sample Form** as the eligibility determination. It ensures that only allowable (and properly documented) salaries and benefits are covered with the grant funds.

Collect and retain required documentation for covered salary and benefit costs. A local government should retain payroll records for all salaries/benefits that are paid for directly or reimbursed with ARP/CSLFRF funds.

STEP 4: COMPLETE PERIODIC REPORTS TO US TREASURY.

The ARP/CSLFRF requires a local government to complete periodic reports to US Treasury. Most local governments must complete a yearly Project and Expenditure Report. Some will complete this report quarterly and a few (the largest local governments) also will complete a yearly Recovery Plan Performance Report. A schedule of reporting requirements and deadlines is **here**. For local governments that expend all their ARP/CSLFRF funds on the provision of government services, including salaries and benefits, completing the Project and Expenditure Report is easy. All revenue replacement expenditures may be reported as a single project with a brief narrative to outline the specifics.

STEP 5: FOLLOW STATE LAW BUDGETING AND OTHER FISCAL CONTROL MEASURES

Finally, it is important to remember that ARP/CSLFRF funds are public funds, subject to the provisions of the Local Government Budget and Fiscal Control Act provisions and other state laws and regulation. ARP/CSLFRF funds must be properly budgeted before they can be obligated, and a local government

<https://canons.sog.unc.edu/2022/06/supplanting-salaries-and-benefits-with-american-rescue-plan-act-coronavirus-state-and-local-fiscal-recovery-funds/>

must follow preaudit and disbursement processes before they can be obligated and expended. For more information on budgeting options for using ARP/CSLFRF to fund salaries and benefits (including sample budgets), click [**here**](#).

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TOWN OF MOUNT GILEAD

110 West Allenton Street, Mount Gilead, North Carolina, 27306

MEMORANDUM

DATE: September 6, 2022
TO: Mayor and Board of Commissioners
FROM: Amy Roberts, Town Clerk/Finance *AR*
RE: Re-Wording of Subsection IX. Leave of Absence (Personnel Policy)

During our 21-22 audit, it was discovered that our current software (FMS) is automatically accumulating PER PAY PERIOD rather than by the month. Through discussion with Southern Software, the auditors and the Town Manager we have discovered that the best way to handle this situation is to change the wording in the current policy. I have highlighted the new verbiage in red that would need to be changed as well as provided a copy of the current verbiage for comparison. This will assure our policy matches the employees current accrual times as well assure that employees get credited for the correct amount of accrued time going forward.

SECTION IX. LEAVE OF ABSENCE

Subsection 1 - Holidays

The Town will designate the same holidays as the State of North Carolina with full pay for all regular full-time and year-round part-time Town employees.

If the holiday falls on Saturday, the preceding Friday shall be observed as a holiday. If the holiday falls on a Sunday, the following Monday will be observed.

Subsection 2 - Holiday Pay

Employees required to work on any designated holiday shall receive compensation at the regular rate of pay and shall be entitled to either such part of an extra day of pay as to the number of hours actually worked in proportion to the total hours in the employee's normal work day or an additional day off hour for hour. However, if such work constitutes FLSA recognized overtime then extra pay at time and one-half should be paid. Employees eligible for holiday pay must work both the day before and the day after the holiday unless an authorized absence has been granted.

Subsection 3 - Vacation Leave

Vacation leave is a privilege and benefit granted by the Town. It shall be used at the discretion of the employee and at the convenience of the appropriate supervisor for such occasions as rest and relaxation, medical appointments when sick leave is exhausted, absences due to adverse weather conditions, and the like. Vacation leave may be used for sick leave in the case of illness only with the approval of the Manager, and only when all sick leave has been exhausted.

Each regular full-time employee shall earn vacation leave at one of the following rates, depending upon his or her length of service:

Completed Years of Service	Number of Days Per Year	Hours Per Month
0-5 Years	12	8.0
6-10 Years	18	12.0
11-15 Years	21	14.0
16-20 Years	25	16.67
More than 20 Years	30	20.0

Employees will be credited vacation leave for each full calendar month of work.

- (a) **Vacation Leave Maximum Accumulation.** Employees may accumulate vacation leave to a maximum of 30 days. When the maximum has been accumulated, employees will have until the end of the calendar year to reduce the balance below the maximum. As of the pay period containing December 31, all leave balances in excess of the maximum shall be reduced to 30 days and carried into the new calendar year, with the excess vacation leave being converted to sick leave time.
- (b) **Previous Leave Credit.** Vacation leave credit accumulated by each employee as of the adoption of this personnel administration policy shall be retained until used in accordance with this policy.

- (c) Requesting and Taking Leave. Employees may be granted the use of earned vacation leave upon request or at those times designated by the Town Manager or department head which will least obstruct normal operations of the Town or department. Employees will be required to request earned vacation at least one week in advance of such leave. Exceptions are authorized by the Town Manager on an individually requested basis.

Regular scheduled holidays and/or normal non work days occurring during an employee's vacation period shall not be considered as a day's vacation.

- (d) Payment for Accumulated Leave upon Termination. A regular employee shall be paid for vacation leave accumulated to the date of voluntary separation, but not to exceed the maximum, provided he or she has submitted a resignation at least two weeks in advance of the effective date of separation. Department heads shall be required to give at least three weeks notice prior to the effective date of their separation.

At the time of an employee's separation, any vacation leave owed the Town shall be deducted from the employee's final compensation.

- (e) Payment for Accumulated Leave upon Death. Upon the death of a regular employee, compensation for accumulated vacation leave shall be paid to his or her estate.

- (f) At the end of each benefit year, effective with the Fair Labor Standards cycle ending on or before December 31, any Town employees with accrued annual vacation leave in excess of thirty (30) days or two-hundred (240) hours shall have this leave converted to sick leave. This converted sick leave shall be used in the same manner as accrued sick leave and may be used for authorized sick leave purposes. And, like regular sick leave, any unused converted sick leave may be counted toward creditable service at retirement up to a maximum as provided by the North Carolina Local Governmental Employees Retirement System.

Subsection 4 - Sick Leave

Sick leave with pay is a privilege granted by the Town for the benefit of an employee during periods of personal illness, bodily injury, quarantine, physical or dental examinations or treatment, disability resulting from pregnancy, or exposure to a contagious disease when continued work might jeopardize the health of others.

Sick leave shall also be used and may be granted when the employee is required to care for a sick family member.

Sick Leave accumulates indefinitely. It is there as insurance when needed by the employee. As a full-time employee, sick leave shall be earned at a rate of eight hours per month. Such leave may be requested and taken, as necessary, at any time during an employee's regular period of service with the Town. No employee shall be paid for accumulated sick leave upon termination of employment.

With your supervisor's approval, you may use sick leave for:

- Illness or injury preventing you from doing your job.

- The period of temporary disability connected with child bearing if you are the biological mother or to care for an immediate family member during this time.
- Adoption of a child (up to 20 days for each parent).
- Medical appointments for you or your immediate family
- Illness of one of your immediate family members.

An immediate family member is defined as:

- Your spouse
- Your parent (biological, adoptive, stepparent, in-law or guardian)
- Your child (biological, adopted, step, foster, legal ward, in-law or one you are standing in for as their parent)
- Your siblings (biological, adoptive, step, half or in-laws)
- Your grandparents or grandchildren (including step and great-grand relationships)
- Other dependents living in your home.

- Sick Leave Maximum Accumulation. Employees may accumulate sick leave with an unlimited maximum accumulation.
- Previous Leave Credit. Sick leave credits accumulated by each employee as of the adoption of this policy shall be retained.
- Requesting and Taking Leave. Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave, whenever possible, or as otherwise required by departmental rules and policies.
- Physician's Certificate. The Town may require a doctor's certificate concerning the nature of the illness and the employee's fitness to resume duties for each absence of three (3) or more work days, or for the third absence in any calendar month employee may be required to submit to such medical examination or inquiry as deemed desirable. The department head shall be responsible for the application of this provision to the end that (1) employees shall not be on duty when they might endanger their health or the health of other employees, (2) there will be no abuse of sick leave privileges.
- Reinstatement of Leave. Employees who resign in good standing or are dismissed from employment because of reduction in force, and are reinstated within two (2) years shall be credited with their previously accumulated sick leave. Employees who are dismissed from employment for reasons other than reduction in force and employees who are not reinstated within two (2) years shall lose all sick leave credits.
- Sick Leave Transfer. A new employee hired by the Town whose immediate past employer was the State of North Carolina or any of its political subdivisions, may transfer to the Town a portion of his/her accumulated and unused sick leave. The Town will accept, subject to verification by the previous employer, up to 320 hours (40 days). In addition, one employee may transfer up to ten percent of his/her available sick leave balance to another employee who has exhausted his/her own sick leave with the approval of the Town Manager.
- Retirement Credit. Retirement credit for sick leave will be awarded based on the rules and regulations in force at the time of retirement as passed by the N.C. L.G.E.R.S.

SECTION IX. LEAVE OF ABSENCE

Subsection 1 – Holidays

The Town will designate the same holidays as the State of North Carolina with full pay for all regular full-time employees. **In addition to the State of North Carolina holidays, the Town will grant the Holiday officially named in 2020 as “Juneteenth”, which is June 19 of each year. In the event that the Holiday falls on a Saturday, the preceding Friday shall be observed as a Holiday. If the Holiday falls on a Sunday, the Holiday will be observed on the following Monday.**

Subsection 2 – Holiday Pay

Employees required to work on any designated holiday shall receive compensation at the regular rate of pay and shall be entitled to either such part of an extra day of pay as to the number of hours actually worked in proportion to the total hours in the employee’s normal workday or an additional day off hour for hour. However, if such work constitutes FLSA recognized overtime then extra pay at time and one-half should be paid. Employees eligible for holiday pay must work both the day before and the day after the holiday unless an authorized absence has been granted.

Subsection 3 – Vacation Leave

Vacation leave is a privilege and benefit granted by the Town. It shall be used at the discretion of the employee and at the convenience of the appropriate supervisor for such occasions as rest and relaxation, absences due to adverse weather conditions, and the like. Vacation leave may be used for sick leave in the case of **extended** illness only with the approval of the Manager, and only when all sick leave has been exhausted.

Each full-time employee shall earn vacation leave at one of the following rates, depending upon his or her length of service:

COMPLETED YEARS OF SERVICE	HOURS PER BI-WEEKLY PAY PERIOD (26 PER YEAR)
0-5 YEARS	4
6-10 YEARS	6
11-15 YEARS	7
16-20 YEARS	8.5
20+ YEARS	10

Employees will be credited vacation leave for each **bi-weekly pay period** worked.

- (a) Vacation leave Maximum Accumulation. Employees may accumulate vacation leave to a maximum of 30 days. When the maximum has been accumulated, employees will have until the end of the calendar year to reduce the balance below the maximum. As of the pay period containing December 31, all leave balances in excess of the maximum shall be reduced to 30 days and carried into the new calendar year, with the excess vacation leave **being converted to sick leave time**.
- (b) Previous Leave Credit. Vacation leave credit accumulated by each employee as of the adoption of this personnel administration policy shall be retained until used in accordance with this policy.

- (c) Requesting and Taking Leave. Employees may be granted the use of earned vacation leave upon request or at those times designated by the Town Manager or department head which will least obstruct normal operations of the Town or department. Employees will be required to request earned vacation at least one week in advance of such leave. Exceptions are authorized by the Town Manager on an individually requested basis. Regular scheduled holidays and/or normal non workdays occurring during an employee's vacation period shall not be considered as a day's vacation.
- (d) Payment for accumulated Leave Upon Termination. A regular employee shall be paid for vacation leave accumulated to the date of voluntary separation, but not exceed the maximum, provided he or she has submitted a resignation at least two weeks in advance of the effective date of separation. Department heads shall be required to give at least three weeks' notice prior to the effective date of their separation. At the time of an employee's separation, any vacation leave owed the Town shall be deducted from the employee's final compensation.
- (e) Payment for Accumulated Leave Upon Death. Upon the death of a regular employee, compensation for accumulated vacation leave shall be paid to his or her estate or to a legally approved Power of Attorney for the estate.
- (f) At the end of each benefit year, effective the Fair Labor Standards cycle ending on or before December 31, any Town employees with accrued annual vacation leave in excess of thirty (30) days or two hundred forty (240) hours shall have this leave converted to sick leave. This converted sick leave shall be used in the same manner as accrued sick leave and may be used for authorized sick leave purposes. An, like regular sick leave, any unused converted sick leave may be counted toward creditable service at retirement up to a maximum as provided by the North Carolina Local Governmental Employees Retirement System.

Subsection 4 – Sick Leave

Sick leave with pay is a privilege granted by the Town for the benefit of an employee during period of personal illness, bodily injury, quarantine, physical or dental examinations or treatment, disability resulting from pregnancy, or exposure to a contagious disease when continued work might jeopardize the health of others.

Sick leave shall also be used and may be granted when the employee is required to care for a sick immediate family member.

Sick leave accumulates indefinitely. It is there as insurance when needed by the employee. As a full-time employee, sick leave shall be earned at a rate of **4 hours per bi-weekly pay period**.



TOWN OF MOUNT GILEAD PUBLIC WORKS DEPARTMENT REPORT

110 WEST ALLENTON STREET, MOUNT GILEAD, NORTH
CAROLINA, 27306
AUG, 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 J. Chambers
- Repair LS# 12
- Water and sewer locate
- Sewer investigations Twin Harbor
- Repair Water leak Hydro Rd
- Repair numerous sewer leaks in lake 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#3 generator

Routine Monthly Activities

- Lift stations 1-15 - weekly checks
- Non-payment cutoffs - Completed -10
- 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
- Tennis 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: August 31, 2022

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

The month of August has been very proactive with traffic stops and multiple checkpoints. We continue to follow up on open cases and leads.

This was the first year of National Night Out being hosted at Stanback Park and it was a success.

The four surplus patrol vehicles were sold by sealed bids.

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

Administration and Patrol

- Provided security for a motorcycle event at Highland School.
- Officers welcomed students back to school.
- 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 participated in various traffic checkpoints around the town.
- Met with citizens to address various concerns.
- 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.

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 7/27/2022 - 8/30/2022

MT GILEAD POLICE DEPT	Count	Percent
911 HANG UP	1	0.36%
911 TRANSFER	1	0.36%
ALARM (NOT FIRE) COMMERCIAL	5	1.78%
ALARM (NOT FIRE) RESIDENTIAL	3	1.07%
ANIMAL CALL (NOT ATTACKS)	9	3.20%
ASSIST MOTORIST	9	3.20%
ATTEMPT TO LOCATE	2	0.71%
B-E	1	0.36%
BREATHING PROBLEMS	1	0.36%
CARDIAC OR RESPIRATORY ARREST - DEATH	1	0.36%
CARELESS & RECKLESS	2	0.71%
CHILD CUSTODY	1	0.36%
CITIZEN ASSIST	3	1.07%
CIVIL	2	0.71%
CIVIL DISTURBANCE	4	1.42%
COMMUNICATING THREATS	2	0.71%
DAMAGE TO PROPERTY	8	2.85%
DOMESTIC	5	1.78%
ESCORT	75	26.69%
FALLS	3	1.07%
FIGHT	3	1.07%
FOLLOWUP INVESTIGATION	2	0.71%
FRAUD	1	0.36%
HOME INVASION	1	0.36%
INFORMATION	7	2.49%
INTOXICATED DRIVER	1	0.36%
LARCENY	4	1.42%
LIFELINE	1	0.36%
LIFTING ASSISTANCE	1	0.36%
MISSING/LOST PERSON	2	0.71%
MUTUAL AID - ASSIST OUTSIDE AGENCY	2	0.71%
OUTSIDE FIRE	1	0.36%
OVERDOSE - POISONING (INGESTION)	1	0.36%
PROPERTY (Found-Lost-Seized-Recoverd)	1	0.36%
SCHOOL CROSSING	2	0.71%
SECURITY CHECK	40	14.23%
SERVE PAPER	3	1.07%
SHOTS FIRED	1	0.36%
SPECIAL ASSIGNMENT	1	0.36%
STRANDED/ABANDONED BOAT/VEH	1	0.36%
STRUCTURE FIRE	2	0.71%
SUSPICIOUS PERSON/VEH/ACTIVITY	12	4.27%

MT GILEAD POLICE DEPT	Count	Percent
TRAFFIC ACCIDENTS (PD)	5	1.78%
TRAFFIC STOP	40	14.23%
TRESPASSING	3	1.07%
UNCONSCIOUS - FAINTING (NEAR)	1	0.36%
WANTED PERSON	1	0.36%
WELFARE CHECK	3	1.07%
Total Records For MT GILEAD POLICE DEPT	281	Dept Calls/Total Calls 100.00%
Total Records		281

Activity Detail Summary (by Category)

MOUNT GILEAD POLICE DEPARTMENT

(07/27/2022 - 08/30/2022)

Incident\Investigations

13B - Simple Assault	1
220 - Burglary/Breaking & Entering	1
23F - Theft From Motor Vehicle	1
23H - All Other Larceny	3
26F - Identity Theft	1
290 - Destruction/Damage/Vandalism of Property	7
35A - Drug/Narcotic Violations	3
35B - Drug Equipment Violations	1
90J - Trespass of Real Property	1
90Z - All Other Offenses	9
Total Offenses	28
Total Incidents	20

Arrests

13B - Simple Assault	1
35A - Drug/Narcotic Violations	3
35B - Drug Equipment Violations	1
90J - Trespass of Real Property	2
90Z - All Other Offenses	5
Total Charges	12

Total Arrests 6

Accidents

Total Accidents 5

Citations

Driving While License Revoked 20

Expired Registration 9

Improper Transportation Of Children 1

No Operator License 16

Date: 08/31/2022 -- Time: 08:50

Page 1

Activity Detail Summary (by Category)

MOUNT GILEAD POLICE DEPARTMENT

(07/27/2022 - 08/30/2022)

Citations

Other (Infraction) 9

Possess/Consume Alcohol - Passenger 1

Running Red Light 1

Seat Belt 2

Speeding (Infraction) 8

Secondary Charge 21

Total Charges 88

Total Citations 67

Warning Tickets

Total Charges 14

Total Warning Tickets 14

Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (07/27/2022 - 08/30/2022)

2246 - Lieutenant Austen B. Morton

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0138	90Z - Narcotics Offense	Paperworks	Closed by Other Means	Not Applicable	08/23/2022

Officer Total Incidents: 1

2647 - Detective Jacob Shuping

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0132	35A - Simple possession of Marijuana 35B - Drug Equipment Violations	State of NC, Mount Gilead	Closed by Arrest	Not Applicable	08/12/2022

Officer Total Incidents: 1

4531 - Patrol Officer Hunter T. Stone

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0124	290 - Damage of Property	Robinson Jr, Herbert Lee	Closed by Other Means	Not Applicable	08/04/2022

Officer Total Incidents: 1

6280 - Patrol Officer Bobby A. Hall

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2207-0120	90Z - Consuming alcohol on Housing Authority property.	Troy Housing Authority	Closed by Other Means	Not Applicable	07/29/2022
2207-0121	35A - Possess Marijuana less than 1/2 ounce 35A - Possess Marijuana Paraphernalia 90Z - Open Container	State of NC	Closed by Arrest	Not Applicable	07/30/2022
2208-0129	13B - Simple Assault 90J - Second Degree Trespass 90Z - Resisting Public Officer	Roberts Jr, Melvin Rudolph Leak, Lashunda Devett Mount Gilead Police Department	Closed by Arrest	Not Applicable	08/12/2022
2208-0130	290 - Injury to Personal Property	Robinson, Rochell Marie	Closed by Other Means	Not Applicable	08/12/2022

Date: 08/31/2022 -- Time: 15:53

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Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (07/27/2022 - 08/30/2022)

6280 - Patrol Officer Bobby A. Hall

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0134	220 - Breaking or Entering into Motor Vehicle 290 - Injury to Personal Property 23F - Larceny	Trexler Trucking Inc. Robinson, Dequan Jamal	Active	Not Applicable	08/18/2022
2208-0135	23H - Larceny of a Firearm	Deaton, James Roy	Active	Not Applicable	08/18/2022
2208-0142	23H - Larceny of Firearm	Simmons, Kiana Tychelle	Active	Not Applicable	08/28/2022
2208-0143	290 - Injury to Personal Property	Snuggs, Amanda Sierra	Closed by Exception	Juvenile/No Custody	08/28/2022

Officer Total Incidents: 8

7532 - Patrol Officer Joshua C. Shuping

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0122	290 - Damaage of Property	Wilson, Blondine PECK, MILLICENT DAWN	Closed by Other Means	Not Applicable	08/01/2022
2208-0126	90Z - D.O.A	Robinson, Lucille Collins	Closed by Exception	Not Applicable	08/06/2022
2208-0127	23H - Larceny	Dollar General	Active	Not Applicable	08/10/2022
2208-0139	90Z - Warrant Service/ Paper Service	NC Courts, Montgomery County	Closed by Arrest	Not Applicable	08/24/2022
2208-0140	90Z - Warrant for arrest 90Z - Order for arrest	State of NC	Closed by Arrest	Not Applicable	08/25/2022
2208-0141	26F - Identity Theft	Dillon, Jackie Ray	Active	Not Applicable	08/15/2022
2208-0144	290 - Damage	Gould, Dorothy	Closed by Other Means	Not Applicable	08/30/2022

Officer Total Incidents: 7

8523 - Sergeant Adam W. Lucas

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2207-0119	290 - Damage ot Property	Little, Paulette Elaine	Closed by Other Means	Not Applicable	07/27/2022

Date: 08/31/2022 -- Time: 15:53

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Incident Offenses/Victims/Status By Reporting Officer

MOUNT GILEAD POLICE DEPARTMENT

All Case Statuses - (07/27/2022 - 08/30/2022)

8523 - Sergeant Adam W. Lucas

Incident Number:	Offense:	Victim:	Case Status:	Exceptional Clearance:	Inc. Date:
2208-0133	90Z - Missing Person	Dillon, Jackie Ray	Located (Missing Persons and Runaways only)	Not Applicable	08/15/2022

Officer Total Incidents: 2

Total Incidents: 20

Mount Gilead Fire Department



March: Fire Calls

Fire - 9

Squad - 17

Town - 12

District - 14

County - 0

Out of County - 0

Total - 26

The fire department was successful in acquiring a 2006 Stewart & Stevenson LMTV military vehicle (Light Medium Tactical Vehicle) with a 600 gallon water tank through cooperation with the North Carolina Forrest Service at no cost. Requirements are that it is painted within one year of acquisition. Our hopes are to convert the vehicle into a wildland brush unit that can handle rougher terrain that a standard truck might not be able to access. Potential for use in some flood zones as well. (Picture on the next page) I will give updates as we progress.



Thank You for Your Support!
Chief - *Keith Byrd*

“Without continual growth and progress, such words as improvement, achievement and success have no meaning”. (Benjamin Franklin)

Police Department Restructure-A NEW SANDBOX

Over the next few months, we will be embarking upon a new era for Policing in Mount Gilead. As we are down to two candidates. It has been discussed with you about the high likelihood of restructuring the Police Department, so as to bring together multiple personalities, individual strengths, and weaknesses, to better meet the needs, wants, and desires of Mount Gilead. I am asking the Town Board to approve for Mount Gilead an innovative structure of a Chief, Deputy/Assistant Chief and Lieutenant for Investigations. This structure will place a premium on collaboration, team building, delegation, and a rethinking of the typical hierarchical structure of our current "small-town" Police Department. There will be a stated desire and expectation for more community involvement, innovative policing, and doing one's job, with passion and excellence. It has been alluded too throughout the Police Chief interview process of accountability for everyone with the expectation of, everyone learning to 'play in the same sandbox'."

A non-negotiable for the Community, Town Board, and Town Manager, is that the Mount Gilead Police department will be a different "sandbox" starting this restructure and the eminent hire of the new Chief of Police.

Within this structure, and the new Chief, there will be a probationary timeline, of a 3-month: November '22; 6-month: May '23; and 1-year: September '23. Police Department Restructure Benchmarks will be the basis of evaluation effectiveness. The Chief/Deputy Chief/Lieutenant and all PD members will be required to participate in a collaborative PD Restructure/Training event that will establish goals/benchmarks of success. Everyone will have a voice at the Table. Interaction between all Mount Gilead Departments will be encouraged as we must ALL prepare to work collaboratively to address the mirid of opportunity facing Mount Gilead.

ACTION

I would like for you to take action to approve this restructure and begin the implementation immediately with the hiring of the New Police Chief.

ARPA-American Rescue Plan Act

As the ARPA funds for Mount Gilead is now received we continue to receive guidance on how best to allocate these funds. Our auditors have suggested that we explore a path of least resistance which is to: expend these monies to cover employee salary and benefit expenditures. This will provide the easiest path through the applicable compliance requirements. It will free up the non-grant revenue (budgeted revenue) that would have been used to cover salaries and benefits to be expended on new projects or programs. Importantly, the freed up non-grant revenues are not subject to award terms, time limits, or other federal grant regulations.

Bottom line: We will use our ARPA monies for salaries, contract expenses, and audits. This will allow us to proceed with multiple projects as we have discussed within our normal procedures of implementation.

ACTION

I would like for you to vote to adopt the concept for utilizing ARPA funds in this manner and direct me to begin process of creating a budget amendment, as well as, bringing all ordinances for approval to the October 4 Board meeting.

Downtown Mount Gilead Social District

I am proposing that we explore the idea of creating a Downtown Social District within the boundaries of the existing Mount Gilead Historic District. (see handout)

Town Hall Renovations

We have started the renovation of Town Hall. The first effort is to create a Drive-Thru teller window for collections. This will coincide with the upgrade to our on-line collection services. To do this we are relocating the stairwell on the west side of Town Hall. This will allow space for the Drive-thru station. We are cleaning and repainting the wall and stairs.

Library Renovations

We will be meeting with the Library to discuss and begin the much needed upgrades to the Library.

Fire Department Renovations

We have started the planning for Fire Department Renovations. Replacement of Door hardware. Upgrades to the Kitchen and Meeting area.

Masonic Lodge Renovation

FYI-I was excited to learn the Masonic Lodge on School Street is undergoing some renovations. A new front façade and interior upgrades are in the works. There will be a potential of a sidewalk extension.

Pocket Park Planning and Implementation

LKC landscape architecture division will be working with the Town to design for the first two Pocket-Parks, and the Julius Chambers Park/Beautification/Food truck area, and help with Department of Commerce Downtown Revitalization Grant, which is due November 1. These plans will allow for fundraising to begin ASAP, as multiple civic groups are asking to begin this process.

1. The Town has received donations for the current Tennis/Basketball/Pickle Ball Court upgrades;
2. The Town has received donations for the Parks projects
3. Streetscape and Town entry sign area landscaping will begin this month
4. Under the CATb direction the 16 "Story Boards" are being placed along an identified walk through the Town. Another "Story Board" project will be place at Highland

Economic Development

As we have discussed there is a major economic development project being proposed for the Lake Tillery area. This project as currently discussed represents:

- \$150,000,000 in commercial, residential and industrial development; over an 8-year buildout;

- a retail/commercial core;

- 150-300 jobs will be created;

- a \$20-30 million upgrade to our Waste Water Treatment plant which will provide for Mount Gilead to become a "regional" sewer provider for ALL future development both inside and outside current boundaries, Mt Gilead Industrial Park present/future;

- a request for "Voluntary Annexation to Mount Gilead"

- legislative authority is needed

- exploration of elections, creation of districts, changing of Town Charter to allow for greater representation

- Services: Fire, Police, public works explore

- Annexation will raise the value of our Tax Base which will allow revenue growth between \$1.5-2.5 million in additional revenue to the Town's Ad Val tax. A potential to reduce our current tax rate and afford the Town added flexibility in provided for and growing the business and residential tax base within the current Town boundaries.

- Projects like this should not be seen as "taking away" from what is Mount Gilead but "adding too" Mount Gilead. As stated on multiple occasions we must seek to grow "wealth" and "jobs" and "housing" within the community. Both/And NOT Either/or!

Dollar General

They have started the Dollar General project! As discussed, we are coordinating with the Contractor to ensure the ingress/egress for current businesses along the current construction site. A new "pathway" will be created so as to allow for thru traffic once the project is completed.

Mount Gilead Merchants Association

A meeting was held on Tuesday, August 30 with all Mount Gilead Merchants. There was a great representation of about 50 Business leaders in attendance. This was the first of what are to be regular informational/input meetings. There is a great desire to move Mount Gilead forward so as to continue the current work and attract new businesses and residential growth.

Introduction

North Carolina Session Law 2021-150 allows local governments to establish "Social Districts" within their jurisdictions. Social Districts are designated areas within a local government's jurisdiction where businesses holding a valid permit issued by the North Carolina Alcoholic Beverage Control Commission (ABC) (e.g., bars, breweries, restaurants) may sell alcoholic beverages in designated containers to be consumed within the Social District. The Town of Mount Gilead enacted under Title XI under Chapter 116 of the Code of Ordinances for the Town of Mount Gilead (the "Business Regulations") to create the "Downtown Mount Gilead Social District." The Social District Ordinance is attached to this Plan and incorporated as Appendix A. This Management and Maintenance Plan (the "Plan") is adopted pursuant to the Social District Ordinance and outlines how the Downtown Mount Gilead Social District will be managed and maintained. For purposes of this Plan, "Social District" means the Downtown Mount Gilead Social District. This Plan will be submitted to the North Carolina ABC Commission and placed on the Mount Gilead website.

Management

The Downtown Mount Gilead Social District will be jointly managed by the Town of Mount Gilead-Public Works, Mount Gilead Downtown Merchants Association, and the Mount Gilead Police Department.

Participating Businesses

Businesses desiring to sell alcoholic beverages for consumption within Social District must possess a valid ABC permit and register with the Town. There is no fee for registration. Registration allows the Town to ensure that those businesses selling alcoholic beverages within the Social District are aware of and in compliance with the requirements of this Plan and the Social District Ordinance. The registration process shall include the business's written acknowledgment to abide by the rules, regulations and requirements of this Plan and the Social District Ordinance. The registration process will also require that businesses sign a written acknowledgement to abide by all of the rules, regulations and requirements of their ABC permits. Businesses without an ABC permit may participate in the Social District by allowing alcoholic beverages purchased and possessed in accordance with this Plan and the Social District Ordinance to be consumed in their businesses. Participating businesses that are not selling alcoholic beverages are not required to register with the City. Nothing in this Plan or the Social District Ordinance shall be construed as requiring any business, regardless of whether or not it holds a valid ABC permit, to participate in the Social District. The Town of Mount Gilead will provide information and materials to participating and nonparticipating businesses to ensure that the businesses understand their obligations under this Plan and the Social District Ordinance and communicate their participation or nonparticipation to the public.

For permit and enforcement questions, contact: _____ ALE Agent @

District Boundaries

The Mount Gilead Social District boundaries are shown on the map and written description attached and incorporated as Appendix B. Boundaries of the Social District will be clearly marked with signs at numerous points in the District.

Days and Hours of Operation

Alcoholic beverages may be sold and consumed within the Social District during the following days and times:

District Designation Logo

Rules

Sale of alcoholic beverages.

Alcoholic beverage containers.

Possession and consumption of alcoholic beverages.

Law Enforcement

Law enforcement within the Social District shall be provided by the Town of Mount Gilead Police Department.

Insurance The Town of Mount Gilead is insured for its management and operation of the Social District.

Sanitation and Maintenance The Town's Public Works Department provides sanitation services within the Social District boundaries, including trash removal and litter pick up. This will continue with the operation of the Social District. Trash/recycling receptacles are located within the boundaries of the Social District to encourage patrons to properly dispose of their used cups and unconsumed alcohol. ABC permitted establishments and other merchants within the boundary will have trash/recycling receptacles available to patrons at the door.

Marketing and Promotion

Appendix A: AN ORDINANCE AMENDING CHAPTER XI of THE CODE OF ORDINANCES OF THE Town of Mount Gilead TO DESIGNATE SOCIAL DISTRICTS

SOCIAL DISTRICTS

-Purpose and Intent

-Definitions

-Management

-Creation of Social Districts

-Registration required for permittee to participate in Social District

-Rules and Regulations

(a) Hours of Operation (b) Sale of alcoholic beverages (c) Possession and consumption of alcoholic beverages

-Compliance with other law

-Exceptions

(a) Public Street Festivals (b) City Events

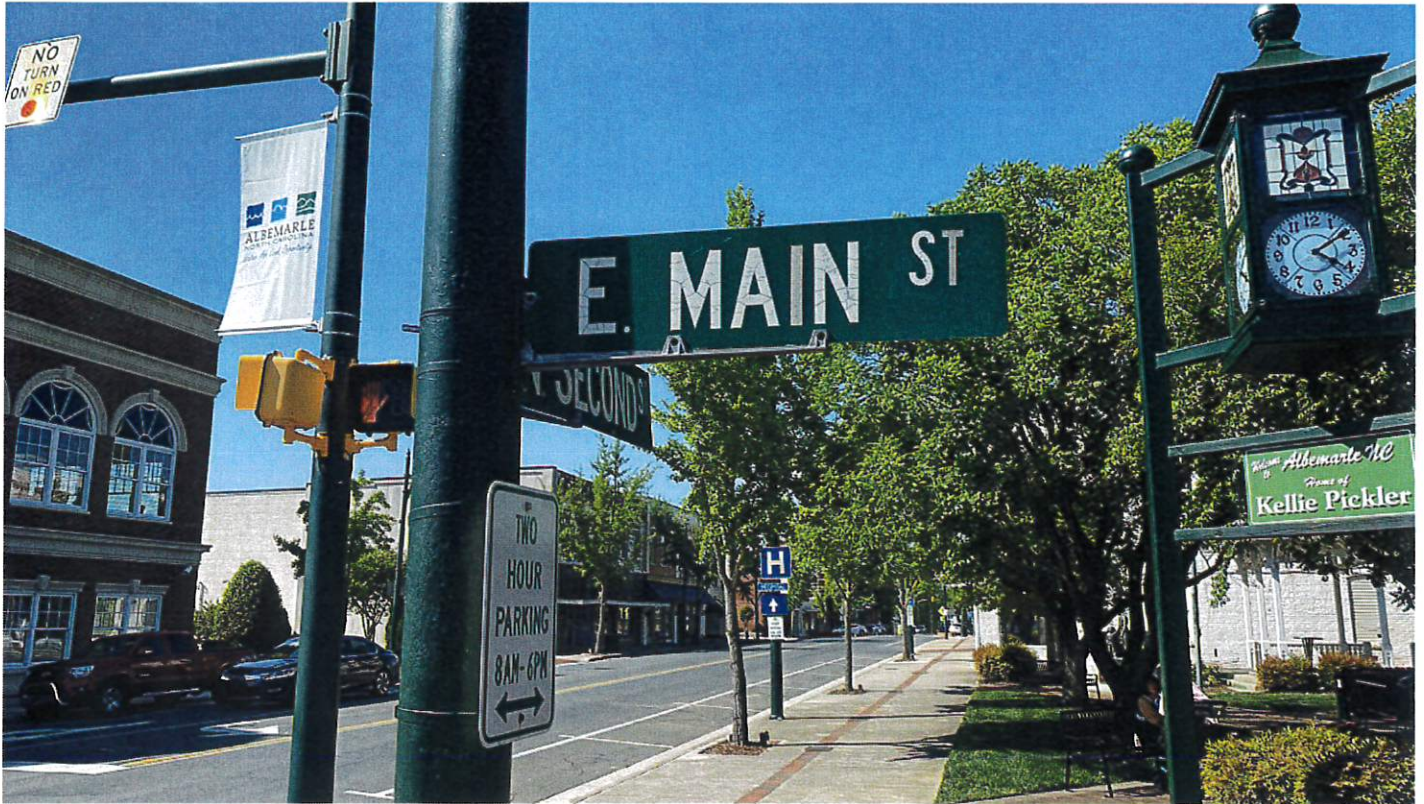
Severability

Penalties

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.



POLITICS

More North Carolina towns consider allowing drinking in new 'social districts'

BY CHARLES DUNCAN | ALBEMARLE
 UPDATED 7:28 AM ET APR. 26, 2022

ALBEMARLE, N.C. — Classic storefronts line the downtown district. There are a dozen or so bars and restaurants. A new brewery is planning to open this summer in an old fire station behind Albemarle City Hall.

What You Need To Know

- Albemarle, North Carolina, is one of a handful of cities considering a creating a "social district"
- The North Carolina General Assembly passed a law allowing social districts last year, where people can take a drink from a bar or restaurant out onto the street within the district
- Greensboro, Kannapolis, Hickory and several other cities have already created social districts
- The districts are tightly regulated. Bars have to serve to-go drinks in special cups and there are strict boundaries for the districts

Albemarle, like a handful of other cities and towns in North Carolina, is considering creating a "social district" downtown, where people can walk around with open containers of beer, wine or

people to enjoy those," said Joy Almond, Main Street manager for the City of Albemarle.

The North Carolina General Assembly passed a law last year allowing cities to create districts where people can buy a drink from a restaurant or bar and walk the streets.

Greensboro, Kannapolis, Monroe, Norwood and Newton have registered new social districts with the North Carolina ABC Commission since the law went into effect, according to commission spokesman Jeff Strickland. The ABC Commission oversees alcohol sales in the state.

Charlotte, New Bern, Wilmington, Winston-Salem and smaller cities, like Albemarle, are considering their own social districts.

Almond said she's been looking at how Hickory's social district has been helping business there.

"They shared a lot of great feedback and a lot of great comments about how good it has been for business, not just for restaurants and the drinking establishments, but also for the retail stores. They are getting a lot of the foot traffic and really benefiting from these districts," she said.

Albemarle hosted two public input sessions Monday to get some early feedback from residents on how they feel about creating a social district downtown.

This is in a town that was dry until the late 1990s, said Almond, who grew up not far from the city.

At Monday afternoon's public hearing, residents shared several concerns, including making sure there's no underage drinking, making sure businesses follow the rules, what enforcement would be like and potential problems with people littering.

"I do not want to see Bourbon Street in our downtown," Almond said in response to one resident's concerns, referencing the main tourist destination in New Orleans, the scene of notorious revelry and drunken bacchanal.

Just behind city hall, Colton Baker is working to convert an old firehouse into Albemarle's first brewery. He's renovating the building and waiting for his brewing equipment to arrive in a couple of weeks.

The building's been cleaned out, the roof repaired and a new bar is taking shape where city fire trucks once parked, awaiting the next call.

He said he plans to get Uwharrie Brewing open this summer.

"I really am a big fan of that social district because it will help me be able to pull more people in," he said. He's planning a tap room in the wide bays for the fire trucks, where he can open the bay doors for good airflow and put more seating outside on the wide driveway.

The social district could be a game changer for downtown Albemarle, Baker said.

"I think it will really drive foot traffic downtown, especially a lot of the retail establishments. There will be more people walking around," he said.

understand why they're closed, you know, you don't really see that many people downtown on a Saturday afternoon."

"I really hope that will help drive some of that growth we need downtown," he said.

Social districts law

The legislature passed the law last year allowing for cities and towns to create their own social districts, but there are a lot of specifics that towns have to follow.

People are not allowed to bring outside alcohol into a social district. Bars and restaurants have to use plastic cups with a printed label or a sticker to allow customers to take drinks into the streets. People are not allowed to take a drink from one bar or restaurant into another.

Albemarle still has a long way to go before the social district becomes a reality.

"Right now we are in the preliminary stages," Almond said.

Once the city gets feedback from the community, they can start fine-tuning the idea to present it to the city council. That means finalizing a map of the social district boundaries, setting hours for when public drinking would be allowed and making sure elected leaders and residents are onboard with the idea.

Greensboro launched its new social district on March 1, running through the middle of downtown. The city has 25 bars and restaurants where customers can leave the premises with an adult beverage, as long as they keep it within the boundaries, and only between noon and 9 p.m.

In Hickory, the social district encompasses about a dozen blocks along Main Avenue, with public drinking allowed from 10 a.m. to 10 p.m.

The proposal for Albemarle so far includes seven or eight blocks in the downtown area. Almond said she's not sure what the hours could end up being when she formally proposes the idea to city council.

At Monday's public input session, opinions were split on the social district. It will ultimately be up to city council members to decide on the plan and work out the details in the coming months.



Colton Baker is working to open Albemarle's first brewery this summer in an old fire house next to city hall. (Photo: Charles Duncan)

YOU MAY ALSO BE INTERESTED IN

Introduction

North Carolina Session Law 2021-150 allows local governments to establish “Social Districts” within their jurisdictions. Social Districts are designated areas within a local government’s jurisdiction where businesses holding a valid permit issued by the North Carolina Alcoholic Beverage Control Commission (ABC) (*e.g.*, bars, breweries, restaurants) may sell alcoholic beverages in designated containers to be consumed within the Social District.

The City of Salisbury enacted Article VII of Chapter 22 of the Code of Ordinances for the City of Salisbury (the “Social District Ordinance”) to create the “Downtown Salisbury Social District.” The Social District Ordinance is attached to this Plan and incorporated as Appendix A. This Management and Maintenance Plan (the “Plan”) is adopted pursuant to the Social District Ordinance and outlines how the Downtown Salisbury Social District will be managed and maintained. For purposes of this Plan, “Social District” means the Downtown Salisbury Social District. This Plan will be submitted to the North Carolina ABC Commission and placed on the Downtown Salisbury, Inc. website.

Management

The Downtown Salisbury Social District will be jointly managed by the City of Salisbury Downtown Development Department, the Police Department, and the Public Works Department.

Participating Businesses

Businesses desiring to sell alcoholic beverages for consumption within Social District must possess a valid ABC permit and register with the City. There is no fee for registration. Registration allows the City to ensure that those businesses selling alcoholic beverages within the Social District are aware of and in compliance with the requirements of this Plan and the Social District Ordinance. The registration process shall include the business’s written acknowledgment to abide by the rules, regulations and requirements of this Plan and the Social District Ordinance. The registration process will also require that businesses sign a written acknowledgement to abide by all of the rules, regulations and requirements of their ABC permits.

Businesses without an ABC permit may participate in the Social District by allowing alcoholic beverages purchased and possessed in accordance with this Plan and the Social District Ordinance to be consumed in their businesses. Participating businesses that are not selling alcoholic beverages are not required to register with the City.

Nothing in this Plan or the Social District Ordinance shall be construed as requiring any business, regardless of whether or not it holds a valid ABC permit, to participate in the Social District.

The City and Downtown Salisbury, Inc. will provide information and materials to participating and nonparticipating businesses to ensure that the businesses understand their obligations under this Plan and the Social District Ordinance and communicate their participation or nonparticipation to the public.

<https://abc.nc.gov/>

For permit and enforcement questions, contact: Jerry Dean, ALE Agent

919-779-0700

510 N Lee Street, Salisbury, NC 28144

704-633-1641

rowanabcto@charlotte.twcbc.com



PROTECTING QUALITY OF LIFE

Alliance Code
Enforcement LLC

Monthly Report
Town of Mt. Gilead

Updated
August 31, 2022

ADDRESS	VIOLATION	STATUS
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
101 N Main St	MH	ABATED
537 W Allenton St	MH/OL	OPEN
214 S Main St	JV	ABATED
414 S Wadesboro Blvd	MH/OL	OPEN
506 S Wadesboro Blvd	JV	OPEN
426 S Wadesboro Blvd	OL/JV	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
134 Emmaline St	JV	OPEN
PID 750306478756	JV	ABATED
609 Julius Chambers Ave	JV	OPEN
306 Julius 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
August 31, 2022

526 Parkertown Rd	JP	OPEN
532 Parkertown Rd	MH	OPEN
534 Parkertown Rd	JV	OPEN

MONTHLY HIGHLIGHTS

- During the month of August, we continued to focus on previously opened cases and opened 6 new cases. We successfully abated 7 cases during the month.
- We addressed minimum housing, junk piles, junked vehicles, and overgrown lots. Hearings will be scheduled as needed.
- During the month, we were successful in removing and/or abating 8 nuisance or junked vehicles which improves the quality of the neighborhood as well as eliminates areas of potential insect and /or animal infestations.
- 101 Julius Chambers Ave – The commercial trailer has been removed from the property and this case is Abated and Closed.



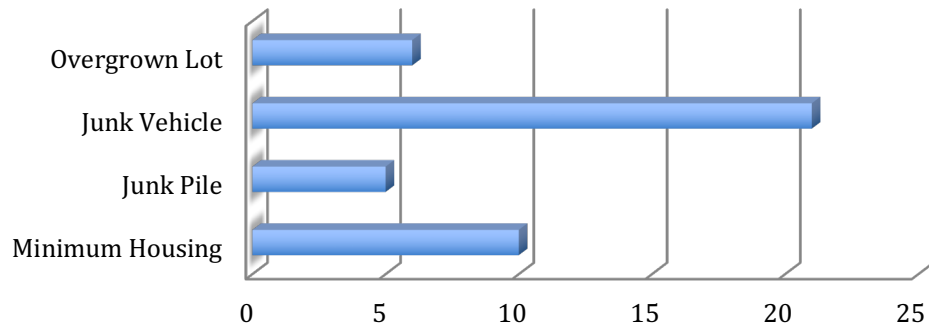
PROTECTING QUALITY OF LIFE

Alliance Code
Enforcement LLC

Monthly Report
Town of Mt. Gilead

Updated
August 31, 2022

Violations by the Numbers



	Minimum Housing	Junk Pile	Junk Vehicle	Overgrown Lot
■ Violations by the Numbers	10	5	21	6

