

RESOLUTION
by the
Vance County Board of Commissioners
Funding Project No. SRP-D-134-0054
(Revised per August 26, 2024 DEQ-DWI Funding Offer)

WHEREAS, Vance County has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of \$3,940,000 to perform work detailed in the submitted application; and

WHEREAS, Vance County intends to perform said project in accordance with the agreed scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE VANCE COUNTY BOARD OF COMMISSIONERS:

1. That Vance County does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of \$3,940,000 (Project No. SRP-D-134-0054 and Revised Funding Offer dated August 26, 2024).
2. That Vance County does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That County Manager C. Renee Perry, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

This, the 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair
Vance County Board of Commissioners

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Water District Board

Chair R. Dan Brummitt called the Water District Board to order.

The Board of Commissioners for the County of Vance, North Carolina, in its capacity as the governing body of the Vance County Water District, met in a regular meeting in the Commissioners' Meeting Room of the Vance County Administration Building located at 122 Young Street in Henderson, North Carolina, the regular place of meeting, at 6:00 p.m. on September 3, 2024.

Present: Chair R. Dan Brummitt, presiding, and Commissioners Sean A. Alston, Sr.,

Yolanda Feimster, Thomas S. Hester, Jr., Leo Kelly, Jr., and Archie B. Taylor, Jr.

Absent: Commissioner Carolyn Faines

Also Present: County Manager C. Renee Perry, Finance Director Stephanie Williams,

County Attorney Jonathan Care, and Clerk to the Board Kelly H. Grissom

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Chair R. Dan Brummitt introduced the following resolution, the title of which was read and a copy of which had been previously distributed to each Commissioner:

RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$1,672,000 WATER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2024

BE IT RESOLVED by the Board of Commissioners (the “Board”) for the County of Vance, North Carolina, in its capacity as the governing body of the Vance County Water District (the “District”) as follows:

Section 1. The Board has determined and does hereby find, declare and determine:

(a) On September 10, 2018, the Board adopted a Bond Order (the “Bond Order”) designating the existing water system of the District as the “System” thereunder, and providing that revenue bonds of the District may be issued under the provisions of The State and Local Government Revenue Bond Act, Article 5 of Chapter 159 of the North Carolina General Statutes, as amended (the “Act”), such revenue bonds to be secured by the revenues of the System as provided in the Bond Order and the Act.

(b) The District has determined to make certain “System Improvements” to the System consisting of the installation of new water mains and appurtenances to serve residents within the Kittrell Township of Vance County with public water (the “Project”). The District proposes to finance the Project through the issuance of “Additional Bonds” under the Bond Order, consisting of not exceeding \$1,672,000 Water System Revenue Bonds of the District (the “Bonds”) to be issued pursuant to the Act and the Bond Order.

(c) The Bond Order authorizes the District to issue revenue bond anticipation notes in anticipation of the receipt of the proceeds of the sale of the Bonds.

(d) The United States of America Department of Agriculture—Rural Development has committed to purchase the Bonds in the aggregate principal amount of not to exceed \$1,672,000 to evidence a loan to the District, the proceeds of which will be applied, together with certain other funds, to provide the permanent financing of the Project. Notwithstanding the commitment of the United States of America Department of Agriculture—Rural Development to provide permanent financing, it will be necessary to issue a bond anticipation note (the “Note”) in the principal amount of \$1,672,000 in anticipation of the receipt of the proceeds of the sale of a like amount of the Bonds, the proceeds of the Note to be applied to the payment of a portion of the cost of the Project.

(e) First-Citizens Bank and Trust Company has agreed to purchase the Note in the principal amount of \$1,672,000 to evidence a loan to the District, which sum will be applied to the payment of a portion of the cost of the Project.

(f) The Local Government Commission of North Carolina is expected to approve at its meeting on September 10, 2024 the application of the District for approval of the Bonds as required by N.C.G.S. §159-85, the issuance and private sale of the Bonds to USDA and the issuance and private sale of the Note under the provisions of Article 9 of Chapter 159 of the General Statutes of North Carolina, as amended;

(g) The District is a governmental unit with general taxing powers, the Note is not a private-activity bond, as defined in the Internal Revenue Code of 1986, as amended (the “Code”) and 95 percent or more of the net proceeds of the Note are to be used for local governmental activities of the District.

Section 2. Subject to the provisions of the Bond Order, the Board hereby approves the issuance of Water System Revenue Bonds of the District in amount not to exceed \$1,672,000 for purposes of paying the costs of the Project and the sale thereof to USDA. Such Bonds shall not be issued and sold to USDA until the Project has been completed.

In anticipation of the receipt of the proceeds of the sale of a like amount of the Bonds, the sale and issuance, pursuant to the Bond Order, the Act and Article 9 of Chapter 159 of the General Statutes of North Carolina, as amended, of a \$1,672,000 revenue bond anticipation note of the District is hereby authorized, which note shall be designated “Water System Revenue Bond

Anticipation Note, Series 2024” (the “Note”), shall be dated the date of delivery thereof, shall mature on September 1, 2026, and shall bear interest at the rate of 3.99% per annum, which interest shall be payable on September 1, 2025 and upon maturity of the Note and shall be calculated on the basis of a 360-day year consisting of twelve 30-day months. No interest coupons shall be attached to the Note. The Note will be payable as to both principal and interest at First-Citizens Bank and Trust Company in Columbia, South Carolina, or otherwise as specified by the holder of the Note, and both the principal of and the interest on the Note shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

The Note is subject to prepayment in whole on any date on or after March 1, 2026 at a prepayment price equal to 100% of the principal amount of the Note to be prepaid, plus accrued interest to the prepayment date. The District shall provide notice of any such prepayment of the Note to the registered owner of the Note at least ten (10) days prior to the date fixed for prepayment.

The Note shall be a special obligation of the District payable from the proceeds of the sale of a like amount of the Bonds and from the Net Revenues (as defined in the Bond Order). Neither the credit nor the taxing power of the District is pledged for the payment of the Note and no holder of the Note has the right to compel the exercise of the taxing power by the District or the forfeiture of any of the District’s property in connection with any default thereon.

The Note shall be sold to First-Citizens Bank and Trust Company, Columbia, South Carolina at a purchase price of \$1,672,000, such purchase price and the interest rate set forth above being in the best interests of the District.

Section 3. The Note shall be signed by the Chair or Vice Chair of the Board and the Clerk to the Board for the District and the official seal of the District shall be impressed on the Note. The form of the Note and the endorsement to be placed upon the reverse thereof shall be substantially as follows:

No. R-1 \$1,672,000

United States of America
State of North Carolina
County of Vance

VANCE COUNTY WATER DISTRICT
WATER SYSTEM REVENUE BOND ANTICIPATION NOTE
SERIES 2024

The Vance County Water District (the “District”), a body corporate and politic duly organized and validly existing under the laws of the State of North Carolina, is justly indebted and for value received hereby promises to pay, solely from the sources and as hereinafter provided, to FIRST-CITIZENS BANK AND TRUST COMPANY or its registered assigns, on the 1st day of September, 2026, the principal sum of

ONE MILLION SIX HUNDRED SEVENTY-TWO THOUSAND DOLLARS

and to pay interest thereon from the date hereof, calculated on the basis of a 360-day year consisting of twelve 30-day months, solely from such sources, at the rate of three and ninety-nine one-hundredths per centum (3.99%) per annum, payable on September 1, 2025 and upon maturity. Both the principal of and the interest on this Note are payable at First-Citizens Bank and Trust Company in Columbia, South Carolina, or otherwise as specified by the holder of this Note, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Note is issued pursuant to and in accordance with Article 5 and Article 9 of Chapter 159 of the General Statutes of North Carolina, both as amended, a bond order adopted by the Board of Commissioners (the “Board”) for the County of Vance, North Carolina, in its capacity as the governing body of the District on September 10, 2018 (the “Bond Order”), and a resolution adopted by the Board on September 3, 2024 (the “Note Resolution”). This Note is issued in anticipation of the receipt of the proceeds of the sale of a like amount of the District’s Water

System Revenue Bonds, and the proceeds hereof shall be used to pay a portion of the cost of the Project (as defined in the Resolution).

This Note is a special obligation of the District payable solely from the Net Revenues (as defined in the Bond Order) and from the proceeds of said Water System Revenue Bonds of the District. Neither the credit nor the taxing power of the District is pledged for the payment of this Note and no holder of this Note has the right to compel the exercise of the taxing power by the District or the forfeiture of any of the District's property in connection with any default hereon. Reference is hereby made to the Bond Order and the Note Resolution and to all amendments and supplements thereto for a description of the provisions, among others, respecting the nature and extent of the security, the rights, duties and obligations of the District, the rights of the holder of this Note and the terms upon which this Note is issued and secured.

This Note is subject to prepayment in whole on any date on or after March 1, 2026 at a prepayment price equal to 100% of the principal amount of this Note to be prepaid, plus accrued interest to the prepayment date. The District shall provide notice of any such prepayment of this Note to the registered owner hereof at least ten (10) days prior to the date fixed for prepayment.

The District has designated this Note as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Note have happened, exist and have been performed in regular and due form and time as so required.

IN WITNESS WHEREOF, the District, pursuant to a resolution adopted by the Board, has caused this Note to be signed by the Chair of the Board and the Clerk to the Board for the District and the official seal of the District to be impressed hereon, all as of the 19th day of September, 2024.

[Do not sign] _____
Chair

[SEAL]

[Do not sign] _____
Clerk to the Board

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within Note has been approved under the provisions of The State and Local Government Revenue Bond Act of North Carolina, as amended.

[Do not sign] _____
JENNIFER WIMMER
Deputy Secretary, Local Government Commission

L.G.C. No.: _____

CERTIFICATE OF AUTHENTICATION

This Note is issued under the provisions of the within mentioned Bond Order and Note Resolution.

By: [Do not sign] _____
Finance Officer, as Note Registrar

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY NUMBER
OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS OF TRANSFEREE _____

_____ the within note
and all right thereunder, and hereby irrevocably constitutes and appoints
_____, attorney, to transfer the within note on the
books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

In the presence of:

NOTICE: Signature must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

The signature to this assignment must correspond with the name as it appears upon the face of the within note in every particular, without alteration or enlargement or any change whatever.

Section 4. The proceeds of the Note shall be deposited in an account with a depository institution designated by the District, and such proceeds shall be disbursed solely for the purpose of paying the costs of the Project and the fees and expenses incurred in connection with the sale and issuance of the Note or the Bonds. Amounts deposited in such account shall be invested in compliance with Section 159-30 of the North Carolina General Statutes, as amended, with interest earnings to be deposited to the credit of such account for the benefit of the District.

Section 5. The District covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended or as may be amended from time to time, and any Treasury regulations now or hereafter promulgated thereunder, to the extent necessary so that interest on the Note will not be included in the gross income of the owners of the Note for purposes of federal income tax.

Section 6. The District hereby represents that it reasonably expects that it and all subordinate entities thereof will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2024. In addition, the District hereby designates the Note as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code.

Section 7. The officers, attorneys, employees and other agents of the District are hereby authorized to sign all certificates and instruments and to do all acts and things required of them by this resolution for the full, punctual and complete performance of all of the terms, covenants and agreements contained in the Note and this resolution.

Section 8. This resolution shall take effect upon its adoption.

Upon motion of Commissioner Thomas S. Hester, Jr., seconded by Commissioner Sean A. Alston, Sr., the foregoing resolution entitled "RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$1,672,000 WATER SYSTEM REVENUE BOND ANTICIPATION NOTE, SERIES 2024" was adopted by the following vote:

Ayes: Chair R. Dan Brummitt; and Commissioners Sean A. Alston, Sr., Yolanda Feimster, Thomas S. Hester, Jr., Leo Kelly, Jr., and Archie B. Taylor, Jr.

Noes: None

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I, Kelly H. Grissom, Clerk to the Board of Commissioners for the Vance County Water District, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Board of Commissioners for said District at a regular meeting held on September 3, 2024, the record having been made in the minutes of said Board of Commissioners for said District, as relates in any way to the adoption of the foregoing resolution.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and the official seal of said District this 3rd day of September, 2024.

Kelly H. Grissom (signed)
Clerk to the Board of Commissioners

[SEAL]

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Envirolink. Ms. Perry advised that the Envirolink office will be moving to the County Office Building, 305 Young Street, effective October 7, 2024.

The July 2024 monthly operations report was presented to the board for information.

Chair Brummitt adjourned the Water District Board.

Committee Reports and Recommendations

Joint Public Safety Committee / Fire Commission. Ms. Perry noted that the two committees met for a second meeting on Thursday, August 15 to continue discussing implementation of the fire study results. No new recommendations were made. Updates to previous recommendations are outlined below in blue:

- Recommendation 1: Maintain the current Vance County Fire Department (VCFD). *No action or discussion now.*
- Recommendation 2: Create a separate position of Fire Marshal for Vance County. *Create Fire Marshal position. This position has been posted.*
- Recommendation 3: Evaluate the need for additional stations to provide better coverage to areas more than six miles from an existing fire station. *No action now.*

- Recommendation 4: Consider “fast-forwarding” critical calls in the Communications Center. *The county manager will consult with the emergency operations director. The emergency operations director feels this can be completed once fully staffed.*
- Recommendation 5: Establish a routine process of receiving and reviewing incident reports within the Fire Marshal’s Office. *Fire Marshal will handle once hired.*
- Recommendation 6: Formally adopt NFPA 1720. *No action now.*
- Recommendation 7: Improve overall turnout time performance for VCFD. *The county manager to work with the fire chief and emergency operations director.*
- Recommendation 8: Develop a county-wide incident command system. *Fire Marshal to work on written plan once hired.*
- Recommendation 9: All fire departments and the rescue squad should develop and adopt standards, protocols, and procedures for use in the county. *Fire Marshal to work on written plan once hired.*
- Recommendation 10: Complete an hourly rate study of surrounding counties. *Volunteer hourly rates have increased to \$17 per hour effective July 1, 2024.*
- Recommendation 11: Consider merging or increasing collaboration between the Vance County Fire Department and the Vance County Rescue Squad. *Strengthen the relationship between VCFD and VCRS.*
- Recommendation 12: Modify the Goldenbelt Fire District. *The county manager to research.*
- Recommendation 13: Hire additional county staff to provide 24-hour coverage. *No action now.*
- Recommendation 14: Maximize Usage of ImageTrend Software. *Complete, per fire chief.*
- Recommendation 15: Analyze districts for Certified Water Points. *Complete, per Fire Commission Member Daren Small.*
- Recommendation 16: Develop a fire training facility in Vance County. *The county manager will work with the fire chief to identify funding opportunities.*
- Recommendation 17: Vance County and the City of Henderson should work with Vance-Granville Community College to develop a plan or partnership to build a centralized training facility in Vance County. *The county manager will work with the fire chief to identify opportunities.*

- Recommendation 18: Develop a regional response team for technical rescue. *The county manager to research.*
- Recommendation 19: Vance County Rescue Squad should engage all the fire departments in Vance County to develop a regional response team that takes advantage of fire department personnel. *Fire department and rescue squad to work together on this.*

County Manager’s Report

Fall Litter Sweep Proclamation. County Manager C. Renee Perry stated that in the spring and fall of each year, the NC Department of Transportation (NCDOT) sponsors cleanup campaigns to beautify the roadsides of the state. This year, DOT is sponsoring its Fall Litter Sweep Campaign from September 14 - 28, 2024. Vance County encourages individuals and organizations to support this effort. Recommendation: Approve the proclamation designating September 14 - 28, 2024 as Fall Litter Sweep in Vance County.

Motion was made by Commissioner Yolanda Feimster, seconded by Commissioner Sean A. Alston, Sr., vote unanimous, to approve the following proclamation designating September 14 - 28, 2024 as Fall Litter Sweep in Vance County.



PROCLAMATION
by the
Vance County Board of Commissioners
in
Recognition of the 2024 Fall Litter Sweep

WHEREAS, in conjunction with the North Carolina Department of Transportation, Vance County supports and encourages participation in the Fall 2024 roadside cleanup effort to ensure clean and beautiful roads throughout the County; and

WHEREAS, the Fall 2024 Litter Sweep roadside cleanup campaign will occur September 14 - 28. The County urges all communities, civic and professional groups, businesses, churches, schools, families, and individual citizens to participate in the cleanup effort by sponsoring and organizing roadside cleanup teams; and

WHEREAS, Adopt-A-Highway volunteers, community service workers, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during Litter Sweep and may receive Certificates of Appreciation for participation; and

WHEREAS, the natural beauty of our State and County, in addition to a clean environment, is a source of great pride for all Vance County residents, attracting tourists and aiding in the recruiting of new industries; and

WHEREAS, the cleanup effort will increase the awareness of the need for cleaner roadsides, emphasize the importance of anti-litter campaigns, and emphasize the recycling of solid wastes such as glass, metals, and plastics; and

WHEREAS, the Litter Sweep cleanup will be a part of educating the children and citizens of the County regarding the importance of a clean environment to the quality of life in Vance County.

NOW, THEREFORE BE IT PROCLAIMED, that the Vance County Board of Commissioners does hereby recognize September 14 - 28, 2024 as “Fall Litter Sweep” in Vance County and encourages all citizens to take an active role in making the community a cleaner and more beautiful place in which to live.

THIS, the 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair

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Fireworks Permit – Vance County High School. Ms. Perry noted that Vance County High School is requesting approval for a fireworks permit for a fireworks display at 925 Garrett Road, Henderson on September 13, 2024 for homecoming night. The display will be handled by a professional pyrotechnics firm (Zambelli Fireworks Mfg. Co.) with the appropriate credentials and insurance coverage. The county fire marshal has approved the permit subject to board approval. Recommendation: Approve the request from Vance County High School and Zambelli Fireworks Mfg. Co. for a permit to discharge fireworks at 925 Garrett Road, Henderson on Friday, September 13, 2024.

Motion was made by Commissioner Sean A. Alston, Sr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to approve the request from Vance County High School and Zambelli Fireworks Mfg. Co. for a permit to discharge fireworks at 925 Garrett Road, Henderson on Friday, September 13, 2024.

ARPA Policies. Ms. Perry stated that Vance County received \$8,650,402.00 in direct federal funds from U.S. Treasury as part of the American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF) program. The Award Terms and Conditions of the SLFRF financial assistance agreement between U.S. Treasury and Vance County, U.S. Treasury’s Final Rule, U.S. Treasury’s Compliance and Reporting guidance document, U.S. Treasury’s Final Rule FAQ’s and the Compliance Supplement outlines various reporting and compliance requirements for the SLFRF grant award.

As with most federal dollars, there are requirements with which the county must comply to eliminate the risk of having to repay any of the funds and avoid negative audit findings. Several federal administrative requirements outlined in Title 2 of the Code of Federal Regulations Part 200 apply to SLFRF grant funds. The Uniform Guidance, or “UG” for short, is a "government-wide

framework for grants management. It is designed to promote government effectiveness, reduce the risk of waste, fraud, and abuse, and improve outcomes.

U.S. Treasury allows recipients to spend up to \$10 million of their ARPA funds in the “Revenue Replacement” expenditure category (EC 6.1 – covers general government services costs). Revenue Replacement/EC 6.1 is the most flexible expenditure category with the least administrative requirements and streamlined reporting. Although Vance County may spend its entire ARPA allocation in this category, several compliance requirements remain.

The 2022 Final Rule, the Compliance and Reporting Guidance, the Award Terms and Conditions outline several accountability and transparency measures, which the county must adopt and implement for Revenue Replacement expenditures. In addition to setting up basic financial administration and internal control provisions, the county must adopt and implement the following five policies: Records Retention, Eligible Use, Allowable Cost, Civil Right Compliance, and Conflict of Interest.

SUMMARY OF REQUIRED UG POLICIES

Records Retention: The records retention policy supplements a local government’s regular records retention policy to establish procedures to retain all ARPA/SLFRF-related information for at least five years after all grant funds are expended or returned to U.S. Treasury.

Eligible Cost: The eligible use policy is a simple policy that indicates allowable and unallowable projects based on the expenditure categories in the ARPA/SLFRF final rule. It requires a local government to identify staff to document and review ARPA/SLFRF expenditures. That documentation must be retained according to the records retention requirements.

Allowable Cost: The allowable cost policy requires a local government to perform a general review of each cost item to ensure it is allocable, reasonable, consistently treated, and properly documented.

Civil Rights Compliance: The nondiscrimination policy and resolution reaffirm the local government’s commitment to compliance with federal civil rights laws and establishes processes for reporting potential violations and tracking complaints and resolutions.

Conflict of Interest: The federal Uniform Guidance requires recipients and subrecipients of federal financial assistance to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. The conflict-of-interest policy prohibits any employee officer, or agent, of a recipient or subrecipient from participating in the selection, award or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. It also requires a conflict-of-interest point of contact to complete a compliance checklist for reporting potential conflicts of interest.

Motion was made by Commissioner Sean A. Alston, Sr., seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the recommended ARPA policies to ensure compliance with uniform guidance.



RESOLUTION
by the
VANCE COUNTY BOARD OF COMMISSIONERS
Eligible Use Policy and
Record Retention Policy for Coronavirus State and Local Fiscal Recovery Funds and
American Rescue Plan

WHEREAS, Vance County 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 rules 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; and

WHEREAS, additional records retention requirements are required in addition to the North Carolina Public Records requirements.

NOW, THEREFORE BE IT RESOLVED, the Vance County Board of Commissioners hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds; and

BE IT FURTHER RESOLVED the Vance County Board of Commissioners hereby adopts and enacts the Records Retention Policy for records created in the spending of ARP/CSLFRF funds.

This resolution shall be effective upon its adoption.

ADOPTED this the 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair
Vance County Board of Commissioners

Attest:

Kelly H. Grissom (signed)
Kelly H. Grissom
Clerk to the Board



RESOLUTION
by the
Vance County Board of Commissioners
for Allowable Costs and Cost Principles for Expenditure of American Rescue Plan Act
Coronavirus State and Local Fiscal Recovery Funds by North Carolina Local Governments

WHEREAS, Vance County 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.

NOW THEREFORE BE IT RESOLVED, that the Vance County Board of Commissioners hereby adopts and enacts the following US Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

This resolution shall be effective upon its adoption.

ADOPTED this the 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair
Vance County Board of Commissioners

Attest:

Kelly H. Grissom (signed)
Kelly H. Grissom
Clerk to the Board



RESOLUTION
by the
VANCE COUNTY BOARD OF COMMISSIONERS
Nondiscrimination Policy Resolution

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

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

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

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;

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

NOW THEREFORE BE IT RESOLVED, the Vance County Board of Commissioners hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

This resolution shall be effective upon its adoption.

ADOPTED this the 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair
Vance County Board of Commissioners

Attest:

Kelly H. Grissom (signed)
Kelly H. Grissom
Clerk to the Board

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Amended ARPA Grant Project Ordinance. Ms. Perry stated that the amended ordinance represents revenue replacement for the payroll bonus on March 4, 2022, Granville Vance Health Department capital projects reimbursements, jail door expenses, and salaries for July 1, 2021 – June 30, 2024. This ordinance ensures commitment of ARPA funds by December 31, 2024 and use of funds by December 31, 2026. Recommendation: Approve amended ARPA Grant Project Ordinance as presented.

Motion was made by Commissioner Yolanda Feimster to approve the amended ARPA Grant Project Ordinance as presented. This motion was seconded by Commissioner Sean A. Alston, Sr. and unanimously approved.

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Grant Projects Ordinance Amendment for the County of Vance
American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

BE IT ORDAINED by the Board of Commissioners of Vance County, 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 to update, revise, supersede and be the controlling supplement to any prior such budget ordinances.:

Section 1: This ordinance is to establish a budget for various projects to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CSLFRF). The total allocation and amount received of ARPA/CSLFRF funds to Vance County is \$8,650,402.00. These funds may be used for the following categories of expenditures, to the extent authorized by state law:

A. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;

B. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;

C. 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;

D. 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,

E. 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 County has elected to take the standard allowance for replacement of lost public sector revenue as authorized by 31 CFR Part 35.6(d)(1) and to expend all ARPA/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriated for the following government services projects and authorized for expenditure:

Department Code	Department Services	Cost Object	Appropriation of CSLFRF Funds
ALL	Bonus Payment to Departments - March 4, 2022	Payroll Bonus	\$322,801.09
N/A	Reimbursement of expenses for period July 1, 2021, through June 30, 2024	Granville-Vance Health Department	\$183,760.63
520	Payment of expenses for period July 1, 2021, through June 30, 2024	Jail Doors	\$269,183.01
500	Payment of expenses for period July 1, 2021, through June 30, 2024	Maintenance & Grounds	\$56,288.00
440	General Administration services for period July 1, 2021, through June 30, 2024	Salaries	\$653,606.60
450	Tax Administration services for period July 1, 2021, through June 30, 2024	Salaries	\$390,080.31
480	Register of Deeds services for period July 1, 2021, through June 30, 2024	Salaries	\$157,071.01
490	IT services for period July 1, 2021, through June 30, 2024	Salaries	\$163,673.10

510	Sheriff services for period July 1, 2021, through June 30, 2024	Salaries	\$1,879,810.60
520	Detention Center (Jail) services for period July 1, 2021, through June 30, 2024	Salaries	\$1,531,452.67
530	Ambulance services for period July 1, 2021, through June 30, 2024	Salaries	\$1,396,717.63
531	Fire services for period July 1, 2021, through June 30, 2024	Salaries	\$496,651.88
541	Planning & Development services for period July 1, 2021, through June 30, 2024	Salaries	\$246,643.77
599	Animal Control services for period July 1, 2021, through June 30, 2024	Salaries	\$165,257.49
621	911/Emergency Communication services for period July 1, 2021, through June 30, 2024	Salaries	\$737,404.21
		TOTAL	\$8,650,402.00

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

CSLFRF Funds: \$ 8,650,402.00
General Fund Transfer: \$ -0-
Total: \$ 8,650,402.00

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

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

Section 7: Copies of this grant projects ordinance shall be entered into the minutes of the governing board within five days after adoption and be filed with the Budget and Finance Director, Budget Officer, County Manager, and the Clerk to the Board.

Section 8: This grant projects ordinance expires on December 31, 2026, or when all ARPA/CSLFRF funds have been expended by the County, whichever occurs sooner.

Adopted this 3rd day of September, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair
Vance County Board of Commissioners

Attest:

Kelly H. Grissom (signed)
Kelly H. Grissom
Clerk to the Board



Eaton Johnson Gym HVAC Contract. Ms. Perry stated that the County contracted with Kilian Engineering to provide mechanical and electrical design services for the HVAC for the Eaton Johnson school gymnasium. Kilian Engineering, Inc. provided bidding administration and construction administration. Recommendation: Award contract to Gupton Services, Inc. in an amount up to \$145,044 for replacement of the HVAC unit at the Eaton Johnson Gym.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Leo Kelly, Jr., vote unanimous, to award the contract to Gupton Services, Inc. in an amount up to \$145,044 for replacement of the HVAC unit at the Eaton Johnson Gym.

Kerr Lake Sub-Station Soil Evaluation. At the July 1, 2024 regular meeting, the board approved the recommendation of using a soil consultant to test the soil at the Kerr Lake Sub-Station to see if it was suitable for a drain field. The report from the soil consultant testing showed that the soils on the lot are considered as poorly drained with soil wetness conditions within 12 inches from the land surface, and other areas have soil fill and/or have been disturbed with the current building and parking area. The soils on the property are currently unsuitable for a regular type of septic system or an alternative system permitted by the county health department. Given the soil conditions on this property, the only potential system to consider may be a pretreatment surface drip septic system. However, the site will need to be amended with clean soil fill. Additional fieldwork and site testing will need to be completed to see if it is feasible, as this permit is issued by the State Division of Water Resources and not the Vance County Health Department. Recommendation: Give staff direction on keeping the system as is for an annual cost of \$4,000 - \$7,000 annually or continue with getting cost for a pretreatment surface drip septic system.

The board decided to continue as is and discuss further during next year's budget deliberations.

Opioid Settlement Funds – Annual Meeting Requirement. Each county in North Carolina is required by the executed Memorandum of Agreement to hold an annual meeting, specifically with its municipalities, to explain the MOA, review monies being received, and go over the approved uses of the funds. Recommendation: Approve an informational meeting for September 16, 2024 at 4pm.

Motion was made by Commissioner Yolanda Feimster to schedule the informational meeting for September 16, 2024 at 4:00 p.m. This motion was seconded by Commissioner Sean A. Alston, Sr. and unanimously approved.

Board of Equalization and Review Meetings. Ms. Perry noted that three dates are currently scheduled for the Board of E & R, but there is a need for several more days per Vincent Valuations. All appeals must be heard by December 31, 2024. She stated that she would like to schedule at least 10 additional contingent days. These meetings should begin at 1pm. Potential dates: October 1, 2, 3, 8, 9, 10, 14, 16, 17, 21, 22, 23, 24, 28, 29, 30, 31; November 6, 7, 11, 12, 13, 14, 18, 19, 20, 21, 25, 25, 27; December 3, 4, 9, 10, 11, 12, 16, 17, 18, 19, 23, 30. Recommendation: Approve additional board of equalization and review dates as recommended by the county manager.

Chair R. Dan Brummitt instructed the board members to let the county manager know what dates work best for them.

Finance Director’s Report

Budget Amendments. Finance Director Stephanie Williams presented five budget amendments for the board’s approval.

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Yolanda Feimster, vote unanimous, to approve Budget Amendment #1 as follows:

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**Budget Amendment #1
FY 2024-2025
Cooperative Extension**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Triangle North Healthcare Grant	10-333-433310	9,826.56
Total Revenue Increase (Decrease)		\$ 9,826.56

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Triangle North Healthcare Expense	10-605-500100	9,826.56
Total		\$ 9,826.56

Purpose: Approval for acceptance of Grant Funds received from Triangle North Healthcare Grant for Cooperative Extension.

Authorization: Vance County Board of Commissioners
September 3, 2024

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Motion was made by Commissioner Yolanda Feimster, seconded by Commissioner Thomas S. Hester, Jr., vote unanimous, to approve Budget Amendment #2 as follows:

Budget Amendment #2
FY 2024-2025
Fire

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	44,750
Total Revenue Increase (Decrease)		\$44,750

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Capital Outlay	10-531-500074	44,750
Total		\$44,750

Purpose: Approval for transfer of the approved \$44,750 from FY 23-24 to FY 24-25 to purchase the Air-Pak X3 Pro for the Fire Department.

Authorization: Vance County Board of Commissioners
September 3, 2024

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Motion was made by Commissioner Leo Kelly, Jr. to approve Budget Amendment #3 as follows. This motion was seconded by Commissioner Sean A. Alston, Sr. and unanimously approved.

Budget Amendment #3
FY 2024-2025
Sheriff

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	24,264.73
Total Revenue Increase (Decrease)		\$ 24,264.73

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Unauthorized Substances Expense	10-510-500124	24,264.73
Total		\$ 24,264.73

Purpose: Approval to carryover proceeds received from the NC Department of Justice for Unauthorized Substances Excise Taxes to purchase Ballistic Vests for Sheriff Office to replace outdated Ballistic Vests. The receipt of these funds dates back from February 2022 through June 2024.

Authorization: Vance County Board of Commissioners
September 3, 2024

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Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Sean A. Alston, Sr., vote unanimous, to approve Budget Amendment #4 as follows:

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**Budget Amendment #4
FY 2024-2025
Fire**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Fund Balance Appropriated	10-399-439900	25,000
Total Revenue Increase (Decrease)		\$25,000

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Maintenance Equipment	10-531-500017	25,000
Total		\$25,000

Purpose: Approval to increase Fire Department Budget by \$25,000 to pay for vehicle maintenance.

Authorization: Vance County Board of Commissioners
September 3, 2024

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Motion was made by Commissioner Sean A. Alston, Sr. to approve Budget Amendment #5 as follows. This motion was seconded by Commissioner Archie B. Taylor, Jr. and unanimously approved.

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**Budget Amendment #5
FY 2024-2025
Cooperative Extension**

Revenue Amendment Request	Account Number	Revenue Increase (Decrease)
Parenting Program Grant	10-380-438550	100,960
Total Revenue Increase (Decrease)		\$ 100,960

Expenditure Amendment Request	Account Number	Expense Increase (Decrease)
Cooperative Extension Parenting Grant	10-605-500290	100,960
Total		\$ 100,960

Purpose: Approval for acceptance of Grant from Franklin Granville Vance Smart Start, Inc. for Parenting Program. Grant will be on a reimbursement basis.

Authorization: Vance County Board of Commissioners
September 3, 2024

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Consent Agenda

Motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Archie B. Taylor, Jr., vote unanimous, to approve the following consent agenda items as presented: departmental monthly reports and the minutes of the June 3, 2024 regular meeting, the August 5, 2024 regular meeting, and the August 19, 2024 meeting of the Board of Equalization and Review.

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MONTHLY REPORTS: 911 Emergency Operations, Administrative Ambulance Charge-Offs, Cooperative Extension, EMS, Fire Department, Human Resources, Information Technology, Parks and Recreation, Planning and Development, Tax Collections, Tax Revaluation Appeals, and Veterans Service.

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As there was no further business, at 7:15 p.m., motion was made by Commissioner Thomas S. Hester, Jr., seconded by Commissioner Sean A. Alston, Sr., vote unanimous, that the meeting be adjourned.

Approved and signed October 7, 2024.

R. Dan Brummitt (signed)
R. Dan Brummitt, Chair