



Town of Carthage

Board of Commissioners
Regular Meeting
October 21, 2024 at 6:30 p.m.

McDonald Building
207 McReynolds Street
Carthage, NC 28327

AGENDA

CALL TO ORDER

INVOCATION – Commissioner Brent Tanner

PLEDGE OF ALLEGIANCE – Commissioner Dan Bonillo

APPROVAL OF AGENDA

Members of the board may remove, add, or rearrange items on the agenda prior to commencing the meeting. Motions/votes are not required to approve the agenda but there must be unanimous consent before proceeding.

CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners to remove an item from the consent agenda and place it on the regular agenda.

- Minutes from Regular Meeting on September 16, 2024 (pg. 1-10)
- Budget Amendment #6 to Receive and Allocate Funds to Pay Our Off-Duty and Auxiliary Officers (pg. 11)
- Budget Amendment #7 to Allocate Fund Balance for New FD Hires (pg. 12)

PUBLIC COMMENT SESSION

Members of the public may use this time to address the Board of Commissioners with any presentations, questions, or concerns. All public comments made as part of a public hearing should be withheld until the public hearing has begun and the floor is given to public comments. No public comment will be made outside of this public comment session or a public hearing unless otherwise permitted by the Board of Commissioners. To request to speak outside of the public comment session or public hearing please raise your hand and wait to be recognized by the presiding officer. The mayor or presiding officer may place time limits on speakers prior to the start of the public comment session.

REPORTS

Manager's Report (Emily Yopp, pg. 13-14)
Departmental Reports (pg. 15-33)

PUBLIC HEARINGS

- a. Public Hearing – Text Amendment to Unified Development Ordinance Section 100.56A* Special Requirement 37 “Wireless Telecommunication Facilities”; Petitioner: Town of Carthage (Jennifer Hunt, pg. 34)

Staff are requesting to postpone the Wireless Telecommunication Facilities Text Amendment Hearing until a future Meeting so that the Town attorneys may complete their review and any revisions. (Staff recommends the December 16th meeting)

- b. Public Hearing – Conditional Zoning Request (Ordinance #ORD.24.17), Petitioner: Charles Steadwell (Jennifer Hunt, pg. 35-51)

NEW BUSINESS

- a. Volunteer Interviews for Vacant Advisory Committee Positions (Kim Gibson, pg. 52-62)
 - 1) Debbie Bowman, Appearance Committee
 - 2) Ashley Bullins, Historical Preservation Commission
 - 3) Patty Kempton, Historical Preservation Commission
 - 4) Corey Diebel, Planning Board ETJ Member
- b. Resolution (#RES.24.27) to Close Roads for Annual Christmas Parade (Kim Gibson, pg. 63)
- c. NCDOT Cost-Share Agreement (Emily Yopp, pg. 64-80)
- d. Request to Create a New Position within the Police Department—Police Records & Technology Administrator (Kim Gibson, pg. 81-87)
- e. Request to Supplant ARPA Funds (Resolution #RES.24.26), (Kesha Matthew, pg. 88-147)
- f. Approve Capital Project Ordinance Agreements/Amendment for Grant Funding (Emily Yopp, pg. 148-156)
 - 1) Ordinance Amendment #ORD.24.02.AMD – An Amendment to Ordinance Ord.24.02 Establishing a New Grant Project Thompson Building—208 Monroe Street
 - 2) Ordinance #ORD.24.18 – Establish a New Grant Project Fund for RTG SA-257 Streetscape Infrastructure Downtown Project
 - 3) Ordinance #OrD.24.19 – Establish a New Grant Project Fund for SA-0344, Rural Economic Development Grant; Enhancing the Vitality of Courthouse Square
- g. Call for a Public Hearing – (*Resolution #RES.24.21*) Conditional Zoning Request for Ouida Food Truck Park, Petitioner: Ouida Newell (Jennifer Hunt, pg. 157-158)
- h. Call for a Public Hearing – (*Resolution #RES.24.22*) Conditional Zoning Request for Bonck America Corporation Solar Business at 409 Rockingham St, Petitioner: Charles Lu (Jennifer Hunt, pg. 159)
- i. Call for a Public Hearing – (*Resolution #RES.24.23*) Annexation and Subsequent Rezoning of PID#20060239, Legion Hut Rd Lot 1; Petitioner: Southbury Development, LLC (Kim Gibson, pg. 160)
- j. Call for a Public Hearing(s) – (*Resolution #RES.24.24*) UDO Update to add: Certificates of Occupancy, Private Driveway Standards, Performance Guarantees, Impervious Surface (Jamie Sandoval, pg. 161-164)
- k. Call for a Public Hearing – (*Resolution #RES.24.25*) to Discuss the Future of the Historic Preservation Commission (Emily Yopp, pg. 165-167)

FINAL COMMENTS

The Board of Commissioners may take this opportunity to provide feedback, comments, commendations, and/or just general thoughts regarding various topics, issues, and ideas.

CLOSED SESSION

As allowed by NC General Statute § 143-318.11(a)(6)

- Discussion of personnel matters

ADJOURNMENT

Town of Carthage

North Carolina

BOARD OF COMMISSIONERS



MEETING AGENDA & BOARD MATERIALS

Regular Monthly Meeting

October 21, 2024

The McDonald Building
207 McReynolds Street
Carthage, NC 28327

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Town of Carthage,
North Carolina

Board of Commissioners
Regular Meeting
September 16, 2024

McDonald Building
207 McReynolds Street
Carthage, NC 28327

Regular Public Meeting



Town of Carthage

Board of Commissioners

Regular Meeting

September 16, 2024

6:30 p.m.

ROLL CALL

Present in-person were Mayor Jimmy Chalflinch, Mayor Pro Tem John McDonald and Commissioners Al Barber and Brent Tanner. Commissioner Dan Bonillo was present by remote/virtual means at 6:30 p.m.. Commissioner Anton Sadovnikov was excused.

CALL TO ORDER

Mayor Chalflinch called the meeting to order at 6:32 p.m.

INVOCATION

Mayor Pro Tem McDonald led the room in prayer.

PLEDGE OF ALLEGIANCE

Mayor Jimmy Chalflinch gave the pledge.

APPROVAL OF AGENDA

MOTION

Commissioner Tanner motioned to approve the agenda as written and presented with the addition of adding a Request for Replacement of Fire Department Vehicle to New Business. The motion was seconded by Mayor Pro Tem McDonald. All ayes, motion passed 3-0.

CONSENT AGENDA

Mayor Pro Tem McDonald made a motion to approve consent agenda items consisting of the minutes from the Regular Meeting on May 20, 2024 and Minutes from the Regular Meeting on August 19, 2024. Commissioner Tanner seconded the motion and with a vote of 3-0, the motion passed.

PUBLIC COMMENT

The floor was opened up for public comment, and several community members signed up to discuss the Historic Preservations Commission (HPC). Mr. Travis McNeill of McReynolds Street address the audience and the Board to request that the HPC be abolished. Mr. Tim Emmert addressed the "nasty" editorial in The Pilot Newspaper which directly called the citizens of the Historic District to come together and protect their history and heritage. Mr. Scott Chase asked the Board if the HPC was necessary, stating, "What have we not done to upkeep the Historic District and maintain the pride of the community?"

One other citizen requested to address the Board. Cheryl Degraffenried expressed her desire for another cell phone tower in or near the Needmore Community, stating that cell service was very spotty and at times, not available at all.

With no further comment from the Public, Mayor Chalflinch closed the floor to Public Comment. The Board discussed the request of the Public with regard to the HPC, and after informing them that they could not just disband the HPC without a Public Hearing, they agreed to call a Public Hearing in the future to consider all opinions and evidence that may be presented.

The Board also directed Town Staff to look into the feasibility and logistics of adding an additional cell phone tower to the area. With those issues addressed, Mayor Chalflinch continued on with the official meeting agenda.

MANAGER'S REPORT

Town Manager, Emily Yopp, gave the Manager's Report which is and does become a part of these minutes.

1. Project Updates

a. Downtown Revitalization Projects

Mrs. Yopp is working with the Central Pines Regional Council (CPRC) team to develop an overall plan for workflow, bidding and procurement and grant reporting for the downtown revitalization projects to include the new town hall building. The workflow plan so far is as follows:

September:

- CPRC will begin developing a process flow document and begin gathering information on bidding and procurement.

October:

- CPRC will work with town staff to prepare project ordinances clearly outlining line-item costs for each grant project and will take the lead in preparing the bids.
- Town staff will bring the project ordinances to the Board for approval at the October regular meeting.

November:

- Publish the bids after the board approves the project ordinances.
- CPRC will finalize the process flow document and prepare any necessary spreadsheets to track spending for each project and grant.

December:

- Aim to have the bid process complete by early December.
- Contractor selection process by the Board of Commissioners to begin with a goal of having a contractor selected by early January.

January:

- Enter the contract process with the selected contractor and begin work.

b. Pickleball Project

As of this writing, we are awaiting one last estimate for new, black vinyl coated fencing to divide the pickleball courts as well as replace the existing galvanized metal fencing around the perimeter of the court to ensure a uniform appearance at the end of the project. So far, final estimates to renovate the existing court are coming in well under budget. I hope to bring more up-to-date information to the Board at the next meeting.

c. UDO Update

Staff continue to work with Kimley Horn on developing a fully updated Unified Development Ordinance for the Planning Board and Board of Commissioners to begin considering in the coming months. As Kimley Horn develops a section of UDO language they submit it to the Planning Team for review and comments. Once a draft version is available, the teams move on to another section for review. This process will continue until staff has reviewed all sections and then we will begin the public hearing/meeting process. Currently, staff have reviewed language on the Table of Permitted Uses, Open Space requirements, and Electric Vehicle charging stations. There are many sections left to go and we are about halfway through this 2-year process.

2. New Administrative Department Schedule & Time Clocks

As workloads continue to increase in the administrative department, Kim Gibson (HR Officer) and Mrs. Yopp felt it was time to consider updating the work schedule in the admin department to allow more opportunity for admin staff to achieve better work-life balance, help reduce feelings of burnout and ensure that the citizens of Carthage are receiving the highest quality of service while at the same time promoting the retention of professional and trained staff. The new schedule is what we are calling a “rotating 4-10” schedule where all admin employees are working 4 days a week (Tues-Thurs) and then half the admin staff is off on either Friday or Monday to create 3-day weekends that allow for more time to take care of personal appointments, rest, spend time with family, etc. A “partner” system has been created where there is an admin employee from each service area (i.e., planning/zoning, finance, utilities, etc.) that is available to take any questions or calls from the public on the days when their “partners” are off.

The new schedule began about 2 weeks ago and, so far, is working very well. Ms. Gibson and Mrs. Yopp are monitoring service quality and logistics to identify any concerns this new schedule may uncover, but we are confident that this new schedule will achieve the desired results – an administrative staff that is efficient, productive, and ready to serve the community and its growing needs while also achieving balance and meeting the needs in their personal lives.

We have also implemented a pilot program to test new time clock software and equipment that we hope will reduce time spent in the finance department processing payroll and time sheets. Payroll activities such as entering data into the system, correcting time sheets, calculating varying ranges of pay depending on departments, etc. take up a significant amount of time for any employer. As our staff numbers increase, so does the time needed to process payroll. With only two finance department employees, it is important to find ways to complete these payroll tasks more quickly and efficiently. While we think this step will provide a lot of benefits to the organization, the top goals for this time clock program are:

- 1) reduce the time the finance department spends on processing payroll by utilizing modern time clock technology to log and upload clock in/clock out data into our payroll processing software,
- 2) allow employees to report actual time spent working to ensure accuracy of pay and better budget forecasting.
- 3) reduce the time all employees spend on tracking their time on paper timesheets so that they spend more time working and learning in their roles and less time doing paperwork.

We are currently testing the program in the admin and public works departments. Once we have analyzed all the information and smoothed out any processes, we will move to implement the program in the fire and police departments as well.

MOTION

Commissioner Barber made a motion to go out of the Regular Meeting and into the Public Hearings. Commissioner Tanner seconded the motion which passed unanimously with a vote of 4-0.

PUBLIC HEARINGS

- a. *Board of Adjustment Quasi-Judicial Hearing – (#BOA.24.03) Special Use Permit hearing for 405 Monroe Street, Petitioner: Charles Steadwell*

Ms. Jamie Sandoval, presenting for Town Planner, Jennifer Hunt, informed the Board that the request made by Mr. Steadwell had changed slightly, but enough to make the request a Conditional Zoning request and did not require the Board of Adjustment to hear a Special Use hearing. Ms. Sandoval requested to withdraw the Special Use request of the Board of Adjustment and call for a Public Hearing for Conditional Zoning.

MOTION

Commissioner Tanner made a motion to allow the withdrawal of the Special Use request of the Board of Adjustment and call for a Conditional Zoning request by Mr. Charles Steadwell to be held Monday, October 21, 2024 at 6:30 p.m. at the McDonald Building located at 207 McReynolds Street. Mayor Pro Tem McDonald seconded the motion which passed with a unanimous vote of 4-0.

- b. *Public Hearing – McNeill Ridge Conditional Zoning Amendment Request, Petitioner: Matt Kirby*

The applicant, Mr. Matthew Kirby, the manager of SKC Properties, LLC which owns PID# 20070750, has applied for a conditional zoning amendment for the project known as “McNeill Ridge Subdivision.” This project was approved for 78 single family lot subdivisions with the zone R-10-CZ on the corner of Rockingham Street and S. McNeill Street.

A short history of this project known as “McNeill Ridge Subdivision” is explained by Ms. Sandoval, on behalf of Planner, Jennifer Hunt. The first CZ request for this parcel was on August 15, 2022, where a public hearing was held, and the project was denied. The applicant then came back with proposed duplexes on June 19, 2023. The preliminary plat was for 66 units (duplexes) located on 33 lots in the R-20 zone. The request was a by right use as the R-20 zone permits the land use for single family homes and duplexes. At the June 19, 2023, meeting the Board of Commissioners invited the applicant to re-submit their application for another CZ request to build the single-family lots and waived the fee. There was a public discussion and concern regarding the landscaping buffer with the duplexes as well as the clear cutting of trees.

The applicant decided to return to the Board of Commissioners with the CZ request for 78 single-family lots which was approved at the September 2023 Board of Commissioners meeting. This is known as ORD 23.19, which lists the conditions of approval. (Please see **EXHIBIT A**). The conditional zoning request included a 30 foot and 60 foot “undisturbed” buffer along the lots on the McNeill Street side, which will be dedicated to the Town of Carthage as open space. The developer was willing to do valley concrete curbing, with 60 feet right of way and give the Town \$100,000 to use as we see fit. The developer was also willing to pay for the waterline design from Loyd Lane to the northeast fire hydrant located on the north side of Rockingham Street in front of Carthage Elementary School.

The applicant submitted a CZ amendment request for proposed changes on August 7, 2024, with his engineering team, LKC engineering, for further changes, which need BOC approval. (Please view **EXHIBIT B**). Town staff met with the applicant at the Technical Review Committee on July 18, 2024. The applicant submitted the conditional zoning amendment request on August 7, 2024. The roadway cross section being proposed is 28’ verses the 60’ right of way. (Please see **EXHIBIT C** for Preliminary Plat)

Mayor Chalflinch opened the floor to Public Comment, with no citizens choosing to speak. The floor was closed to Public Comment and the Board began their deliberations. The Board questioned the applicant about the reason for the changes and the response was that a significant amount of protected wetlands had been located on the site and the plan had to be reworked to account for that. There were more questions that pertained to specific details of the project that developers were not in a position to answer at that time.

MOTION 1

With no comment from the Public and the straightforward changes presented, there was little discussion on this topic. Commissioner Barber made a motion to approve the Conditional Zoning Amendment’s consistency with the adopted Land Use Plan Goal #2—Coordinated, intentional, and well-planned growth and development and Goal #3—Protection of open space and critical natural features. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 4-0.

MOTION 2

Commissioner Tanner made a motion to approve the Conditional Zoning Amendment (CZ-05-24) for McNeill Ridge as written and presented. Commissioner Barber seconded the motion which passed unanimously with a vote of 4-0.

MOTION

With no other Public Hearings on the agenda, Mayor Pro Tem McDonald made a motion to go out of the Public Hearings and into the Regular Meetings. Commissioner Barber seconded the motion which passed unanimously with a vote of 4-0.

OLD BUSINESS

a. Presentation of the Needmore Community Sign Design Choice

Town Staff went into the Needmore Community on July 31, 2024, and set up a tent from 9am to 12pm to help gather community input from the citizens on which sign they think is best. There were several community members who stopped by to help gather community input. Cheryl Degraffenreid, who lives in the Needmore community, stayed with staff the whole time and really helped solicit participation from community members.

The sign that was most favored on July 31, 2024, and during the online survey, which was open for one week, is the picture called "Picture 5" (See **EXHIBIT D** for all samples). At the community input meeting, there were some community members that wanted to add the slogan "A Family Friendly Community" underneath the Needmore letters as well as possibly replace the white flower with something that is more related to Carthage, such as a buggy. To reiterate, "Picture 5" was the one most favored from the community input meeting on July 31, 2024.

MOTION

With little discussion and after clarifying with Ms. Cheryl Degraffenreid, who was present at the meeting, Mayor Pro Tem McDonald made a motion to approve the commission of Picture #5 with the magnolia flower on the black background and the addition of the phrase "A Family Friendly Community." Commissioner Barber seconded the motion which passed unanimously with a vote of 4-0.

NEW BUSINESS

a. Request for Damages for Headstone at Cross Hill Cemetery – Petitioner: Helen Oakley McDonald

Mrs. Helen McDonald and her sister, Jane Ritter are requesting the Town of Carthage pay to replace their family headstone that they claim was damaged by the maintenance equipment during the mowing of the cemetery. (See **EXHIBIT E** for photos of family headstone damages)

Mrs. McDonald presented her case before the Board and Town Staff, Kim Gibson, Town Clerk/Cemetery Administrator; Allen Smith, Public Works Director; and Emily Yopp, Town Manager explained to the Board the steps that had been taken thus far to try and remedy the situation. Mrs. McDonald was upset that the process had taken so long and still had no definitive solution. She was presented with the option to repair the stone, but she preferred to have the stone replaced and a solution made to avoid any further damages from the equipment.

Ms. Gibson offered her opinion to the Board that the cemetery plots in the “new” section (the 2006 addition) were not popular and were not selling well because they required flat, or no above-ground stones or monuments. That rule had also caused some issues as there are currently above-ground stones that were placed in that area without knowledge or permission of Town Staff. Mayor Pro Tem McDonald asked the reason why there were no above-ground stones allowed in that section, to which Ms. Gibson responded that it was for easier maintenance for that area.

Mr. Smith was questioned if this process actually made it easier to maintain, to which he responded that it did not make a noticeable difference that he had been able to ascertain.

Mrs. McDonald informed the Board that she and her family would much prefer an upright stone, should that be allowed.

The Board requested that Mrs. McDonald and her family get an estimate/quote for the upright stone that they would like, and bring it back to the Board for consideration of a partial payment to replace. Mrs. McDonald agreed.

b. Appeal of Utility Billing Charges by Gary and Paula Gross; 396 Kim Lane

At the last regular meeting on August 19, 2024, the Board was presented with four individual accounts that had been audited and found to be in a state of arrears due to billing errors. The Board determined that there was precedent for having the account owners repay the amounts in arrears with the extension of the payment plan that is currently allowable by ordinance from six months to three years. This was done in recent years past with a very similar circumstance.

The account owners for Case #1 that was presented last month, Gary & Paula Gross, have requested an appeal for this decision.

Mr. and Mrs. Gross addressed the Board with their appeal. They expressed their belief that they paid the bill that was sent to them, and they should not be held responsible for the Town’s billing error. They agreed that they had used and consumed the water but felt they should not be held liable for a billing error that was not their fault. They also stated that they are retired and on a fixed income and this would place a burden on them financially.

Mayor Chalflinch asked if they received two bills, one for the new home and one for the apartment that they had been living in while the new home was under constructions. They stated that they only received the one bill. They were questioned if they thought it “odd” that their bill fluctuated greatly while they were living in the apartment, but was a constant, lower amount once they moved into the new home. They responded that they were not from North Carolina and didn’t know what to expect. They thought that was normal.

Commissioner Barber expressed his opinion that he felt they should not be held accountable for an error that they did not create. The other Board members expressed their belief that the water and sewer were used and should be paid for. Mayor Chalflinch made the suggestion that the Board waive 50% of the charges due to the error and the customer pay 50% because the service was used.

MOTION

Commissioner Tanner made a motion to approve the requested appeal by the Gross family with the terms that the Gross's will pay \$1,856.11 (exactly 50% of the owed amount) and they will be allowed to pay over a 36-month period. Mayor Pro Tem McDonald seconded the motion which passed with a split vote of 3-1. Commissioner Barber voted Nay.

- c. *New Law Effective October 1, 2024, Regarding Pornography on Government Networks and Devices*

The new law requires all public agencies, including local governments, to adopt (or update) a policy by January 1, 2025, governing the use of their networks and devices. (See **EXHIBIT F** for full memo and requirements).

MOTION

With little discussion, Commissioner Tanner made a motion to approve the Resolution Prohibiting Viewing of Pornography on Town Networks and Devices as written and presented. The motion was seconded by Commissioner Barber and with a vote of 4-0, the motion passed unanimously.

- d. *Call for a Public Hearing – (Resolution #RES.24.19) Text Amendment for Wireless Telecommunication Facilities, Petitioner: Town of Carthage*

The Town of Carthage would like to call the public hearing for the text amendment to UDO Section 100.56A* Special Requirements 37 “Wireless Telecommunication Facilities” (WTF). The Town attorney helped the Town Planner realize that some of the language in the WTF is not as descriptive or thorough as it needs to be. Therefore, there is a text amendment to help improve the clarity of this section.

MOTION

Commissioner Barber made a motion to call a Public Hearing to consider the text amendment request for Wireless Telecommunication Facilities on Monday, October 21, 2024 at 6:30 p.m. at the McDonald Building located at 207 McReynolds Street. The motion was seconded by Commissioner Tanner and with a vote of 4-0, the motion passed unanimously.

- e. *Replacement of Fire Department Vehicle*

On August 6, 2024, a driver ran a stop sign and collided with Fire Chief, Brian Tyner’s vehicle as he was responding to an emergency call. The accident was reported to the insurance company and the Chief’s vehicle was declared a total loss. The Fire Departments has requested to replace the SUV that was totaled with a truck that will better fit their needs. This is a request for the Board to approve the purchase and finance the replacement vehicle. The vehicle is quoted at \$58,578. The insurance payout will be \$15,230, so the amount to be financed is \$43,348. Finance Director, Kesha Matthews has asked

for financing quotes from First Bank, Truist, PNC, and Tax-Exempt Leasing Corporation. (See **EXHIBIT G** for quotes obtained).

The Town was placed on the Local Government Commission's Unit Assistance List due to the late audits. Because of this, any financing that we request over \$50,000 or for more than a 3-year term, will need to go before the LGC.

MOTION

With little discussion, Commissioner Tanner made a motion to approve the purchase of the replacement vehicle and see financing through First Bank for a 3-year term. The motion was seconded by Commissioner Barber. All ayes, the motion carried 4-0.

MOTION

Commissioner Tanner made a motion to go out of the Regular Meeting and into Closed Session. Commissioner Barber seconded the motion which passed unanimously with a vote of 4-0.

MOTION

Commissioner Barber made a motion to go out of the Closed Session and back into the Regular Meeting. Mayor Pro Tem McDonald seconded the motion which passed unanimously with a vote of 4-0.

ADJOURNMENT

MOTION

With no other business, Mayor Pro Tem McDonald motioned to adjourn the regular meeting. Commissioner Tanner seconded the motion. All ayes, motion carried 4-0. The regular meeting was adjourned at 9:02 p.m.



MEMORANDUM

Date: October 16, 2024
 To: The Board of Commissioners
 From: Kesha Matthews, Finance Director
 Subject: BUDGET AMENDMENT #6 -- Receive and allocate the funds from the organization to pay our off duty and auxiliary officers

The Moore County Agricultural Fair requested assistance from the Carthage Police Department to provide police presence at the fair. This amendment is to receive and allocate the funds from the organization to pay our off duty and auxiliary officers for providing this assistance.

NUMBER 6

2024/2025 BUDGET AMENDMENT
 GENERAL FUND
 OCTOBER 2024

Account Code	<u>BUDGET</u>	INCREASE (DECREASE)	NEW <u>BUDGET</u>
REVENUES:			
10-364-01 POLICE OFF DUTY EMPLOYMENT	0	1,980	1,980
EXPENDITURES:			
10-510-03 OFF DUTY EMPLOYMENT SALARY	0	1,760	1,760
10-510-95 MISC	0	220	220



MEMORANDUM

Date: October 16, 2024
 To: The Board of Commissioners
 From: Kesha Matthews, Finance Director
 Subject: BUDGET AMENDMENT #7 – Allocate Fund Balance for New FD Hires

During our budget preparation, the Board approved three new full-time firefighter positions, to be hired and begin work in January 2025. Because of staffing issues, Chief Tyner asked the Board to reconsider and allow him to fill those positions sooner. In closed session of the August 19, 2024 meeting, the Board approved the request. This amendment is to allocate Fund Balance to fund an additional two months of salaries for these positions because we only budgeted for six months in the approved budget.

NUMBER 7

2024/2025 BUDGET AMENDMENT
 GENERAL FUND
 OCTOBER 2024

Account Code	<u>BUDGET</u>	INCREASE (DECREASE)	NEW <u>BUDGET</u>
REVENUES:			
10-370-00 FUND BALANCE APPROPRIATED	271,984	32,002	303,986
EXPENDITURES:			
10-530-02 SALARIES	519,471	25,295	544,766
10-530-05 FICA	39,740	1,935	41,675
10-530-06 INSURANCE	64,771	67	64,838
10-530-07 RETIREMENT	42,595	3,440	46,035
10-530-09 RETIREMENT - 401(K)	16,373	1,265	17,638

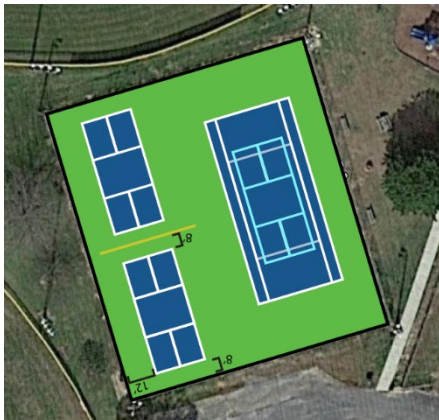


MANAGER'S REPORT

Date: October 15, 2024
To: The Board of Commissioners
From: Emily D. Yopp, Town Manager

1. Pickleball – Tennis Court Project

The agreement to renovate the tennis courts at Nancy Kiser Park and convert them to hybrid pickleball/tennis courts has been signed and we are scheduled to begin work on the project in April 2025. The project will cost approximately \$61,417.00 with \$60,000 of funding coming from recreation payments in lieu from the Carriage Place Townhomes development where the Board and Developer, David Chapman, negotiated a payment in lieu fee of \$500 per dwelling unit to support recreation development in Carthage to benefit both existing residents and new residents moving into our newly built communities.



Since pickleball is a very popular sport, and the pickleball courts at Moore County's recreation facilities are often full. Moore County Parks and Recreation has offered to support this project by funding the cost of painting the new lines on the courts, which total \$1,950.00.

In all, the project has been funded by support from Mr. Chapman and Moore County Government with minimal cost to the town. I would like to look at some accessories, such as benches and shade covers, to provide a bit more comfort to members of the public enjoying the new court once complete. I will update the Board on that once I have a better idea of cost and what might be needed.

2. Recent Disruptions of Water Service

There has been a considerable number of water service disruptions to our residents and businesses over the last few weeks due to GAC, a utility construction company, working to run fiber optic lines in the utility easements for Ripple Fiber. While it should be expected that disruptions to other service lines running in the same utility easements will occur during a project like this, the frequency with which the lines are being hit has become a concern. There were two water lines that were hit that were unknown to the Town and that were not marked on our maps (they are now mapped), others were properly marked.

Allen Smith and I have a meeting scheduled with Ripple Fiber's Director of Construction on Wednesday (10/16) to discuss our concerns in more detail, offer them any additional resources they may need to avoid

further disruption and make a plan to move forward with the project with as little inconvenience to our residents as possible.

Respectfully submitted,

Emily Yopp, Town Manager



MEMORANDUM

Date: October 21, 2024
To: The Board of Commissioners
From: Jennifer Hunt, Town Planner
Subject: Planning & Zoning Update for September 2024

I, Jennifer Hunt, the Town Planner, would like to update you on how the Planning & Zoning Department is getting along.

Zoning Permits Processed

1. Estimated Fees collected 7/1/23 to 7/1/24 = \$18,608
2. Fees collected 7/1/24 to 9/30/24 = \$8,518.90
3. The estimated time it takes to complete zoning permits is around two to three weeks.
4. September 2024:
 - a. Sign Permits = 2
 - b. Fence Permits = 1
 - c. Build New Residence = 8
 - d. Zoning Process (CZ, SUP, Rezone, BOA etc) = 5
 - e. Accessory Residential Structure (sheds, roof solar, storage building, attached building, etc) = 5
 - f. Zoning Compliance Letter = 1
 - g. Exempt Plat Reviews = 1
 - h. Commercial New Building = 1
 - i. Temporary Events = 2
 - j. Municipal Compliance Verification Forms = 10

Mobility/Transportation

[Central Pines Rural Planning Organization \(RPO\)](#)

Due to Hurricane Helene and the destruction in Western North Carolina, at the October 10th meeting of the Central Pines RPO there was an update about NCDOT funding for the Statewide Transportation Improvement Projects. NCDOT is in the negative with division 8 over \$12 million and in the negative in all areas except for two. Therefore, if the Town of Carthage would like any mobility improvements, it will be on the Town to provide these improvements for the foreseeable future. There have been projects on the STIP list that have had no prioritization or movement for over 6 years. It would seem reasonable to assume that NCDOT funds will be understandably appropriate toward maintaining, repairing and fixing the roads in Western North Carolina.

**Draft 2026-2035 STIP Funding Availability for Selecting Division Needs Projects from
Prioritization 7.0
As of September 18, 2024**

STI Funding Category	Funding Availability
Division 1	-\$199M
Division 2	-\$228M
Division 3	-\$61M
Division 4	-\$21M
Division 5	-\$187M
Division 6	\$79M
Division 7	\$64M
Division 8	-\$12M
Division 9	-\$119M
Division 10	-\$201M
Division 11	-\$18M
Division 12	-\$128M
Division 13	-\$144M
Division 14	-\$35M

***** Values are as of September 18, 2024, and will change due to, but not limited to, updated project cost estimates and schedule changes for committed projects *****

At the meeting on October 10th Orange County asked for endorsement to adopt the “Safe Routes to School (SRTS) Plan” and “Short Range Transit Plan (SRTS)” which is a living document. The SRTS implements the Strategic Implementation Plan for Orange County and outlines projects in the 5-year plan and thereafter. The SRTS document will be updated accordingly every 5 years. It is only a matter of time before Moore County will probably do the same.

NCDOT

According to NCDOT there are options for how the Town of Carthage can complete mobility projects, such as improving the pedestrian and bicycle access and network, despite the STIP budget restraints and lengthy process.

1. Possibility to piggyback onto NCDOT projects to minimize the cost of expanding. With NCDOT workers already available with materials, equipment and labor the TOC can work with NCDOT to expand the sidewalk network, utilizing our resources with NCDOT, when NCDOT is doing roadway improvements. NCDOT will help us expand by making sure there are enough materials, so long as we work to time the implementation of the improvements at the same time as NCDOT is making their improvements. The TOC will have to pay for the improvements (for our expanded mobility access), but it will be cheaper to piggyback on their improvements already scheduled than to do it all solo.

- A. One example is the widening of Monroe Street and NC 24-27. Jennifer Hunt, Town Planner, will work with Dagoberto JuarezPozos with NCDOT and Allen Smith, Public Works Director, to identify the perpendicular streets to Monroe Street, from the courthouse to Hardees, identifying the gaps in the network and expanding the pedestrian and bicycle facilities as much as possible as NCDOT is doing the roadway improvements along NC 24-27.
2. Another way to improve mobility access is the possibility to improve pedestrian and bicycle facilities, where it is possible, along NCDOT right of ways and then possibly be reimbursed by NCDOT while also possibly dedicating the improvements for NCDOT to maintain. This would have to be at strategic locations and Jennifer Hunt, Town Planner, would work with NCDOT to identify the locations the TOC is interested in to make sure it is feasible.
3. Consider a toll road along NC 24-27. These funds would not go directly to the Town of Carthage but would be in a general fund with NCDOT. However, with a toll road, there could be the possibility to have more points in the STIP process, funding major projects in the Carthage area. While I realize a toll road is not feasible at this time, this was some information that was presented to me as an opportunity, so I wanted to share this information with the Board.
4. Consider paid parking downtown, to help fund pedestrian and bicycle networks.

UDO Update

We are currently reviewing the sections below for the UDO Update. Once the sections are finalized and complete, we will bring them before the BOC for adoption, at the appropriate time.

1. Wireless Telecommunication Facilities
2. Lighting
3. Placemaking
4. Architectural Standards
5. Common Recreation and Open Space
6. EV Charging

Project Updates

Current Project Updates:

1. Southbury Phase 4 is almost complete. This is 42 lots for Southbury Subdivision Phase 4.
2. Carriage Hill Subdivision:
 - a. 25 lots complete
 - b. 18 lots are incomplete

- c. Complaints about Carriage Hill HOA for parcel 20220502, no landscaping or grass has been put in and electric wires are hanging out, where there are safety concerns. Jennifer checked on October 11, 2024, and there fiber, internet upgrades are taking place. She will follow up with the developer once that is completed.
 - d. Approved ORD 20-32 and ORD 21-09.
3. Phillips Point Subdivision (Phase 2A) Construction Plans:
 - a. Previously known as “Savannah’s Garden Phase 2” but there was a name change.
 - b. Approved ORD 23.20.
 - c. Two phases total (phase 2A and phase 2B) with 35.58 acres total, 82 lots approved with minimum lot 8,000 square feet.
 - i. Phase 2A= 46 lots total with 26 lots > 10,000 sq. ft. & 20 lots < 10,000 sq. ft.
 - ii. Phase 2B = 31 lots (Future Development)
 - d. Expected construction to begin in November 2024 for Phase 2A.
 4. Ripple Fiber, Spectrum and Brightspeed are under construction, implementing fiber internet and upgrades.
 5. Duke Energy is under construction for the Hillcrest 230kV Substation at PARID 00000944701.
 6. Forest Ridge Phase 3 and Phase 3 Addition have updated their construction drawings. We are on the final review. This is for 56 lots. This is for parcel 0001192 and was approved by the Board of Adjustment in July 2024.
 7. The New Covenant Fellowship school is building their gymnasium.
 8. Magnolia Hill Apartment are under construction.

Projects in the pipeline:

1. Ouida Food Truck Park – Conditional Zoning (next month Public Hearing Nov. 2024).
2. Charles Lu- Conditional Zoning Solar Panel business at 409 Rockingham Street (next month Public Hearing Nov. 2024).
3. Fred Smith Company- new commercial building (next month Site Plan Review Nov. 2024).
4. Needmore Community Sign- Contract for final sign and implementation signed this month, construction to start either this month or next month. Estimated time of completion November – December 2024.

5. McNeill Ridge Subdivision is free to submit their construction plans for 59 lots. They plan to do so soon.
6. Sandhills Car Wash received their approved construction plans. They are free to begin construction right now.
7. Riddle Ridge Subdivision with 37 lots will submit their construction plans soon.
8. Tyson Trail Subdivision with 46 lots can submit their construction plans at their leisure. They have already had a preliminary meeting with the Technical Review Committee about their preliminary plat (already approved). On South McNeill street the grading has been completed and is currently in progress.

Housing & Commercial Development

Residential development constructed or in the pipeline:

- Single family lots = 285
- Apartments = 240

Commercial developments constructed or in the pipeline:

- Ouida Food Truck Park
- Another Food Truck Park (application not yet submitted by inquiry made)
- Sandhills Car Wash
- Flex Industrial Space (application not yet submitted by inquiry made)
- New Covenant Fellowship Church gymnasium
- 405 Monroe Street, Car Lot
- Fred Smith Company new commercial building
- Duke Energy Substation



Monthly Call Report

INCIDENT ID	PSAP CALL DATE/TIME	INCIDENT TYPE SERIES NAME	INCIDENT NUMBER	AID TYPE
14253750	2024-09-01 08:29:51	Good Intent	791	
14256375	2024-09-01 16:08:38	Fire	792	
14256985	2024-09-01 21:43:39	Rescue & EMS	793	
14259440	2024-09-02 08:11:54	False Alarm & False Call	794	
14279566	2024-09-02 14:42:27	Severe Weather & Natural Disaster	795	
14279869	2024-09-02 14:59:45	Rescue & EMS	796	
14284368	2024-09-03 02:50:45	Rescue & EMS	797	
14284426	2024-09-03 05:58:09	Rescue & EMS	798	
14309222	2024-09-03 10:45:41	Rescue & EMS	799	
14309297	2024-09-03 12:42:25	Rescue & EMS	800	
5087894	2024-09-03 16:07:41		801	
14400044	2024-09-03 17:14:20	Rescue & EMS	802	
14400096	2024-09-03 17:58:34	Rescue & EMS	803	
14409742	2024-09-03 18:12:48	Rescue & EMS	804	
14313456	2024-09-04 14:58:12	Rescue & EMS	805	
14411343	2024-09-06 10:07:58	Rescue & EMS	806	
14437794	2024-09-06 14:18:10	Fire	807	Mutual aid received
14462921	2024-09-06 17:52:09	Rescue & EMS	808	
14476775	2024-09-07 05:16:07	Rescue & EMS	809	
14471489	2024-09-07 17:17:16	Rescue & EMS	810	
14471557	2024-09-07 19:38:24	Rescue & EMS	811	
14473519	2024-09-08 03:20:40	Rescue & EMS	812	
14482856	2024-09-09 06:20:56	Fire	813	Mutual aid given
14483191	2024-09-09 10:07:30	Good Intent	814	Automatic aid given
14483339	2024-09-09 10:54:17	Rescue & EMS	815	
14483238	2024-09-09 10:55:30	False Alarm & False Call	816	
14483376	2024-09-09 11:03:49	Rescue & EMS	817	
14483263	2024-09-09 11:10:15	Good Intent	818	Automatic aid given
14484017	2024-09-09 12:13:52	Service Call	819	
14488217	2024-09-09 19:55:39	Fire	820	

Monthly Call Report

Carthage Fire & Rescue

Address: 4396 US 15 501 Hwy, Carthage, NC, 28327



INCIDENT ID	PSAP CALL DATE/TIME	INCIDENT TYPE SERIES NAME	INCIDENT NUMBER	AID TYPE
14492620	2024-09-10 06:56:15	Rescue & EMS	821	
14493447	2024-09-10 12:04:34	Rescue & EMS	822	
14495207	2024-09-10 15:19:10	False Alarm & False Call	823	
14495265	2024-09-10 17:12:07	False Alarm & False Call	824	Automatic aid given
14516543	2024-09-11 02:54:28	Rescue & EMS	825	
14509276	2024-09-11 15:17:51	Rescue & EMS	827	
14509427	2024-09-11 15:19:36	Good Intent	826	
14509481	2024-09-11 20:05:29	Good Intent	828	
14509527	2024-09-11 20:45:10	Rescue & EMS	829	
14510147	2024-09-11 22:20:48	Rescue & EMS	830	
14514255	2024-09-12 07:43:52	False Alarm & False Call	831	
14514128	2024-09-12 09:04:59	Rescue & EMS	832	
14514167	2024-09-12 11:33:28	Service Call	833	
14516387	2024-09-12 16:15:50	False Alarm & False Call	834	
14530953	2024-09-13 00:59:43	Good Intent	835	
14524041	2024-09-13 11:48:33	Hazardous Condition	836	
14541950	2024-09-13 17:13:51	False Alarm & False Call	837	
14534059	2024-09-14 15:56:10	False Alarm & False Call	838	
14534133	2024-09-14 16:13:33	Hazardous Condition	839	
5207503	2024-09-14 21:50:24		840	
14542039	2024-09-15 15:32:33	Good Intent	841	
14547157	2024-09-16 08:08:55	Fire	842	Mutual aid given
14547193	2024-09-16 09:19:19	Rescue & EMS	843	
14547328	2024-09-16 09:37:56	Hazardous Condition	844	
14547219	2024-09-16 09:39:58	False Alarm & False Call	845	
14548713	2024-09-16 12:44:32	Service Call	846	
14549533	2024-09-16 14:33:21	Rescue & EMS	847	
14552406	2024-09-16 18:56:41	Severe Weather & Natural Disaster	848	
14564738	2024-09-17 10:52:53	Rescue & EMS	849	
14566133	2024-09-17 13:44:58	Rescue & EMS	850	
14751798	2024-09-18 05:15:32	Rescue & EMS	851	
14573148	2024-09-18 07:54:09	Rescue & EMS	852	

Monthly Call Report

Carthage Fire & Rescue

Address: 4396 US 15 501 Hwy, Carthage, NC, 28327



INCIDENT ID	PSAP CALL DATE/TIME	INCIDENT TYPE SERIES NAME	INCIDENT NUMBER	AID TYPE
14574217	2024-09-18 11:44:50	Good Intent	853	
14670850	2024-09-18 20:21:17	Good Intent	854	
14727474	2024-09-18 21:39:27	Rescue & EMS	855	
14727494	2024-09-18 23:22:26	Rescue & EMS	856	
14727571	2024-09-19 00:19:33	Good Intent	857	Automatic aid given
14722851	2024-09-19 10:10:43	Good Intent	858	
14722896	2024-09-19 10:14:06	Rescue & EMS	859	
14722945	2024-09-19 14:23:51	Rescue & EMS	860	
14746261	2024-09-20 06:27:51	Rescue & EMS	861	
14729033	2024-09-20 10:44:08	Hazardous Condition	862	
14739859	2024-09-20 16:17:31	Good Intent	863	Automatic aid given
14739920	2024-09-20 17:52:18	False Alarm & False Call	864	
14739959	2024-09-20 20:47:14	Good Intent	865	
14746285	2024-09-21 12:54:26	Rescue & EMS	866	
14747543	2024-09-21 18:41:09	False Alarm & False Call	867	
14761436	2024-09-23 08:22:20	Rescue & EMS	868	
14797137	2024-09-24 06:57:54	Rescue & EMS	869	
14798772	2024-09-24 14:30:22	Hazardous Condition	870	
14799302	2024-09-24 15:06:08	Good Intent	871	Mutual aid given
14828428	2024-09-24 19:44:51	Rescue & EMS	872	
14828494	2024-09-25 06:35:45	Service Call	873	
14806559	2024-09-25 11:40:00	Rescue & EMS	874	
14839744	2024-09-25 19:10:19	Fire	875	Automatic aid given
14829148	2024-09-26 08:07:18	Rescue & EMS	876	
5327380	2024-09-26 09:59:07		877	
14839305	2024-09-26 20:08:44	Rescue & EMS	878	
14839779	2024-09-27 06:57:46	Severe Weather & Natural Disaster	879	
14841678	2024-09-27 09:15:57	Severe Weather & Natural Disaster	880	
14841702	2024-09-27 09:30:31	Severe Weather & Natural Disaster	881	
14842166	2024-09-27 10:48:27	Severe Weather & Natural Disaster	882	

Monthly Call Report

Carthage Fire & Rescue

Address: 4396 US 15 501 Hwy, Carthage, NC,
28327



INCIDENT ID	PSAP CALL DATE/TIME	INCIDENT TYPE SERIES NAME	INCIDENT NUMBER	AID TYPE
14844760	2024-09-27 12:22:20	Severe Weather & Natural Disaster	883	
14849408	2024-09-27 12:59:45	Hazardous Condition	884	
14864165	2024-09-29 02:19:25	Rescue & EMS	885	
14864188	2024-09-29 04:08:40	Rescue & EMS	886	
14871316	2024-09-29 18:50:41	Rescue & EMS	887	
14871341	2024-09-29 19:18:35	Rescue & EMS	888	
5373220	2024-09-30 03:40:37		889	
14880210	2024-09-30 13:35:51	Rescue & EMS	890	
14880238	2024-09-30 15:39:14	Good Intent	891	Mutual aid given

Carthage Police Department | Citation / Warning (NC)s: 17 Results | 2024-09-01 - 2024-09-30

Citation/Warning Type	Citation Date/Time	Agency Case Number	Race	Gender
Written Warning	2024-09-27 21:37	24-005412	W - White	M - Male
Written Warning	2024-09-28 19:14	24-005427	W - White	M - Male
Written Warning	2024-09-25 09:27	24-005344	W - White	M - Male
Written Warning	2024-09-25 15:30	24-005352	W - White	M - Male
Written Warning	2024-09-20 18:59	24-005250	W - White	F - Female
Written Warning	2024-09-23 06:00	24-005302	I - American Indian or Alaska Native	M - Male
Citation	2024-09-23 06:00	24-005302	I - American Indian or Alaska Native	M - Male
Written Warning	2024-09-19 19:01	24-005231	W - White	M - Male
Written Warning	2024-09-13 20:33	24-005092	W - White	F - Female
Written Warning	2024-09-13 22:27	24-005096	B - Black or African American	M - Male
Written Warning	2024-09-14 03:05	24-005101	W - White	M - Male
Written Warning	2024-09-14 21:06	24-005123	W - White	M - Male
Written Warning	2024-09-11 15:49	24-005021	B - Black or African American	F - Female
Written Warning	2024-09-08 12:36	24-004927	B - Black or African American	M - Male
Written Warning	2024-09-04 15:52	24-004841	W - White	M - Male
Written Warning	2024-09-03 13:40	24-004801	W - White	F - Female
Written Warning	2024-09-01 07:20	24-004737	W - White	M - Male

Carthage Police Department | Incident (NC)s: 25 Results | 2024-09-01 - 2024-09-30

Incident Number	Reference #	Primary Offense
I20240926-04	24-005353	90Z - All Other Offenses : Fraud
I20240920-04	24-005242	23F - Theft From Motor Vehicle
I20240904-05	24-004800	90Z - All Other Offenses : Natural Death
I20240925-16	24-005342	90Z - All Other Offenses : Disturbance
I20240917-09	24-005179	90Z - All Other Offenses : Warrant Service
I20240917-07	24-005177	90Z - All Other Offenses : Warrant Service
I20240916-11	24-005149	90Z - All Other Offenses : Information Only
I20240922-01	24-005284	35A - Drug/Narcotic Violations
I20240908-03	24-004935	290 - Destruction/Damage/Vandalism of Property
I20240906-17	24-004886	90Z - All Other Offenses : Harassing Phone Calls
I20240903-03	24-004799	35A - Drug/Narcotic Violations
I20240930-02	24-005452	90Z-12 - Obstruct Justice : Suspect refused to comply
I20240929-07	24-005448	90Z - All Other Offenses : Warrant Service
I20240923-18	24-005222	13B - Simple Assault
I20240919-11	24-005204	90Z - All Other Offenses : Minor dog bite, no injury
I20240918-12	24-005201	13B - Simple Assault
I20240913-07	24-005089	220 - Burglary/Breaking & Entering
I20240905-01	24-004849	90F - Family Offenses, Nonviolent
I20240908-09	24-004948	90Z - All Other Offenses : Warrant Service
I20240902-08	24-004765	90Z - All Other Offenses : Found Property
I20240929-04	24-005443	90Z - All Other Offenses : Verbal Domestic
I20240928-01	24-005424	13B - Simple Assault
I20240924-15	24-005330	220 - Burglary/Breaking & Entering
I20240914-02	24-005125	290 - Destruction/Damage/Vandalism of Property

Carthage Police Department | Incident (NC)s: 25 Results | 2024-09-01 - 2024-09-30

Incident Number	Reference #	Primary Offense
I20240909-04	24-004953	90Z - All Other Offenses : Warrant Service

Carthage Police Department | Warrants: 13 Results | 2024-09-01 - 2024-09-30

Incident	Warrant Type	Arrest Date	U C R/N I B R S Offenses	Race	Gender	Obtained Location (F I P S)	Offense Date/Time
I20241004-01	Felony Warrant	2024-10-04T03:37:00.000Z	90Z - All Other Offenses	W - White	F - Female	125 - Moore	2024-09-22 00:00
I20240930-02	Misdemeanor Warrant	2024-09-30T08:40:00.000Z	90Z-12 - Obstruct Justice	B - Black or African American	F - Female	125 - Moore	2024-09-30 04:30
I20240929-07	Misdemeanor Warrant	2024-09-30T01:15:14.804Z	90Z - All Other Offenses	W - White	M - Male	125 - Moore	2023-12-14 00:00
I20240928-01	Misdemeanor Warrant	2024-09-29T01:10:00.000Z	13B - Simple Assault	W - White	F - Female	125 - Moore	2024-09-28 13:40
I20240928-01	Misdemeanor Warrant	2024-09-29T01:10:00.000Z	13B - Simple Assault	W - White	F - Female	125 - Moore	2024-09-28 13:46
I20240922-01	Felony Warrant	2024-10-04T03:37:00.000Z	35A - Drug/ Narcotic Violations	W - White	F - Female	125 - Moore	2024-09-22 03:00
I20240917-09	Misdemeanor Warrant	2024-09-17T15:34:00.000Z	90Z - All Other Offenses	W - White	M - Male	125 - Moore	2024-09-14 00:00
I20240917-07	Felony Warrant	2024-09-17T15:17:00.000Z	90Z - All Other Offenses	I - American Indian or Alaska Native	M - Male	125 - Moore	2024-09-17 00:00
I20240908-03	Misdemeanor Warrant	2024-09-12T16:13:00.000Z	90Z - All Other Offenses	B - Black or African American	M - Male	125 - Moore	2024-09-08 00:00
I20240909-04	Misdemeanor Warrant	2024-09-09T11:52:00.000Z	90Z - All Other Offenses	B - Black or African American	F - Female	125 - Moore	2024-05-15 00:00
I20240908-09	Misdemeanor Warrant	2024-09-08T23:25:00.000Z	90Z - All Other Offenses	W - White	M - Male	125 - Moore	2024-08-25 00:00
I20240827-22	Felony Warrant		90Z-57 - Check Fraud	B - Black or African American	F - Female	125 - Moore	2024-08-12 13:35
I20240903-03	Felony Warrant	2024-09-03T17:06:00.000Z	35A - Drug/	W - White	M -	125 - Moore	2024-09-03

Incident	Warrant Type	Arrest Date	U C R/N I B R S Offenses	Race	Gender	Obtained Location (F I P S)	Offense Date/Time
			Narcotic Violations		Male		00:00



October 2024 Code Enforcement Report

Open Cases/Cases in Progress:

1. 202 W. Barrett Street
 - Minimum Housing – No change. Status remains.
2. Kester Road Junk Vehicles / Junk Yard
 - Junk Vehicles / Junk Yard – Status remains.
3. 136 Union Church Road
 - Minimum Housing – No repair work performed. Property owners will have until January 2025 to repair the building. The property was overgrown on the right side and issued a NOV to move forward with Public Works to mow the property. Email has been sent to property owners with a cost of \$187.50.
4. 511 Vass-Carthage Road
 - Outdoor Storage – A hearing was held with the property owner. Owner stated that the building would be removed and possibly relocated to the backyard. As of 10/16, structure still remains. Further action will be taken.
5. 205 Pinehurst Avenue
 - Minimum Housing Case – A hearing was held on September 13th with the property owners to discuss a 6-month plan to abate the property. Owner stated that the property will be abated within that period of time.
6. 420 Union Church Road
 - Unpermitted Animals – Complaint submitted about roosters being on the property. A curtesy letter was sent out on August 26, 2024. A follow up NOV was sent to the property owner on October 8, 2024.
7. 804 South McNeill Street
 - Minimum Housing – Letters have been sent to property owners. Home looks to be abandoned. Posted NOV on property.

Cases Closed:

1. 16 Courthouse Square
 - Truck Trailer – Trailers have been removed from the property as of September 2024.
2. 106 Sanford Street
 - Removed from property in August of 2024.
3. 218 Leake Street
 - All non-permitted structures have been removed. Case closed.

**TOWN OF CARTHAGE
CASH POSITION**

FUND		<u>SEPTEMBER 2024</u>	<u>AUGUST 2024</u>	<u>JULY 2024</u>
#10	Cash on Hand			
	Petty Cash	\$300.00	\$300.00	\$300.00
	Crime Investigation	\$200.00	\$200.00	\$200.00
#10	General Fund			
	Central Depository (.05% Yield)	\$2,732,798.74	\$644,816.98	\$310,469.32
	CD Mature 03/20/2024 (0.02% Yield)	\$25,437.02	\$25,437.02	\$25,437.02
	NC Capital Trust (5.23% Yield)	\$955,615.69	\$951,650.87	\$947,449.63
#10	Firemens' Fraternal			
	Central Depository (.05% Yield)	\$14,368.00	\$14,368.00	\$14,368.00
#10	McConnell Marker			
	Central Depository (.05% Yield)	\$200.00	\$200.00	\$200.00
#10	Restricted Performance Bond			
	Central Depository (.05% Yield)	\$23,632.00	\$23,632.00	\$23,632.00
#10	Carriage Hills Surety			
	Central Depository (.05% Yield)	\$20,000.00	\$20,000.00	\$20,000.00
#10	Carriage Place Townhomes Surety			
	Central Depository (.05% Yield)	\$35,000.00	\$35,000.00	\$35,000.00
#10	Historical			
	Central Depository (.05% Yield)	\$1,685.14	\$1,685.14	\$1,685.14
#15	Powell Bill Fund			
	Central Depository (.05% Yield)	\$79,194.30	\$81,499.01	\$84,127.23
	NC Capital Trust (5.23% Yield)	\$94,741.44	\$94,348.36	\$93,931.84

		<u>SEPTEMBER 2024</u>	<u>AUGUST 2024</u>	<u>JULY 2024</u>
#30	Water			
	Central Depository (.05% Yield)	\$536,404.72	\$519,234.54	\$460,291.91
	CD Mature 03/20/2024 (.02% Yield)	\$17,300.70	\$17,300.70	\$17,300.70
	NC Capital Trust (5.23% Yield)	\$343,894.88	\$342,468.07	\$340,956.18
#31	Sewer			
	Central Depository (.05% Yield)	\$1,330,374.91	\$1,333,366.95	\$1,265,508.04
	CD Mature 03/20/2024 (.20% Yield)	\$17,300.69	\$17,300.69	\$17,300.69
	NC Capital Trust (5.23% Yield)	\$98,736.34	\$98,326.69	\$97,892.61
#35	Capital Reserve Water & Sewer Improvements			
	Central Depository (.05% Yield)	\$508,992.09	\$508,992.09	\$508,992.09
#70	Cemetery			
	Central Depository (.05% Yield)	\$0.00	\$0.00	\$0.00
	NC Capital Trust (5.23% Yield)	\$29,682.38	\$29,559.23	\$29,428.73
TOTALS		\$6,865,859.04	\$4,759,686.34	\$4,294,471.13

MONTHLY REPORT

September 2024

Water Service

Locates	Work Orders	Cut-Offs / Tags	Meters Installed	Water Main/ Service Repairs	Water Taps
448	31	28	2	8	2

Sewer Service

Service Renewals	Lift Station Repairs	Force Main Repairs	Mowed Outfall Lines	Town Sewer Backups	Sewer Taps
0	1	2	0	1	0

Building & Grounds

Leaf & Limb Total Rounds	Trash Runs	Complete Mowed Rounds	Building Repairs
2	0	2	0

Streets

Cleaned Out Catch Basin	Cleaned Streets With Blower
1	0

Construction Projects

- 1.
- 2.
- 3.

Additional Notes



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: Request to Postpone the Public Hearing for a Text Amendment for UDO Section 100.56A* Special Requirements 37 "Wireless Telecommunication Facilities" to November 18, 2024 Board of Commissioners Meeting; Petitioner: Town of Carthage

SUMMARY OF REQUEST

The Town of Carthage would like to request to postpone the public hearing for the text amendment to UDO Section 100.56A* Special Requirements 37 "Wireless Telecommunication Facilities" (WTF) to the November 18, 2024, Board of Commissioners meeting. The Town attorney is helping edit and revise this section and they are not finished with their thorough review. They will be ready for the public hearing at the November 18, 2024, Board of Commissioner's meeting.

SUGGESTED MOTION(S)

OPTION 1 *(Staff Recommend Monday, December 16th BOC Meeting)*

I move to postpone the Public Hearing for the purpose of hearing the text amendment request for WTF at the regular scheduled meeting scheduled on Monday, _____, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street.

OPTION 2

I move to deny the postponement of a Public Hearing for the purpose of considering the text amendment request for the WTF for the following reason(s): _____



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: CZ-06-24: Conditional Zoning Request for 405 Monroe Street, PARID 00000357, Zone B-2;
Petitioner: Charles Steadwell

I. SUMMARY OF APPLICATION REQUEST:

The applicant and owner, Charles Steadwell of 405 Monroe Street, parcel 00000357, would like to propose a small car lot. This parcel is approximately half an acre in the B-2 “Central Business District Fringe” zoning district. Mr. Steadwell has been working with Kevin Lindsay, an engineer with Crawford Design Company, to design a small car lot. Mr. Steadwell is requesting conditional zoning to ask for relief from building a sidewalk along East Barrett, because there is no curb and gutter there and he believes there is insufficient space on the lot to install a safe sidewalk. Also, Mr. Steadwell is requesting an exception to allow for crepe myrtles on Monroe Street to be counted as buffer bushes even though they are in the right of way. This project is located at the corner of East Barrett Street and Monroe Street.

II. PROJECT INFORMATION:

1. PARID: 00000357 PIN: 857707792859
2. Applicant & Owner: Charles Steadwell
150 Redgrass Lane
Carthage, NC 28327
3. Long-Range Plan Designation:
This future area of this land appears to be Downtown and/or Commercial per the adopted 2040 Land Use Plan.
4. Current Zoning:
The current zoning is B-2 “Central Business District Fringe.” The B-2 district is primarily designed to provide roadside uses which will best accommodate the needs of the motoring public and of businesses demanding high volume traffic. This district includes the Central Business District fringe area.
5. Current Zoning:
The current zoning is R-10 (Residential).

Figure 1: Site Location outlined in red.



III. APPLICATION REVIEW:

When reviewing an application for conditional zoning, the Board of Commissioners shall consider and be guided by Article 5. Below is highlighted Section 100.42 and Section 100.44 as set forth in UDO:

Section 100.42 Types of Amendments:

Amendments may be to the text of the ordinance or take the form of map amendments, often known as rezoning. The Town of Carthage recognizes three types of amendments.

- 1. Text Amendments. This type of amendment is used when a party chooses to modify the actual text of the ordinance. This is a legislative decision by the Board of Commissioners.*
- 2. Map Amendments. This type of amendment is used when a party chooses to change a zoning district from one type to another. Often known as a straight rezoning, it recognizes that the change in district allows for all uses allowed within a given zoning district. It cannot be conditioned in any way. This is a legislative decision by the Board of Commissioners.*
- 3. Conditional Zoning. Conditional Zoning is an amendment process that is both a map amendment and a text amendment. It is a legislative decision by the Board of Commissioners, but it allows for the placement of conditions and/or limits on the approval.*

Section 100.44 (5) Amendment Procedure for Text Amendments and Map Amendments- Board of Commissioners:

The Board of Commissioners may choose to make their decision to approve or deny at the same meeting or a subsequent meeting. The Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Board shall vote on the petition. The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

- 1. Approve the amendment and describe its consistency with the adopted Land Use Plan.*
- 2. Reject the zoning amendment and describe its inconsistency with the adopted Land Use Plan.*
- 3. Approve the amendment and deem it a modification of the adopted Land Use Plan. The Board shall describe why the action taken is reasonable and in the public interest. In certain circumstances, it may be beneficial for the Planning Board to convene with the Board of Commissioners during the public hearing prior to making their recommendation. Once the hearing is conducted, the Planning Board may then reconvene to make their recommendation the same day or at a subsequent Planning Board meeting for transmittal to the Board of Commissioners.*

C. Staff Comments:

Jennifer Hunt, Town Planner, has met with the applicant and their engineer at the Technical Review Committee (TRC) meeting on June 6, 2024. At the TRC meeting, sidewalks are required on both East Barrett Street and Monroe Street.

Per Unified Development Ordinance (UDO) Section 100.57 (10) it says, "Sidewalks for Existing Lots of Record: New construction on existing lots of record shall install sidewalks built to Town of Carthage standards when located on a block containing sidewalks or if located on a major or minor collector, or principal or minor arterial road in accordance with NCDOT's functional road classification."

East Barrett Street is a minor collector road which leads to Monroe Street a major collector. Due to this property being in the Downtown area, the Town of Carthage is doing its best to connect all areas of the community for people who walk and bike as well as drive. East Barrett Street requires a

sidewalk. However, the applicant is applying for conditional zoning, stating there is insufficient space. The applicant would like to request the conditions to maintain the buffer, landscaping and not build the sidewalk along East Barrett Street.

Also, at the TRC meeting, it was noted that this is a double frontage lot, therefore the minimum yard requirements for front yards apply along both street fronts. The front yard setback in the B-2 zoning district is 25 feet.

The applicant is also requesting the three crepe myrtles along Monroe Street be allowed to be counted as buffers even though they are within the right of way. Per Section 100.60 (2) it says, "Landscaping requirements are stated in terms of the width of the buffer yard and the number of plant units required per each one hundred (100) linear feet of buffer yard. The widths listed must be maintained along all street rights-of-way and along all property lines. The Lot Size (Less than 25,000 sq. ft.) requires a Buffer Yard Width of 4 feet and the number of plant units per 100 linear feet of the buffer yard is 4 shrubs or trees. The approximate linear feet along E Barrett Street is 400 feet, therefore 4 shrubs or trees which are not in the right of way. The approximate linear feet along Monroe Street are approximately 400 linear feet, therefore 4 shrubs or trees as well, which are not in the right of way.

I have advised the engineer that visibility at each intersection is very important per Section 100.57 (16). The one-way driveway proposed that spills onto East Barrett Street is important to provide visibility for drivers traveling along Monroe Street as well as those exiting the driveway. The people driving cars need to be able to see clearly those coming down East Barrett Street as well as the driveway of the proposed project.

Please view Attachment 1 for the site plan.

Please view Attachment 2 for the exhibits the applicant provided.

Please view Attachment 3 for the TRC Comments and the responses from the applicant.

All standards from Section 100.57 General and Dimensional standards shall apply to this project, except for the conditions mentioned below for the conditional zoning. The applicant is proposing a small car lot, with 17 spaces total, which is permitted use in the Town of Carthage of "Motor Vehicle Sales" in the B-2 zoning district.

The applicant is requesting the following conditions:

1. Our UDO recommends sidewalks on dual road frontage; however, the applicant is asking not to build a sidewalk on E Barrett Street.
2. Our UDO recommends no landscaping in the right of way; however, the applicant is asking to keep 16 crepe myrtles to be counted as a buffer even though they are in the right of way.

IV. PLANNING BOARD RECOMMENDATIONS:

- a. The Planning Board recommends approving the proposed conditional zoning request. All ayes.

V. ATTACHMENTS PROVIDED BY THE APPLICANT:

1. Attachment 1: Site Plan for 405 Monroe Street
2. Attachment 2: Exhibits
3. Attachment 3: TRC Comments and Responses from the Applicant

VI. BOARD OF COMMISSIONERS ACTION:

FIRST: Open and Conduct the Public Hearing. Ask for comments. Please have each person come forward to the podium and state their name and address.

The Board of Commissioners (BOC) shall conduct a public hearing regarding the petition per Article 5, Section 100.42 of the Town of Carthage Unified Development Ordinance (UDO).

SECOND: Close the Public Hearing!!! *** Once the public hearing is CLOSED, there are no more public comments allowed! You may discuss your comments with each other (the BOC) after the public hearing is closed, for comments, from the public.

THIRD: Adopt 1st motion- **LUP CONSISTENCY MOTION**

FOURTH: Adopt 2nd motion- **PETITION MOTION**

The Board of Commissioners shall set a date for public hearing of any petition for amendment per UDO Section 100.42 and 100.44. The Board of Commissioners shall conduct a public hearing regarding the petition. The Planning Board recommendation and Statement of Consistency shall be provided to the Board of Commissioners.

The Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Board shall vote on the petition **(two motions required)**. The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

LUP CONSISTENCY MOTION (1st Required Motion)

I move to:

OPTION 1

Approve the conditional zoning **and describe its consistency with the adopted Land Use Plan.**

or

OPTION 2

Reject the conditional zoning **and describe its inconsistency with the adopted Land Use Plan**

or

OPTION 3

Approve the conditional zoning and deem it a modification of the adopted Land Use Plan. The Board believes this action taken is reasonable and in the public interest because.....

VII. PETITION MOTION (2ND Required Motion)

And, therefore, I move to:

OPTION 1

Approve CZ-06-24 as written and presented.

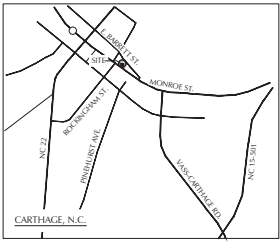
or

OPTION 2

Approve CZ-06-24 conditionally with the following modifications.....

OPTION 3

Deny CZ-06-24 for the following reasons.....



VICINITY MAP (N.T.S.)

SITE NOTES

- ◆ INSTALL CONCRETE PER TOWN OF CARTHAGE STANDARDS. ALL CONCRETE TO BE MINIMUM NCDOT CLASS B, 6" MIN THICKNESS. APPROXIMATELY 1,800 SF
- ◆ INSTALL GRAVEL PARKING AREAS. ALL GRAVEL TO BE MIN 6" AGGREGATE BASE COURSE TO NCDOT STANDARDS. PROOFROLL SUBGRADE AND SURFACE WITH WITNESS BY ENGINEER. APPROXIMATELY 9,300 SF
- ◆ INSTALL ADA PARKING AND SIGN (CDC DETAIL 1.1805)
- ◆ INSTALL ADA CONNECTION AT DRIVEWAY (CDC DETAIL SHEET)
- ◆ INSTALL 5' CONCRETE SIDEWALK (CDC DETAIL 1.2517)

ADDITIONAL NOTES

Parcel ID:00000357
 PIN:07707765859
 STEADWELL, CHARLES
 STEADWELL, CARMEN
 150 REDGRASS LANE
 CARTHAGE, NC 28327
 Deed Book:6107
 Deed Page:399
 LNK:307

21,900 sf / 0.50 acres
 B-2 Lot Standards
 Min Size 10,000 sf
 Front Setback=25'
 Side Setback=17'
 Rear Setback=15'
 Max height=20'
 Max BU=6%
 AUA=6,394 SF, 29%
 Motor vehicle sales is a permitted use

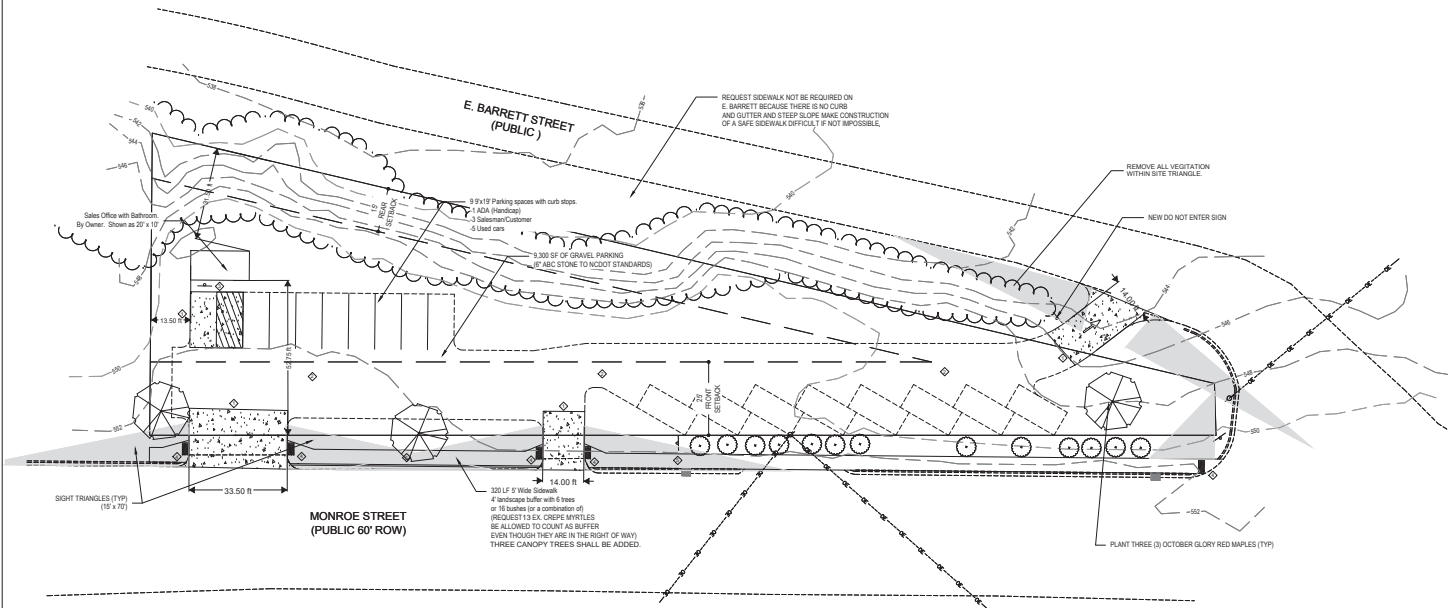
BOUNDARY AND TOPO FROM MOORE CO. GIS



NOTE: OWNER IS ASKING FOR TWO CONDITIONS FOR THIS CONDITIONAL ZONING:

1. RELIEF FROM SIDEWALK REQUIREMENT FOR EAST BARRETT BECAUSE THE EXISTING ROAD DOES NOT HAVE CURB AND GUTTER OR DRAIN LINES. THE CURB IS NEEDED TO PROVIDE SAFE SEPARATION FROM FOR PEDESTRIANS FROM TRAFFIC. THE DRAIN LINES ARE NEEDED BECAUSE THE ROAD CURRENTLY DRAINS TO THE ROADSIDE DITCH AND A SIDEWALK WOULD BLOCK THIS UNLESS CURB INLETS AND PIPE WERE INSTALLED. THERE ARE ALSO TELEPHONE LINES AND STRUCTURES IN CLOSE PROXIMITY TO THE ROAD. THESE ISSUES WILL MAKE IT DIFFICULT TO CONSTRUCT SIDEWALKS ALONG BENNETT UNLESS MAJOR IMPROVEMENTS ARE MADE TO THE EXISTING ROAD.

2. RELIEF FROM REQUIREMENT THAT LANDSCAPE SCREENING IN FRONT BE PLACED OUTSIDE THE RIGHT OF WAY. THERE ARE SEVERAL EXISTING CREPE MYRTLES THAT ARE BETWEEN THE RIGHT OF WAY AND WHERE THE PROPOSED SIDEWALK ON MONROE STREET WOULD BE BUILT. OWNER WOULD LIKE TO KEEP THESE ATTRACTIVE BUSHES.



Plant List Reference Table						
Classification	Key	Common Name	Botanical Name	Quantity	Type / Size	Notes
Canopy Trees		October Glory Red Maple	Acer rubrum 'October Glory'	3	3' cal., 8' H. minimum	Healthy, Well Branched, Full Foliage
TOTAL CANOPY TREES				3		



Landscape Architecture Fayetteville, NC
 Civil Engineering Southern Pines, NC
 230C.W. Perry Avenue, Southern Pines, NC 28387
 Voice: 910.725.1107
 www.crawforddesign.com



Rev	Description

CHARLES STEADWELL
 MOTOR VEHICLE SALES
 CARTHAGE, NC

SITE LAYOUT PLAN



Know what's below.
 Call before you dig.

Project Manager: KSL
 CSD Technicians: BJS
 Reviewed / Approved By: _____
 Project Number: _____

Full Scale: Horiz: 1" = 50'
 Half Scale: Horiz: 1" = 40'

06/18/2024

C2.0



Carthage, North Carolina
Google Street View
Jul 2024 [See more dates](#)



Image capture: Jul 2024 © 2024 Google

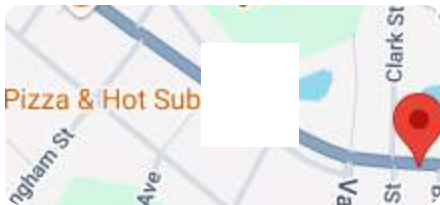
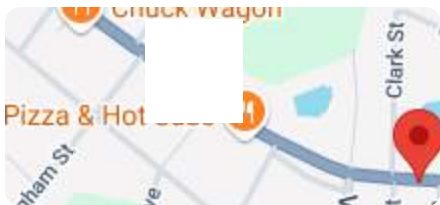




Image capture: Jul 2024 © 2024 Google



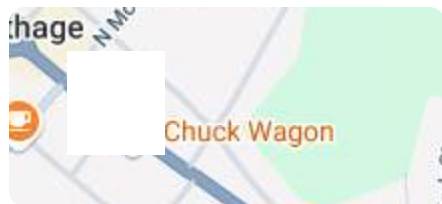
This is the view from the western property line on Monroe.
Note: Crepe Myrtles we are asking to use as a buffer even though they are in right of way.



Carthage, North Carolina
Google Street View
Jun 2024 [See more dates](#)



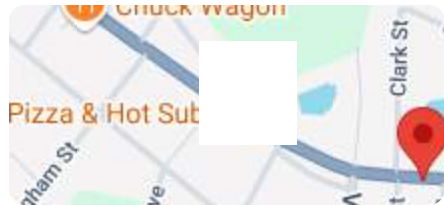
Image capture: Jun 2024 © 2024 Google



Existing sidewalk west of proposed project on Monroe St.



Carthage, North Carolina
Google Street View
Feb 2024 [See more dates](#)



Adding sidewalk to E. Barrett will be difficult:
-No curb and gutter exists to safely separate traffic from pedestrians.
-A minimum of 7.5 feet would be needed for NCDOT standard curb and gutter and 5' sidewalk.
-Due to drainage issues, would also have to install storm drains (curb inlets and pipes) along E. Barrett

Image capture: Feb 2024 © 2024 Google



Carthage, North Carolina
Google Street View
Feb 2024 [See more dates](#)

Note proximity of pole to road.

Image capture: Feb 2024 © 2024 Google



Note road drains to swales. Would have to place sidewalk in back of swale (which would provide separation from traffic) or install curb and gutter and storm drain.



TRC Comments

Project: 405 Monroe Street

Applicant- Charles Steadwell

6/6/2024

9:30 AM, in person at Town Hall

Planning:

1. The office building must be permanent and connect with sewer and water, we do not allow temporary buildings, unless you request a special use permit with the Board of Commissioners. [Intent is for building to be permanent with public water and sewer.w](#)
2. You will need a sidewalk, per Section 100.57 on E Barrett Street since you have dual road frontage.
[Request relief from sidewalk on E Barrett due to lack of curb and gutter and steep grades.](#)
3. There shall be no landscaping in the sight triangle 3-7 feet.
[Plans updated.](#)
4. There is a side setback of 15' per Note #2 in the Table of Dimensional Standards and a corner setback of 15', please label accordingly.
[The only side set back is on the southeast corner/intersection. It doesn't show because the intersection of teh front and back setbacks is more than 15 feet away from the corner. We listed the setback in the notes.](#)
5. The use is "Motor Vehicle Sales" not "Auto Sales", please label accordingly.
[Change made.](#)
6. You will need to fill out a sign permit for your business if you would like one and adhere to Section 100.59. You are in Zone B-2.
[Noted](#)
7. Your landscaping, per Section 100.60 (2.) Landscaping Requirements A. Landscaping requirements are stated in terms of the width of the buffer yard and the number of plant units required per each one hundred (100) feet of buffer yard. The widths listed must be maintained along all street rights-of-way and along all property lines. 157 Lot Size Buffer Yard Width # of Plant Units per 100 Linear Ft of Buffer Yard Less than 25,000 SF, 4 yard buffer width, 4 shrubs or trees per 100 linear feet or buffer yard.
 - a. Please label where your 4' buffer yard is going. It cannot be in the street ROW or on the sidewalk. You currently have it labeled where the sidewalk is on Monroe Street.
[We have requested to place it partially in the ROW due to location of existing crepe myrtles.](#)
 - b. Trees or shrubs may be spaced no more than fifty (50) feet apart. 2. One large tree shall be planted for every fifteen (15) parking spaces. [We have added 3 canopy trees to the plan](#)
 - c. Sec. 100.60 (G.) Shopping Centers, Condominium/Townhouse, Multifamily Group, and Planned Unit Developments. **Buffer yards are required only along exterior property lines of the project; however, buffer yards are required along all property lines of out parcels that have direct access onto a public street.**
[Existing vegetation meets most of the requirements. 3 canopy trees have been added.](#)

i. You currently have landscaping along E. Barrett so when you place the sidewalk there along the property lines, then you may use the existing landscaping and not need to add anymore. [Noted](#)

8. You will need to show where you are placing your outdoor lighting, and what type of lighting per Section 100.61, that shows the measurement per lumens along the property lines.

[Lighting plan is still to be determined.](#)

9. Per 100.62 (B.) Structures located within the B-2, TBD, R-HD and Historical districts shall be constructed of masonry, stone, stucco or frame materials, including aluminum, vinyl or Masonite siding, with the exception of mobile homes on an individual lot in the RA-40 zoning district. Metal buildings may be constructed if covered completely along the front and all sides with brick veneer or stucco materials. Uncovered metal may be used on the rear of a building if completely screened from view from any adjacent public or private street.

[Noted.](#)

10. What is the measurement of the width of your driveway?

[Existing 33.5', Existing 14', and Existing on E. Barrett to be widened to 14'](#)

Public Works & Fire:

Water- No Comments

Sewer- No Comments

Streets- You will need to our concrete and asphalt apron standards on the driveways.
[We have showed 20' of concrete.](#)

Storm water- It looks like the parking will be 8" ABC stone. Will this meet our impervious surface guidelines. [Mostly ABC except at entrances where concrete is required.](#)

Fire- No Comments



Town of Carthage

Ordinance No. ORD.24.17

Amending the Town of Carthage Official Zoning Map and Text for Parcel (PARID) 00000357, approximately 0.5 acres located at address 405 Monroe Street, was presented with the Conditional Zoning request (CZ-06-24) from B-2 (Central Business District Fringe) to B-2-CZ (Residential Conditional Zoning) as It Pertains to the Unified Development Ordinance in Section 100.42 "Types of Amendments" and Section 100.44 (5) "Amendment Procedure for Text Amendments and Map Amendments - Board of Commissioners"

WHEREAS, the Board of Commissioners of the Town of Carthage adopted Zoning Ordinance is for the purpose of regulating planning and development in the Town of Carthage and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance may be amended as circumstances of the community and property change; and

WHEREAS, the Town of Carthage represented by Planning Staff requested to update the zoning ordinance map and text for Section 100.42 "Types of Amendments" and Section 100.44 (5) "Amendment Procedure for Text Amendments and Map Amendments- Board of Commissioners"; and

WHEREAS, the zoning ordinance text and map amendment request was duly advertised for an open meeting before the Town of Carthage Planning Board at 6:00pm on Thursday, October 03, 2024, and after consideration the Planning Board recommended approval of the zoning ordinance map and text amendment; and

WHEREAS, a public hearing was held at a regular meeting of the Town of Carthage Board of Commissioners on Monday, October 21, 2024, at 6:30 pm in the McDonald Building, 207 McReynolds Street, after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Town of Carthage, and its extraterritorial jurisdiction.

WHEREAS, the Board of Commissioners have reviewed this zoning map and text amendment with consistency with the 2040 Town of Carthage Land Use Plan; and

WHEREAS, the Board of Commissioners, after considering all of the facts and circumstances surrounding the zoning ordinance map and text amendment, have determined that it is in the best interest of the Town of Carthage that the Zoning Ordinance map and text be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF CARTHAGE BOARD OF COMMISSIONERS THAT:

The Zoning Map of the Town of Carthage is hereby amended by rezoning 0.5 acres at Parcel 00000357, address 405 Monroe Street rezoned from B-2 (Central Business District Fringe) to B-2-CZ (Central Business District Fringe Conditional Zoning) with the conditions below:

1. The applicant does not have to build a sidewalk on E Barrett Street.
2. The applicant is able to keep 16 crepe myrtles, to be counted as a buffer, even though they are in the right of way.

The foregoing Ordinance, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Jimmy Chalflinch, Mayor

Attest:

Kimberly Gibson, Town Clerk

Ayes: _____
Nays: _____
Absent/Excused: _____



Town of Carthage

Land Use Plan Consistency Statement

FOR THE CONDITIONAL ZONING AT 405 MONROE STREET (PARCEL ID #00000357)
FROM B-2 TO B-2 CZ

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

NOW THEREFORE, the Board of Commissioners of the Town of Carthage resolves as follows:

Section 1. The Board of Commissioners concludes that the above-described amendment(s) are consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

- Goal 1: Preserve and celebrated small-town community roots.
- Goal 2: Coordinated, intentional, and well-planned growth and development.
- Goal 3: Protection of open space and critical natural features.
- Goal 11: Regulations that are consistent with the Town’s vision.

The applicant and owner, Charles Steadwell of 405 Monroe Street, parcel 00000357, would like to propose a small car lot. Mr. Steadwell is requesting to not construct a sidewalk on East Barrett Street due to topography of the parcel and to keep the current landscaping.

Section 2. Please state the Planning Board’s reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

The foregoing Land Use Consistency Statement, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
 Nays: _____
 Absent/Excused: _____

Jimmy Chalfinch, Mayor

Attest:

Kimberly Gibson, Town Clerk



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kim Gibson, Town Clerk
Subject: **ADVISORY COMMITTEE VOLUNTEER APPLICANT INTERVIEWS**

The Board of Commissioners has directed Staff to seek out volunteers to fill several vacant positions among the various advisory boards and committees. We have been fortunate to receive multiple application from our civic-minded citizens.

We ask the Board to conduct interviews to determine the best candidates to fill those positions and serve their community.

The Applicants are as follows:

Debbie Bowman	Appearance Committee
Ashley Bullins	Historic Preservation Commission
Patricia Kempton	Historic Preservation Commission
Corey Diebel	Planning Board (ETJ Member)

Appearance Committee has several vacancies. ***Term expiration would be June 30, 2027 (3-year term)***

HPC has 2 vacancies. ***Term expiration for BOTH positions is June 30, 2027 (3-year term)***

Planning Board has one ETJ vacancy. ***Term expiration would be for June 30, 2026 (2-year term)***

SUGGESTED MOTION(S):

Option #1

I move to appoint the following volunteers to the following advisory committees/boards:

(Please list name, Committee appointed to, and Term expiration date.)

Option #2

I move to table this topic until the next regular meeting to be held on Monday, November 18, 2024, where we can vote on the appointees after time to consider the candidates.



Town of Carthage

APPLICATION FOR APPOINTMENT TO COMMITTEES AND BOARDS

I, the undersigned am interested in community service and provide this information for use by the Carthage Town Board in considering my qualifications for appointment to the Carthage Committee or Board in which I am interested.

PERSONAL INFORMATION

Committee or Board in which you are interested	Date of Application
Name	Phone Number
Email Address	Preferred Method of Contact <input type="checkbox"/> Phone Call <input type="checkbox"/> Text Message <input type="checkbox"/> Email
Mailing Address, City, State, Zip	Length of Time as a Resident Moore County _____ Carthage _____

EDUCATION

Current or Most Recent Job Title	Current or Most Recent Employer
Civic and Professional Activities	
Past Membership in Organization and Offices Held	
Additional special talents, experience, education, or training that you feel qualifies you for service:	

Signature of Applicant

Date

Please return application to: Town of Carthage
 Attn: Town Clerk
 4396 US 15-501 Hwy
 Carthage, NC 28327
 OR Email: townclerk@townofcarthage.org

View results

Respondent

11 Anonymous

46:54

Time to complete

PERSONAL INFORMATION

1. Which Committee(s) or Board(s) are you applying for? *

- Planning Board Meeting
- Appearance Committee
- Historical Committee
- Special Events Committee
- Historic Preservation Commission

2. First and Last Name *

ASHLEY BIBEY BULLINS

3. Phone Number *

910-703-3085

4. Email Address *

agbibey@ncdot.gov

5. Physical Address *

604 McReynolds Street, Carthage, N.C. 28327

6. Full Mailing Address *

P.O. BOX 485
Carthage, N.C. 28327

7. Preferred method of communication? (May select more than one) *

- Phone Call
- Text Message
- Email

8. How long have you lived in Moore County and/or Carthage? *

Moore County - 40yrs
Carthage - 30yrs

EDUCATION

9. Current or Most Recent Job Title *

Administration

10. Current or Most Recent Employer *

NCDOT - North Carolina Dept. of Transportation

11. Civic and/or Professional Activities *

Member Pines Pres. Guild, Actively Teach Youth in Church, Served in many other capacities within the local church & in the community. 2018-2020 Appearance Committee TOC.

12. Past Membership in Organization(s) and/or Offices Held *

Town of Carthage Appearance Committee 2018-2000 (Reason for leaving: Father became very ill & required 24hr care, passed away in 2021)
Interest in learning government & public/town service.

13. Additional special talents, experiences, education or training that you feel qualifies you for appointment. *

15+ years landscaping & design landscaping, my husband & I helped to build Caviness Park while I served on the TOC Appearance Committee & worked for Green Haven. Strong interest in government, public service, and historic preservation. Understanding of the UDO. In the process of applying for HP Tax Credits & have lived in a historic house/ property for 30+ years. Willing to take any required & optional trainings available for Historic Preservation. Recently took the 'Save Moore Old Windows Workshop' with Pines Pres. Guild on 9/21/2024.

14. Is there any other information you would like to share?

It would be my joy and pleasure to serve the Town of Carthage & it's people. I see myself starting at the bottom, learning, growing, & working my way up from there.

15. Do you agree to the following:

1. I am interested in community service and provide this information for use by the Town of Carthage in considering my qualifications for appointment to a Committee or Board in which I am interested.
2. I understand that this application is considered a public record in the State of North Carolina and that all identifying information provided here may be shared with anyone through a properly submitted Public Records Request.

*If you do not agree you will not be able to complete this online form and should exit the window to cancel the application process. **

I agree.

View results

Respondent

10

Anonymous

15:21

Time to complete

PERSONAL INFORMATION

1. Which Committee(s) or Board(s) are you applying for? *

- Planning Board Meeting
- Appearance Committee
- Historical Committee
- Special Events Committee
- Historic Preservation Commission

2. First and Last Name *

Patricia Kempton

3. Phone Number *

910.585.2750

4. Email Address *

pattykempton@gmail.com

5. Physical Address *

502 McReynolds Street

6. Full Mailing Address *

PO Box 611, Carthage NC 28327

7. Preferred method of communication? (May select more than one) *

- Phone Call
- Text Message
- Email

8. How long have you lived in Moore County and/or Carthage? *

17 years

EDUCATION

9. Current or Most Recent Job Title *

WICWS Regional Nurse Consultant Supervisor

10. Current or Most Recent Employer *

NC Division of Public Health

11. Civic and/or Professional Activities *

Oct. 2023 – North Carolina Public Health Association, Raleigh NC
Present Public Health Nursing Section Treasurer
Handle financial transactions for the Public Health Nursing Section of the NCPHA. Serve on the Public Health Nursing Section Leadership Team, planning for the annual Fall Educational Conference, and on the Finance Committee Group, addressing financial concerns of the organization.

12. Past Membership in Organization(s) and/or Offices Held *

Dec. 2021 – Town of Carthage, Appearance Committee, Carthage NC
May 2022 Appearance Committee Member
Worked with fellow Carthaginians to help beautify the Town of Carthage.

Nov. 2020 – Town of Carthage, Land Use Steering Committee, Carthage NC
Feb. 2022 Land Use Steering Committee Member
Worked with town staff and fellow Carthaginians to develop the Carthage 2040 Comprehensive Land Use Plan.

June 2013 – Moore County Literacy Council, Southern Pines NC
Dec. 2014 Tutor
Worked one-on- one with an individual to help him obtain basic literacy and life skills.

Jan. 2011- Moore County Literacy Council, Southern Pines NC
Oct. 2013 Board of Directors
Worked with other Board members and the Executive Director to develop the annual budget, plan and conduct fundraising activities, and ensure the mission of the Council is fulfilled.

13. Additional special talents, experiences, education or training that you feel qualifies you for appointment. *

I have owned a historic property for the last 17 years and have worked with my husband to improve and preserve the property.

14. Is there any other information you would like to share?

15. Do you agree to the following:

1. I am interested in community service and provide this information for use by the Town of Carthage in considering my qualifications for appointment to a Committee or Board in which I am interested.
2. I understand that this application is considered a public record in the State of North Carolina and that all identifying information provided here may be shared with anyone through a properly submitted Public Records Request.

*If you do not agree you will not be able to complete this online form and should exit the window to cancel the application process. **

I agree.

View results

Respondent

9 Anonymous

14:27
Time to complete

PERSONAL INFORMATION

1. Which Committee(s) or Board(s) are you applying for? *

- Planning Board Meeting
- Appearance Committee
- Historical Committee
- Special Events Committee
- Historic Preservation Commission

2. First and Last Name *

Corey Deibel

3. Phone Number *

910-237-7209

4. Email Address *

deibel1228@gmail.com

5. Physical Address *

695 Stage Rd, Carthage, NC 28327

6. Full Mailing Address *

Corey B. Deibel
695 Stage Rd
Carthage, NC 28327

7. Preferred method of communication? (May select more than one) *

- Phone Call
- Text Message
- Email

8. How long have you lived in Moore County and/or Carthage? *

4 1/2 years

EDUCATION

9. Current or Most Recent Job Title *

NC State Cooperative Extension, County Extension Agent
Farmer

10. Current or Most Recent Employer *

US Army Retired Command Sergeant Major

11. Civic and/or Professional Activities *

Veteran Farms of North Carolina Board of Directors

12. Past Membership in Organization(s) and/or Offices Held *

N/A

13. Additional special talents, experiences, education or training that you feel qualifies you for appointment. *

I have held Certified Associates Project Management Professional Certificate, Construction Management In Training Certificate (CMIT), managed multiple projects and facilities, contracting certifications, and have worked with the Corps of Engineers for eight (8) years directly and indirectly.

14. Is there any other information you would like to share?

I m a 5th generation farmer and I currently live in the ETJ of Carthage. I am firm believer in the right to farm, small farmers, and being a good neighbor. I have a technical and broad spectrum in construction, contracting, and facility management. I would love to serve our growing community while helping preserve our roots and protecting our family farms.

15. Do you agree to the following:

1. I am interested in community service and provide this information for use by the Town of Carthage in considering my qualifications for appointment to a Committee or Board in which I am interested.
2. I understand that this application is considered a public record in the State of North Carolina and that all identifying information provided here may be shared with anyone through a properly submitted Public Records Request.

*If you do not agree you will not be able to complete this online form and should exit the window to cancel the application process. **

I agree.



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kim Gibson, Town Clerk
Subject: Road Closure for Christmas Parade

Each year we have to request road closures from the DOT for the Christmas Parade. The DOT requires approval from the Board of Commissioners. The closures should be the same as in years past.

SUGGESTED MOTION(S):

OPTION 1

I recommend that Resolution #RES.24.27 be approved allowing for the closure of all necessary roads from 4:30 pm until 8:30 pm for the Carthage Christmas Parade to be held on Saturday, December 14, 2024.

OPTION 2

I recommend that Resolution #RES.24.27 NOT be approved for the following reason(s):



MEMORANDUM

Date: October 15, 2024

To: The Board of Commissioners

From: Emily D. Yopp, Town Manager

Subject: Approval of NCDOT Cost Share Agreement for U-3628, Road Improvements and Sidewalk Installation Project and/or Consideration of Amendment

1. BACKGROUND

Attached you will find two letters from 2018 where the Town of Carthage discussed a cost-share agreement with NCDOT and voted to share in sidewalk costs for NCDOT project U-3628, NC24/27 Improvements from McNeill Street to US 15-501. I have attached both letters to this memo for your review, they are marked Exhibit A and B.

The agreement has finally come in and is also attached as Exhibit C. Please note that the cost in 2018 for the Town's portion was estimated at \$10,850.00. In 2024, that cost has increased to \$16,032.00. The project is expected to let in March 2025 with an estimated completion date by the end of 2025.

Town Planner, Jennifer Hunt, has recently been speaking with Division 8 NCDOT Engineer, Dago Juarez-Pozos, regarding the potential to have the NCDOT also install connecting sidewalks down some of the town owned side streets connecting to the main sidewalk. Since NCDOT will already be in our area building the sidewalk along Monroe Street, adjusting the agreement to expand the network down the side streets, while DOT already has their crews, equipment and concrete in town, would save Carthage a considerable amount of money in the long-term as opposed to the Town funding these sidewalks using only Powell Bill Funds and taxpayer dollars.

This conversation came from a recent Rural Planning Organization meeting where Jennifer and staff from other municipalities across the region were informed that, with the recent damage in Western NC from Hurricane Helene, it will likely be "years" before the NCDOT is able to conduct another road improvement project like this in Carthage since a majority of the funding is already being rerouted to repair the roads in WNC. I know we can all agree that our friends in Western NC desperately need this funding to rebuild their communities and that the loss of transportation project funding for projects in our community is but a small sacrifice for Carthage to make to help those who have lost all of their transportation infrastructure.

2. PROPOSED ADDITIONS TO SIDEWALK SYSTEM

Below are GIS images of the connecting streets (marked in red) that could potentially benefit from tying on to the main sidewalk that will run from downtown to the Hardee's (marked in blue). The current agreement calls for a 20% match to the project cost. If we requested sidewalk expansion this would naturally increase our cost to NCDOT but could result in a more connected, and pedestrian friendly downtown/commercial center.



3. FINANCIAL FEASIBILITY

After speaking with the Finance Officer, Kesha Matthews, if NCDOT were to agree to add on these additional sidewalks we would not pay our cost share portion until the end of the project (anticipated end of 2025). This would come after the Board adopts a its FY 2025-2026 budget where we can plan to set aside the funds well ahead of this deadline. In addition, our annual Powell Bill funding allotment, which heavily supports street and sidewalk projects in Carthage, has increased almost 20% from last year’s funding due to our increasing population and new streets dedicated to the town. In FY 23/24 our portion of PB funding was \$93,066. In FY 24/25 we are anticipating \$111,257.

There is also potential discussion at the State level about reconsidering the formula used to calculate Powell Bill funds to increase the opportunities for local municipalities to get more street and sidewalk projects done. The current formula calculates 75% of the funds based on a town’s population, and 25 percent based on the number of locally maintained street miles.

Coupled with the fact the NCDOT has the ability to get materials and labor for a much lower price than the town can on its own, I feel that Carthage would be safe to pursue this opportunity with little to no impact to our financial abilities and, in fact, save our citizens money in the long run while giving them safe sidewalks to use instead of walking in the road with passing vehicles.

4. POTENTIAL CONCERNS

The one concern I do have is that, with the DOT planning to let this project in only 5 months, we may be behind the ball and be denied our request to add on sidewalks. It takes a lot of time to acquire the rights of way from property owners to do this work and asking to add on streets may create the potential for a delay to the NCDOT’s timelines. I am not sure if this is a worry for them as I have not yet spoken with them about this, but I did want to bring it up in case the request, if the Board approves, is denied.

SUGGESTED MOTION(S)

OPTION 1

I make a motion to accept the cost share agreement with the NCDOT in the amount of \$16,032.00 for the sidewalk running along Monroe Street, and authorize the Town Manager to execute this agreement, but with no additional connection of sidewalks to side streets.

OPTION 2

I make a motion to direct the Town Manager to discuss the possibility of making additional sidewalk connections to side streets as proposed and that the Board revisit the cost share agreement approval after this discussion has been had.

Town of Carthage

Town Manager
Thomas Robinson

Town Clerk
Dorothy Dutton

Finance Officer
Kesha Matthews

Director of Public Works
Kevin Kimball



Mayor
Lee McGraw

Commissioners
Milton "T" Dowdy, Jr.
Mayor Pro-Tem

Jimmy Chalflinch
George H. Wilson, Jr.
Marc Phillips
Christopher M. Nance

Ms. Alison W. Kluttz, PE, CPM
Division Project Development Engineer
NCDOT Highway Division 08
902 North Sandhills Boulevard
Aberdeen, NC 28315

RE: Follow up to March 22 letter on cost share for STIP Project U-3628

Dear Ms. Kluttz,

I appreciate you, Mr. Morgan and Mr. Davis meeting with me and my staff Monday to go over your March 22 letter and the detail sheets for STIP Project U-3628, Monroe Street in Carthage, NC. We are very eager for this improvement to take place including the addition of a sidewalk on one side of the roadway. Unfortunately, as I suspected, my Board agreed that the Town does not have the funds to participate in the \$159,600 cost share for the two bike lanes. The Board did vote to fund the \$10,850 cost match for the sidewalk improvements. We understand at some point before the contract is let for this project that the Town will need to sign an agreement for the matching funds. In its motion to approve the sidewalk match, the Carthage Board of Commissioners expressed a desire to continue to pursue other ways of providing funding for the bike lanes as these lanes are part of a larger regional bike system for the County and are important for the Town's future mobility.

Sincerely,

Thomas B. Robinson
Town Manager

Cc: Kevin Kimball, Kathy Liles, Kesha Mathews, Dorothy Dutton



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

March 22, 2018

Mr. Thomas B. Robinson
Town Manager, Town of Carthage
4396 Hwy 15-501
Carthage, NC 28327

Reference: Town of Carthage's Cost-Share to Incorporate Pedestrian Facilities
STIP Project U-3628, NC 24/27 Improvements, Carthage, NC

Dear Mr. Robinson:

The North Carolina Department of Transportation (NCDOT) has been planning and preparing a design to improve NC 24/27 from the Courthouse west of NC 22 (McNeill Street) to US 15-501 in Carthage. These project planning activities been conducted in accordance with the North Carolina State Environmental Policy Act (SEPA).

As part of the SEPA process, the Division staff held a scoping meeting on-site on 6/17/2016 and representatives from the Town of Carthage, Ms. Cathy Liles and Mr. Rocky Davis were both present to provide input on the project. As a result of the input, pedestrian facilities and other improvements have been requested for the project. The requested facilities include sidewalks and bike lanes. Per NCDOT policy, these facilities and associated improvements have a cost-sharing component for the Town, as follows:

Bike Lanes:..... Bike lanes are requested on both sides of NC 24/27 from East Barrett Street to US 15-501. The Town's cost-share is the cost of the additional pavement width required to construct a dedicated 5-foot bike lane when compared to the pavement width required for a shared bike lane. A shared bike lane is an extra wide travel lane (14') where the Department would provide at no cost to the Municipality. Therefore, the cost-share differential is 3-feet of additional pavement width in each direction for the desired length.

Sidewalks: Sidewalks are requested along NB NC 24/27 from East Barrett Street to US 15-501 and along SB NC 24/27 from Vass Road to US 15-501. The Town's cost-share is 20% of the cost of a 5-foot wide concrete sidewalk.

The Town's cost-share for the project is currently estimated to be \$170,500. Please refer to the attachment for a cost breakdown.

If the Town desires the above-mentioned facilities be constructed as part of the U-3628 project, please provide written notification to NCDOT that the Town will participate in the cost-share and

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS, DIVISION 8
902 NORTH SANDHILLS BOULEVARD
ABERDEEN, NC 28315

Telephone: (910) 944-2344
Fax: (910) 944-5623
Customer Service: 1-877-368-4968

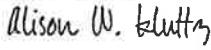
Location:
902 NORTH SANDHILLS BOULEVARD
ABERDEEN, NC 28315

Website: www.ncdot.gov

will accept full responsibility for all liability and maintenance required for the sidewalks upon completion of construction. This notification is requested within 30-days of your receipt of this correspondence. An executed agreement between the Town of Carthage and NCDOT will be required prior to advertising the project for construction.

If additional information is needed or if you have any questions, please contact Mr. Greg Davis, PE at (910) 944-2344 or gsdavis@ncdot.gov.

Sincerely,

DocuSigned by:

9BA03A5230E54E1...

Alison W. Kluttz, PE, CPM
Division Project Development Engineer
NCDOT Highway Division 08

Attachment

COST SHARE COMPARISON

PROJECT NO.: U-3628
COUNTY: MOORE

COMPUTED BY: GSD
CHECKED BY: AWK

ITEM	AREA	COST
SIDEWALK (20% of Total Area)	310 SY	\$10,850
BIKE LANE	2715 SY	\$159,600
Total		\$170,450
SAY	*	\$170,500

* Average bid prices used in estimating unit cost.

AGREEMENT OVERVIEW

NORTH CAROLINA
MOORE COUNTY

DATE: 10/2/2024

PARTIES TO THE AGREEMENT:

PROJECT NUMBERS:

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

TIP #: U-3628

AND

WBS ELEMENTS: CON 44672.3.1

TOWN OF CARTHAGE

The purpose of this Agreement is to identify the participation in project costs, project delivery and/or maintenance, by the other party to this Agreement, as further defined in this Agreement.

SCOPE OF TIP PROJECT (“Project”): The Town of Carthage will participate in the cost to install a new sidewalk along NC 24 / NC 27 from Morgan Street to SR 1006 (Glendon-Carthage Rd). This is part of a project to widen NC 24 / NC 27 to three lanes, with curb and gutter and bicycle/pedestrian accommodations, from the courthouse west of NC 22 (McNeill Street) to US 15/501 in Carthage.

ESTIMATED COST OF THE SIDEWALKS: \$ 80,160

COSTS TO OTHER PARTY: \$ 16,032

DEPARTMENT’S FUNDING: \$ 64,128

PAYMENT TERMS: The Department will invoice the Town of Carthage upon completion of the Project.

MAINTENANCE: Town of Carthage

EFFECTIVE DATES OF AGREEMENT:

START: Upon Full Execution of this Agreement

END: When work is complete and all terms are met.

This Agreement is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and the Town of Carthage, hereinafter referred to as the **Municipality**; and collectively referred to as the **Parties**.

The **Parties** to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that both are referenced in this

Agreement and refer to this Agreement, represents the entire understanding between the **Parties** with respect to its subject matter and supersedes any previous communication or agreements that may exist.

DRAFT

I. WHEREAS STATEMENTS

WHEREAS, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-66.1 and 136-66.3; and,

WHEREAS, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the **Parties**, as of the date of entering the agreement for the above-mentioned project, are to be used in determining the duties, responsibilities, rights, and legal obligations of the **Parties** hereto for the purposes of this Agreement; and,

WHEREAS, the **Municipality** has requested that the **Department** perform all phases of said work or provide services; and,

WHEREAS, the **Parties** hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** (including reviews, goods, or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out.

NOW, THEREFORE, this Agreement states the promises and undertakings of each party as herein provided, and the **Parties** do hereby covenant and agree, each with the other, as follows:

II. RESPONSIBILITIES

A. DEPARTMENT

The **Department** shall be responsible for all phases of project delivery to include planning, design, right of way acquisition, utility relocation, and construction as shown in the **PROJECT DELIVERY** Provision.

B. MUNICIPALITY

The **Municipality** shall be responsible for maintenance as shown in the **PROJECT DELIVERY** Provision and payment as shown in the **COSTS AND FUNDING** Provision.

III. PROJECT DELIVERY REQUIREMENTS

A. PLANNING, DESIGN, AND CONSTRUCTION

- i. The **Department** will be responsible for preparing the environmental and/or planning document and obtaining any environmental permits.
- ii. The **Department** will be responsible for preparing the project plans and specifications and letting the Project to construction.

- iii. The **Department** shall construct the Project in accordance with the plans and specifications for the Project. The **Department** shall administer the construction contract for said Project. All work shall be done in accordance with Departmental standards, specifications, policies, and procedures.

B. RIGHT OF WAY ACQUISITION

The **Department** will be responsible for acquiring any needed right of way required for the Project in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.

C. MUNICIPAL UTILITY RELOCATIONS

Responsibilities

The **Municipality** shall be responsible for the relocation and adjustment of all municipally owned utilities in conflict with the Project and shall exercise any rights that it may have under any franchise to effect all necessary changes, adjustments, and relocations of communications and electric power lines; underground cables, gas lines, and, and other pipelines or conduits; or any privately- or publicly-owned utilities.

- i. Said work shall be performed in a manner satisfactory to the **Department** prior to the **Department** beginning construction of the Project. The **Municipality** shall make every effort to promptly relocate said utilities in order that the **Department** will not be delayed in the construction of the Project.
- ii. The **Municipality** shall make all necessary adjustments to house or lot connections or services lying within the right of way or construction limits, whichever is greater, of the Project.
- iii. The **Department**, where necessitated by construction, will make vertical adjustments of two (2) feet or less to the existing manholes, meter boxes, and valve boxes at no expense to the **Municipality**.
- iv. The **Department** shall not be liable for any work that the **Municipality** undertakes with respect to said utility relocation.

Costs and Funding

- v. If applicable, the **Department** will reimburse the **Municipality** in accordance with NCGS 136-27.1. A separate utility agreement may be prepared to address these costs and payment terms.

Utility Relocation by Department

- vi. If the **Municipality** requests the **Department** to include the relocation and/or adjustment of municipally owned utilities in its construction contract provisions, and the **Department** agrees, then a separate utility agreement will be prepared to state the cost estimate and the reimbursement terms, if applicable. The **Municipality** shall reimburse the **Department** all or a portion of the costs associated with said relocation, in accordance with NCGS 136-27.1. Reimbursement will be based on final project plans and actual costs of relocation.

D. MAINTENANCE

Upon completion of the Project:

- i. The **Municipality** shall be responsible for maintenance of the sidewalks upon completion of the Project.
- ii. The **Department** shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highway," and department criteria.
- iii. The roadway improvements that are within state-owned right of way shall be considered a part of the State Highway System and shall be owned and maintained by the **Department**.

IV. COSTS AND FUNDING

A. PROJECT COSTS

The **Municipality** has agreed to participate in the Project costs as follows:

- i. The estimated cost of the sidewalks is \$80,160. The **Municipality** shall participate in 20% of actual costs. The **Department** will participate in 80% of actual costs. Both **Parties** understand that this is an estimated cost and is subject to change.
- ii. The **Department** may consult with the **Municipality** on changes to cost estimates prior to construction, or changes to costs during construction. Consultation between the **Department** and the **Municipality** is offered as a courtesy to apprise the **Municipality** of potential cost increases and to allow appropriate budgeting. Failure of the **Department** to notify the **Municipality** of cost increases does not affect the payment terms of the agreement.

B. PAYMENT BY THE MUNICIPALITY

- i. Upon completion of the Project, the **Department** will calculate actual costs and bill the **Municipality** per **Project Costs** Provision. The **Municipality** shall reimburse the **Department** within sixty (60) days of invoicing by the **Department**. The **Department** will charge a late payment penalty and interest on any unpaid balance due in accordance with G. S. 147-86.23.
- ii. At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment in accordance with the attached "Remittance Guidance". The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.
- iii. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality's** share of funds allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

V. STANDARD PROVISIONS

A. AGREEMENT MODIFICATIONS

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all **Parties** by means of a written Supplemental Agreement.

B. ASSIGNMENT OF RESPONSIBILITIES

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

C. AGREEMENT FOR IDENTIFIED PARTIES ONLY

This Agreement is solely for the benefit of the identified **Parties** to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

D. OTHER AGREEMENTS

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

E. TITLE VI

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

F. FACSIMILE

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the **Parties** agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

G. AUTHORIZATION TO EXECUTE

The **Parties** hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective **Parties** to the terms contained herein.

H. DEBARMENT POLICY

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or Department and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

I. INDEMNIFICATION

To the extent authorized by state and federal claims statutes, the **Municipality** shall be responsible for its actions under the terms of this agreement and save harmless the FHWA (if applicable), the **Department**, and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns from and against any and all claim for payment, damages and/or liabilities of any nature, asserted against the **Department** in connection with this Agreement. The **Department** shall not be liable and shall be held harmless from any and all third-party claims that might arise on account of the **Municipality's** negligence and/or responsibilities under the terms of this agreement.

J. AVAILABILITY OF FUNDS

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

K. DOCUSIGN

The **Department** and **Municipality** acknowledge and agree that the electronic signature application DocuSign may be used, at the sole election of the **Department** or the **Municipality**, to execute this Agreement. By selecting "I Agree", "I Accept", or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, the **Department** and **Municipality** consent to be legally bound by the terms and conditions of Agreement and that such act constitutes **Department's** signature as if actually signed by the **Department** in writing or the **Municipality's** signature as if actually signed by the **Municipality** in writing. The **Department** and **Municipality** also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The **Department** and **Municipality** acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

L. GIFT BAN

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Adult Corrections, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(DOCUSIGN ONLY)

Authorized Signer: _____

Print Name: _____

Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

TOWN OF CARTHAGE

FED TAX ID NO: _____

Finance Officer: _____

REMITTANCE ADDRESS: _____

Print Name: _____

Date Signed: _____

DEPARTMENT OF TRANSPORTATION

BY: _____

TITLE: _____

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)

SIGNATURE PAGE

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **Department** and the **Municipality** by authority duly given.

(INK SIGNATURES ONLY)

ATTEST: _____ Authorized Signer: _____

BY: _____ Print Name: _____

TITLE: _____ Title: _____

Date Signed: _____

If applicable, this Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act:

TOWN OF CARTHAGE

FED TAX ID NO: _____ Finance Officer: _____

REMITTANCE ADDRESS: _____ Print Name: _____

_____ Date Signed: _____

DEPARTMENT OF TRANSPORTATION (DocuSign)

BY: _____

TITLE: _____

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (DATE)



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kim Gibson, Town Clerk
Subject: CONSIDERATION OF NEW POLICE ADMIN POSITION

The Police Department has had more and more demands placed on their limited staff. Although the Board has authorized the hiring of more officers, the process is a long and tedious one, with multiple obstacles.

The police admin staff are being required to work more time on shift patrol and assisting with investigations when the detectives have to fill in for shifts to make sure the Town has sufficient coverage.

In an effort to help alleviate some of the day-to-day administrative tasks and to foster retention, growth, and satisfaction with her position, we are asking the Board to consider creating a more challenging position for our current long-term Police Records Specialist. The position would add responsibility, encourage growth, and stimulate a more challenging environment while relieving some of the stress and availability of the Police administration Team.

Included for your review are the current Position Description for the Police Records Specialist and the requested Police Records and Technology Administrator Position Description.

SUGGESTED MOTION(S):

Option #1

I make a motion to create a new position within the Police Department for a Police Records and Technology Administrator as written and presented.

Option #2

I make a motion to deny the create a new position within the Police Department for a Police Records and Technology Administrator for the following reasons:



Town of Carthage

POSITION DESCRIPTION

Position – Police Records Specialist	Staff
Department – Police Department	Non-Exempt
Direct Supervisor – Police Chief	Salary Grade – 12

SUMMARY

Performs responsible administrative support functions in the area of records in the Police Department.

DISTINGUISHING CAREER FEATURES

An employee in this class is responsible for the processing, collection, and storage of law enforcement records, reports, and information; providing administrative support to the Chief and other staff; and assisting the public with police information and services. The employee reviews and edits a wide variety of records and data in computerized databases as well as maintaining manual records. The employee also assists the terminal agency coordinator with various validations for DCI/NCIS and NC AWARE. Work requires knowledge of federal and state guidelines and internal departmental procedures for the processing and storage of criminal records. Work also requires technology skills and knowledge of office and specialized law enforcement software. The employee is expected to follow standard processes and to ensure the confidentiality and security of records and evidence. The employee works in an inside office environment. Work is performed under regular supervision and is reviewed through observation, conferences, reports, and review of work performed in the assigned function.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Provides information via phone and walk-in traffic to the public and other agencies related to records, departmental policies or services, or related issues; takes reports from the public when authorized; maintains radio contact with officers as needed.
- Receives, sorts, proofs, edits, and files a variety of records and reports including incident reports, supplemental reports, arrest sheets, accident reports, warrants, citations, officer reports, and other reports; files and retrieves these records and reports; edits data and prepares records according to internal departmental standards and NIBRS requirements; compiles NIBRS reports; maintains personnel files for department; ensures Training and Standards file are complete; compiles departmental data for monthly report; maintains various confidential files.
- Participates in on-boarding new staff; submits new staff to 911 center and DA's office; orients new officers to records systems and software use and requirements and department protocols.
- Prepares and maintains affidavits and data base of people banned from businesses; notarizes affidavits and other forms.
- Serves as information source for the public; contacts various community groups such as domestic violence shelters and serves as liaison between them and law enforcement officers; provides law enforcement records for insurance companies, attorneys, new media, and the general public; makes copies for department staff or the public.
- Processes invoices after approval; orders uniforms.

- Opens and distributes mail for the department; prepares time sheets; researches records as necessary and required; handles information in accordance with laws and operating procedures.
- Provides administrative support such as document production, preparation of correspondence, compiling time sheets, obtaining price quotes, and ordering office supplies.

ADDITIONAL DUTIES

- Assists other office staff and law enforcement officers, as needed.
- Performs related duties as required.

RECRUITMENT AND SELECTION GUIDELINES

Knowledges, Skills, and Abilities

- Considerable knowledge of standard office equipment and procedures including data base and word processing computer applications and of specialized law enforcement applications such as DCI/NCIC and NC AWARE requirements.
- Knowledge of law enforcement records, reports, and requirements..
- Knowledge of departmental policies and procedures and some Town purchasing policies and procedures.
- Skill in customer service excellence, teamwork and collaborative conflict resolution.
- Ability to input data into computer based on federal and state guidelines or internal procedures.
- Ability to plan and organize work, files, and records for easy retrieval.
- Ability to communicate effectively in oral and written forms.
- Ability to develop and maintain effective working relationships with law enforcement officers and staff, other law enforcement agencies, and the general public.
- Ability to handle multiple priorities.
- Ability to meet deadlines and work standards which may be performed under stress.
- Ability to handle confidential information and records appropriately.
- Ability to type and perform data entry with appropriate speed and accuracy and to proof own work.

Physical Requirements

- Must be able to physically perform the basic life operational functions of reaching, lifting, fingering, grasping, talking, hearing, and repetitive motions.
- Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or negligible amount of force frequently or constantly to move objects.
- Must possess the visual acuity to prepare data and statistics, operate a computer terminal, do extensive reading, and perform visual inspection of work performed.

DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school and experience in records or general administrative support work; or an equivalent combination of education and experience.

SPECIAL REQUIREMENTS

- DCI/TAC certification in modules as required by the department.
- NC AWARE and CJ Leads Certification or ability to obtain within six to twelve months.
- Ability to obtain Notary Public.

Origin: 2015
Revised: 2020
Reviewed: 2023
Revised: July 2024

By signing this, you acknowledge that you have received a copy of the most recent Position Description for the position you hold. You also agree to seek clarification from Human Resources, or your direct supervisor should you have any questions or concerns with said Position Description.

Employee Signature

Date



Town of Carthage

DRAFT – POSITION DESCRIPTION

Position – Police Records and Technology Administrator	Staff
Department – Police Department	Non-Exempt
Direct Supervisor – Police Chief	Salary Grade – 14

SUMMARY

Performs a wide variety of advanced journey level administrative and office management responsibilities for the Police Department requiring a thorough understanding of the departmental services and inter-relationships and their relationship to the total Town's operations.

DISTINGUISHING CAREER FEATURES

An employee in this class performs a wide variety of specialized and difficult program support, and office management duties in the Police Department. Work generally requires that employees independently handle certain complex administrative tasks such as significant participation in departmental budgeting, maintaining specialized databases and using and/or administering specialized programmatic software for program operations, and independently handling assigned office operational activities. Work is considered at the advanced journey level, requires judgement and discretion in handling sensitive or confidential matters in the program areas, and requires a broad knowledge of departmental operations in order that the role may provide research, back up of others, coordinate complex assignments; or may require the ability to deal with technical information. Work is distinguished from other administrative support classifications by factors such as scope and complexity of the department supported, greater complexity and variety of tasks, or greater responsibility within assigned administrative and/or program areas. Employees serve as part of the executive team within the department and handle major functions with independence. Sound judgment and discretion is required in performing the tasks. Work is performed under the supervision of a department head and is evaluated through observation, conferences, and the quality and effectiveness of work completed.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Serves as administrator of specialized software such as CJLeads, NCWARE, RMS, DCI, TRACS, and other specialized public safety software; serves as Terminal Agency Coordinator for the NCIC/DCI system including administering tests for other staff and handling state audits; assigns passwords and account logins; ensures security; may administer training or testing to users; compiles and submits reports to state agencies utilizing software; serves as liaison with technology vendors; may deal with confidential information.
- Coordinates and/or participates in development of programs for the department that significantly impact public services and perception; attends executive staff meetings and participates in planning and decisions; creates staff shift schedules; works closely with department head in budget preparation and administration, purchasing, and procurement of equipment, supplies, and materials for the department; prepares purchase requests and processes invoices; manages employee time records either manually or electronically; maintains confidential personnel files; participates in on-boarding new employees; prepares and maintains calendars/schedules for department, department head and staff; tracks training and certification status for staff.
- Maintains records of department gasoline usage, miles per vehicle, cost, etc. utilizing spreadsheets.

- Issues citation books and parking ticket books; tracks books and tickets; enters into RMS system.
- Researches and prepares a variety of department specific records and reports; maintains a variety of spreadsheets and databases in support of departmental programs; compiles data and statistics into required formats; completes studies and programmatic reports.
- Serves as point of contact for insurance agencies and individuals regarding accident reports.
- Coordinates court schedules for department staff and provides reports to DA and Judges; tracks judge decisions.
- Reviews and verifies records and reports for quality control and correct and thorough information consistent with regulatory compliance or other requirements including state detention regulations; serves as point of contact for regulatory audits; processes documents based on review and verification; files and retrieves materials based on limited information and performs periodic follow up activities; creates, maintains and updates data bases requiring knowledge of and ability to interpret and apply ordinances, regulations, and procedures.
- Screens and routes materials according to content of communications; writes responses; researches alternatives; drafts recommendations; related materials from files.
- Supports the department or division head in overall departmental projects; organizes the administrative work flow; creates forms and processes to improve efficiency and effectiveness; identifies and develops database and other records management systems.
- Handles public requests for services or information with limited review and based on program and policy knowledge; often resolves problems or complaints without management's assistance.
- Carries responsibilities for department – specific programs, conducting research, making appropriate determinations, and approving applicants, and maintaining related program files; prepares grant applications and track grant compliance.

ADDITIONAL DUTIES

- Serves as backup to other professional and administrative staff as needed.
- Performs related duties as required.

RECRUITMENT AND SELECTION GUIDELINES

Knowledges, Skills, and Abilities

- Thorough knowledge of office technology including word processing, data base management, spreadsheet design and usage, specialized departmental software, and other related resources.
- Thorough knowledge of modern office management practices and procedures.
- Thorough knowledge and ability to use correct grammar, vocabulary, and spelling.
- Considerable knowledge of Town budgeting, personnel and purchasing policies and procedures.
- Considerable knowledge of Town departments, their functions, and operations.
- Skill in internal and external customer service excellence, problem-solving, teamwork and collaborative conflict resolution.
- Ability to administer specialized software programs including establishing passwords and login accounts, maintain compliance with regulatory agencies, and monitor employee usage for appropriateness.
- Ability to understand, interpret and apply regulatory requirements regarding records and staff certifications.
- Ability to evaluate departmental processes for efficiency and effectiveness and make improvements.

- Ability to plan and organize work for efficient processing, set and follow effective work priorities and meet established deadlines.
- Ability to handle multiple priorities utilizing sound judgment and based on knowledge of departmental issues and needs.
- Ability to communicate effectively in person and by telephone.
- Ability to gather, synthesize and compile technical information on departmental programs and create well organized documents.
- Ability to enter data accurately and at the speed required by the position and to proof own work.
- Ability to arrange and place records, reports and files into a proper sequence and develop computerized or paper systems for easy retrieval and storage of departmental records.
- Ability to establish and maintain effective working relationships with the general public, supervisor, Town officials, and employees.
- Ability to maintain appropriate confidentiality.

Physical Requirements

- Must be able to physically perform the basic life operational functions of reaching, lifting, fingering, grasping, talking, hearing, and repetitive motions.
- Must be able to perform sedentary work exerting up to 10 pounds of force occasionally and/or negligible amount of force frequently or constantly to move objects.
- Must possess the visual acuity to prepare data and statistics, operate a computer terminal, do extensive reading, and perform visual inspection of work performed.

Desirable Education and Experience

Graduation from a community college supplemented by various courses in related information technology and considerable office management experience including experience at an advanced journey level; or an equivalent combination of education and experience.

Special Requirements

DCI/TAC certification, NC AWARE and CJ Leads Certification or ability to obtain within six to twelve months.

Origin: October 2024

By signing this, you acknowledge that you have received a copy of the most recent Position Description for the position you hold. You also agree to seek clarification from Human Resources, or your direct supervisor should you have any questions or concerns with said Position Description.

Employee Signature

Date



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kesha Matthews, Finance Director
Subject: REQUEST TO SUPLANT ARPA FUNDS

US Treasury Compliance Policies Pertaining to Expenditure of ARPA/CSLFRF

The Town of Carthage has been allocated \$813,634 from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CSLFRF). CSLFRF funds are subject to the U.S. Department of Treasury ("Treasury") regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22. Further, ARPA/CSLFRF funds are subject to the compliance requirements as listed in the Award Terms and Conditions and the Assistance Listing (21.027) which are primarily focused on the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG).

It is a requirement of the ARPA/CSLFRF that certain policies be adopted as it relates to the expenditure of this specific pot of funds.

- **Eligible Use Policy:** This policy defines the permissible and prohibited uses of the ARPA/CSLFRF funds. It also outlines the procedures for determining how the Town will spend its ARP/CSLFRF funds. Permissible expenditure categories include: 1) addressing the COVID-19 public health expenditures and its negative economic impacts; 2) to provide governmental services through the revenue replacement; 3) provide premium pay for essential workers; and 4) invest in water, sewer, and broadband infrastructure.
- **Cost Principles Policy:** Defines those items of cost that are allowable, and which are unallowable. The tests of allowability under the cost principles are: (a) the costs must be reasonable; (b) they must be allocable to eligible projects; (c) they must be given consistent treatment through application of those generally accepted accounting principles appropriate to the circumstances; and (d) they must conform to any limitations or exclusions set forth in these principles or in the ARP/CSLFRF grant award as to types or amounts of cost items.
- **Records Retention Policy:** Outlines Treasury's five-year record retention requirement for documents related to expenditures ARPA/CSLFRF funds. This record retention requirement is longer than the traditional three-year record retention requirement. The Town shall retain relevant records for a period of five years beyond the final expenditure of ARP/CSLFRF funds.
- **Nondiscrimination Policy:** Reaffirms that the Town will ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise, subject to discrimination under any program or activity administered by the local government, including programs/activities funded in whole or part with ARPA/CSLFRF.
- **Conflict of Interest Policy:** Establishes conflict of interest standards that apply when the Town enters into a contract or makes a subaward.

The full text of each of the above policies is included in the agenda packet for Board review.



Town of Carthage

Resolution

A RESOLUTION TO ADOPT THE REQUIRED POLICIES FOR PARTICIPATION IN THE AMERICAN RESCUE PLAN GRANT PROGRAM FOR THE TOWN OF CARTHAGE

WHEREAS, the Town of Carthage has been awarded funding under the American Rescue Plan Grant Program ("ARP Grant Program") administered by the United States Department of the Treasury; and

WHEREAS, the ARP Grant Program requires the adoption of certain policies to ensure compliance with federal guidelines and the proper use of awarded funds; and

WHEREAS, the Town of Carthage recognizes the importance of adopting and adhering to the required policies in order to promote transparency, accountability, and responsible financial management in the use of ARP Grant Program funds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, as follows:

Section 1. Adoption of Required Policies

The Town of Carthage hereby adopts the following policies as required for participation in the American Rescue Plan Grant Program:

Non-Discrimination Policy

The Town of Carthage shall not discriminate on the basis of race, color, national origin, religion, sex, age, disability, or any other protected class in the implementation and administration of ARP Grant Program-funded activities.

Conflict of Interest Policy

The Town of Carthage shall adopt procedures to identify and prevent conflicts of interest in the administration of ARP Grant Program activities, ensuring that public officials, employees, and other individuals involved in the program do not participate in decisions where they have personal or financial interests.

Record Retention Policy

The Town of Carthage shall maintain records related to the ARP Grant Program for a minimum period of five years, in compliance with federal guidelines, to ensure proper documentation and auditability of all grant-related activities.

Eligible Use Policy

The Town of Carthage shall follow procedures for determining how the Town will spend its ARP/CSLFRF funds and how it defines permissible and prohibited uses of the funds.

Cost Principles Policy

The Town of Carthage shall follow Treasury’s guidelines for items of cost that are allowable and which are unallowable.

Section 2. Implementation and Compliance

The Finance Officer is hereby directed to take all necessary steps to implement and ensure ongoing compliance with the above policies.

Section 3. Effective Date

This Resolution shall be effective immediately upon its adoption.

The foregoing Resolution, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
Nays: _____
Absent/Excused: _____

Jimmy Chalfinch, Mayor

Attest:

Kimberly Gibson, Town Clerk

CONFLICT OF INTEREST POLICY

**APPLICABLE TO CONTRACTS AND SUBAWARDS OF THE TOWN OF CARTHAGE
SUPPORTED BY FEDERAL FINANCIAL ASSISTANCE**

* * * * *

I. Scope of Policy

- a. **Purpose of Policy.** This Conflict of Interest Policy (“*Policy*”) establishes conflict of interest standards that (1) apply when the Town of Carthage (“*Unit*”) enters into a Contract (as defined in Section II hereof) or makes a Subaward (as defined in Section II hereof), and (2) meet or exceed the requirements of North Carolina law and 2 C.F.R. § 200.318(c).
- b. **Application of Policy.** This Policy shall apply when the Unit (1) enters into a Contract to be funded, in part or in whole, by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies, or (2) makes any Subaward to be funded by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies. If a federal statute, regulation, or the terms of a financial assistance agreement applicable to a particular form of Federal Financial Assistance conflicts with any provision of this Policy, such federal statute, regulation, or terms of the financial assistance agreement shall govern.

II. Definitions

Capitalized terms used in this Policy shall have the meanings ascribed thereto in this Section II: Any capitalized term used in this Policy but not defined in this Section II shall have the meaning set forth in 2 C.F.R. § 200.1.

- a. “*COI Point of Contact*” means the individual identified in Section III(a) of this Policy.
- b. “*Contract*” means, for the purpose of Federal Financial Assistance, a legal instrument by which the Unit purchases property or services needed to carry out a program or project under a Federal award.
- c. “*Contractor*” means an entity or individual that receives a Contract.
- d. “*Covered Individual*” means a Public Officer, employee, or agent of the Unit.
- e. “*Covered Nonprofit Organization*” means a nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating in the State of North Carolina primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes, excluding any board, entity, or other organization created by the State of North Carolina or any political subdivision of the State (including the Unit).
- f. “*Direct Benefit*” means, with respect to a Public Officer or employee of the Unit, or the spouse of any such Public Officer or employee, (i) having a ten percent (10%) ownership interest or other interest in a Contract or Subaward; (ii) deriving any income or commission directly from a Contract or Subaward; or (iii) acquiring property under a Contract or Subaward.

- g. “*Federal Financial Assistance*” means Federal financial assistance that the Unit receives or administers in the form of grants, cooperative agreements, non-cash contributions or donations of property (including donated surplus property), direct appropriations, food commodities, and other Federal financial assistance (except that the term does not include loans, loan guarantees, interest subsidies, or insurance).
- h. “*Governing Board*” means the Board of Commissioners of the Unit.
- i. “*Immediate Family Member*” means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
- j. “*Involved in Making or Administering*” means (i) with respect to a Public Official or employee, (a) overseeing the performance of a Contract or Subaward or having authority to make decisions regarding a Contract or Subaward or to interpret a Contract or Subaward, or (b) participating in the development of specifications or terms or in the preparation or award of a Contract or Subaward, (ii) only with respect to a Public Official, being a member of a board, commission, or other body of which the Public Official is a member, taking action on the Contract or Subaward, whether or not the Public Official actually participates in that action.
- k. “*Pass-Through Entity*” means a non-Federal entity that provides a Subaward to a Subrecipient to carry out part of a Federal program.
- l. “*Public Officer*” means an individual who is elected or appointed to serve or represent the Unit (including, without limitation, any member of the Governing Board), other than an employee or independent contractor of the Unit.
- m. “*Recipient*” means an entity, usually but not limited to a non-Federal entity, that receives a Federal award directly from a Federal awarding agency. The term does not include Subrecipients or individuals that are beneficiaries of the award.
- n. “*Related Party*” means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.
- o. “*Subaward*” means an award provided by a Pass-Through Entity to carry out part of a Federal award received by the Pass-Through Entity. It does not include payments to a contractor or payments to a contractor or payments to an individual that is a beneficiary of a Federal program.

- p. “*Subcontract*” means mean any agreement entered into by a Subcontractor to furnish supplies or services for the performance of a Contract or a Subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.
- q. “*Subcontractor*” means an entity that receives a Subcontract.
- r. “*Subrecipient*” means an entity, usually but not limited to a non-Federal entity, that receives a subaward from a Pass-Through Entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.
- s. “*Unit*” has the meaning specified in Section I hereof.

III. COI Point of Contact.

- a. Appointment of COI Point of Contact. The Town Clerk of the Unit shall have primary responsibility for managing the disclosure and resolution of potential or actual conflicts of interest arising under this Policy. In the event that the Town Clerk is unable to serve in such capacity, the Town Manager shall assume responsibility for managing the disclosure and resolution of conflicts of interest arising under this Policy. The individual with responsibility for managing the disclosure and resolution of potential or actual conflicts of interest under this Section III(a) shall be known as the “*COI Point of Contact*”.
- b. Distribution of Policy. The COI Point of Contact shall ensure that each Covered Individual receives a copy of this Policy.

IV. Conflict of Interest Standards in Contracts and Subawards

- a. North Carolina Law. North Carolina law restricts the behavior of Public Officials and employees of the Unit involved in contracting on behalf of the Unit. The Unit shall conduct the selection, award, and administration of Contracts and Subawards in accordance with the prohibitions imposed by the North Carolina General Statutes and restated in this Section III.
 - i. G.S. § 14-234(a)(1). A Public Officer or employee of the Unit Involved in Making or Administering a Contract or Subaward on behalf of the Unit shall not derive a Direct Benefit from such a Contract or Subaward.
 - ii. G.S. § 14-234(a)(3). No Public Officer or employee of the Unit may solicit or receive any gift, favor, reward, service, or promise of reward, including but not limited to a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a Contract or Subaward by the Unit.
 - iii. G.S. § 14-234.3. If a member of the Governing Board of the Unit serves as a director, officer, or governing board member of a Covered Nonprofit Organization, such member shall not (1) deliberate or vote on a Contract or Subaward between

the Unit and the Covered Nonprofit Corporation, (2) attempt to influence any other person who deliberates or votes on a Contract or Subaward between the Unit and the Covered Nonprofit Corporation, or (3) solicit or receive any gift, favor, reward, service, or promise of future employment, in exchange for recommending or attempting to influence the award of a Contract or Subaward to the Covered Nonprofit Organization.

- iv. G.S. § 14-234.1. A Public Officer or employee of the Unit shall not, in contemplation of official action by the Public Officer or employee, or in reliance on information which was made known to the public official or employee and which has not been made public, (1) acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or other information, or (2) intentionally aid another in violating the provisions of this section.

b. Federal Standards.

- i. Prohibited Conflicts of Interest in Contracting. Without limiting any specific prohibition set forth in Section IV(a), a Covered Individual may not participate in the selection, award, or administration of a Contract or Subaward if such Covered Individual has a real or apparent conflict of interest.

- 1. Real Conflict of Interest. A real conflict of interest shall exist when the Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward. Exhibit A attached hereto provides a non-exhaustive list of examples of (i) financial or other interests in a firm considered for a Contract or Subaward, and (ii) tangible personal benefits from a firm considered for a Contract or Subaward.

- 2. Apparent Conflict of Interest. An apparent conflict of interest shall exist where a real conflict of interest may not exist under Section IV(b)(i)(1), but where a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the appearance that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward.

- ii. Identification and Management of Conflicts of Interest.

- 1. Duty to Disclose and Disclosure Forms

- a. Each Covered Individual expected to be or actually involved in the selection, award, or administration of a Contract or Subaward has an ongoing duty to disclose to the COI Point of Contact potential real or apparent conflicts of interest arising under this Policy.

- b. Prior to the Unit's award of a Contract or Subaward, the COI Point of Contact shall advise Covered Individuals expected to be involved in the selection, award, or administration of the Contract or Subaward of such duty.
- c. If the value of a proposed Contract or Subaward exceeds \$[250,000], the COI Point of Contact shall collect a Conflict of Interest Disclosure Form contained in Exhibit C (for Contracts) and Exhibit E (for Subawards) from each Covered Individual and file such Conflict of Interest Disclosure Form in records of the Unit.

2. Identification Prior to Award of Contract or Subaward.

- a. Prior to the Unit's award of a Contract or Subaward, the COI Point of Contact shall complete the appropriate Compliance Checklist contained in Exhibit B (for Contracts) and Exhibit D (for Subawards) attached hereto and file such Compliance Checklist in the records of the Unit.

3. Management Prior to Award of Contract or Subaward

- a. If, after completing the Compliance Checklist, the COI Point of Contact identifies a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the COI Point of Contact shall disclose such finding in writing to the Mayor and to each member of the Governing Board. If the Governing Board desires to enter into the proposed Contract or Subaward despite the identification by the COI Point of Contact of a potential real or apparent conflict of interest, it may either:
 - i. accept the finding of the COI Point of Contact and direct the COI Point of Contact to obtain authorization to enter into the Contract or Subaward from (a) if Unit is a Recipient of Federal Financial Assistance, the Federal awarding agency with appropriate mitigation measures, or (b) if Unit is a Subrecipient of Federal Financial Assistance, from the Pass-Through Entity that provided a Subaward to Unit; or
 - ii. reject the finding of the COI Point of Contact and enter into the Contract or Subaward. In rejecting any finding of the COI Point of Contact, the Governing Board shall in writing document a justification supporting such rejection.

- b. If the COI Point of Contact does not identify a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the Unit may enter into the Contract or Subaward in accordance with the Unit's purchasing or subaward policy.

4. Identification After Award of Contract or Subaward.

- a. If the COI Point of Contact discovers that a real or apparent conflict of interest has arisen after the Unit has entered into a Contract or Subaward, the COI Point of Contact shall, as soon as possible, disclose such finding to the Mayor and to each member of the Governing Board. Upon discovery of such a real or apparent conflict of interest, the Unit shall cease all payments under the relevant Contract or Subaward until the conflict of interest has been resolved.

5. Management After Award of Contract or Subaward.

- a. Following the receipt of such disclosure of a potential real or apparent conflict of interest pursuant to Section IV(b)(ii)(4), the Governing Board may reject the finding of the COI Point of Contact by documenting in writing a justification supporting such rejection. If the Governing Board fails to reject the finding of the COI Point of Contact within 15 days of receipt, the COI Point of Contact shall:
 - i. if Unit is a Recipient of Federal Financial Assistance funding the Contract or Subaward, disclose the conflict to the Federal awarding agency providing such Federal Financial Assistance in accordance with 2 C.F.R. § 200.112 and/or applicable regulations of the agency, or
 - ii. if Unit is a Subrecipient of Federal Financial Assistance, disclose the conflict to the Pass-Through Entity providing a Subaward to Unit in accordance with 2 C.F.R. § 200.112 and applicable regulations of the Federal awarding agency and the Pass-Through Entity.

V. Oversight of Subrecipient's Conflict of Interest Standards

- a. Subrecipients of Unit Must Adopt Conflict of Interest Policy. Prior to the Unit's execution of any Subaward for which the Unit serves as a Pass-Through Entity, the COI Point of Contact shall ensure that the proposed Subrecipient of Federal Financial Assistance has adopted a conflict of interest policy that satisfies the requirements of 2 C.F.R. § 200.318(c)(1), 2 C.F.R. § 200.318(c)(2), and all other applicable federal regulations.

- b. Obligation to Disclose Subrecipient Conflicts of Interest. The COI Point of Contact shall ensure that the legal agreement under which the Unit makes a Subaward to a Subrecipient shall require such Subrecipient to disclose to the COI Point of Contact any potential real or apparent conflicts of interest that the Subrecipient identifies. Upon receipt of such disclosure, the COI Point of Contact shall disclose such information to the Federal awarding agency that funded the Subaward in accordance with that agency's disclosure policy.

VI. **Gift Standards**

- a. Federal Standard. Subject to the exceptions set forth in Section VI(b), a Covered Individual may not solicit or accept gratuities, favors, or anything of monetary value from a Contractor or a Subcontractor.
- b. Exception. Notwithstanding Section VI(a), a Covered Individual may accept an unsolicited gift from a Contractor or Subcontractor of one or more types specified below if the gift has an aggregate market value of \$20 or less per source per occasion, provided that the aggregate market value of all gifts received by the Covered Individual pursuant to this Section VI(b) does not exceed \$50 in a calendar year:
 - i. honorariums for participating in meetings;
 - ii. advertising items or souvenirs of nominal value; or
 - iii. meals furnished at banquets.
- c. Internal Reporting. A Covered Individual shall report any gift accepted under Section VI(b) to the COI Point of Contact. If required by regulation of a Federal awarding agency, the COI Point of Contact shall report such gifts to the Federal awarding agency or a Pass-Through Entity for which the Unit is a Subrecipient.

VII. **Violations of Policy**

- a. Disciplinary Actions for Covered Individuals. Any Covered Individual that fails to disclose a real, apparent, or potential real or apparent conflict of interest arising with respect to the Covered Individual or Related Party may be subject to disciplinary action, including, but not limited to, an employee's termination or suspension of employment with or without pay, the consideration or adoption of a resolution of censure of a Public Official by the Governing Board, or termination of an agent's contract with the Unit.
- b. Disciplinary Actions for Contractors and Subcontractors. The Unit shall terminate any Contract with a Contractor or Subcontractor that violates any provision of this Policy.
- c. Protections for Whistleblowers. In accordance with 41 U.S.C. § 4712, the Unit shall not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a

gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant: (i) a member of Congress or a representative of a committee of Congress; (ii) an Inspector General; (iii) the Government Accountability Office; (iv) a Treasury or other federal agency employee responsible for grant oversight or management; (v) an authorized official of the Department of Justice or other law enforcement agency; (vi) a court or grand jury; of (vii) a management official or other employee of the Unit, a Contractor, or Subcontractor who has the responsibility to investigate, discover, or address misconduct.

* * * * *

Adopted this the ____ day of _____, 2024.

Jimmy Chalflinch, Mayor

ATTEST

[SEAL]

Kimberly Gibson, Town Clerk

EXHIBIT A

Examples

<i>Potential Examples of a “Financial or Other Interest” in a Firm or Organization Considered for a Contract or Subaward</i>	<i>Potential Examples of a “Tangible Personal Benefit” From a Firm or Organization Considered for a Contract or Subaward</i>
<p>Direct or indirect equity interest in a firm or organization considered for a Contract or Subaward, which may include:</p> <ul style="list-style-type: none"> - Stock in a corporation. - Membership interest in a limited liability company. - Partnership interest in a general or limited partnership. - Any right to control the firm or organization’s affairs. For example, a controlling equity interest in an entity that controls or has the right to control a firm considered for a contract. - Option to purchase any equity interest in a firm or organization. 	<p>Opportunity to be employed by the firm considered for a contract, an affiliate of that firm, or any other firm with a relationship with the firm considered for a Contract.</p> <p>A position as a director or officer of the firm or organization, even if uncompensated.</p>
<p>Holder of any debt owed by a firm considered for a Contract or Subaward, which may include:</p> <ul style="list-style-type: none"> - Secured debt (e.g., debt backed by an asset of the firm (like a firm’s building or equipment)) - Unsecured debt (e.g., a promissory note evidencing a promise to repay a loan). <ul style="list-style-type: none"> o Holder of a judgment against the firm. 	<p>A referral of business from a firm considered for a Contract or Subaward.</p>
<p>Supplier or contractor to a firm or organization considered for a Contract or Subaward.</p>	<p>Political or social influence (e.g., a promise of appointment to an local office or position on a public board or private board).</p>

EXHIBIT B

COMPLIANCE CHECKLIST FOR OVERSIGHT OF CONTRACT CONFLICTS OF INTEREST

The Town of Carthage (“*Unit*”) has adopted a Conflict of Interest Policy (“*Policy*”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates Town Clerk as the “COI Point of Contact.” The Policy requires the COI Point of Contact to complete this Compliance Checklist to identify potential real or apparent conflicts of interest in connection with proposed Contracts (as defined in Section II) and file the Checklist in the records of the Unit.

Instructions for Completion

1. The COI Point of Contact shall complete Steps 1 through 5 of the Checklist below.
2. If the value of the proposed Contract exceeds \$[250,000], the COI Point of Contact shall collect a Conflict of Interest Disclosure Form from each Covered Individual.
3. If the COI Point of Contact identifies a potential real or apparent conflict of interest after completing this Compliance Checklist, the COI Point of Contact shall report such potential conflict of interest to the Mayor and to each member of the Governing Board.

Definitions.

1. *Covered Individual.* Each person identified in Section 1 of this Checklist is a “Covered Individual” for purposes of this Compliance Checklist and the Policy.
2. *Immediate Family Member* means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
3. *Related Party* means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.

Step			
1	Identify the proposed Contract, counterparty, and the subject of the Contract.	<u>Name of Contract:</u> _____	
		<u>Name of Counterparty</u> _____	
		<u>Subject of Contract:</u> _____	
2	Identify all individuals involved in the selection, award, or administration of the Contract. These individuals are “Covered Individuals”. Ensure that each Covered Individual has been provided with a copy of the Conflict of Interest Policy.		
	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
3	Identify whether any Covered Individual has a (i) financial or other interest in, or (ii) tangible personal benefit from the firm considered for a Contract. [If the estimated Contract amount exceeds \$[250,000], ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 3 is a potential “real” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
4	Identify whether any Related Party has a (i) financial or other interest in or (ii) tangible personal benefit from the firm considered from a Contract. If the estimated Contract amount exceeds \$[250,000], ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.		
Any identified interest in Step 4 is a potential “real” conflict of interest.	<u>Public Officials – Related Party</u>	<u>Employees – Related Party</u>	<u>Agents – Related Party</u>

5	Identify whether a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the <i>appearance</i> that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract? If yes, explain.		
Any identified interest in Step 5 is a potential “apparent” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>

COI Point of Contact: _____

Signature of COI Point of Contact: _____

Date of Completion: _____

EXHIBIT C

**CONTRACT CONFLICT OF INTEREST DISCLOSURE FORM
FOR OFFICIALS, EMPLOYEES, AND AGENTS**

The Town of Carthage (“Unit”) has adopted a Conflict of Interest Policy (“Policy”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates Town Manager as the “COI Point of Contact.”

The COI Point of Contact has identified you as an official, employee, or agent of the Unit that may be involved in the selection, award, or administration of the following contract: _____ (the “Contract”). To safeguard the Unit’s expenditure of Federal Financial Assistance, the COI Point of Contact has requested that you identify any potential real or apparent conflicts of interest in the Firm considered for the award of a Contract. Using the Exhibit A to the Policy as a guide, please answer the following questions:

1. Do you have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

2. Will you receive any tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

3. For purposes of Question 3(a) and 3(b), your “Immediate Family Members” include: (i) your spouse and their parents, (ii) your child, (iii) your parent and any spouse of your parent, (iv) your sibling and any spouse of your sibling, (v) your grandparents or grandchildren, and the spouses of each, (vi) any domestic partner of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

a. Do you have an Immediate Family Member with a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Do you have an Immediate Family Member that will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

4. Do you have any other partner with a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

5. Will any other partner of yours receive any tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

6. Does your current or potential employer (other than the Unit) have a financial or other interest in a firm considered for this Contract or will such current or potential employer receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

7. Benefits to Employers

- a. Does a current or potential employer (other than the Unit) of any of your Immediate Family Members have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Will a current or potential employer (other than the Unit) of any of your Immediate Family Members receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

-
- c. Does a current or potential employer (other than the Unit) of any partner of yours have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- d. Will a current or potential employer (other than the Unit) of any partner of yours receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

8. Does any existing situation or relationship create the appearance that you have a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

9. Does any existing situation or relationship create the appearance that any Immediate Family Member of yours has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

10. Does any existing situation or relationship create the appearance that your current or potential employer (other than the Unit) has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

11. Does any existing situation or relationship create the appearance that any current or potential employer (other than the Unit) of any of your Immediate Family Members has a financial or other

interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

12. Does any existing situation or relationship create the *appearance* that any current or potential employer (other than the Unit) of any other partner has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

* * * * *

Sign Name: _____
Print Name: _____
Name of Employer _____
Job Title: _____
Date of Completion: _____

* * * * *

EXHIBIT D

COMPLIANCE CHECKLIST FOR SUBAWARD OVERSIGHT

The Town of Carthage (“*Unit*”) has adopted a Conflict of Interest Policy (“*Policy*”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the Town Manager as the “COI Point of Contact.” The Policy requires the COI Point of Contact to complete this Compliance Checklist to identify potential real or apparent conflicts of interest in connection with proposed Subawards (as defined in Section II) and file the Checklist in the records of the Unit.

Instructions for Completion

1. The COI Point of Contact shall complete Steps 1 through 5 of the Checklist below.
2. If the value of the proposed Subaward exceeds \$[250,000], the COI Point of Contact shall collect a Conflict of Interest Disclosure Form from each Covered Individual.
3. If the COI Point of Contact identifies a potential real or apparent conflict of interest after completing this Compliance Checklist, the COI Point of Contact shall report such potential conflict of interest to the Mayor and to each member of the Governing Board.

Definitions.

1. *Covered Individual.* Each person identified in Section 1 of this Checklist is a “Covered Individual” for purposes of this Compliance Checklist and the Policy.
2. *Immediate Family Member* means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
3. *Related Party* means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.

Step			
1	Identify the proposed Subaward, Subrecipient, and the subject of the Subaward.	<u>Name of Contract:</u> <hr/> <u>Name of Counterparty</u> <hr/> <u>Subject of Subaward:</u> <hr/> <hr/>	
2	Identify all individuals involved in the selection, award, or administration of the Subaward. These individuals are “Covered Individuals”. Ensure that each Covered Individual has been provided with a copy of the Conflict of Interest Policy.		
	<u><i>Public Officials</i></u>	<u><i>Employees</i></u>	<u><i>Agents</i></u>
3	Identify whether any Covered Individual has a (i) financial or other interest in, or (ii) tangible personal benefit from the firm considered for a Subaward. [If the estimated Subaward amount exceeds \$[250,000], ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 3 is a potential “real” conflict of interest.	<u><i>Public Officials</i></u>	<u><i>Employees</i></u>	<u><i>Agents</i></u>
4	Identify whether any Related Party has a (i) financial or other interest in or (ii) tangible personal benefit from the firm considered from a Subaward. If the estimated Subaward amount exceeds \$[250,000], ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 4 is a potential “real” conflict of interest.	<u><i>Public Officials – Related Party</i></u>	<u><i>Employees – Related Party</i></u>	<u><i>Agents – Related Party</i></u>

5	Identify whether a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the <i>appearance</i> that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Subaward? If yes, explain.		
Any identified interest in Step 5 is a potential “apparent” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>

COI Point of Contact: _____

Signature of COI Point of Contact: _____

Date of Completion: _____

EXHIBIT E

SUBAWARD CONFLICT OF INTEREST DISCLOSURE FORM

FOR OFFICIALS, EMPLOYEES, AND AGENTS

The Town of Carthage (“Unit”) has adopted a Conflict of Interest Policy (“Policy”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the Town Manager as the COI Point of Contact.

The COI Point of Contact has identified you as an official, employee, or agent of the Unit that may be involved in the selection, award, or administration of the following subaward: _____ (the “Subaward”). To safeguard the Unit’s expenditure of Federal Financial Assistance, the COI Point of Contact has requested that you identify any potential real or apparent conflicts of interest in the Firm considered for the award of a Subaward. Using the Exhibit A to the Policy as a guide, please answer the following questions:

1. Do you have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

2. Will you receive any tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

3. For purposes of Question 3(a) and 3(b), your “Immediate Family Members” include: (i) your spouse and their parents, (ii) your child, (iii) your parent and any spouse of your parent, (iv) your sibling and any spouse of your sibling, (v) your grandparents or grandchildren, and the spouses of each, (vi) any domestic partner of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

a. Do you have an Immediate Family Member with a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Do you have an Immediate Family Member that will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

4. Do you have any other partner with a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

5. Will any other partner of yours receive any tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

6. Does your current or potential employer (other than the Unit) have a financial or other interest in a firm considered for this Subaward or will such current or potential employer receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

7. Benefits to Employers

- a. Does a current or potential employer (other than the Unit) of any of your Immediate Family Members have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Will a current or potential employer (other than the Unit) of any of your Immediate Family Members receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

-
- c. Does a current or potential employer (other than the Unit) of any partner of yours have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- d. Will a current or potential employer (other than the Unit) of any partner of yours receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

8. Does any existing situation or relationship create the *appearance* that you have a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

9. Does any existing situation or relationship create the *appearance* that any Immediate Family Member of yours has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

10. Does any existing situation or relationship create the *appearance* that your current or potential employer (other than the Unit) has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

11. Does any existing situation or relationship create the *appearance* that any current or potential employer (other than the Unit) of any of your Immediate Family Members has a financial or other

interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

12. Does any existing situation or relationship create the *appearance* that any current or potential employer (other than the Unit) of any other partner has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

* * * * *

Sign Name: _____

Print Name: _____

Name of Employer _____

Job Title: _____

Date of Completion: _____

* * * * *

Policy Overview and Purpose

Internal control is a process effected by an entity’s oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved. This policy outlines the internal control process established by the Town of Carthage to provide reasonable assurances that the unit will expend ARP/CSLFRF award funds in compliance with governing laws and regulations. This document is adopted in accordance with the following directive from U.S. Treasury’s Compliance and Reporting Guidance: “Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the ARP/CSLFRF award constitute eligible uses of funds, and document determinations.”²

Internal Control Framework:

The Town of Carthage’s internal controls are modeled after the internal control framework set forth in the Government Accountability Office’s Standards for Internal Control in the Federal Government (the “Green Book”). As described in the Green Book, Management is responsible for establishing and maintaining the internal control system in compliance with the duties outlined in this policy. The Oversight Body’s primary role is to ensure management performs its internal control responsibilities. However, every employee bears some responsibility over the internal control process.

The Green Book Recognizes Five Components of Internal Control: Control Environment, Risk Assessment, Control Activities, Information and Communication, and Monitoring

The Town of Carthage understands that each component must be present and functioning for the internal control process to operate at the optimal level. The responsibilities tied to each of the components are discussed below.

1. Control Environment

The control environment is the foundation for all other components of internal control, providing discipline and structure. Management values integrity, ethics, and competence in all operations, including the administration of federal awards. Management communicates and reinforces its expectations throughout the organization. Examples of management’s commitment to internal controls over expenditures of ARP/CSLFRF funds include, but are not limited to, the following:

- Management demonstrates a commitment to integrity and ethical values through its leadership, communications, personnel practices, and daily actions.
- Management conducts ongoing risk assessments to identify internal control weaknesses that may negatively impact the proper administration of the ARP/CSLFRF award.
- Management is committed to educating itself and staff on the compliance requirements tied to the administration of the ARP/CSLFRF award.
- Management adopts policies necessary to ensure compliance with the Uniform Guidance and the ARP/CSLFRF award terms and conditions.

1. U.S. Department of the Treasury, *Compliance and Reporting Guidance*, p. 8 (updated Sept. 20, 2022).

2. Risk Assessment

Management is committed to identifying and managing the risks that may arise during the administration of the ARP/CSLFRF award. The risk assessment component of internal control involves management evaluating the risks the entity faces that could negatively impact its ability to achieve its objectives. These objectives include:

- **Operational Objectives:** All assets are appropriately safeguarded against risks of fraud, theft, loss, or abuse.
- **Reporting Objectives:** Finance systems and processes produce accurate and reliable financial reporting for federal award expenditures. The Town of Carthage's Schedule of Expenditures of Federal Awards (SEFA) is complete and accurate.
- **Compliance Objectives:** Ensure ARP/CSLFRF awards funds are expended in compliance with the award terms and conditions, federal and state law, and U.S. Treasury guidance.

Risk Identification

Management shall identify risks that may impair the Town of Carthage's ability to achieve its objectives. Management shall focus its risk assessment on areas of opportunity for employees to commit fraud. Specific areas and types of risk include:

- rapid growth in operations,
- changes in personnel,
- organizational restructuring, such as centralizing or decentralizing,
- new activities or service areas,
- new or revised information systems,
- new technologies in service delivery or information systems,
- changes in the operating or regulatory environment, and
- new or updated accounting and/or financial reporting practices.

Uniform Guidance Compliance & Risk Identification

There are specific risks that arise in the administration of a grant award. Management will identify areas of risk that may impair the Town of Carthage's ability to comply with the ARP/CSLFRF award's terms and conditions and/or applicable state and federal law and regulations.

Specifically, the Town of Carthage will evaluate risks of non-compliance in the following compliance areas as applicable:

- Eligibility,
- Allowable Costs/Cost Principles,
- Period of Performance,
- Financial Management,
- Property Management,
- Procurement,
- Subrecipient Monitoring, and
- Program Income.

Risk Analysis

Management shall determine the potential severity of liabilities associated with the risks identified by weighing the likelihood of occurrence against the degree of impact.

Likelihood × Impact = Risk Priority

After rating each risk for likelihood & impact, multiply to identify which risks are highest priority to control for.

		Risk Priority				
		5	4	3	2	1
Likelihood	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5
		Impact				

Priority Rank Scale	
Low	1 to 4
Moderate	5 to 9
High	10 to 19
Very High	20+

Risk Response

Management shall review the results of the risk analysis and determine whether to implement control activities to mitigate risks. Management will respond to identified risks in one of three ways:

- accept the risk,
- reduce the risk by implementing control activities to help prevent or detect issues, or
- avoid the risk by not pursuing certain activities.

Management shall consider the relative cost of implementing controls versus the benefit(s) offered in deciding whether to mitigate risk(s) through the implementation of control activities. When possible, control activities will be implemented to mitigate risks that rate “High” or “Very High” on the Likelihood/Impact scale.

3. Control Activities

Control activities are the actions taken by management to respond to risks that may prevent the entity from achieving its objectives. The internal control activities are either preventative or detective. The Town of Carthage uses a variety of control activities that support strong internal controls, including, but not limited to the following:

- written policies and procedures,
- segregation of duties: separating authorization, custody, record-keeping, and reconciliation functions,
- authorizations to undertake projects/programs/expenditure,
- reconciliation of accounts and records,
- documentation and record-keeping,
- physical controls, including locks, physical barriers, and security systems to protect physical assets,
- IT controls, including passwords, access logs, and firewalls to protect sensitive data and restrict access to electronic data and files,
- staff training, or
- a combination of the above.

4. Information and Communication

The Town of Carthage communicates accurate and quality information to internal staff and personnel and to external stakeholders and community members. Communication plays an integral role in the internal control system by helping to promote transparency regarding the use of public funds. Management shall be responsible for communicating internal control processes to those employees directly involved in finance and/or grant administration. Management will communicate its policies, procedures, and internal controls through various handbooks, programs, training, and electronic communication.

Information regarding pertinent policies, processes, and control activities will flow down, across, and up the organizational structure. Internal control deficiencies should be reported upstream, with serious matters reported immediately to top-level management and/or to the governing board. Employees are required to report any critical issues within the internal control system to management as soon as possible after the discovery.

To ensure transparency regarding the use of ARP/CSLFRF funds, the Town of Carthage shall communicate quality information to community members and external stakeholders. The communication channels may include:

- The Town of Carthage maintains a webpage that will highlight projects undertaken with ARP/ CSLFRF award funds.
- The Town of Carthage maintains a Facebook page that will highlight projects undertaken with ARP/ CSLFRF award funds
- Governing board members and management are willing to engage directly with community members and answer questions via email and/or provide updates during regularly scheduled meetings.

5. Monitoring

The Town of Carthage shall conduct ongoing monitoring of the internal control system to identify its strengths and weaknesses. Internal and external audits will be conducted pursuant to federal and state law. These audit processes will test the effectiveness of internal controls over federal and state awards.

Internal Controls & Uniform Guidance Compliance

Financial Management, 2 CFR § 200.302

Overview:

Each unit must have a financial management system in place to satisfy the requirements set forth in 2 CFR 200.302. A unit may rely on existing accounting processes and procedures, provided such processes adequately track the obligations and expenditures of ARP/CSLFRF funds.

Objectives:

Ensure compliance with the following requirements set forth in 2 CFR 200.302, as follows:

1. Track all federal awards received and related expenditures separately for each federal program.
2. Provide accurate, current, and complete financial data to enable the disclosure of the results of each federal award.
3. Identify the source and application of funds (i.e., the system must be able to track authorizations, obligations, and disbursements, and tie any expenditures to eligible uses of ARP/CSLFRF funds.
4. Maintain control over, and accountability for, all funds, property, and other assets.
5. Compare budgeted amounts with actual expenditures.
6. Expenditures must be supported by the Town of Carthage's written procedures for determining the allowability, reasonableness, and allocability of costs. (A written Allowable Cost/Cost Principles Policy is required.)

Control Activities:

- A recommended practice is to set up a grant project ordinance to separately account for and track expenditures of ARP/CSLFRF funds.
- Utilize a financial management system that meets the standards outlined in 2 CFR 200.302.

Segregation of Duties:

Duties and functions related to financial reporting are segregated to ensure no one person has control over all parts of a financial transaction.

Documentation:

Documentation of financial transactions is complete and accurate and facilitates tracing the transaction from authorization and initiation through disbursement.

- The Finance Director shall ensure that, at a minimum, accounting records evidencing authorizations, obligations, and expenditures of ARP/CSLFRF funds are created and retained according to record retention requirements.
- Source documentation is retained, including paid invoices, payrolls, time and attendance records, contracts, and subaward documents.

Reporting:

The Finance Director shall prepare monthly reports for the governing board that includes updates for grant project expenditures and a comparison of budget to actuals.

Reconciliation:

General ledger and subsidiary ledgers used to account for the receipt and disbursements of ARP/CSLFRF funds are reconciled monthly against account balances by someone who does not have record-keeping/bookkeeping functions.

Communication & Monitoring:

The Finance Director is responsible for communicating the financial management requirements and associated control activities to the appropriate personnel. All employees within the finance and accounting office have responsibility for internal controls, including the ongoing assessment of the effectiveness of internal control activities over the financial management system.

Eligibility (See Award Terms & Conditions for ARP/CSLFRF Eligibility Requirements)**Overview:**

The unit is responsible for ensuring ARP/CSLFRF funds are expended on eligible projects and programs. The process for making eligibility determinations is described in the Town of Carthage's Eligible Use Policy. (The control activities for Eligibility and Allowable Cost review are often combined.)

Objectives:

1. Ensure that supported projects and programs under the ARP/CSLFRF are eligible under one of the expenditure categories. (Eligible uses include projects identified in the Final Rule that fit within one of the four eligible use categories: COVID-19/Negative Economic Impacts, Revenue Replacement, Premium Pay, Investment in Necessary Broadband and Water/Sewer Infrastructure.)
2. Document eligibility review and project determinations.
3. Establish processes to ensure funds are not expended on ineligible uses. (Prohibited uses include: bulk deposits into pension funds, debt services, replenishing financial reserves, the satisfaction of settlements and judgments, support for programs that undermine the effort to stop the spread of COVID-19, and any use that would violate state or local law.)

Control Activities:

- **Eligible Use Policy:** The Town of Carthage has adopted an ARP/CSLFRF Eligible Use Policy that explains the eligible uses of ARP/CSLFRF award funds and includes the Town of Carthage's process for reviewing and documenting eligibility determinations.
- **Authorization:** The Finance Director has reviewed applicable Treasury guidance, including the Final Rule, and has trained staff to conduct initial eligibility reviews for all project or program requests.

- **Documentation:** Each department is encouraged to use the SOG’s Sample Eligibility Worksheet to document the review process. This documentation is retained for the five-year record retention period. The Finance Director is responsible for overseeing compliance with documentation and record retention requirements.

Communication & Monitoring:

Management will communicate eligibility requirements and project determinations internally to staff and externally to community members and stakeholders. Management will periodically review a sample of eligibility determinations to ensure that documentation is being maintained and that the supported projects are eligible.

Allowable Costs/Cost Principles, 2 CFR §§ 200.400 to 200.476

Overview:

The Uniform Guidance Cost Principles provide guidance on how to charge specific items of cost to a federal award. A written Allowable Cost/Cost Principles policy is required for compliance with 2 CFR 200 § 202.

Cost items charged using Revenue Replacement ARP/CSLFRF funds are subject to an allowable cost review. Cost items charged under the COVID-19/Negative Economic Impacts and Infrastructure Investment categories are subject to additional compliance requirements, including the Selected Item of Cost review. See Final Rule FAQ 13.15.

Objectives:

1. Ensure all costs charged to the federal award are allowable as defined in the Uniform Guidance, Subpart E—Cost Principles.
2. Consistently apply local policies to both federally financed and non-federally financed activities.
3. Treat costs consistently as direct or indirect costs.
4. Adequately document evidence of allowable cost review and other compliance requirements as necessary.
5. When applicable, appropriately charge indirect costs using either the Negotiated Independent Cost Rate Agreement (NICRA) or the de minimis rate of 10 percent.

Control Activities:

- **Policy:** The Town of Carthage has adopted an Allowable Cost/Cost Principles Policy, as required by 2 CFR 200.302.
- **Segregation of duties:** When possible, duties are segregated between those who initiate, approve, and record financial transactions.
- **Training:** Management trains staff to conduct an allowable cost review in compliance with the UG Cost Principles. (See Cost Principles Policy for specific compliance requirements.)

- **Documentation:** The Finance Director shall ensure that documentation evidencing compliance with the Cost Principles is created and maintained through December 31, 2031. At a minimum, cost items will be reviewed for allowability prior to being charged to the federal award.

Communication & Monitoring:

Management shall ensure that staff is adequately trained to recognize allowable costs and associated compliance requirements for each eligibility category. Management shall periodically test the control activities by reviewing a sample of cost items charged to the ARP/CSLFRF award for allowability. Management will also test whether costs are charged to the proper project codes within the grant project ordinance.

Period of Performance (See Award Terms and Conditions)

Overview:

The Period of Performance covers the period of time the Town of Carthage may obligate and expend ARP/ CSLFRF funds. ARP/CSLFRF funds must be used for costs incurred between March 3, 2021, and December 31, 2024. For a cost to be incurred, the funds must be obligated (e.g., contract executed/pre-audit stage). All obligated funds must be expended by December 31, 2026. Any unspent award funds must be returned to the Treasury.

Objective:

Ensure that all obligations and expenditures are incurred during the ARP/CSLFRF award's period of performance.

Control Activities:

- Management reviews obligation dates to ensure that all obligations are made for costs incurred between March 3, 2021, and December 31, 2024.
- Management trains staff to review obligation and expenditure dates on contracts, or when performing eligibility and allowable cost reviews.

Communication & Monitoring:

Management shall communicate pertinent dates, including the period of performance, to any staff responsible for obligating or expending federal award funds. Periodic testing by management will ensure that all obligations are incurred between March 3, 2021, and December 31, 2024.

Procurement, Suspension & Debarment, 2 CFR §§ 200.317 to 200.327

Overview:

Expenditures of ARP/CSLFRF funds under the revenue replacement category are exempt from federal procurement. When expending ARP/CSLFRF funds in other expenditure categories, the unit is required to adopt *written* procurement procedures and follow all federal procurement rules outlined in the Uniform Guidance (2 CFR §§ 200.318–200.327) as well as its own internal policies. Where established local or state rules are more strict than federal rules, the recipient must follow the most restrictive rule.

[Note: Any unit that triggers a federal Single Audit, even if only expending funds under revenue replacement, must adopt a written procurement policy and procure single audit services in accordance with 2 CFR §§ 200.320 and 200.509.]

Objectives:

The [Purchasing/Procurement Department] recognizes it must satisfy the minimum federal procurement requirements, as follows:

1. Adopt a written procurement policy that considers the procurement standards in § 200.318, which includes bidding contracts in compliance with federal bidding thresholds, oversight of contractors' performance, and maintaining records to document the history of procurements.
2. Provide full and open competition in conducting procurements, consistent with the standards outlined in § 200.319 and § 200.320, which allow for non-competitive procurements only in limited circumstances.
3. Comply with the requirements of § 200.320(a) when using the micro-purchase and small purchase methods of procurement.
4. Use the sealed bids method for procurement contracts exceeding the simplified threshold. Utilize the competitive proposals method when sealed bidding is not possible.
5. Ensure noncompetitive procurement methods meet the conditions set forth under § 200.320(c).
6. Perform a cost or price analysis for every procurement action in excess of the simplified acquisition threshold, including contract modifications.
7. Pursuant to 2 CFR 200.319(b), if a firm assists in the development or drafting of specifications, statements of work, or bids or RFPs, the firm must be excluded from competing for the procurement.
8. Ensure that all contracts include the applicable contract provisions required by § 200.327 and described in Appendix II of 2 CFR 200.
9. Verify that a contractor is eligible by reviewing the suspended and debarred list on SAM.gov.
10. Restrict access to sensitive contractor information, such as Social Security numbers or federal tax ID numbers.

General Procurement Control Activities:

- Procurement Policy: The Town of Carthage maintains documented procurement procedures that are consistent with the standards outlined in §§ 200.317 through 200.327. This policy contains detailed processes and control activities for procurements made with federal funds.
- The Board of Commissioners must approve the following types of contracts all contracts where formal bids re required by law, consultant, professional, or maintenance service contracts over \$25,000 and others as necessary for transparency and accountability.
- The Finance Director is responsible for monitoring and documenting the performance of a contract for compliance with contract terms, conditions, and other specifications.
- Prenumbered purchase orders are used.
- A pre-audit certificate that is signed by the Finance Director is attached to all purchase orders, invoices, or other contract obligations.
- Ensure purchasing forms have multiple copies so other departments, such as receiving and accounts payable, can be notified of the authorization.
- Micro-purchases may be awarded without soliciting competitive quotes if a determination is made that the price is reasonable.
- Cost items shall be reviewed for allowability pursuant to the review process set forth in the Allowable Cost Policy.
- The Finance Director is responsible for identifying qualified vendors and rotating purchases made under the micro-purchase threshold among different suppliers. Management shall periodically check compliance with this control activity.
- The Finance Director shall verify that contractors are not on the suspended or debarred list. A screenshot of the record check shall be maintained.
- Access to sensitive contractor information, such as Social Security numbers or federal tax ID numbers, is restricted.

Segregation of Duties:

- Duties are segregated between authorization, custody, record-keeping, and reconciliation.
- The person that sets up new contractors in the accounting system or edits information on existing vendors (record-keeping) is not the same as the person writing the checks (authorization).
- Reconciliations are performed by an employee who does not have record-keeping duties.
- Invoices and other supporting documentation is thoroughly reviewed prior to the invoice being approved (e.g., compare the receiving or packaging slip against the authorization).

Documentation:

Documenting the history of procurements is a top internal control priority for the Town of Carthage. All request personnel shall be trained on documentation and record retention policies. [Ideally, management will require the use of standard forms and templates for purchase orders, contracts, requests for proposals/bids, cost/price analyses, bid evaluation, etc.]

- Bid documents shall reflect all steps in the procurement process, including:
 - bid specifications and proof of advertisement (if required),
 - rationale for the selected method of procurement,
 - bid submissions,

- - evaluation criteria,
 - basis for contractor selection or rejection,
 - justification for lack of competition, when applicable,
 - basis for award cost or price, and
 - contract agreement, including required UG contract clauses.
- Source documentation relating to procurements must be retained and should include sufficient details to support the transaction, including:
 - cost and quantity of items purchased,
 - model numbers,
 - purchase orders with and pre-audit certificates, and
 - personnel who authorized the sale, if applicable.
- All records shall be maintained for a period of five (5) years after the ARP/CSLFRF period of performance (through December 31, 2031).

Communication & Monitoring:

Management shall ensure purchasing and finance staff understand federal procurement laws. Additional training shall be provided as necessary. Management will periodically review purchase orders and contracts to ensure that all charges are accounted for in the period in which the cost occurred and fall within the period of performance.

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

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

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

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

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

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

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

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

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

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

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

Questions About the Policy: Any questions about this policy should be referred to Kim Gibson at 910-947-2331 or townclerk@townofcarthage.org, who is in charge of administering, enforcing, and updating this policy.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.

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

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

Town of Carthage Allowable Costs and Costs Principles Policy

I. ALLOWABLE COSTS AND COSTS PRINCIPLES POLICY OVERVIEW

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

types or amounts of cost items. Unallowable items fall into two categories: expenses which are by their nature unallowable (e.g., alcohol), and unallowable activities (e.g., fund raising).

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

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

II. GENERAL COST ALLOWABILITY CRITERIA

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

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

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

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

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

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the Town of Carthage or the proper and efficient performance of the federal award.

- The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state, and other laws and regulations; and terms and conditions of the ARP/CSLFRF award.
- Market prices for comparable goods or services for the geographic area.
- Whether individuals concerned acted with prudence in the circumstances considering their responsibilities to Town of Carthage, its employees, the public at large, and the federal government.
- Whether Town of Carthage significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the ARP/CSLFRF award's cost.

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

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

3. **Be authorized and not prohibited under state or local laws or regulations.**
4. **Conform to any limitations or exclusions set forth in the principles, federal laws, ARP/CSLFRF award terms, and other governing regulations as to types or amounts of cost items.**
5. **Be consistent with policies, regulations, and procedures that apply uniformly to both the ARP/CSLFRF federal award and other activities of Town of Carthage.**
6. **Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost. And a cost must be treated consistently for both federal award and non-federal award expenditures.
7. **Be determined in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in the UGG.**

8. **Be net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to and received by the local government related to the federal award, they shall be credited to the ARP/CSLFRF award, either as a cost reduction or a cash refund, as appropriate and consistent with the award terms
9. **Be adequately documented.**

III. SELECTED ITEMS OF COST

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

The Finance Director responsible for determining cost allowability must be familiar with the Selected Items of Cost. The Town of Carthage must follow the applicable regulations when charging these specific expenditures to the ARP/CSLFRF grant. The Finance Department personnel will check costs against the selected items of cost requirements to ensure the cost is allowable and that all process and documentation requirements are followed. In addition, State laws, Town of Carthage regulations, and program-specific rules may deem a cost as unallowable, and [DEPARTMENT OR POSITION(S)] personnel must follow those non-federal rules as well.

Exhibit A identifies and summarizes the Selected Items of Cost.

IV. DIRECT AND INDIRECT COSTS

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

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

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

include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

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

V. SPECIAL PROVISIONS FOR STATE AND LOCAL GOVERNMENTS

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

§ 200.444 General costs of government.

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

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

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

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

§ 200.416 COST ALLOCATION PLANS AND INDIRECT COST PROPOSALS.

(a) For states, local governments and Indian tribes, certain services, such as motor pools, computer centers, purchasing, accounting, etc., are provided to operating agencies on a

centralized basis. Since Federal awards are performed within the individual operating agencies, there needs to be a process whereby these central service costs can be identified and assigned to benefitted activities on a reasonable and consistent basis. The central service cost allocation plan provides that process.

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

- (1) The indirect costs originating in each department or agency of the governmental unit carrying out Federal awards and
- (2) The costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

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

§ 200.417 INTERAGENCY SERVICE.

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

VI. COST ALLOWABILITY REVIEW PROCESS

PREAPPROVAL COST ALLOWABILITY REVIEW

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

- Local government personnel must submit proposed ARP/CSLFRF projects to the Town Manager and Finance Director for review. In addition to other required information, all proposed project submissions must delineate estimated costs by cost item.
- Along with a general review of project eligibility and conformance with other governing board management directives, [DEPARTMENT AND/OR INDIVIDUAL POSITION(S)] must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by

the US Treasury. The Town of Carthage will comply with Eligible Use Policy adopted by Carthage Board of Commissioners. [

- If a proposed project includes a request for an unallowable cost, the Finance Director will return the proposal to the requesting party for review and, if practicable, resubmission with corrected cost items.
- Once a proposed project budget is pre-approved by the Finance Director], the local government personnel responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget.

POST-EXPENDITURE COST ALLOWABILITY REVIEW

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

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

VII. COST TRANSFERS

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

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

EXHIBIT A

Selected Items of Cost	Uniform Guidance General Reference	Allowability
Advertising and public relations costs	2 CFR § 200.421	Allowable with restrictions
Advisory councils	2 CFR § 200.422	Allowable with restrictions
Alcoholic beverages	2 CFR § 200.423	Unallowable
Alumni/ae activities	2 CFR § 200.424	Not specifically addressed
Audit services	2 CFR § 200.425	Allowable with restrictions
Bad debts	2 CFR § 200.426	Unallowable
Bonding costs	2 CFR § 200.427	Allowable with restrictions
Collection of improper payments	2 CFR § 200.428	Allowable
Commencement and convocation costs	2 CFR § 200.429	Not specifically addressed

Compensation – personal services	2 CFR § 200.430	Allowable with restrictions; Special conditions apply (e.g., § 200.430(i)(5))
Compensation – fringe benefits	2 CFR § 200.431	Allowable with restrictions
Conferences	2 CFR § 200.432	Allowable with restrictions
Contingency provisions	2 CFR § 200.433	Unallowable with exceptions
Contributions and donations	2 CFR § 200.434	Unallowable (made by non-federal entity); not reimbursable but value may be used as cost sharing or matching (made to non-federal entity)
Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435	Allowable with restrictions
Depreciation	2 CFR § 200.436	Allowable with qualifications
Employee health and welfare costs	2 CFR § 200.437	Allowable with restrictions
Entertainment costs	2 CFR § 200.438	Unallowable with exceptions
Equipment and other capital expenditures	2 CFR § 200.439	Allowability based on specific requirement
Exchange rates	2 CFR § 200.440	Allowable with restrictions
Fines, penalties, damages and other settlements	2 CFR § 200.441	Unallowable with exceptions
Fund raising and investment management costs	2 CFR § 200.442	Unallowable with exceptions
Gains and losses on disposition of depreciable assets	2 CFR § 200.443	Allowable with restrictions
General costs of government	2 CFR § 200.444	Unallowable with exceptions
Goods and services for personal use	2 CFR § 200.445	Unallowable (goods/services); allowable

		(housing) with restrictions
Idle facilities and idle capacity	2 CFR § 200.446	Idle facilities - unallowable with exceptions; Idle capacity - allowable with restrictions
Insurance and indemnification	2 CFR § 200.447	Allowable with restrictions
Intellectual property	2 CFR § 200.448	Allowable with restrictions
Interest	2 CFR § 200.449	Allowable with restrictions
Lobbying	2 CFR § 200.450	Unallowable
Losses on other awards or contracts	2 CFR § 200.451	Unallowable (however, they are required to be included in the indirect cost rate base for allocation of indirect costs)
Maintenance and repair costs	2 CFR § 200.452	Allowable with restrictions
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453	Allowable with restrictions
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454	Allowable with restrictions; unallowable for lobbying organizations
Organization costs	2 CFR § 200.455	Unallowable except federal prior approval
Participant support costs	2 CFR § 200.456	Allowable with prior approval of the federal awarding agency
Plant and security costs	2 CFR § 200.457	Allowable; capital expenditures are subject to § 200.439
Pre-award costs	2 CFR § 200.458	Allowable if consistent with other allowabilities and with prior approval of the federal awarding agency
Professional services costs	2 CFR § 200.459	Allowable with restrictions
Proposal costs	2 CFR § 200.460	Allowable with restrictions

Publication and printing costs	2 CFR § 200.461	Allowable with restrictions
Rearrangement and reconversion costs	2 CFR § 200.462	Allowable (ordinary and normal)
Recruiting costs	2 CFR § 200.463	Allowable with restrictions
Relocation costs of employees	2 CFR § 200.464	Allowable with restrictions
Rental costs of real property and equipment	2 CFR § 200.465	Allowable with restrictions
Scholarships and student aid costs	2 CFR § 200.466	Not specifically addressed
Selling and marketing costs	2 CFR § 200.467	Unallowable with exceptions
Specialized service facilities	2 CFR § 200.468	Allowable with restrictions
Student activity costs	2 CFR § 200.469	Unallowable unless specifically provided for in the federal award
Taxes (including Value Added Tax)	2 CFR § 200.470	Allowable with restrictions
Termination costs	2 CFR § 200.471	Allowable with restrictions
Training and education costs	2 CFR § 200.472	Allowable for employee development
Transportation costs	2 CFR § 200.473	Allowable with restrictions
Travel costs	2 CFR § 200.474	Allowable with restrictions
Trustees	2 CFR § 200.475	Not specifically addressed

**ELIGIBLE USE POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY THE TOWN OF CARTHAGE**

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

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

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

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

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

WHEREAS US Treasury has issued a [Compliance and Reporting Guidance v.3.0 \(February 28, 2022\)](#) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

WHEREAS the Compliance and Reporting Guidance states on page 6 that

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

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

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

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

I. PERMISSIBLE USES OF ARP/CSLFRF FUNDING

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

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

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

II. PROHIBITED USES OF ARPA FUNDING

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

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

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

III. PROCEDURES FOR PROJECT APPROVAL

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

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

3. No ARP/CSLFRF may be obligated or expended before final written approval by Kesha Matthews. If a budget amendment is needed, Board approval will be required before the request will be approved.
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by Kesha Matthews and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the Finance Director immediately.
6. Kesha Matthews must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. Kesha Matthews must maintain written project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.

ARPA Nondiscrimination Policy

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

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

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

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

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

Nondiscrimination Policy Statement

It is the policy of the Town of Carthage to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the Town of Carthage including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal

Recovery Funds (“CSLFRF”), which the Town of Carthage received from the U.S. Department of Treasury (“Treasury”) pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the “ARP/CSLFRF award”).

I. Governing Statutory & Regulatory Authorities

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

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

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

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent

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

nondiscrimination authorities, the Town of Carthage shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

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

III. Reporting & Enforcement

1. The Town of Carthage shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Town of Carthage shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. The Town of Carthage shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including

limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Town of Carthage shall inform the Treasury if it has received no complaints under Title VI.

3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town of Carthage in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:
Kim Gibson, Town Clerk
townclerk@townofcarthage.org
(910) 947-2331



MEMORANDUM

Date: October 16, 2024

To: The Board of Commissioners

From: Emily D. Yopp, Town Manager

Subject: Request to Adopt and/or Amend Grant Project Ordinances

Staff requests the board's consideration to adopt or amend the following grant project ordinances. The ordinances are attached to this memo.

- Amend Ordinance 24.02 establishing a grant project fund for the OSBM grant of \$1 million for the purpose of purchasing and restoring 208 Monroe Street for use as a new town hall. The amendment is needed because the town has hired Central Pines Regional Council to provide technical assistance with grant administration, reporting, bidding and procurement.
- Consider adoption of Ordinance 24.18 to establish a new grant project fund for the rural transformation grant SA-0257 in the amount of \$352,500.
- Consider adoption of Ordinance 24.19 to establish a new grant project fund for the rural economic development grant SA-0344, "Enhancing the Vitality of Courthouse Square", in the amount of \$541,415.

SUGGESTED MOTION(S)

Motion 1: For Ordinance 24.02, I make a motion to amend the ordinance as proposed.

Motion 2: For Ordinance 24.18, I make a motion to approve the ordinance as proposed.

Motion 3: For Ordinance 24.19, I make a motion to approve the ordinance as proposed.

The above written motions are suggestion only. The Board may adjust the substance of their motions as needed.



Town of Carthage

Ordinance No. ORD.24.02.AMD

AN AMENDMENT TO ORDINANCE ORD.24.02 ESTABLISHING A NEW GRANT PROJECT THOMPSON BUILDING—208 MONROE STREET

WHEREAS, the North Carolina General Assembly 2023 Appropriations Act (SL-2023-134) appropriated the Town of Carthage a General Fund Directed Grant (Grant ID 10653) in the amount of \$1,000,000.00 for capital improvements or equipment at Town Hall.

WHEREAS, in accordance with generally accepted accounting principles and the current accounting structure for the Town of Carthage, the Board wishes to adopt a grant project ordinance, therefore,

WHEREAS, Town Manager, Emily Yopp, requested that the Board of Commissioners authorize the use of Central Pines Regional Council (CPRC) to provide technical assistance to the town for the purpose of project and grant administration as outlined in the signed agreement between the Town of Carthage and CPRC, approved on August 19, 2024.

WHEREAS, Town Manager Yopp submitted an amended Scope of Work to the NC Office of State Budget Management for the purpose of directing \$22,500 in funding to compensate CPRC for technical assistance per the approved agreement.

WHEREAS, this project ordinance also requires amendment to show the compensation to CPRC to be \$22,500 as approved in the agreement and by OSBM and which does reduce the funding available for construction by the same amount.

THEREFORE, BE IT ORDAINED that the Town of Carthage Board of Commissioners adopts the following project ordinance amendment, effective October 21, 2024, through project completion, to be accounted for in the Thompson Building Rehabilitation Fund.

Revenues:	
General Fund Directed Grant	\$1,000,000
Total Revenues	\$1,000,000
Expenditures:	
Acquisition	\$ 550,000
Technical Assistance by CPRC	\$ 22,500
Design and Construction	\$ 427,500
Total Expenditures	\$1,000,000

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
Nays: _____
Absent/Excused: _____

Jimmy Chalflinch, Mayor

Attest:

Kimberly Gibson, Town Clerk



Town of Carthage

Ordinance No. ORD.24.18

AN ORDINANCE ESTABLISHING A NEW GRANT PROJECT FUND FOR RURAL TRANSFORMATION GRANT SA-0257 – STREETSCAPE INFRASTRUCTURE DOWNTOWN PROJECT

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

Section 1: This ordinance is to establish a budget for a project to be partially funded by the North Carolina Department of Commerce. The Town of Carthage has been awarded \$350,000 for the Streetscape Infrastructure Downtown project.

Section 2: The Town Manager is hereby directed to proceed with the capital project, with the authority to sign all contracts and change orders within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Public facilities and Improvements	\$282,500
Planning	\$50,000
Grant administration	\$20,000
Total Expense	\$352,500

Section 4: The following revenue is anticipated to be available for the project:

Department of Commerce Grant SA-0344	\$350,000
Town of Carthage general fund	\$2,500
Total Revenue	\$352,500

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

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

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

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
Nays: _____
Absent/Excused: _____

Jimmy Chalflinch, Mayor

Attest:

Kimberly Gibson, Town Clerk



Town of Carthage

Ordinance No. ORD.24.19

AN ORDINANCE ESTABLISHING A NEW GRANT PROJECT FUND FOR THE RURAL ECONOMICA DEVELOPMENT GRANT SA-0344 "ENHANCING THE VITALITY OF COURTHOUSE SQUARE"

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

Section 1: This ordinance is to establish a budget for a project to be partially funded by the North Carolina Department of Commerce. The Town of Carthage has been awarded \$512,500 for the Enhancing the Vitality of Courthouse Square project.

Section 2: The Town Manager is hereby directed to proceed with the capital project, with the authority to sign all contracts and change orders within the terms of the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Construction, including demolition of existing sidewalk infrastructure and pedestrian improvements including concrete and brick sidewalks, brick open space, and curb improvements	\$481,900
Grant Administration contract with Central Pines Regional Council	\$25,782
Other activities/Contingency, including utility relocation, drainage, contingency	\$33,733
Total Expense	\$541,415

Section 4: The following revenue is anticipated to be available for the project:

Department of Commerce Grant SA-0344	\$512,500
Local Revenue	\$28,915
Total Revenue	\$541,415

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

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

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

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
Nays: _____
Absent/Excused: _____

Jimmy Chalflinch, Mayor

Attest:

Kimberly Gibson, Town Clerk



Town of Carthage

Land Use Plan Consistency Statement

ADOPTION OF THE DOWNTOWN REVITALIZATION PLAN

WHEREAS, amendments to the Town of Carthage Unified Development Ordinance have been proposed, which amendments are identified as follows:

NOW THEREFORE, the Board of Commissioners of the Town of Carthage resolves as follows:

Section 1. The Board of Commissioners concludes that the above-described amendment(s) **are** consistent with the Town of Carthage 2040 Land Use Plan, as amended based on the following:

Goal 1: Preserve and celebrated small-town community roots.

Goal 2: Coordinated, intentional, and well-planned growth and development.

Goal 3: Protection of open space and critical natural features.

Goal 4: Ample employment opportunities and support for business development.

Goal 11: Regulations that are consistent with the Town's vision.

Mr. Bob Koontz with Koontz Jones Design has finalized the Downtown Revitalization Plan as presented. Finalized plan includes the design concepts that were recommended by the Planning Board and approved by the Board of Commissioners.

Section 2. Please state the Board of Commissioners' reasonings/findings for the approval or disapproval of this consistency statement based on the above selected goals.

Section 2. The Planning Board concludes that the above-described amendment(s) **are** reasonable and in the public interest as they **do** fulfill a direct objective of the Land Use Plan.

The foregoing Land Use Consistency Statement, having been submitted to a vote, received the following vote and was duly adopted and ordained this 21st day of October 2024.

Ayes: _____
Nays: _____
Absent/Excused: _____

Jimmy Chalflinch, Mayor

Attest:

Kimberly Gibson, Town Clerk



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kim Gibson, Town Clerk
Subject: MULTIPLE CALL FOR PUBLIC HEARING REQUESTS

This month, we have multiple calls for Public Hearings. The Board may call for these hearings at any time that they see fit to do so. In an effort to help the Board better determine the timeframe for these hearings and not get bogged down with too many in one month, causing long and tiring meetings for both the public and the Staff, we have made suggestions for those hearings that are more urgent versus those that are not quite as urgent.

Please bear in mind that these are only suggestions, and you, the Board may set the Public Hearings at your discretion.

1. Public Hearing – Text Amendment to Unified Development Ordinance Section 100.56A* Special Requirement 37 “Wireless Telecommunication Facilities”; Petitioner: Town of Carthage

Staff recommends the December 16th Meeting.

2. Call for a Public Hearing – (Resolution #RES.24.21) Conditional Zoning Request for Ouida Food Truck Park, Petitioner: Ouida Newell

Staff recommends the November 18th Meeting.

3. Call for a Public Hearing – (Resolution #RES.24.22) Conditional Zoning Request for Bonck America Corporation Solar Business at 409 Rockingham St, Petitioner: Charles Lu

Staff recommends the December 16th Meeting.

4. Call for a Public Hearing – (Resolution #RES.24.23) Annexation and Subsequent Rezoning of PID#20060239, Legion Hut Rd Lot 1; Petitioner: Southbury Development, LLC

Staff recommends the November 18th Meeting.

5. Call for a Public Hearing(s) – (Resolution #RES.24.24) UDO Update to add: Certificates of Occupancy, Private Driveway Standards, Performance Guarantees, Impervious Surface

These will be FOUR individual Public Hearings. Staff recommends the December 16th Meeting.

6. Call for a Public Hearing – (Resolution #RES.24.25) to Discuss the Future of the Historic Preservation Commission

This meeting will have to go to the Planning Board first and they will not have a December Meeting. Staff recommends the January or February Meeting.



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: CZ-07-24: Call for a Public Hearing for Ouida Food Truck Park located at 310 Monroe Street and 310 Monroe Street Unit A, PARID 00002645 & 20120232, Zone CBD to CBD-CZ; Petitioner: Ouida Newell

SUMMARY OF REQUEST

Ouida Newell, the owner of parcel 00002645 and 20120232, has applied for a conditional zoning to place a food truck park called "Ouida Food Truck Park" on her property located at 310 Monroe Street and 310 Monroe Street Unit A. This property is located on the corner of Monroe Street and Rockingham Street. She is requesting four food trucks be located on parcel 00002645 only located at 310 Monroe Street, facing Rockingham Street. However, she would like to utilize both parcels to provide parking, outdoor seating with benches, and utilize the existing driveways for ingress and egress. She would like to request the parking lot remain gravel, as it is, and is offering over 40 parking spaces. One mobile food vendor is permitted per lot, per our Unified Development Ordinance (UDO) Special Requirements 39. Ouida would like to have four mobile food vendors and create a mobile food vendor park.

SUGGESTED MOTION(S)

OPTION 1 *(Staff recommend the November 18th Meeting)*

I move to call a Public Hearing for the purpose of hearing the conditional zoning amendment request for CZ-07-24 "Ouida Food Truck Park" at the regular scheduled meeting scheduled on Monday, _____, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street.

OPTION 2

I move to deny a Public Hearing for the purpose of considering the request for the conditional zoning amendment request for CZ-07-24 for the following reason(s):



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jennifer Hunt, Town Planner

Subject: CZ-03-24: Call for a Public Hearing for Bonck America Corporation located at 409 Rockingham Street, PARID 00005184. Zone R-20 to R-20-CZ; Petitioner: Charles Lu

SUMMARY OF REQUEST

Charles Lu, the representative and owner of Bonck America Corporation, located on parcel 00005184, has applied for conditional zoning to request to use his home for a solar office/business. The address for this request is 409 Rockingham Street which is in the R-20 "Residential" zoning district. This home does not qualify as a home occupation since it does not abut a commercial property on one side. It is unclear if he will store solar panels onsite.

Charles Lu said he would also like to have ten employees with three to five people daily work with him. He said there will be no noise. He would like to move his office to the basement. He has a solar business that he operates. He submitted and paid for his conditional zoning application on October 9, 2024. He originally inquired with the Town Planner, Jennifer Hunt, about this request in March 2024. According to the application the applicant, Charles Lu's "Applicant Information" address is not the same as the site address. He has been operating his solar business in Downtown Carthage, however, would like to move it to 409 Rockingham Street.

SUGGESTED MOTION(S)

OPTION 1 (Staff recommend November 18th Meeting)

I move to call a Public Hearing for the purpose of hearing the conditional zoning amendment request for CZ-03-24, Bonck America Corporation, at the regular scheduled meeting scheduled on Monday, _____, 2024, at 6:30 p.m. to be held in the McDonald Building, located at 207 McReynolds Street.

OPTION 2

I move to deny a Public Hearing for the purpose of considering the request for the conditional zoning amendment request for CZ-03-24 for the following reason(s): _____



MEMORANDUM

Date: October 16, 2024
To: The Board of Commissioners
From: Kim Gibson, Town Clerk
Subject: CALL FOR PUBLIC HEARING FOR CONTIGUOUS ANNEXATION REQUEST AND SUBSEQUENT REZONING OF PID #20060239: LEGION HUT RD LOT 1; PETITIONER, SOUTHBURY DEVELOPMENT

REQUEST

Property owner, Southbury Development, LLC has requested to have a contiguous annexation of the property known as PID #20060239. also known as Legion Hut Rd Lot 1. The petitioner is seeking public services for the property.

The property will need to be rezoned from the current county zoning of B-2 to Carthage zoning if annexation is approved.

We are asking the Board to call a public hearing for the purpose of considering this request.

SUGGESTED MOTION(S):

Option #1 (Staff recommend the November 18th Meeting)

I move to call a Public Hearing to hear the dual request of Southbury Development, LLC for contiguous annexation of the property located at Legion Hut Rd, Lot 1, PID #20060239 and subsequent rezoning request to be held on Monday, _____, 2024 at 6:30 pm at the McDonald Building located at 207 McReynolds Street.

Option #2

I move to deny a call a Public Hearing to hear the dual request of Southbury Development, LLC for contiguous annexation of the property located at Legion Hut Rd, Lot 1, PID #20060239 and subsequent rezoning request for the following reason(s): _____



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jamie Sandoval, Management Analyst

Subject: Unified Development Ordinance (UDO) Update to Section 100.38-1 "No Occupancy or Use Until Requirements Fulfilled".

Due to Senate Bill 166, there are several ordinances that must be updated to the Town's Unified Development Ordinance by January 1, 2025. These changes in the UDO will be made to fit the new regulations as defined in by the N.C.G.A.

SUGGESTED MOTION(S)

Motion #1:

I move to call the public hearing regarding an update to Section 100.38-1 "No Occupancy or Use Until Requirements Fulfilled" of the Unified Development Ordinance.

Or

Motion #2:

I move to deny the call for a public hearing regarding an update to Section 100.38-1 "No Occupancy or Use Until Requirements Fulfilled" of the Unified Development Ordinance.



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jamie Sandoval, Management Analyst

Subject: Unified Development Ordinance (UDO) Update to Section 100.68-D "Limitations or Impervious Area".

Due to Senate Bill 166, there are several ordinances that must be updated to the Town's Unified Development Ordinance by January 1, 2025. These changes in the UDO will be made to fit the new regulations as defined in by the N.C.G.A.

SUGGESTED MOTION(S)

Motion #1:

I move to call the public hearing regarding an update to Section 100.68-D "Limitations or Impervious Area" of the Unified Development Ordinance.

Or

Motion #2:

I move to deny the call for a public hearing regarding an update to Section 100.68-D "Limitations or Impervious Area" of the Unified Development Ordinance.



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jamie Sandoval, Management Analyst

Subject: Unified Development Ordinance (UDO) Update to Section 100.57-15 "Residential Driveways for New Construction".

Due to Senate Bill 166, there are several ordinances that must be updated to the Town's Unified Development Ordinance by January 1, 2025. These changes in the UDO will be made to fit the new regulations as defined in by the N.C.G.A.

SUGGESTED MOTION(S)

Motion #1:

I move to call the public hearing regarding an update to Section 100.57-15 "Residential Driveways for New Construction" of the Unified Development Ordinance.

Or

Motion #2:

I move to deny the call for a public hearing regarding an update to Section 100.57-15 "Residential Driveways for New Construction" of the Unified Development Ordinance.



MEMORANDUM

Date: October 21, 2024

To: The Board of Commissioners

From: Jamie Sandoval, Management Analyst

Subject: Unified Development Ordinance (UDO) Update to Section 100.65-12 "Performance Guarantees for Major Subdivisions".

Due to Senate Bill 166, there are several ordinances that must be updated to the Town's Unified Development Ordinance by January 1, 2025. These changes in the UDO will be made to fit the new regulations as defined in by the N.C.G.A.

SUGGESTED MOTION(S)

Motion #1:

I move to call the public hearing regarding an update to Section 100.65-12 "Performance Guarantees for Major Subdivisions" of the Unified Development Ordinance.

Or

Motion #2:

I move to deny the call for a public hearing regarding an update to Section 100.65-12 "Performance Guarantees for Major Subdivisions" of the Unified Development Ordinance.



MEMORANDUM

Date: October 8, 2024

To: The Board of Commissioners

From: Emily D. Yopp, Town Manager

Subject: Resolution to Call a Public Hearing to Consider Amendments to the Carthage UDO, Section 100.35: Historic Preservation Commission

I. STAFF REPORT:

At the board's September regular meeting, a group of citizens residing within the National Register District spoke during the public comment period requesting the Board's consideration in "dissolving" the Historic Preservation Commission citing concerns that include the potential for Design Standards that would be too restrictive or expensive for current historic homeowners. NCGS 160D-601 requires that amendments to a municipality's UDO must follow the public hearing process. The process for making a text amendment, to include the full repeal of Section 100.35, if so desired by the Board, is described in Section 100.44 of the Carthage UDO and is as follows (please note that grayed out text is not applicable to this case):

Section 100.44 Amendment Procedure for Text Amendments and Map Amendments.

1. Petition for Amendment

A petition for text amendment or map amendment shall be filed on application forms provided by the town and accompanied by the appropriate fee. If the request is filed from within the local government, it may be initiated by a staff report. The applicant is encouraged to review the Town of Carthage adopted Land Use Plan and any other relevant long-range plans such as the Bicycle and Pedestrian Plan for consistency with their petition.

2. Call for Public Hearing or Decision to Summarily Dismiss

The Board of Commissioners shall set a date for public hearing of any petition for amendment. At that time, the Board may determine that they do not wish to consider amending the Zoning Map or Land Development Ordinance. If such is the case, the Board may vote to summarily dismiss the case and not conduct a public hearing. The reason the case shall not be heard is to be included in the public record of the meeting.

A proposed zoning map amendment may not be reconsidered and may be summarily dismissed if an amendment for the same property is submitted again within one year's time unless the Board of Commissioners determines that there is a compelling reason to rehear a map amendment.

In setting the public hearing date, sufficient time shall be provided to allow for input from the Planning Board and for all public notice requirements to be met.

3. Public Notice

A. Published Notice.

The town shall publish two notices, the first not less than 10 days or more than 25 days before the hearing and the second in a separate calendar week in a newspaper of general circulation. The content shall include the purpose of the meeting, the date, time and location. If the public hearing involves a map amendment, sufficient information shall be provided to locate the property for which the amendment is proposed.

4. Planning Board

All proposed Development Ordinance amendments must be given review by the Planning Board for a recommendation to the Board of Commissioners. They are not required to conduct a public hearing, but they are encouraged to accept public input. The Planning Board shall evaluate all proposals for consistency with any adopted long-range plans and adopt a statement of consistency with said plans before voting to recommend approval or denial of the request.

5. Board of Commissioners

The Board of Commissioners shall conduct a public hearing regarding the petition. The Planning Board recommendation and Statement of Consistency shall be provided to the Board of Commissioners. The Board of Commissioners shall consider the Planning Board recommendation, but they are not bound by it. The Board of Commissioners may choose to make their decision to approve or deny at the same meeting or a subsequent meeting. The Board shall first adopt a Resolution of Consistency with the adopted Land Use Plan and other long-range plans then the Board shall vote on the petition. The Resolution of Consistency may take one of three forms consistent with N.C.G.S 160D-604(d); 605(a); 701.

- A. Approve the amendment and describe its consistency with the adopted Land Use Plan.
- B. Reject the zoning amendment and describe its inconsistency with the adopted Land Use Plan.
- C. Approve the amendment and deem it a modification of the adopted Land Use Plan. The Board shall describe why the action taken is reasonable and in the public interest. In certain circumstances, it may be beneficial for the Planning Board to convene with the Board of Commissioners during the public hearing prior to making their recommendation. Once the hearing is conducted, the Planning Board may then reconvene to make their recommendation the same day or at a subsequent Planning Board meeting for transmittal to the Board of Commissioners.

It is important to note that a full repeal of Section 100.35 establishing the HPC and their duties may result in an amendment to the Land Use Plan as well since one of the major goals adopted in the plan is “Protected and preserved historic and cultural resources”. See below screenshot of goal 8 as it is written on page 79 of the Carthage 2040 Land Use Plan.

8 Protected and preserved historic and cultural resources

- 8.1 – Recognize the importance of historic sites and events in the Town of Carthage, including designated historic properties and districts, and sites reflecting the Town’s role as a center of government, a market center, and a renowned center of buggy manufacturing.
- 8.2 – Develop and implement regulations for Carthage Historic District in collaboration with Historic Preservation Commission and interested community organizations.
- 8.3 – Encourage historic buildings to be adapted and reused as appropriate to ensure they retain their historical significance but also remain active and contributing elements of the community.
- 8.4 – Encourage the conservation of historic buildings that contribute to the integrity and character of their neighborhoods.
- 8.5 – Explore expansion of Carthage Historic District to include part of the Town’s commercial core.
- 8.6 – Encourage homeowners interested in the adaptation or reuse of historic buildings, including education on federal and state historic rehabilitation tax credits.

SUGGESTED MOTION(S)

OPTION 1

I make a motion to call for a public hearing to consider a text amendment to the Carthage UDO, Section 100.35, Historic Preservation Commission. The hearing shall take place on **[date of hearing]** at **[time]** and will be held at the McDonald Building, located at 207 McReynolds Street. The Town Clerk shall make public notice as required by State statute and the Carthage Unified Development Ordinance.

OPTION 2

I make a motion to deny this resolution to call for a public hearing to consider a text amendment to the Carthage UDO, Section 100.35, Historic Preservation Commission based on the following reasons:
