

CITY OF EDEN, N.C.

A regular meeting of the City Council, City of Eden, was held on Tuesday, October 15, 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 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.

Council Member and Pastor Jerry Epps gave an invocation followed by the Pledge of Allegiance led by Parker Woodall, sixth grader at Holmes Middle School, and Norah Woodall, third grader at Stoneville Elementary School.

PROCLAMATIONS, RECOGNITIONS AND RESOLUTIONS:

a. Recognition: The Hair Company for 50 years in business

Mayor Hall called owner Kim Woodall and her team forward. He said half a century in business was special for any institution but for a service business like a hair salon, 50 years was an amazing accomplishment. In 1974, stylist Larry Turner started The Hair Company in The Professional Arts Building on Highway 14 across from the hospital. In 2000, Larry moved The Hair Company to its present location at 624 Monroe Street. In 2003, stylist Kim Woodall began working at the salon and was now the proud owner of the business. Kim knew exactly what had enabled The Hair Company to not only stay in business 50 years, but to grow, thrive and become an integral part of Uptown Eden - the support of clients and her team of nine stylists. One of those was the original owner – Mr. Turner - who to this day cut hair for some of the very clients who first visited the business in 1974. The Hair Company invited the community to celebrate their 50th Anniversary on Friday, Oct. 18 from 3 to 6 p.m. at the salon with food, drinks, special vendors and exclusive deals. He congratulated The Hair Company on 50 years in business and thanked them for being a part of Eden's business community. He presented Ms. Woodall with a framed anniversary print.

Ms. Woodall said as much of an honor as it would be to accept the award, she could not as she was not even 50 years old. She had worked for The Hair Company for 21 years, and of those years she had owned it for four years. The acknowledgement should go to her mentor Mr. Turner and she presented it to him.

Mr. Turner said a lot had changed in 50 years. The loyalty of the people in Eden had not changed. The salon was on a third generation of families visiting The Hair Company. They appreciated it every day. He thanked everyone.

b. Recognition: Eden First Responders contribution to Tropical Storm Helene recovery efforts

Mayor Hall asked the members of the Eden Rescue Squad and Eden Fire Department in attendance to stand and he recognized them for their selfless dedication and time when they deployed to help our neighbors in Western North Carolina. He said everyone had seen how bad it was there and any help they could get was always

appreciated. He knew it was a hard place to go and see what happened but it meant a lot to the people out there. He thanked the members for going and serving those people. It was appreciated.

c. Proclamation: Indigenous Peoples' Day

Mayor Hall asked Patric Suarez to come forward and he read the proclamation.

Mr. Suarez thanked the City for giving his group the opportunity to come. It was their third year putting on the Youth Powwow which was across the street. It was held in the gym because of the unpredictable weather in April. They would like to bring more awareness to Native Americans in Eden and the surrounding areas. Indigenous Peoples' Day coincided with Columbus Day to let people know that Native Americans were still here, a vital part of society and still thriving. Many states, cities and even the federal government were issuing such proclamations. He appreciated Eden for doing the proclamation and hoped it could be done yearly and he could bring more people. He presented Mayor Hall with sage which was used to purify the body and air. He thanked the City for the recognition.

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; and

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 15th day of October, 2024.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

d. Resolution: Imagine A Day Without Water

Mayor Hall called Utilities Manager Melinda Ward to come forward and he read the resolution.

Ms. Ward said on Thursday, the City would be taking a moment to imagine a day without water. They did it yearly to remember the role that water played in each aspect of their lives. Nearly everything that was used needed water in some form or fashion in order to be created, produced or transformed. Luckily, the City only had to imagine it but they had neighbors to the west who were not only imagining it but were living it right now. It was not just one day but multiple days, weeks and possibly months before they were going to see any kind of improvement in their system where they had entire systems actually destroyed or damaged due to the hurricane that went through those areas. She thanked Council and the citizens for their continued efforts in keeping the

City's infrastructure funded. What happened in Western North Carolina was beyond anyone's control but at the same time, the City did not want to find itself in the same course of action in the future. She wanted everyone to realize that every dollar spent was doing something that would benefit the City and the future of the community.

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 15th day of October, 2024.  
By: Neville Hall, Mayor  
Attest: Deanna Hunt, City Clerk

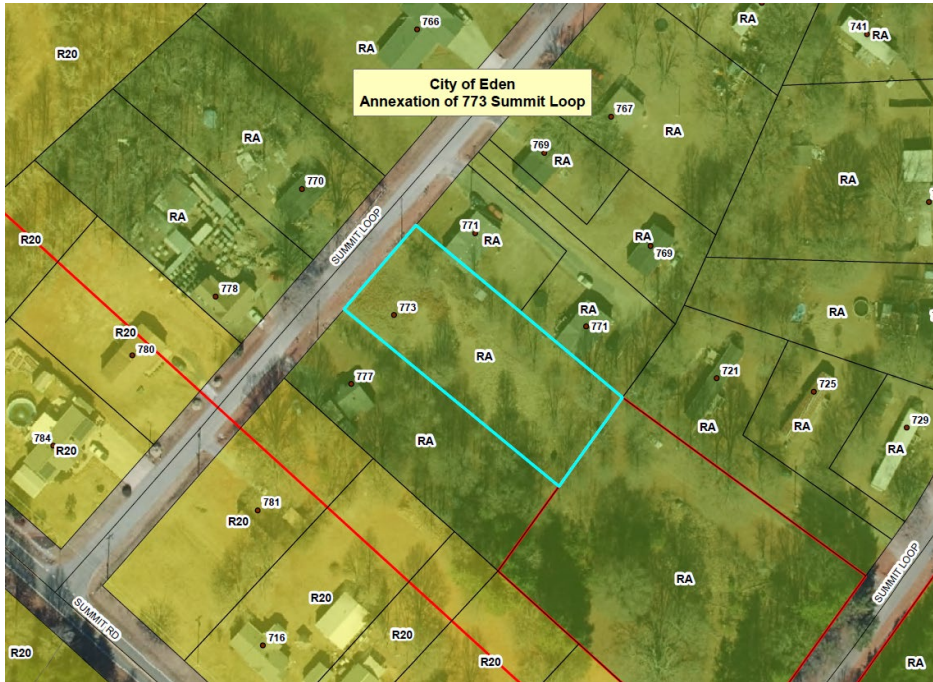
SET MEETING AGENDA:

A motion was made by Council Member Epps to set the meeting agenda. Council Member Light seconded the motion. All members voted in favor of the motion. The motion carried 7 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 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.



Mayor Hall said the item would be continued to the November meeting as it was waiting on some paperwork.

- b. Consideration of an amendment to the CDBG-CV project to seek additional funding to repair and renovate Draper Elementary School.

Ms. Stultz wrote in a memo: 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.

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

Ms. Stultz said as Council was aware, the City received some Covid-19 money a couple of years ago and was not able to spend all the money for the original intended use. The City was given permission by the State, because of its importance to education and further efforts in the City, to spend that money that was left on renovating the former Draper High School, also called Intermediate at one time and where she went to fifth and sixth grades. The building was in a shape that could be usable with the funds the City had; however, staff learned a large amount of the ARPA money was not entangled or encumbered allowing the City to apply for up to \$5 million to do additional work on the building. With the money the City had, it could be made usable, livable, all those things. There were simple things like the student bathrooms which met building code but had no heat or air in them. There were a lot of little things like that staff hoped to accomplish. Staff was not able to give an exact list of what might be done until staff learned how much, if any, funding would be received. Once that was done, it would go through a staff committee, designer, etc., before coming back to Council to approve. Staff had received permission to replace the roof out of order of the rest of the renovations and held a bid opening that morning. Only one bidder showed up on time and so the bid could not be opened. About an hour later a local roofer came in with a bid and

staff could not accept it either. It would be re-advertised and in another two weeks staff would hopefully open those bids. If they just had one bid the next time, it could be opened. Staff wanted to work on getting the roof done as quickly as possible. She asked that Council allow staff to apply for the money which was going to go somewhere and may as well come to help Eden.

Council Member Nooe asked how many square feet were in the existing building.

Ms. Stultz did not know right away.

Council Member Nooe said square footage cost had been included. He was curious how that related to the \$5 million.

Ms. Stultz said it was a just a guesstimate as \$5 million was all the City could get.

Council Member Nooe said for \$300/square foot, a 16,000-square-foot building could be built. He asked if a new building could be constructed with the funds or if it was restricted to upfitting.

Ms. Stultz said the funds were available only for projects that had already been funded.

Council Member Ellis asked if it being a building constructed during President Franklin Roosevelt's tenure could help secure funding.

Ms. Stultz said yes, it was built during the Works Progress Administration and that helped a lot.

Council Member Ellis said it was a positive that the City was capable of getting the funding to preserve the building. It would be a plus for the recreation department.

Ms. Stultz said they would be the main user. There were all kinds of grant funds out there and the wisdom of grant programs could be debated; however, if the funds were going to be shared with communities, Eden may as well put their projects up to be considered in her opinion. She asked that Council allow staff to move forward.

As there was no further discussion and no one came forward to speak, Mayor Hall declared the public hearing closed.

A motion was made by Council Member Ellis to approve an amendment to the CDBG-CV project to seek additional funding to repair and renovate Draper Elementary School. Council Member Epps seconded the motion.

Mayor Hall pointed out the vote was not to spend \$5 million but was just asking to apply for the grant.

All members voted in favor of the motion. The motion carried 7-0.

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. Mayor Hall - Historic Preservation – Chase Lemons (Resigned).

Mayor Hall nominated Mike Quickel to serve on the Historic Preservation Commission.

A motion was made by Council Member Nooe to appoint Mike Quickel to serve on the Historic Preservation Commission. Council Member Wood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

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 he would be happy to answer any questions.

Mayor Hall said copies were available at the meeting and online.

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.

### CONSENT AGENDA:

- a. Approval and adoption of the September 17 regular meeting minutes.
- 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.

Assistant Finance Director Amy Winn wrote in a memo: 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.

*A copy of the policies is available in the Office of the City Clerk.*



**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:

CSLFRF Funds:	4,744,200.00
Investment Earnings:	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 15th day of October, 2024.

By: 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 15th day of October 2024.

#### 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.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

#### 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.

By: Neville Hall, Mayor

Attest: Deanna Hunt, City Clerk

A motion was made by Council Member Epps to approve the Consent Agenda. Council Member Wood seconded the motion. All members voted in favor of the motion. The motion carried 7-0.

ANNOUNCEMENTS:

Mayor Hall said RiverFest was such a good event and the City was so proud of it. He asked if Marketing & Special Events Manager Cindy Adams wanted to give any information.

Ms. Adams said the following month she would like to have a volunteer recognition and lunch. In the meantime, the numbers had come in from placer.ai at 24,300 people. There were a little over 22,000 in 2023. The festival was great and went very smooth. She thought the community and visitors liked it. There was a good variety of things. They did shuttles because of parking issues. On Friday night, they shuttled 680 people and 1,400 on Saturday in three 15-passenger vehicles. They were very busy. She thanked Council for their support. RiverFest would not happen at the level it was done without the sponsors and they would be recognized the following month. She would expand on it more the following month.

Mayor Hall noted Friday, Oct. 25 was Treat Street in Uptown Eden followed by the Halloween Parade in Freedom Park on Saturday, Oct. 26 at 11 a.m.

ADJOURNMENT:

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

Respectfully submitted,

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Deanna Hunt, City Clerk

ATTEST:

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Neville Hall  
Mayor