

**EDEN CITY COUNCIL  
REGULAR MEETING AGENDA  
October 15, 2024 at 6 p.m.  
Council Chambers, 308 E. Stadium Drive**

1. Meeting called to order by: Neville Hall, Mayor
2. Invocation: Pastor Joel Clark, New Saint Paul Baptist Church
3. Pledge of Allegiance: Led by Parker Woodall, sixth grader at Holmes Middle School, and Norah Woodall, third grader at Stoneville Elementary School
4. Proclamations, Recognitions and Resolutions:
  - a. Recognition: The Hair Company for 50 years in business
  - b. Recognition: Eden First Responders contribution to Tropical Storm Helene recovery efforts
  - c. Proclamation: Indigenous Peoples' Day
  - d. Resolution: Imagine A Day Without Water
5. Roll Call
6. Set Meeting Agenda
7. Public Hearings:
  - a. Consideration to adopt an ordinance annexing the property located at 773 Summit Loop (continued from the 9/17/24 regular meeting). **Kelly Stultz, Planning & Community Development Director**
  - b. Consideration of an amendment to the CDBG-CV project to seek additional funding to repair and renovate Draper Elementary School. **Kelly Stultz, Planning & Community Development Director**
8. Requests and Petitions of Citizens
9. Unfinished Business:
  - a. Consideration of commission appointments. **Kelly Stultz, Planning & Community Development Director**
10. New Business
11. Reports from Staff:
  - a. City Manager's Report. **Jon Mendenhall, City Manager**
12. Consent Agenda:
  - a. Approval and adoption of the September 17 regular meeting minutes. **Deanna Hunt, City Clerk**
  - b. Approval and adoption of a Grant Project Ordinance, Record Retention Policy Addendum, Resolution for Allowable Costs and Cost Principles for Expenditure, and Resolution for Eligibility Determination Policy needed to finalize the use of the City's ARPA funds.  
**Tammie McMichael, Finance & Personnel Director**
13. Announcements
14. Adjournment



**PROCLAMATION**  
**Indigenous Peoples' Day 2024**

**WHEREAS**, American Indians have inhabited this continent for centuries, and from the first contact with English settler, American Indians shared their knowledge of the land and its resources, and have continued to play a vital role in the development of City of Eden, the State of North Carolina, and the Nation;

**WHEREAS**, North Carolina is home to more than 122,000 American Indians with eight historic tribes which are legally recognized by the State of North Carolina;

**WHEREAS**, the City of Eden enjoys a positive relationship with its American Indian citizens; recognizes and encourages the acknowledgement of the history, contributions, and sacrifices of Indigenous Peoples; and honors and respects the rich cultural and economic contributions that American Indians have made:

**WHEREAS**, the City of Eden promotes inclusion of Indigenous Peoples to ensure greater access and opportunity, and honor our nation's indigenous roots, history, and contributions;

**WHEREAS**, Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native Nations to the United Nations sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

**NOW THEREFORE**, I Neville Hall, as Mayor of the City of Eden, and on behalf of the City of Eden, do hereby proclaim Monday, October 14, 2024 as Indigenous Peoples' Day in the City of Eden, and hereby reaffirm the commitment of the City of Eden to promote the well-being and growth of Eden's American Indian and Indigenous Community.

This, the 15<sup>th</sup> day of October, 2024.

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Neville Hall, Mayor

Attest:

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Deanna Hunt, City Clerk



## RESOLUTION

### Imagine a Day Without Water 2024

**WHEREAS**, the tenth annual Imagine a Day Without Water National Day of Action raises awareness about and appreciation for our most essential resource. The water infrastructure in the City of Eden delivers clean drinking water to over 15,400 residents per day, and then safely returns wastewater to the environment; and

**WHEREAS**, reliable water services are essential to the quality of life, environment, and economic vitality of the City of Eden and a day without water would be a public health and safety crisis, limiting the functionality of firefighters, hospitals, businesses, and homes. Reliable water services help to drive a healthy economy, providing workforce opportunities, protecting business continuity, and supporting healthy and happy communities; and

**WHEREAS**, the nation's water infrastructure is aging and in need of investment, resulting in a water main break every two minutes somewhere in the country. An estimated two million Americans are living without access to adequate drinking water and sanitation; and

**WHEREAS**, by recognizing the true value of water in our lives, we can help secure a healthy water future for everyone in our community and for all Americans.

**NOW THEREFORE, BE IT RESOLVED**, that the City of Eden recognizes that water is essential to quality of life, public safety, and economic health and, accordingly, acknowledges the importance of raising awareness about the value of water through participation in Imagine a Day Without Water National Day of Action on October 17, 2024; and

**BE IT FURTHER RESOLVED**, that the City of Eden is dedicated to investing in safe and reliable water and wastewater systems and calls on our local/state/federal partners to continue dedicating the funding necessary to protect and restore our nation's critical water infrastructure.

This, the 15<sup>th</sup> day of October, 2024.

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Neville Hall, Mayor

Attest:

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Deanna Hunt, City Clerk



## Planning and Community Development Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

# MEMO

**To:** Honorable Mayor and City Council  
**Thru:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** **Public Hearing - Annexation Request  
773 Summit Loop**  
**Date:** October 2, 2024

At the regular City Council meeting on July 16, 2024, the Council called for a public hearing to be held at the August 20, 2024, meeting to hear comments regarding an annexation of the property located at 773 Summit Loop. The public hearing was continued until the September 17, 2024 meeting and then continued until the October 15, 2024 meeting.

The Petition Requesting Annexation was filed by the property owner, Brason Properties, LLC.

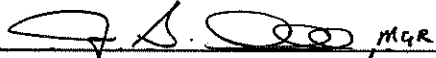
Staff is of the opinion that this property should be annexed.

**PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION**

Date: 7-20-2023

To the City Council of the City of Eden, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Eden.
2. The area to be annexed is non-contiguous to the City of Eden and the boundaries of such territory are as described in the attached Deed.
3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Eden.
4. We acknowledge that any zoning vested rights acquired pursuant to N.C.G.S. 160A-58-58.3 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

<u>Name</u>	<u>Address</u>	<u>Do you declare Vested rights? Yes or No</u>	<u>Signature</u>
Brason Properties LLC Jason S. Darnell, Manager	Property Address: 773 Summit Circle Eden, NC 27288	Yes	 MGR
	PIN... 7081 19 50 8468 00		
	Mailing Address: 5014 Casting Way, Greensboro, NC 27455		



DEED NORTH  
D.B.1645 PG.2747

I, Gregory M. Gorrell, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book \_\_\_ as Page \_\_\_ shown.); that the boundaries not surveyed are indicated as drawn from information in Book \_\_\_ as Page \_\_\_ shown.; that the ratio of precision or positional accuracy is 1:10000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina ( 21 NCAC 56. 1600).

This 18th day of July, 2023



Professional Land Surveyor

Seal



Location Map: Not To Scale

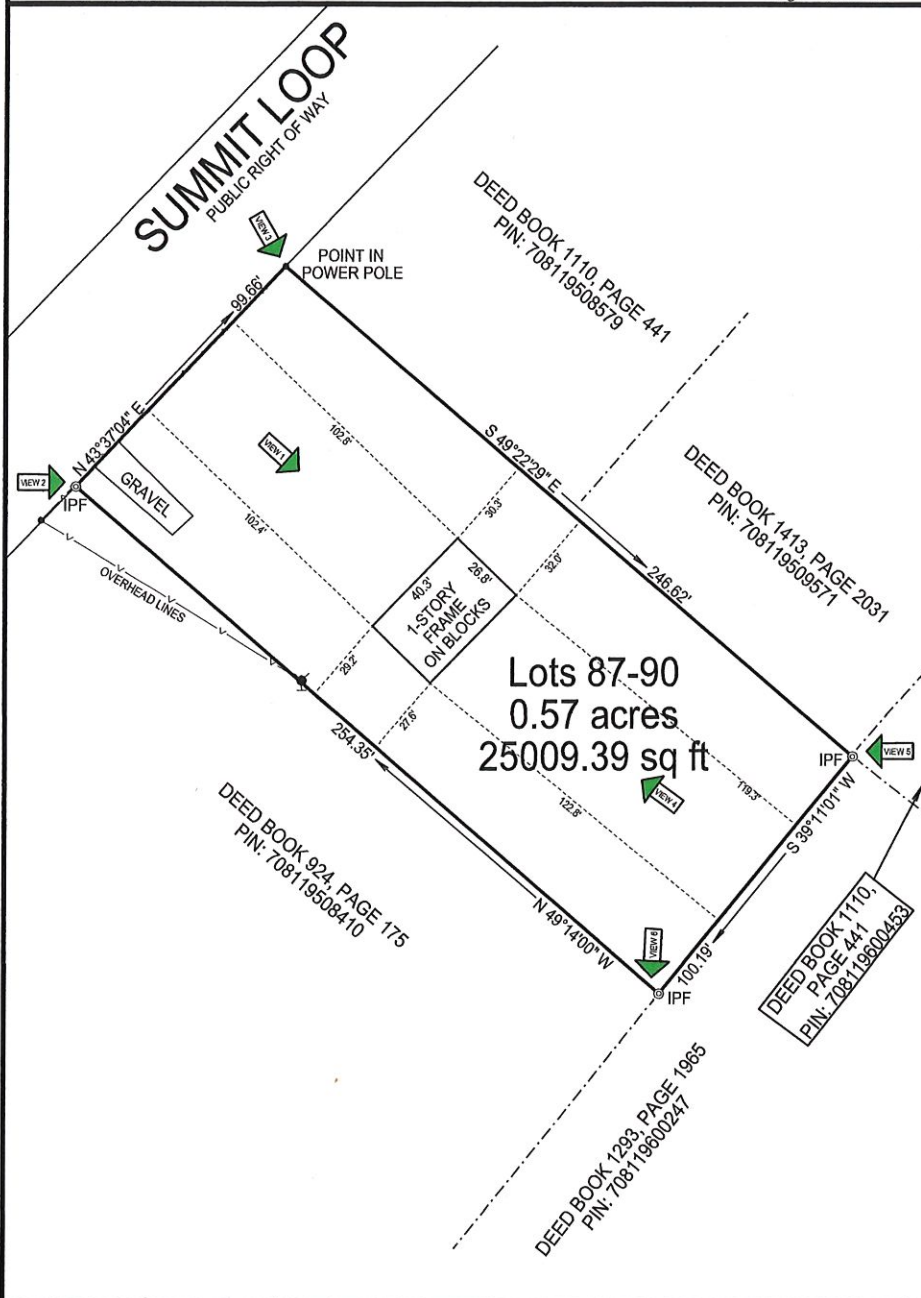
- ⊙ Iron pipe found ( IPF )
- Iron pipe set ( IPS )
- R/W Right of Way
- Power Pole

MBL

**LEGEND**  
Computed Point ( Not Set )  
Minimum / Max Building Line

- ▲—▲— Overhead Lines
- x—x— Fence Line
- - - - - Neighbors Property Line
- - - - - Edge of Easement

Photos were taken at time survey was performed. View points and viewing direction are indicated on map of survey.



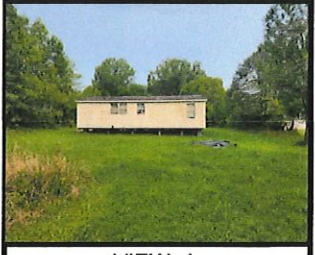
VIEW 1



VIEW 2



VIEW 3



VIEW 4



VIEW 5



VIEW 6

This map does not meet G.S. 47-30 Mapping Requirements of N.C. and is not for recordation. Drawn by: MLH File name: 773 summit loop

This property is subject to any easements, agreements, or rights-of-ways of record prior to this date and not visible at the time of inspection. This is to certify that this plot was drawn from a recorded map and field survey; that the property lines and location of all structures are accurately shown hereon; and there are no encroachments either way across property lines, unless noted otherwise. This property has not been evaluated for special flood hazard area as determined by the Department of Housing and Urban Development. For flood boundaries contact the Federal Emergency Management Agency.

DATE: 07-18-2023 SCALE: 1"= 30'  
0 40 80 120

This Survey was performed without the benefit of a title search and is subject to any facts and easements which may be disclosed by a complete title search.

**FOUR POINTS SURVEYORS**  
**G. Matthew Gorrell, Professional Land Surveyor**  
 mail to: P.O. Box 986 Summerfield, NC 27358  
 Phone: 336.669.0209, email: MATT@4PTSS.COM  
 website: www.4PTSS.com

Map of Survey For:

Brason Properties  
773 Summit Loop  
Lots 87-90  
Subd. No. 1 for S.T. Jackson &  
George W. Smith  
Leaskville Township  
Rockingham County, NC  
Deed Ref. 1645@2747  
PIN: 708119508468

City of Eden  
Annexation of 773 Summit Loop



AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE CITY OF EDEN, NORTH CAROLINA

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WHEREAS, the City Council of the City of Eden, North Carolina, has been petitioned under G. S. 160A-31 to annex the area described below; and

WHEREAS, the City Council of the City of Eden has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the City Council Chamber, 308 East Stadium Drive at 6:00 o'clock p.m. on August 20, 2024, after due notice by publication on August 7, 2024; and

WHEREAS, the City Council of the City of Eden finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Eden, North Carolina, that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made a part of the City of Eden as of November 1, 2024:

BEGINNING at a point in a power pole in the south right of way of Summit Loop, said point marking the northeast corner for property described in Deed Book 1110, page 441; thence with the south line of said property, South 49 deg. 22 min. 29 sec. East 246.62 feet to an iron pipe found, said iron marking the northeast corner for property described in Deed Book 1293, page 1965; thence with said property line, South 39 deg. 11 min. 01 sec. West 100.19 feet to an iron pipe found, said iron marking the southeast corner for property described in Deed Book 924, page 175; thence with said property line, North 49 deg. 14 min. 00 sec. West 254.35 feet to an iron pipe found in the south right of way of Summit Loop; thence with the south right of way line of Summit Loop, North 43 deg. 37 min. 04 sec. East 99.66 feet to the POINT OF BEGINNING, the same containing 0.57 acres as shown on a Plat of Survey for Brason Properties by Four Points Surveyors, P.L.S. dated July 18, 2023.

The above-described property being more commonly known as 773 Summit Loop and identified by the Rockingham County Tax Dept. as PIN 7081-19-50-8468 and Parcel Number 110467.

Section 2. Upon and after November 1, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Eden and shall be entitled to the same privileges and benefits as other



parts of the City of Eden. Said territory shall be subject to municipal taxes according to G. S. 160A-31.

Section 3. The Mayor of the City of Eden shall cause to be recorded in the Office of the Register of Deeds of Rockingham, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territories described in Section 1 above, together with a duly certified copy of this Ordinance. Such a map shall be delivered to the Rockingham Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this Ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Eden.

Adopted this 15th day of October, 2024.

CITY OF EDEN

BY: \_\_\_\_\_  
Neville A. Hall, Mayor

ATTEST:

\_\_\_\_\_  
Deanna Hunt, CMC  
City Clerk



# Planning and Inspections Department

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P. O. Box 70, 308 E Stadium Drive, Eden NC 27289-0070/Telephone 336-623-2110/Fax 336-623-4057

## MEMO

**To:** Honorable Mayor and City Council  
**Thru:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, AICP, Director  
**Subject:** CDBG-CV (Grant No. 20-V-3501)  
**Date:** October 1, 2024

The City of Eden was awarded a grant in the amount of \$950,000 for subsistence payments to provide emergency rent, utility and/or mortgage payments up to six months to vendors on behalf of LMI households. All of those funds were not needed for the designated purposes.

At the August 16, 2022, City Council meeting, the Council approved a request to amend the grant program to assign \$782,000 for Public Facilities and Improvements so that the Draper Elementary School could be repaired.

A work write-up for the roof repairs has been advertised and bids will be opened on October 15, 2024, at 11 am.

A visit of the school site by City Staff and our Grant Consultant resulted in the opinion that additional funds will be needed to make the repairs necessary to reuse the building for after school programs, business center, recreational activities and various productions on the existing stage.

Attached is a copy of an email sent by our Grant Consultant explaining that \$5,000,000 is the maximum amount that we can request and listing items to be included in the scope of work.

We ask that you approve our request to apply to the N. C. Department of Commerce for the program amendment to ask for \$5,000,000 in additional funds.



# Planning & Community Development Department

308 East Stadium Drive, Eden, North Carolina 27288 Phone: (336) 623-2110 Fax: (336) 623-4057

## MEMO

**To:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, Director  
**Subject:** **Draper School Request for Additional Grant Funds**  
**Date:** October 8, 2024

Kevin Amory of Insight, our consulting firm on the Draper School project, did not perform any estimate to come up with the \$5,000,000. The only facts that played into that number are 1) that \$5,000,000 is the maximum amount that REDD will do and 2) Mr. Amory's 30 years of experience in commercial construction that tells us that \$5,000,000 is not enough to completely renovate the building to modern standards while maintaining the historic character of the building. This last statement is also backed up by any reasonable search for commercial renovation costs which will show that \$250-\$300 per square foot is a good average cost of renovation.

While a complete renovation might not be possible, it certainly is not required either. The building is in good structural condition, has a working electrical system, plumbing seemed to be functional and other building components that are intact.

However, there are things that need to be upgraded, such as:

**Parking** – The current planned use would exceed the number of parking spaces on site. The parking lot will have to be upgraded to accommodate the new uses.

**HVAC** – The building needs a HVAC upgrade, and this will be expensive. It will also likely include some electrical work. A big benefit is that the upgrade would decrease operational costs.

**Electrical** – At a minimum, lighting upgrades are needed but also some work that might be required to support the new uses. Here again this item would decrease operational costs.

Windows – Windows must be fixed or replaced at a minimum, but I believe an upgrade of all windows would be better. Here again this item would decrease operational costs.

ADA upgrades – The building has a handicap ramp in the rear but should also have one in the front. Also, the bathrooms are not ADA compliant which necessitates plumbing upgrades and bathroom reconfigurations.

Ceilings – Most ceilings have been damaged and need to be replaced.

Doors – Most of the exterior doors need replacing. Some interior doors need to be repaired or replaced. Some new doors might be needed if large rooms are divided.

Framing and Drywall – Some repairs to existing walls will be required and dividing some larger rooms to better fit the future use will certainly require framing and drywall.

Exterior Wood Trim – The roofing bid is to replace all the roofing and flashing. All eaves and fascia are in poor condition and require repair/replacement.

Flooring – Most floors are in good shape, but all wood floors will need to be refinished. The wood floors in the additions will need to be replaced. The bathroom renovation would require new flooring.

Asbestos and Lead – I am sure that some asbestos and lead abatement will be required. Some of these might be encapsulated but I would plan on some abatement.

Attached is a very rough estimate for work that could/would be accomplished if the entire \$5,000,000 is received. This estimate is not set in stone, and neither is the scope of work. The attached worksheet does not include any abatement work.

The goal is to get as much money as we can. When we know how much we will have, then we will need to develop a plan to best utilize the funding.

If we receive significant funding, the City will need to hire a design team and they will work with the City to prioritize the scope of work. I'm sure that the City would have a committee comprised of different departments that would work together with the design team. So, the answer to the question of what we intend to do with the money cannot be answered in detail as we only have the general plan to modernize or renovate Draper Elementary School. The detailed plan for spending the money will be developed afterwards by the work of City employees and design professionals.

If no additional funds are received, we will continue to develop scopes of work towards stabilizing the building. This would include the roof work, clean out the building, secure the building (secure windows and doors) and install a security system to prevent further vandalism.

Again, the \$5,000,000 amount was set because that is the highest amount that REDD can grant. It is not enough to perform a complete renovation, but it is enough to do a 75-80% renovation. With most of the funds for a renovation, the City would have the option to raise funds through community support, seek other grants, fund the remainder out of their budget or a combination of all the above to perform a complete renovation. That decision is above my pay grade, but I am working hard to get as much funding as possible so that the City has options for the renovation and preservation of one of its historic buildings.

Insight Planning & Development  
 Draper Elementary School  
 CDBG-CV Program Amendment

Current Grant Balance		\$ 781,216.82
Estimate for Roofing	\$ 250,000.00	
Administrator and Service Delivery for Grant	\$ 87,297.00	
Cleanup	\$ 100,000.00	
Secure Building	\$ 150,000.00	
Bare Bones Security System	\$ 35,000.00	
Projected Expenditures to Secure Building	<u>\$ 622,297.00</u>	
Balance of Grant		\$ 158,919.82

**Renovation**

Design Fees	\$ 600,000.00	
Grant Administration	\$ 500,000.00	
Bonding	\$ 100,000.00	
Construction Supervision	\$ 125,000.00	
General Conditions-temp electricity, job trailer, safety, temp facilities, etc	\$ 150,000.00	
Parking Lot	\$ 400,000.00	
ADA Upgrades-bathroom remodels, ramps, widening doorways	\$ 125,000.00	
Framing and Drywall-Wall repair, demising partitions	\$ 125,000.00	
Casework & Cabinetry	\$ 100,000.00	
Exterior Wood Trim-soffit, fascia, eaves	\$ 100,000.00	
Doors	\$ 50,000.00	
Windows	\$ 350,000.00	
Acoustic Ceilings	\$ 60,000.00	
Flooring	\$ 120,000.00	
Painting	\$ 100,000.00	
Specialties	\$ 50,000.00	
Plumbing	\$ 175,000.00	
Mechanical	\$ 1,050,000.00	
Security System	\$ 100,000.00	
Electrical	<u>\$ 800,000.00</u>	
Total Projected Renovation Costs		<u>\$ 5,180,000.00</u>
Grant Shortfall		\$ (5,021,080.18)
Program Amendment Request		\$ 5,000,000.00



# Planning & Community Development Department

308 East Stadium Drive, Eden, North Carolina 27288 Phone: (336) 623-2110 Fax: (336) 623-4057

## MEMO

**To:** Honorable Mayor and City Council  
**Thru:** Jon Mendenhall, City Manager  
**From:** Kelly K. Stultz, Director  
**Subject:** **2024 Boards and Commissions Appointments**  
**Date:** October 4, 2024

The following seats on the City Boards and Commissions are vacant and need to be filled. When making appointments, please consider whether these people have the time or the ability (for whatever reason) to attend regular meetings and participate in the activities of the board or commission.

If you have questions, please do not hesitate to call.

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### Mayor Hall

Historic Preservation – Chase Lemons (Resigned)

The following are the days and times that the board meets each month:

<u>Board</u>	<u>Day</u>	<u>Time</u>
Historic Preservation Commission	2nd Monday each month	5:30 pm



**City Manager's Report**  
**October 2024**  
City Manager Jon Mendenhall

**ADMINISTRATION**

Marketing & Communications Office

We would once again like to thank everyone who made our **RIVERFEST 2024** a huge success! We had over 24,000 in attendance. We are already working to make 2025 bigger and better.

Our rescheduled **FALL Grown & Gathered** was awesome. Jarrett and Heidi Nycamp of The Ridge prepared a delicious supper that was enjoyed by all. See you in May!

**MARK YOUR CALENDARS FOR WINTERFEST!** Our date is set for Friday, December 6 in Grogan Park from 5:30 p.m. until 8:00 p.m. This event is so much FUN for little kids and BIG kids alike. Don't miss it.

**FALL** is a beautiful time of year in Eden and Rockingham County. Get outside and enjoy one of our beautiful rivers, trails or parks.

**PARKS & RECREATION DEPARTMENT**

Recreation Division

**Bridge Street Recreation Center:** Bridge Street Recreation Center has been busy with daily walkers and fitness classes. The afterschool program has started with 20 children attending.

**Mill Avenue Recreation:** Pickleball is being played Monday, Tuesday, Wednesday, Friday and Sunday afternoon. Cornhole games are also being held as well. Prowlers are gearing up for football, volleyball and cheer. All practices have started. Games for football and volleyball are beginning to start.

**Freedom Park:** The lights are up and are ready for Duke Energy to hook up power. All ballfields are completed and the contractors are working on the pickleball courts. Weather has slowed some of the work being done at the park.



Senior Center: The seniors are staying busy this month playing pickleball, bingo, quilt making class, line dancing classes, watercolor classes and so many more fun activities. Please check out the Garden of Eden Senior Center Facebook page with a schedule full of events.

## **PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

### Local Codes Inspections September 1, 2024 - September 30, 2024

Total Local Code Inspections Performed	89
Local Code Notices Sent	30
Local Codes Abated	25

### Inspections & Permits August 2024

Total Inspections Performed	259 (Does not include fire inspections)
Total Permits Issued	107

### Boards & Commissions

The Community Appearance Commission met for the month of September and discussed future projects

The Historic Preservation Commission met for the month of September and discussed current and future projects.

The Tree Board met for the month of September and discussed current and future projects.

The Planning Board did not meet for the month of September due to there being no cases to review.

### Veterans Park Beautification Project: Phase III-Community Appearance Commission

Staff is still collaborating with the Division of Design & Construction to design an ADA accessible to walkway to the monument at the Veterans Park located near Fieldcrest Road and Main Street in the Draper area. The board has plans of outlining the walkway with a brick border and offer residents to purchase an engraved brick "IN HONOR" or "IN MEMORY" of a veteran (family/friend relations).

### Ferry Road Sign Project- Historic Preservation Commission

The Ferry Road Sign at the corner of Stadium and Fieldcrest has been installed.

### Spray Traffic Circle Fountain Project- Historic Preservation Commission

Staff contacted the owner of the Spray Cotton Mill and discussed collaborating on using materials from the Mill to construct the fountain. Update to come in October.

### 30 FOR 30 Tree Planting Campaign- Tree Board

Staff launched the campaign the first of September 2024 and run it through February 2025. City social media posts, flyers, and local media outlets will market the campaign during the stated timeframe. Planting of trees will commence March through May of 2025.

Staff continues to collaborate with Webb Irving on purchasing trees for various planting projects for Fall of 2024 and Spring of 2025.

## **POLICE DEPARTMENT**

Our four cadets in BLET are continuing to progress will through the course. The Cadets have taken their mid-term physical agility test are all predicted to be able to pass the final.

Two of the Dodge Durangos have been delivered to Campbell Brown and are awaiting equipment install. The remaining two are still being staged at the city shop.

Holsters and Lights have been received as part of our equipment trade in with Dana Safety Supply. This equipment will be issued during our fall in-service and all officers will be trained to proficiently with the new equipment.

September 20 and September 21, our officers attended Riverfest. Eighteen (18) to include the Chief and Deputy Chief worked this event.

## **FIRE DEPARTMENT**

The Fire Department responded to 89 calls for the month of September. The Fire Marshal completed 61 inspections the month of October. October is Fire Prevention Moth. Fire Prevention week is October 6-12. Eden Fire Department will conduct public education in all City elementary schools.

## **PUBLIC WORKS DEPARTMENT**

### Streets

Maintenance crews continue to work throughout the City to manage vegetation, litter and trees. This includes vegetation removal totaling 622.5 cubic yards while 40 acres of vegetation was cut. Litter control is always a top priority with 28 bags were picked up this month. The concrete crew were able to install 200 feet of sewer pipe on Irving Avenue. Sign maintenance was busy spraying and mowing right-of-way's while patching continues.

### Construction

The Construction Crew cleaned, sowed and matted a total of 468 feet of ditch on the following streets: 1300 to 1306 Lewis Street, 137 Hairston Street and 608 Robindell Court. Circle Drive water line replacement phase one began. Our crew laid out the centerline for the new water main, marked the ditch line for sawing and started cutting road. We also staged a new 6 foot ductile along the beginning of the job. We rocked the parking lot extension at public works with the assistance of drivers from streets. Crews spread, graded and compacted stone. 270.88 ton of ABC stone was used on the parking lot.

### Collections & Distribution

Collection and Distribution crews work to continue on water leaks and sewer issues as they are reported. Staff worked to complete each one as quickly as possible while making sure sewer issues remain the top priority when reported. Repairs to hydrants, sewer laterals, meter boxes and installing new water taps were also part of the work that was completed this month.

### Solid Waste

The Solid Waste Division continues to work on collection of solid waste and transferring/hauling it to the landfill. The amount of municipal solid waste (MSW) hauled in the past month was 476.84 tons. The amount of vegetative tonnage (brush) collected in September was 9.43 tons while bulk waste tonnage collected was 156 tons.

#### Fleet

The Fleet Division had 197 work orders which includes all outside repairs, road calls as well as regular service, tires and NC inspections.

#### Utilities

Staff has finished updating the lead and copper inventory on the 120 Water platform with all information that has been given. Staff has been reviewing the renewal contract with 120 Water and discussing the benefits of what McKim & Creed can help with to decide our next steps. Staff met to discuss a plan to clean the basin out at the New Street Wastewater Treatment Plant. Maintenance is working on installing the small generators at the pump stations. Synagro continues to work on the North Basin clean out, along with land applying the cake from press. The excavator has removed the remaining sludge out of the corner of the basin. They are working with Synagro on the next phase to remove the remaining contents from the basin.

CITY OF EDEN, N.C.

A regular meeting of the City Council, City of Eden, was held on Tuesday, September 17, 2024 at 6 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

- Mayor: Neville Hall
- Council Members: Gerald Ellis
- Jerry Epps (absent)
- Kenny Kirkman
- Greg Light
- Bruce Nooe
- Tommy Underwood
- Jason Wood
- City Manager: Jon Mendenhall
- City Attorney: Erin Gilley
- City Clerk: Deanna Hunt
  
- Media: Mike Moore, Mike Moore Media
- Roy Sawyers, Rockingham Update

MEETING CONVENED:

Mayor Hall called the regular meeting of the Eden City Council to order and welcomed those in attendance.

Associate Pastor Terra Flint of Trinity Wesleyan Church gave an invocation followed by the Pledge of Allegiance led by Trinity Wesleyan Education Center students.

RECOGNITIONS:

- a. Recognition: Trinity Wesleyan Education Center for 25 years in business

Mayor Hall called Main Street Manager Ken White forward with Ms. Flint and staff from Trinity Wesleyan Education Center.

Mr. White thanked Mayor Hall for letting him present as this recognition was special to his family. He said in September 1999, Trinity Wesleyan Childcare Center opened its doors. Originally in the main church, it grew to a separate building by 2007. The original idea of then-pastor Wayne Johnson was the undertaking as a ministry aimed to families in Eden. His motto was still the mantra of the education center today: be the very best in early childhood care and education. Pastor Johnson’s goal was still being carried out 25 years later and it was still growing. The education center was now the largest childcare in Rockingham County and had the distinct honor of becoming rated five star the quickest ever in the entire state. Mr. White was going to be a little biased as his oldest son was the third kid enrolled 25 years ago. Ms. Flint started at the center not long after his youngest son enrolled in 2002. By 2007, Ms. Flint had her first full-time class. She survived that and was made director seven years ago. Three years ago, she was ordained as a minister and was now the associate pastor of the church. In 2024, the center would grow again adding another complete building to house its afterschool program. He knew the center would continue to grow and minister to families for many more years and generations of children in Eden. He thanked Ms. Flint for her involvement and investment in the future of Eden.

Mayor Hall presented the center a framed anniversary print on behalf of himself and Council. He congratulated the center. The early years were so important to get a good start to become a productive citizen. It meant a lot to have a place so stable for 25 years as the daycare and education center for kids in the area.

Ms. Flint thanked everyone for 25 years in the City where the center had educated so many children who were now respiratory therapists, doctors, lawyers, nurses and teachers. She encouraged everyone to keep sending their babies to the center.

b. Proclamation: Constitution Week

Mayor Hall called Mary Ivie forward as he read the proclamation and presented her with a copy.

PROCLAMATION  
Constitution Week 2024

WHEREAS, September 17, 2024 marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Neville Hall, by virtue of the authority vested in me as Mayor of the City of Eden do hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Eden to be affixed this 17th day of September of the year of our Lord two thousand twenty-four.

By: Neville Hall, Mayor  
Attest: Deanna Hunt, City Clerk

c. Proclamation: Remember Me Thursday

Mayor Hall called on Lisa Goldsworthy and Doug Nichols of the Friends of Eden Animal Rescue, along with rescue dogs Major and Captain Jack Sparrow. He read the proclamation and presented Ms. Goldsworthy with a copy. He said Ms. Goldsworthy and her husband Mr. Nichols were so dedicated to the animals and the City was very appreciative of the volunteer time put into the rescue.

Ms. Goldsworthy thanked Mayor Hall and said he had been so kind when the rescue asked annually to have the fourth Thursday of each September proclaimed as Remember Me Thursday. It was a worldwide event that was designed to inspire animal adoption from the local shelters and rescues. The rescue actually had a cat sanctuary on The Boulevard where there were 10 beautiful kittens. She encouraged the audience to come visit and they would be sent home with a furry friend. In 2023, over 1,800 dogs and cats were euthanized in Rockingham County, which was up 29 percent from the previous year. It was shocking and difficult. Animals may not be everyone's passion but they certainly were for the members of the rescue. It was all volunteer based and the rescue had been organized for 10 years. City Clerk Deanna Hunt was one of the founding members of the organization. Council Members Ellis, Underwood and Kirkman were also unwavering in their support of the organization. Council Member Kirkman served on the board of directors and helped guide their direction. The rescue did a number of things for the community. In addition to the cat sanctuary the rescue had established, they did have a partnership with the Humane Society of the Piedmont to offer low-cost spay/neuter to pet owners in the community. It was desperately needed as the pet population was bursting at the seams. The rescue was doing everything they could. In addition, the rescue had established a pet pantry and they had just celebrated three years of officially opening the pantry. The rescue did everything they could to help struggling pet owners and that hopefully would result in no or low owner turnout or surrenders to the shelter. Citizens had to now make an appointment to surrender their animal at the shelter because the shelter was so far over capacity. The dogs with the couple were rescued. Major was the German Shepherd and he had been with the couple about 1.5 years. He came from a German Shepherd rescue from Raleigh. Captain Jack Sparrow was the yellow lab. In August, a local golfer told her there was a dog living on Oak Hills Golf Course across from number 10 and that he had been there

upwards of six months. She first thought they were joking but then made it a personal mission to find the dog and she did. It took 12 days and 65 visits to the woods to get the dog to trust her so she could get hold of him. He was a beautiful dog and someone failed him, as someone had failed so many of the animals in the community. She encouraged anyone to join the rescue if animals were a passion as they would appreciate any hands they could get. She thanked Mayor Hall again for his dedication to the rescue, noting he had adopted a dog from the rescue group. She advised the rescue had lots of kittens and could help anyone interested find a dog. The rescue could be reached at [friendsofedenanimalshelter@gmail.com](mailto:friendsofedenanimalshelter@gmail.com).

Mayor Hall said that was the best way to get in touch with the group for an adoption, which was an important part of their mission.

PROCLAMATION  
Remember Me Thursday 2024

WHEREAS, Friends of Eden Animal Rescue is participating in Remember Me Thursday®; and

WHEREAS, the staff and volunteers of Friends of Eden Animal Rescue have agreed to devote their time, resources, and energy to this united effort to bring attention to orphaned pets; and

WHEREAS, Friends of Eden Animal Rescue will hold a public candle-lighting ceremony with the goal of remembering those orphaned animals who died without a loving home and shining a light on the orphaned animals still waiting for their forever homes throughout the City of Eden and Rockingham County areas; and

WHEREAS, Friends of Eden Animal Rescue is working in cooperation with animal organizations and rescue groups from around the world in partnership with Remember Me Thursday® founder Helen Woodward Animal Center; and

WHEREAS, the Remember Me Thursday® campaign will assist in not only bringing attention to the orphaned pets in Eden, but will therefore result in increased adoptions of these pets,

NOW THEREFORE, let it be proclaimed that the City of Eden declares that the fourth Thursday of September 2024 is the official Remember Me Thursday® day.

By: Neville Hall, Mayor  
Attest: Deanna Hunt, City Clerk

SET MEETING AGENDA:

A motion was made by Council Member Kirkman to set the meeting agenda. Council Member Ellis seconded the motion. All members present voted in favor of the motion. The motion carried 6 to 0.

PUBLIC HEARINGS:

- a. Consideration to adopt an ordinance annexing the property located at 773 Summit Loop.

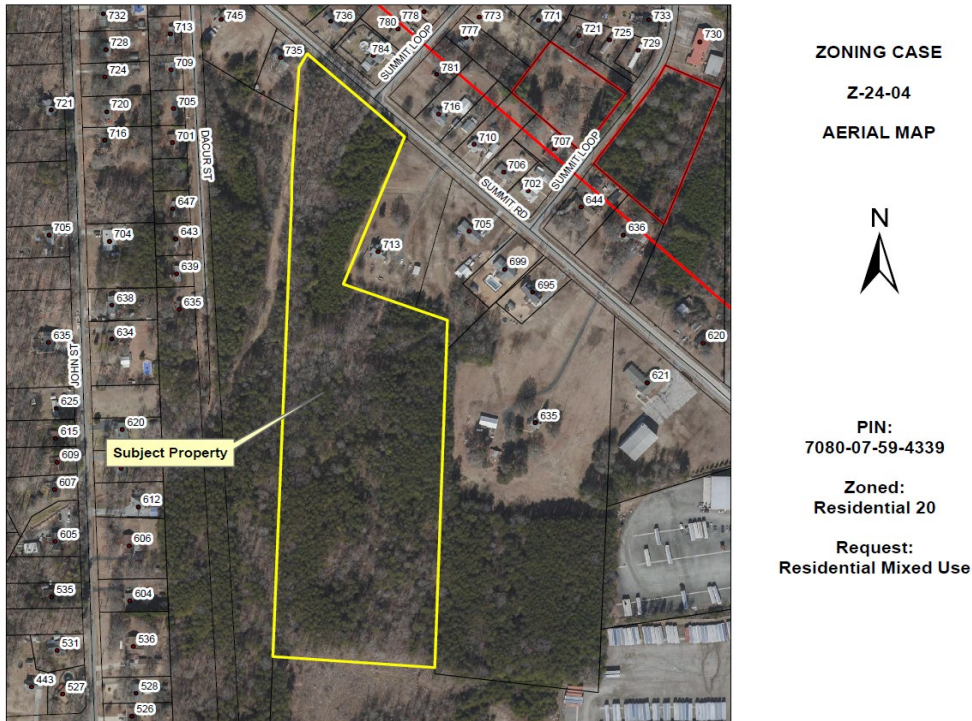
Planning & Community Development Director Kelly Stultz wrote in a memo: At the regular City Council meeting on July 16, 2024, the Council called for a public hearing to be held at the August 20, 2024, meeting to hear comments regarding an annexation of the property located at 773 Summit Loop. The public hearing was continued until the September 17, 2024 meeting. The Petition Requesting Annexation was filed by the property owner, Brason Properties, LLC. Staff is of the opinion that this property should be annexed.

Mayor Hall said the item had been introduced at the last meeting and the public hearing opened. It had been continued to this meeting and would be left open and continued until the October 15 meeting.

- b. (1) Consideration of a zoning map amendment and adoption of an ordinance to rezone 15.66 acres on Summit Road from Residential 20 to Residential Mixed Use. Zoning Case Z-24-04.

(2) Consideration of a resolution adopting a statement of consistency regarding the proposed map amendment to rezone 15.66 acres in Z-24-04.

Ms. Stultz wrote in a memo: The City has received a zoning map amendment request filed by Matthew Warren, Owner of Subject Property, to rezone 15.66 acres on the west side of Summit Road, PIN No. 7080-0759-4339, Parcel No. 183917. The request is to rezone the property from Residential-20 to Residential Mixed Use. The Planning and Community Development Department recommends approval of the map amendment request. At a special meeting on September 3, 2024, the Planning Board voted to recommend that the City Council approve this request.



Mayor Hall declared the public hearing open and called on Ms. Stultz.

Ms. Stultz said the property in question was 15.66 acres on Summit Road. It had been largely undeveloped with one home on it for all of her life. It was bordered on the north and east by R-20 and on the south by Light Industrial. The Comprehensive Plan called for it to be Suburban Residential. It was not in a flood hazard area but was within the Smith River Protected Area of the water supply watershed. Future Suburban Residential development should be located near existing neighborhoods and water and sewer connections to avoid leapfrog development and isolated neighborhoods. This particular tract of land was exactly what that talked about. Mixed-residential uses may occur to support conservation of open space and natural resources but should rarely exceed a gross density of four units per acre. Efforts should be made to allow for pedestrian connectivity and connections to Eden's planned and existing greenway system. The City needed housing of all types and infill development was always encouraged. The district was designed to promote that. It was infill which meant no water or sewer needed to be run a long way to get to the potential subdivision. Based upon the foregoing information, staff recommended in favor of the request as did the Planning Board.

Council Member Ellis asked if it was correct that there was the possibility of 62 homes.

Ms. Stultz said that was a possibility but for a development of this size, there would have to be roads and other things that would take up some of the space.

Council Member Ellis said it would be fewer houses then.

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

Ms. Stultz said yes. Without seeing the proposed development, she could not say how many there would be.

Council Member Ellis said the development would have sidewalks.

Ms. Stultz said yes, all the things that were required.

Council Member Nooe held up the tract map and pointed out that a portion of the tract was in a flood zone.

Ms. Stultz apologized as her department missed that.

Mayor Hall asked if that impacted staff's recommendation.

Ms. Stultz said no.

Mayor Hall asked if anyone would like to speak in favor or in opposition.

John Harold Denny said he owned both houses at 705 and 635 Summit Road. He wanted to know what was going to be put on the property being rezoned. He wanted to know what kind of houses there would be. He did not want any apartments nor low-income housing.

Ms. Stultz advised any proposed development would have to come back for approval before the Planning Board and City Council.

Mr. Denny asked if it would be houses on slabs.

Mayor Hall said that information was not provided when a rezoning was requested.

Ms. Stultz said if the property was sold or the current owner decided to develop it, the plans would have to be presented to Council.

Mr. Denny said he did not like that. He wanted to know what was coming in the property. He had 14 acres down one side of it, then his home and then his two daughters' homes straight in front of it.

Ms. Stultz advised at the current time she did not know and could not tell him.

Mr. Denny asked if it would be houses similar to what was behind the mall, small on slabs, or like the houses at Duke Power, which were fine with him.

Ms. Stultz said there had been no plans presented.

Mr. Denny said he did not want low-income housing built there. He had seen a bunch of houses being built in Eden and they were a mess.

Council Member Ellis asked Mr. Denny if he knew none of the property had been sold yet.

Mr. Denny said yes, as far as he knew it had not been sold.

Council Member Ellis said in speaking with the property owner, he thought the feeling was that he was going to put a nice neighborhood in there.

Mr. Denny said that was what he wanted. He had seen a bunch of low-income housing being put in in Eden and there had been a mess out of it.



Tonya Williams, 699 Summit Road, said Mr. Denny was her dad. He owned two of the properties and she was beside him. She asked why she did not get a letter from the City about the public hearing. She would not have known about it if not for her dad. The way they had measured it, hers was within 100 feet of the property. She needed to know why it was done that way.

Mayor Hall said he would defer to the zoning administrator. He asked Ms. Stultz if the letters were sent.

Ms. Stultz said she would have to verify that information but if it was true, staff would have to send out the letters and do it all again.

Ms. Williams said property owner Matthew Warren had been a friend of hers since grade school. If a nice neighborhood was what they were doing, that was fine.

Mayor Hall said Mr. Warren was the only person she could get that information from at that time.

Ms. Williams said she knew that but if it were sold, who knew what the other person was going to put in there. She asked how the City could approve it if they could not answer what was going there. She asked why it could not be approved after it was sold, or if Mr. Warren would be selling the property by lots. It all needed to be explained.

Ms. Stultz said no subdivision plat had been submitted.

Ms. Williams said it needed to be submitted first so they could see what they were looking at.

Mayor Hall said that was not how it worked.

Ms. Williams said she thought that was fair.

Mayor Hall asked Ms. Stultz to verify that letters had been mailed to the property owners who should have received them.

Ms. Stultz said she could go back to her office and check.

Ms. Williams said all she was asking was to find out what was going on the property first. Mr. Warren had told her and if that was what was going there and it was going to be a good community, it was good. If he sold it, who was to say that was really what would happen. They did not know. They would be stuck.

Council Member Wood asked if it was correct that Mr. Warren could develop the property as it was right now.

Mayor Hall said yes.

Council Member Wood said he just would not be able to put as many houses on it. Mr. Warren could put housing in there now if he wanted to.

Ms. Williams said that was correct.

Mayor Hall said he could put low-income housing in there. He said before moving forward, they would wait for Ms. Stultz to return.

Council Member Underwood wanted to take the opportunity to thank Police Chief Paul Moore and Fire Chief Chris White and the Eden Rescue Squad. A lot of emergency vehicles, as well as Roy Sawyers there videoing, came through for a parade for his dad on his 100th birthday on September 12. Mr. Sawyers had reported to Council

Member Underwood that the video had over 55,000 views. Council Member Underwood appreciated it. His dad had tears streaming down his face as he was overjoyed at the surprise. Council Member Underwood appreciated what everyone did.

Matthew Warren, 239 Weaver Street, said he owned the property on Summit Road. He had known the Denny family for many years and he and Ms. Williams had gone to school together. There were two reputable developers looking at the property. He would not mention their names. They did not do low-income housing or apartments from what he had seen and what they had done. They asked him to get the property rezoned and that was what he was doing.

Mr. Mendenhall asked Council for about five minutes to determine the measurements and if the proper notice was given for the address on Summit Road.

Patrick Reamey, 735 Summit Road, said he had lived there for close to 10 years. His biggest issue was traffic. Summit Road already had enough traffic on it. In the 10 years he had lived there, it seemed like there had been at least six wrecks in front of his house. He suggested that since it would have an effect on the entire community, maybe the City should have reached out and sent letters to everybody around there regarding traffic and the plans for rezoning.

Ms. Stultz apologized. Ms. Williams' property was 126 feet from the property being rezoned. GIS determined the properties within 100 feet. She was sorry Ms. Williams did not know about it. The property had been posted some time back. Ms. Williams was not on the list.

Mr. Denny responded from the audience that he had measured from Ms. Williams' stob and the distance was 80 some feet.

Mayor Hall asked Ms. Stultz if the measurement was from the house address or the corner of the lot.

Ms. Stultz advised the corner of the lot.

Council Member Nooe asked what was allowed, if it was GIS or if it was actually surveyed.

Ms. Stultz said no, it was not surveyed.

Council Member Nooe said then it was based on GIS and that was appropriate and it was over 100 feet. He asked Ms. Stultz if Summit Road was a state road.

Ms. Stultz said yes.

Council Member Nooe said they then would be responsible for any traffic issues, reviewing the driveway permit or making recommendations to any improvements needed for traffic.

Ms. Stultz said the state would review the initial cut into the property; however, she was the last person who signed off on them. Any roads on the interior of the property would be City streets and have to meet City standards. City standards were almost identical to NCDOT's standards.

Council Member Nooe said he just did some work on Harrington Highway for a small commercial site and NCDOT required a turn lane in be installed for traffic control to help with the traffic. In looking at the Unified Development Ordinance, he saw the rezoning could include a variety of different housing types. He asked Ms. Stultz what the definition for that was.

Ms. Stultz said it did not mean mobile homes, which was what everyone usually thought.

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

Council Member Nooe asked if it was for single-family housing.

Ms. Stultz said it could be single family, condos, townhomes, but they all had to meet the development density as the watershed required.

Council Member Nooe asked if apartments were part of that.

Ms. Stultz said they could be.

Council Member Ellis asked if it was correct all the timber had been cleared.

An audience member answered yes.

As there was no further discussion, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Nooe amend the zoning map and adopt an ordinance to rezone 15.66 acres on Summit Road from Residential 20 to Residential Mixed Use and to adopt a resolution of a statement of consistency regarding the proposed map amendment to rezone 15.66 acres in Z-24-04. Council Member Light seconded the motion. All members present voted in favor of the motion. The motion carried 6 to 0.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF EDEN

BE IT ORDAINED BY THE CITY COUNCIL of the City of Eden, North Carolina, that, after having fully complied with all legal requirements, including publication of notice of a public hearing and the holding of a public hearing relative thereto, the Unified Development Ordinance of the City of Eden is hereby amended as follows:

Section 1 - Change from Residential 20 to Residential Mixed Use the following property:

Being all that certain Tracts or Parcels of Land containing 15.66 acres, as more particularly set forth on:

Tract 1, Parcel No. 109785 Being Parcel "A" containing 0.655 acre as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

Tract 2, Parcel No. 109786 Being Parcel "8" containing 0.653 acre as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

Tract 3, Parcel No. 108167 Being Parcel "E" containing 14.353 acres as shown on the Plat of Survey for Nannie H. Warren Estate by C.E. Robertson & Associates, Professional Land Surveyor dated May 10, 1999 and recorded in Plat Book 42, Page 61, Rockingham County Registry.

The above-described property being commonly identified by the Rockingham County Tax Dept. as containing approximately 15.66 acres and as PIN No. 7080-07-59-4339 and Parcel No. 183917.

Section 2 - The Official Zoning Map of the City of Eden is hereby amended to conform with this Ordinance.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of September, 2024.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED AMENDMENT TO  
THE CITY OF EDEN UNIFIED DEVELOPMENT ORDINANCE  
CASE NUMBER Z-24-04  
MAP AMENDMENT

WHEREAS, pursuant to North Carolina General Statutes Chapter 160D-605, prior to adoption or rejection of any zoning amendment, the Eden City Council is required to adopt a statement as to whether the amendment is consistent with the Land Development Plan and why the City Council considers the action taken to be reasonable and in the public interest;

WHEREAS, on May 17, 2022, the Eden City Council adopted the Comprehensive Plan. Plans such as the City of Eden Comprehensive Plan are not designed to be static but are meant to reflect the City of Eden's needs, plans for future development and to remain in compliance with North Carolina State Law and the City of Eden's ordinances;

WHEREAS, the City of Eden Planning Board received a request to rezone approximately 15.66 acres west of Summit Road from Residential 20 to Residential Mixed Use.

WHEREAS, On September 3, 2024, the City of Eden Planning Board voted to recommend to the Eden City Council that the rezoning request be approved.

**STATEMENT OF NEED:**

The property in question would satisfy a need in our community for housing.

**STATEMENT OF CONSISTENCY:**

The property is denoted in the City of Eden Comprehensive Plan as Suburban Residential. Areas designated as Suburban Residential are intended to remain predominantly suburban in character and provide for medium density, single-family residential development on smaller lots than those in Rural Residential areas. Future Suburban Residential development should be located near existing neighborhoods and water and sewer connections to avoid leapfrog development and isolated neighborhoods. Mixed-residential uses may occur to support conservation of open space and natural resources but should rarely exceed a gross density of 4 units per acre. Efforts should be made to allow for pedestrian connectivity and connections to Eden's planned and existing greenway system.

WHEREAS, The Eden City Council has considered the written recommendation of the City of Eden Planning Board and has held a public hearing on the proposed amendment, and the Council desires to adopt a statement describing why the adoption of the proposed amendment is consistent with the City of Eden Comprehensive Plan and why the City Council considers the proposed amendment is reasonable and in the public's best interest;

**NOW THEREFORE, BE IT RESOLVED BY THE EDEN CITY COUNCIL THAT:**

1. The Eden City Council finds that the proposed amendment to the City of Eden Unified Development Ordinance is consistent with the goals and recommendations of the 2022 City of Eden Comprehensive Plan.
2. At no time are land use regulations or plans of the City of Eden or any jurisdiction in the State of North Carolina permitted to be in violation of the North Carolina General Statutes.
3. Therefore, based upon the foregoing information, the amendment to the Unified Development Ordinance is reasonable and is in the public's best interest.

Approved and adopted and effective this 17th day of September, 2024.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

**REQUESTS AND PETITIONS OF CITIZENS:**

There were none at this time.

**UNFINISHED BUSINESS:**

- a. Consideration of appointments to Boards and Commissions.

Ms. Stultz wrote in a memo: The following seats on the City Boards and Commissions are vacant and need to be filled. When making appointments, please consider whether these people have the time or the ability (for whatever reason) to attend

regular meetings and participate in the activities of the board or commission. If you have questions, please do not hesitate to call. Ward 1 Councilman Wood - Community Appearance – Avery Moore (Resigned); Mayor Hall - Historic Preservation – Chase Lemons (Resigned).

Mayor Hall said he would hold off on his appointee as that person had a medical issue.

Council Member Wood nominated Debbie Dyer to serve on the Community Appearance Commission.

A motion was made by Council Member Ellis to appoint Debbie Dyer to serve on the Community Appearance Commission. Council Member Underwood seconded the motion. All members present voted in favor of the motion. The motion carried 6 to 0.

NEW BUSINESS:

There was none at this time.

REPORTS FROM STAFF:

a. City Manager’s Report.

Mayor Hall called on Mr. Mendenhall.

Mr. Mendenhall said they did have RiverFest coming up over the weekend and were looking forward to that. Utilities was working on the EPA and a request to delist the EPA Administrative Order and would be sending that Council’s way probably by the end of the week as that request went to Atlanta for processing and hopefully confirmation for that. He would be pleased to answer any questions.

Mayor Hall said copies were available at the meeting, online or in Eden’s Own Journal.

City Manager’s Report  
September 2024  
City Manager Jon Mendenhall

ADMINISTRATION

ADMINISTRATION

Marketing & Communications Office

TOUCH-A-TRUCK 2024 was BIG FUN! We had over 55 vehicles and pieces of equipment for kids to explore and experience, Foam Party, Monster Truck Inflatable, kids favorite strolling characters, food and more. A huge thank you to the City of Eden Public Works, Fire Department, Police Department and all the other generous operators and volunteers who partnered with us to create an awesome day of memories for the kids!

Another huge thank you to all who came and donated a huge amount of school supplies. You are the best!

We would like to send out a HUGE THANK YOU to our generous RiverFest 2024 Community Partners! This would not be the festival it is without you!

Nestle Purina Dyer’s Plumbing

City of Eden Piedmont Surfaces of the Triad

Eden Marketing & Special Events Enbridge

Leaksville Multiple Service District MVP Southgate

Gildan Tri-City Automotive

HomeTrust Bank Fair Funeral Home

UNC Rockingham Tire Max

Eden Chamber of Commerce Mike Moore Media

Duke Energy Destination Magazine

## PARKS & RECREATION DEPARTMENT

### Recreation Division

Bridge Street Recreation Center: Bridge Street Recreation Center has been busy with daily walkers and fitness classes. The afterschool program has started with 20 children attending.

Mill Avenue Recreation: Pickleball is being played Monday, Tuesday, Wednesday, Friday and Sunday afternoon. Cornhole games are also being held as well. Prowlers are gearing up for football, volleyball and cheer. All practices have started. Games for football and volleyball are beginning to start.

Mill Avenue Pool/Freedom Park Splash Pad: Are closed for the season.

Freedom Park: the lights are up and are ready for Duke Energy to hook up. All the ballfields are complete and the contractors are working on the pickleball courts.

Senior Center: The seniors are staying busy this month playing pickleball, bingo, quilt making class, line dancing classes, watercolor classes and so many more fun activities. Please check out the Garden of Eden Senior Center Facebook page with a schedule full of events.

## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

Local Codes Inspections August 1, 2024 - August 31, 2024

Total Local Code Inspections Performed 95

Local Code Notices Sent 30

Local Codes Abated 50

Inspections & Permits August 2024

Total Inspections Performed 239 (Does not include fire inspections)

Total Permits Issued 140

Boards & Commissions

The Community Appearance Commission planned to meet for the month of August, but predetermined a quorum would not be able to be established.

The Historic Preservation Commission met for the month of August and discussed current and future projects.

The Tree Board met for the month of August and discussed current and future projects.

The Planning Board postponed its regular scheduled meeting for August to September 3 due to a schedule conflict.

Veterans Park Beautification Project: Phase III- Community Appearance Commission

Staff is still collaborating the Division of Design & Construction to design an ADA accessible to walkway to the monument at the Veterans Park located near Fieldcrest Road and Main Street in the Draper area. The Community Appearance Commission has plans of outlining the walkway with a brick border and offer residents to purchase an engraved brick "In Honor" or "In Memory" of a veteran.

Ferry Road Sign Project- Historic Preservation Commission

Staff picked up two physical signs from Randy's Custom Lettering located in Walnut Cove, NC. Staff is in continued talks with NC DOT about a right-of-way encroachment easement/agreement for one of the sign locations near Third Avenue and E. Stadium Drive. Staff received agreement confirmation from the property owner of 1504 E. Stadium Drive for the other sign location and will collaborate with the City Attorney for an MOU. Staff anticipate installation of at least one of the signs in early September.

30 for 30 Tree Planting Campaign- Tree Board

Staff has finalized the campaign and plans to launch the campaign the first of September 2024 and run it through February 2025. City social media posts, flyers and local media outlets will market the campaign during the stated timeframe. Planting of trees will commence March through May of 2025. Staff continues to collaborate with Webb Irving on purchasing trees for various planting projects for fall of 2024 and spring of 2025.

## POLICE DEPARTMENT

Our four cadets began the fall BLET class on August 6, 2024, this pool of cadets will tentatively graduate in December 2024.

We received four Dodge Durangos as part of our 10-year vehicle replacement plan as approved in the FY 24-25 budget CIP in July. The vehicles have been registered with DMV and are being staged at the City shop. All equipment for the vehicle's upfitting has been ordered, with an expected delivery in the coming months.

On August 17 we attended the Touch-a-Truck event and on August 29 we attended Shaggin on Fieldcrest.

#### FIRE DEPARTMENT

The Fire Department responded to 103 calls for the month of August. The Fire Marshal completed 23 inspections the month of August. Fire Station 2 is now open and fully staffed.

#### PUBLIC WORKS DEPARTMENT

##### Streets

Maintenance activities have included concrete work 20 yards at the Fire Station on Stadium Drive is now complete. Vegetation control continues with crews mowing 38.5 acres, while also removing 735 cubic yards from City streets. Litter control and street sign maintenance and vegetation spraying were a high priority as well. Crews also focused on patching throughout the City, with 57.22 tons of asphalt work completed.

##### Construction

The Construction Crew has removed fence and graded for a new building and parking lot extension. The building pad is 37 feet by 250 feet. The parking lot is approximately 13,725 square feet. Crews have also moved approximately 820 cubic yards of dirt. Construction has also checked the known flood prone areas and removed debris from the pipe ends prior to Tropical Storm Debby. Crews have replaced 32 feet of 12 inch CMP that was rotted with 32 feet of 12 inch RCP at 251 Farrell Street. At the Dan River outfall, crews installed 85.91 ton of Class 2 riprap in eroded areas along the river bank.

##### Collections & Distribution

Collection and Distribution crews work to continue on water leaks and sewer issues as they are reported. Sewer blockages and repairs remain top priority. An increase in reports of sewer issues was noticed in August and crews addressed these as quickly and efficiently as possible. Maintenance work continues on easements and outfalls.

##### Solid Waste

The Solid Waste Division continues to work on collection of solid waste and transferring/hauling it to the landfill. The amount of municipal solid waste (MSW) hauled in the past month was 435.38 tons. The amount of vegetative tonnage (brush) collected in August was 13.94 tons while bulk waste tonnage collected was 178.80 tons.

##### Fleet

The Fleet Division had 208 work orders which includes all outside repairs, road calls as well as regular service, tires and NC inspections.

##### Utilities

Staff met with 120 Water to discuss our progress on the inventory for Lead and Copper. Staff met with J Cumby staff to discuss potential changes to bid for Railroad that could lower the bid cost. Reductions were found but items were also suggested for further improvement. Staff agreed with the assessment and proposed it to management. A change order was approved for the North Basin cleanout project. Synagro is scheduled to be complete by the end of the month unless they have more issues. The Annual Sewer Report has been submitted to the State. A copy is on the City website for review.

#### CONSENT AGENDA:

- a. Approval and adoption of the August 20 regular meeting minutes.
- b. Approval and adoption of a resolution approving the Local ABC Board's Travel Policy.

ABC General Manager Gary Robinette wrote in a memo: I am writing at the request of the Eden ABC Board. N. C. General Statute 18B-700(g2) Requires that the Local ABC Board adopt a travel policy that conforms to the Travel Policy of the appointing authority, and such policy is to be approved by the appointing authority annually. We are seeking this approval from the Eden City Council. If approved as stated in the statute, the local board shall annually provide the appointing authority's written confirmation of such approval to the ABC Commission, and a copy of the Travel Policy authorized by the appointing authority. I am requesting that City Council consider this item on their consent agenda at the September 17th meeting.

#### RESOLUTION APPROVING EDEN ABC BOARD TRAVEL POLICY

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

WHEREAS, the City of Eden is the appointment authority for the local ABC Board, and;

WHEREAS, pursuant to N.C.G.S. § 18B-700(g2), the City of Eden, as the appointing authority, shall approve the travel policy adopted by the local board. Such travel policy shall conform and be the policy used by the City of Eden.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the local ABC Board has adopted a travel policy that is identical to and conforms to the travel policy of the City of Eden, and that the City Council for the City of Eden hereby approves such policy.

APPROVED, ADOPTED AND EFFECTIVE, this 17th day of September, 2024.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- c. Approval and adoption of a Capital Project Ordinance adopting a capital project fund to appropriate funds from NCDENR.

Assistant Finance Director Amy Winn wrote in a memo: The attached Capital Project Ordinance adopts a capital project fund to appropriate grant funds received from North Carolina Department of Environment and Natural Resources – Water Infrastructure Fund for wastewater projects and wastewater collection system rehabilitation. City Council accepted this grant at the council meeting on May 21, 2024.

#### Post EPA Sewer System Capital Project Ordinance

Be it Ordained by the Governing Board of the City of Eden, North Carolina, that pursuant to section 13.2 of Chapter 159 or the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The projects authorized are the Smith River Sewer Siphon Replacement and the Kings Highway Sewer Line Replacement to be financed by a General Assembly appropriation.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, grant documents, and the budget contained herein.

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

- Smith River Sewer Siphon Replacement
- Kings Highway Sewer Line Rehab
- \$ 5,000,000
- \$ 2,000,000
- \$ 7,000,000

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

- General Assembly Appropriation \$ 7,000,000

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6: Funds may be advanced from the Water/Sewer Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The Finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed budget analysis of past and future cost and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this project ordinance shall be furnished to the clerk of the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.



Duly adopted this 17th day of September 2024.  
Neville Hall, Mayor

Certification

I, Deanna Hunt, the duly appointed Clerk to the City Council of the City of Eden, North Carolina, do hereby certify that that the foregoing is a true and correct copy of which was adopted by the City Council at its regular meeting held on the 17th day of September 2024.

Deanna Hunt, City Clerk

- d. Approval and adoption of a resolution to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024.

City Attorney Erin Gilley wrote in a memo: On July 24, 2024, the City Council adopted a Resolution to adopt the City and County Public Utilities Agreement upon execution of both parties and to authorize the acquisition of Fishing Creek Pump Station and accompanying lines upon an agreed upon price. The County has declined to accept this agreement and offer. As a result, staff is requesting the City Council to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024 at your September City Council meeting. Please contact me if you have any questions.

RESOLUTION RESCINDING

“RESOLUTION TO ADOPT AND APPROVE THE CITY COUNTY PUBLIC UTILITIES AGREEMENT”

WHEREAS, on July 24, 2024, the City Council adopted a Resolution to adopt the City and County Public Utilities Agreement upon execution of both parties; and

WHEREAS, said Resolution also authorized City staff to finalize the acquisition of Fishing Creek Pump Station and accompanying lines from Rockingham County; and

WHEREAS, Rockingham County has declined to accept the terms of the City County Public Utilities Agreement adopted by the City Council; and in the opinion of City Council, it is deemed in the best interest of the City of Eden to rescind the Resolution to Adopt and Approve the City County Public Utilities Agreement dated July 24, 2024; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden that the Resolution to Adopt and Approve the City and County Public Utilities Agreement is hereby rescinded;

BE IT FURTHER RESOLVED, by the City Council for the City of Eden that the City Manager is authorized to in all aspects rescind the Resolution to Adopt and Approve the City and County Public Utilities Agreement adopted by City Council on July 24, 2024, authorizing the adoption of the Agreement and the acquisition of Fishing Creek Pump Station and accompanying lines from Rockingham County.

APPROVED, ADOPTED AND EFFECTIVE this 17th day of September, 2024.

CITY OF EDEN

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

- e. Consideration of an ordinance Amending the Schedule of Rates and Fees – Addition of Bulk Rates.

City Manager Jon Mendenhall wrote in a memo: In order to update a sewer rate for bulk/large volume users, the following adjustments to the Schedule of Rates and Fees are necessary, effective January 1, 2025:

1. The Economic Development rate schedule found on Page 18 will be rolled into a Bulk Rate Schedule, the actual rates will be used accordingly in the new Bulk Rate Schedule.
2. The Non-contract Industrial High Volume Usage Economic Development Water & Sewer Rates will be updated to tie to the Economic Development rate schedule and tiered based on benefit to the City’s tax and utility customer base (inside rates) or solely to the utility customer base (outside rates). The update will rename, clarify, and expand rate tiers under the new name of the new Bulk Rate Schedule.
3. The Bulk Rate Schedule will be used to replace the entirety of Page 18, and is included below:

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

Industrial  
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.53	\$ 13.06	\$ 11.64	\$ 23.28
Tier 2	1,000,001.00	1,500,000.00	\$ 6.41	\$ 12.82	\$ 11.43	\$ 22.86
Tier 3	1,500,001.00	2,000,000.00	\$ 6.30	\$ 12.59	\$ 11.22	\$ 22.45
Tier 4	2,000,001.00	3,000,000.00	\$ 6.25	\$ 12.49	\$ 11.13	\$ 22.27
Tier 5	3,000,001.00	5,000,000.00	\$ 6.20	\$ 12.39	\$ 11.05	\$ 22.09
Tier 6	5,000,001.00	10,000,000.00	\$ 6.15	\$ 12.29	\$ 10.96	\$ 21.91
Tier 7	10,000,001.00	30,000,000.00	\$ 6.10	\$ 12.20	\$ 10.87	\$ 21.74

Notes for Industrial Bulk Rate Schedule:

1. Industrial bulk users are defined as users with above 500,000 gallons per month water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the industrial bulk rate schedule.
2. Industrial bulk rate users are single accounts, non-purchase systems, water and sewer may not be resold.
3. Industrial bulk rate users in excess of the maximum monthly consumption or that offer compelling economic development opportunities are encouraged to negotiate contract rates that are more advantageous than the schedule found herein.

Institutional (Governmental & Hospital)  
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.25	\$ 12.50	\$ 11.50	\$ 23.00
Tier 2	1,000,001.00	1,500,000.00	\$ 6.03	\$ 12.05	\$ 10.81	\$ 21.62
Tier 3	1,500,001.00	2,500,000.00	\$ 5.81	\$ 11.62	\$ 10.16	\$ 20.32

Notes for Institutional (Governmental & Hospital) Bulk Rate Schedule:

1. Institutional (Governmental & Hospital) bulk users are defined as users with above 500,000 gallons per month of water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the institutional (governmental and hospital) bulk rate schedule.
2. Institutional (Governmental & Hospital) bulk rate users are single accounts. Should a institutional (government and hospital) customer operate a purchase system and resell water and/or sewer services, the ratio of end-users shall be seventy five percent (75%) institutional (government and hospital), when the usage ratio falls below seventy five percent (75%) the customer's entire usage will be billed at the prevailing commercial rate. Customers shall be responsible for providing, upon request, proof of the customer's usage.
3. When the annual average consumption exceeds 2,500,000 gallons monthly the customer will be considered commercial and billed at the corresponding commercial rate for all their usage.

The section being replaced is excerpted below for reference purposes:

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

Economic Development Rate (single accounts - rate will be charged on any usage more than 500,000 gallons but less than 3,000,000 per month)

Per 1,000 Gallons Usage Charge	July 1, 2024	
	Inside City Monthly	Outside City Monthly
Per 1,000 Gallons Usage Charge	Water	
	5.70	11.40
Per 1,000 Gallons Usage Charge	Sewer	
	11.16	22.32

Non-Contract Industrial High Volume Usage Economic Development Water & Sewer Rates\*\*

Daily Usage Gallons per day	Monthly Usage Gallons per day	Water per 1000 gallons	Sewer per 1000 gallons
100,000 - 167,000	3,000,000 - 5,000,000	4.23	5.01
167,001 - 250,000	5,000,001 - 7,500,000	4.13	4.76
250,001 - 375,000	7,500,001 - 10,000,000	4.03	4.61
375,001 - 500,000	10,000,001 - 15,000,000	3.93	4.46
500,001 - 750,000	15,000,001 - 22,500,000	3.83	4.36
750,001 - 1,000,000	22,500,001 - 30,000,000	3.73	4.26
1,000,001 - 2,000,000	30,000,001 - 60,000,000	3.64	4.16
2,000,001 - 3,000,000	60,000,001 - 90,000,000	3.54	4.06

\*\*These rates run for 12 months (January to December) and the usage is assessed annually each November for the following coming year's billing rate (beginning January 1<sup>st</sup>) based on the previous year's average monthly usage. These rates are adjusted annually based on the audit as the contracted rates are adjusted each year.  
Lower Contract Rates are available based with terms and agreements of extended use for set periods of time. Contract rate requests must be made through the Economic Development Department for the Eden city Council's consideration and approval.

ORDINANCE TO AMEND THE 2024-2025 BUDGET ORDINANCE FOR THE CITY OF EDEN, NORTH CAROLINA

WHEREAS pursuant to NCGS § 162-A, the City of Eden must fix and revise, at times, its water and sewer fees, and charges so that the revenues of the City, together with any other available funds, will be sufficient at all times to pay the cost of maintaining, repairing, and operating the systems or parts thereof owned or operated by the City; and

WHEREAS the City believes that it is in the best interest of the City, and is fair and equitable to revise its water and sewer rates with regard to the bulk sale of water and sewer treatment;

BE IT ORDAINED by the City Council of the City of Eden, North Carolina, that Section 13, Tax and Service Rates, Sub-Section 17 Water and Sewer Fees, (Page 18 of the Tax and Service Rates will be replaced in its entirety) of the Budget Ordinance adopted June 18, 2024, is amended as follows:

Industrial Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
	Min Gal/Mo	Max Gal/Mo	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal	Per 1,000 Gal
Tier 1	500,000.00	1,000,000.00	\$ 6.53	\$ 13.06	\$ 11.64	\$ 23.28
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Tier 6	5,000,001.00	10,000,000.00	\$ 6.15	\$ 12.29	\$ 10.96	\$ 21.91
Tier 7	10,000,001.00	30,000,000.00	\$ 6.10	\$ 12.20	\$ 10.87	\$ 21.74

Notes for Industrial Bulk Rate Schedule:

- Industrial bulk users are defined as users with above 500,000 gallons per month water and/or sewer usage. If a user falls under 500,000 gallons per month annual average monthly consumption the user will not be eligible for the industrial bulk rate schedule.
- Industrial bulk rate users are single accounts, non-purchase systems, water and sewer may not be resold.

Minutes of the September 17, 2024 meeting of the City Council, City of Eden:

- Industrial bulk rate users in excess of the maximum monthly consumption or that offer compelling economic development opportunities are encouraged to negotiate contract rates that are more advantageous than the schedule found herein.

Institutional (Governmental & Hospital)  
Bulk Rate Schedule

Bulk Rate Tier	Bulk Rate Categories of Usage		Inside Water	Outside Water	Inside Sewer	Outside Sewer
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- Institutional (Governmental & Hospital) bulk rate users are single accounts. Should a institutional (government and hospital) customer operate a purchase system and resell water and/or sewer services, the ratio of end-users shall be seventy five percent (75%) institutional (government and hospital), when the usage ratio falls below seventy five percent (75%) the customer’s entire usage will be billed at the prevailing commercial rate. Customers shall be responsible for providing, upon request, proof of the customer’s usage.
- When the annual average consumption exceeds 2,500,000 gallons monthly the customer will be considered commercial and billed at the corresponding commercial rate for all their usage.

This Ordinance Amendment shall be effective on January 1, 2025.

APPROVED, ADOPTED this 17th day of September 2024.

By: Neville Hall

Attest: Deanna Hunt

A motion was made by Council Member Kirkman to approve the Consent Agenda. Council Member Underwood seconded the motion. All members present voted in favor of the motion. The motion carried 6 to 0.

ANNOUNCEMENTS:

Mayor Hall congratulated Marketing & Special Events Manager Cindy Adams and her crew on Touch-A-Truck. It was a great success. As Mr. Mendenhall mentioned, the City’s signature event – RiverFest – would be Friday from 5 to 10 and Saturday 10 to 10. There was plenty of time for everyone to make a trip to Uptown Eden and enjoy RiverFest. Ms. Adams had worked so hard on it and other staff in the City came together to make it happen. He called Ms. Adams forward.

Ms. Adams said the main thing she wanted to do was bring attention to the sponsors because without them, the festival absolutely would not be possible. There had been some very generous sponsors that year.

Sponsors included:

- City of Eden
- Eden Marketing & Special Events
- Nestle-Purina (presenting sponsor)
- Dyer’s Plumbing (presenting sponsor)
- HomeTrust Bank
- UNC Health Rockingham
- Leaksville Municipal Service District
- Gildan
- Piedmont Surfaces of the Triad

- Enbridge
- Eden Chamber of Commerce
- MVP Southgate
- Fair Funeral Home
- Tire Max
- Mike Moore Media
- Destination Magazine
- Duke Energy
- Tri-City Automotive.

Ms. Adams said it was an impressive group. A lot of them would be there with booths. Dyer's would do a duck drop which was excellent. Their duck truck would be there and they would have a double booth. They would be launching T-shirts. That in and of itself would be an event. The vendors spots were sold out. The vendor list was huge. So much of the marketing, which with Mr. White's permission she would be entering for an award with Main Street, was done by Ms. Hunt who made them look so good. Ms. Adams got emotional about it because Ms. Hunt was such a good partner with her. Ms. Adams could download her information to Ms. Hunt, who then created exactly what was needed. Tabitha Brown had shared a lot of information that day and she was driving a huge crowd. Ms. Adams had messages from Pennsylvania and Atlanta, all over. One lady called Ms. Adams and said she and her daughter were coming, getting a hotel room and having special shirts made as they had waited seven years for the moment. It was a big deal to a lot of people. The merchants were working hard to make their places inviting. She could not do it without Public Works, Facilities & Grounds, and Parks & Recreation. They worked hard. They had been cleaning and preparing some other things. A cement slab was poured in the park downtown and the celebrity chef coming would use it for the event. She could not say enough good things about them. She would do a big thank you later and list everyone. The weather was perfect. Currently it was forecast for sunny and 80. She hoped Council would come and participate. She encouraged everyone to use shuttles. There were 22,000 to 23,000 who attended in 2023. With all the festival offered, including Ms. Brown's presence, Ms. Adams would be surprised if attendance did not break the 30,000 mark. It would be a record. She hoped everyone came and enjoyed.

Mayor Hall thanked Ms. Adams and said he knew she would be relieved Sunday morning. The streets would be clean Sunday morning. The cleanup crews were incredible, like it never happened.

Council Member Ellis wanted to put a plug in for Prowlers volleyball and football. He had been to a lot of practices and games. He was really proud of what the City had done for the program. In volleyball, there were eight teams of fourth through eighth graders. There were around 70 girls for that program and a couple of guys. There were around 80 players in football with teams in flag tag, 8U, 10U and 12U. It was a special thing for Eden to get involved with the neighboring counties. It was good for the kids to see the athletic abilities of others, to see the kids grow and learn how sports should be. He was proud of the Prowlers and what the City had done for the organization.

Council Member Underwood wanted to also thank the Draper Volunteer Fire Department for participating in the parade for his dad. He thought they had four vehicles in it.

ADJOURNMENT:

As there was no further business to discuss, a motion was made by unanimous consent to adjourn.

Respectfully submitted,

---

Deanna Hunt, City Clerk

ATTEST:

\_\_\_\_\_  
Neville Hall  
Mayor



To: Honorable Mayor and City Council

Thru: Jon Mendenhall, City Manager

From: Amy P. Winn, CPA  
Assistant Director of Finance

Date: October 15, 2024

Re: Grant Project Ordinance

The attached ordinance and resolutions are needed to finalize the use of the City's ARPA funds. ARPA funds need to be obligated by December 31, 2024. The projects budgeted for in FY 24-25 to use ARPA funds will not be complete by December 31, 2024 (Police in-car/body camera contract and the hypochlorite conversion project). The attached budget ordinance transfers these funds to salaries and benefits so that the savings in salaries and benefits can be used to cover these projects after December 31, 2024.



**GRANT PROJECT ORDINANCE**  
**for the City of Eden American Rescue Plan Act of 2021:**  
**Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the City Council of the City of Eden, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLFRF). The City of Eden has received CSLFRF funds in the amount of \$4,744,130. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

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

**Section 2:** The following amounts are appropriated for the project and authorized for expenditure:



Premium Pay (GF &W/ S)	178,000.00
Employee Retention (GF & W/ S)	1,294,500.00
Police In-Car Cameras/ Body Cameras	302,500.00
City Hall Re-Cable/ Ceiling Tile	91,500.00
Renovation of Fire Station # 4	235,400.00
Fire Department Radio Replacement	320,000.00
Monroe Street Sidewalk	43,600.00
Police Salaries	289,400.00
Replace Sludge Dump Valve (Water Filtration)	28,000.00
Generator Upgrade (Water Filtration)	77,800.00
Sed Basin Monorake (Water Filtration)	19,200.00
Paint Sludge Scrapper (Water Filtration)	14,000.00
Pump Station Generator (C&D)	33,500.00
Bryd Street Tank Removal (C&D)	60,000.00
Clarifier Rehab (WWT)	46,000.00
Gate Repairs (WWT)	18,100.00
Bar Screens (WWT)	190,500.00
Service Truck (Water Resources)	120,000.00
Sodium Hypochlorite Project (WF & WWT)	55,600.00
Sampler for Industry (WWT)	6,300.00
Railroad Pump Station Improvements	25,300.00
W/ S Salaries/ Benefits July 1 - Dec 31, 2024	1,492,600.00
<b>TOTAL</b>	<b><u>4,941,800.00</u></b>

**Section 3:** The following revenues are anticipated to be available to complete the project:

<b>CSLFRF Funds:</b>	4,744,200.00
<b>Investment Earnings:</b>	97,600.00
<b>TOTAL</b>	<b><u>4,841,800.00</u></b>

**Section 4:** 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.

**Section 5:** The Finance Officer is hereby directed to report the financial status of the project to the governing board on a monthly basis.

**Section 6:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to City Council.

**Section 7:** This grant project ordinance expires on December 31, 2026, or when all the CSLFRF funds have been obligated and expended by the city, whichever occurs sooner.

Duly adopted this 15<sup>th</sup> day of October, 2024.

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Neville Hall, Mayor

CERTIFICATION

I, Deanna Hunt, the duly appointed Clerk to the City Council of the City of Eden, North Carolina, do hereby certify that that the foregoing is a true and correct copy of which was adopted by the City Council at its regular meeting held on the 15<sup>th</sup> day of October 2024.

---

Deanna Hunt, City Clerk



## **RESOLUTION** **Eligible Use Policy**

**WHEREAS**, the City of Eden 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;
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
6. Invest in certain disaster recovery/mitigation projects, Title I projects, and Surface Transportation projects; 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 Eden City Council hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds.

ATTEST:

\_\_\_\_\_  
Neville Hall, Mayor

\_\_\_\_\_  
Deanna Hunt, City Clerk

# 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 the City of Eden 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. Treasury subsequently released an Interim Final Rule related to certain additional eligible expenditures, referred to as ARP/CSLFRF-Flex. 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 most ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. (For certain Title I and Surface Transportation projects, expenditures must occur no later than September 30, 2026.) Failure of an entity to obligate and expend all funds by these deadlines 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
6. Invest in certain disaster recovery/mitigation projects, Title I projects, and Surface Transportation projects; 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 City of Eden 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 City of Eden 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 City of Eden employees and officials must comply with these requirements.

1. ARP/CSLFRF funding, must be made in writing and include all the following:
  - a. Brief description of the project
  - b. Identification of ARP/CSLFRF Expenditure Category (EC) (A list of ECs in in the Appendix to the US Treasury Compliance and Reporting Guidance.)
  - c. Required justifications for applicable projects, according to the requirements in the Final Rule. Employees or any applicant seeking ARP funding should review the Final Rule, Final Rule Overview, and ARP/CSLFRF-Flex Interim Final Rule, and Interim Final Rule Overview prior to submitting a proposal.
  - d. Proposed budget, broken down by cost item, in accordance with the City of Eden's Allowable Cost Policy.
  - e. A project implementation plan and estimated implementation timeline
2. Requests for funding must be submitted to City Manager for approval. All requests will be reviewed by City Manager/Director of Finance for ARP/CSLFRF compliance and by Director of Finance for allowable costs and other financial review.
3. No ARP/CSLFRF may be obligated or expended before final written approval by the City Manager. The City Council will approve and budget ordinance for all ARP projects. Any changes in the budget ordinance will require City Council approval.
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by the City Manager and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the City Manager immediately.
6. Director of Finance must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. Director of Finance must maintain all supporting documentation, and financial information until at least 5 years after all the ARP/CSLFRF funds are expended or returned to US Treasury.



**RESOLUTION**  
**For Allowance Costs and Cost Principles for the Expenditure**  
**of American Rescue Plan Act Coronavirus**  
**State and Local Fiscal Recovery Funds**

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

**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 City of Eden hereby adopts and enacts the following US Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

Adopted this the 15th day of October, 2024.

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Neville Hall, Mayor

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Deanna Hunt, City Clerk



## 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).

City of Eden 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 City Manager and Director of Finance 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 City Manager and Director of Finance. 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.

### 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 [LOCAL GOVERNMENT NAME] 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 City of Eden, its employees, the public at large, and the federal government.
  - Whether City of Eden 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 City of Eden.**
- 6. Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and 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.**

## **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 City of Eden 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.

## **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.

### **§ 200.416 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.

### **COST ALLOWABILITY REVIEW PROCESS**

#### **PREAPPROVAL COST ALLOWABILITY REVIEW**

Before an ARP/CSLFRF-funded project is authorized, the City manager and Director of Finance 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 City Manager 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, if required, the City Manager and Director of Finance must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by the US Treasury.
- If a proposed project includes a request for an unallowable cost, the City Manager 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 City Council 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 Director 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 Director will return the invoice to the project manager and/or vendor, contractor, or subrecipient for correction.
- The Finance Director must review the individual cost items listed on the invoice or other demand for payment to determine their allowability and allocability.
- If all cost items are deemed allowable and properly allocable, the Finance Director must proceed through the local government's normal disbursement process.
- If any cost item is deemed unallowable, the Finance Director 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 Director may in their discretion, and consistent with this policy, allow an invoice or other demand for payment to be resubmitted with a revised cost allocation. If the local government remains legally obligated by contract or otherwise to pay the disallowed cost item, it must identify other local government funds to cover the disbursement. The City of Eden's governing board must approve any allocation of other funds for this purpose.
- The Finance Director must retain appropriate documentation of budgeted cost items per project and actual obligations and expenditures of cost items per project.

#### **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	2 CFR § 200.453	Allowable with restrictions

costs of computing devices		
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

## **Record Retention Policy Addendum: For Documents Created or Maintained Pursuant to the American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Fund Program**

**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 City of Eden to follow Treasury’s record retention requirements as it expends CSLFRF pursuant to the APR/CSLFRF award. Accordingly, the City of Eden 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 City of Eden’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 rational 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:** City of Eden’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.