



Access for the Electronic Meeting

Via phone: 1-646-558-8656

Via web:

<https://us06web.zoom.us/j/81330091922?pwd=bVh5S0owM1luS1VpQ2U4UUN1YVU4dz09>

Via Zoom App:

Meeting ID: 813 3009 1922

Password: 834884

February 14, 2022

Stallings, NC

704-821-8557

www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Consent Agenda A. Minutes from the following meetings: (1) 01-10-22 (2) 01-10-22 – closed (3) 01-24-22 (4) 01-31-22 – special	Wyatt Dunn, Mayor	Approve Consent Agenda <i>(All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion on of an item, the item will be removed from the Consent Agenda and considered separately.)</i>
2.	7:17 p.m.	Reports A. Report from Mayor B. Report from Council Members/Town Committees C. Report from Town Manager/Town Departments	Council and Staff	NA
3.	7:45 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve agenda as written. <i>(ADD, IF APPLICABLE: with changes as described by Mayor Dunn)</i>
4.	7:50 p.m.	State Grants Funds Use Purpose Confirmation (A) \$1.6M (B) \$50K	Alex Sewell, Town Manager	Information and possible action
5.	8:05 p.m.	Council Room Electronic Meeting Capabilities	Erinn Nichols, Asst. Town Manager Melanie Cox, Town Attorney	Information and possible action
6.	8:15 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn

**MINUTES OF TOWN COUNCIL MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on January 10, 2022, via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://us06web.zoom.us/j/83974162360?pwd=WFUwdUZ4cExxN0N4WUdWb0Q4Nk5hdz09>) or the Zoom app (Meeting ID: 839 7416 2360; Password: 605760).

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake; Heather Grooms, Graham Hall and Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Kolleen Dickinson, Code Enforcement Officer; Marsha Gross, Finance Officer;; Ashley Platts, Parks and Recreation Director; and Melanie Cox, Town Attorney.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and Council Member Richardson delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one joined the meeting who wanted to give public comments.

1. Approval of Consent Agenda Items

A. Minutes of the following meetings:

(1) 12-13-2021

Council Member Ayers made the motion to approve the Consent Agenda Items as presented. The motion was seconded by Council Member Richardson which passed unanimously by Council.

2. Reports

A. Report from the Mayor

Mayor Dunn reported that he was communicating with NCDOT representative for Stallings about funding equity.

B. Reports from Council Members/Town Committees

Council Members Ayers, Grooms, Richardson, Drake, and Hall had no reports.

Council Member Scholl reported that he represented the Town at the veteran home dedication.

C. Report from Town Manager/Town Departments

Clerk's Note: *This item was done after the Agenda Approval.*

Town Manager Sewell provided the Council with the following information:

- Assistant Town Manager Nichols updated the Council the ARPA Funds explaining that the Town was slated to receive over \$5 million from the Federal Government for COVID relief. Staff would be bringing recommendations on how to use the funds to Council in the new future.
- Chief Franks reported that No Shave November was successful, and the Police Department raised approximately \$1000 for childhood cancer research.
- Employees of the Year were Eunice McSwain and Officer Rasheal Pittman
- Transition Plan
 - New Member Bootcamp Orientation was on January 4, 2022.
 - The Essential of Municipal Government Course was cancelled and will be rescheduled.
 - Facilitator Curt Walton was conducting interviews of the Council in preparation of the Council Annual Planning Conference.
- Committees: Until the Council goes to back to in-person meetings, the other select legal bodies would also be virtual. All other committees would be postponed until Council goes back to in-person. Council held consensus on this meeting structure.
- Potter/Pleasant Plains Intersection Update – Mr. Sewell reviewed the written update provided in the Council packet regarding additional state funding and updating plans and permits for the project. This memo is attached to these minutes and therefore incorporated herein.

3. Agenda Approval

Mayor Dunn recommended moving Agenda Item 8, *Backyard Chickens Ordinance*, to Agenda Item

3.A. Town Manager Sewell requested adding Agenda Item 8.A. as *Rules of Procedure Update – Remote Meetings Policy*. The motion to approve the Agenda with the above noted changes was made by Council Member Richardson and seconded by Council Member Hall. The motion passed unanimously.

Clerk's Note: *Council then heard Agenda Item 2.C., Report from Town Manager/Town Departments.*

Council Member Ayers made the motion to suspend the rules. The motion was passed unanimously after a second from Council Members Grooms.

Council Member Scholl made the motion to add *Potter/Pleasant Plains Intersection Design Update* as Agenda Item 8.B. Council Member Richardson seconded the motion to which Council unanimously supported.

3.A. Backyard Chickens Ordinance

Original Agenda Item 8

Code Enforcement Officer Kolleen Dickinson presented the Council with options for amending the ordinances to allow backyard chickens. Ms. Dickinson's presentation is attached to these minutes and therefore incorporated herein.

After Council discussion, Council Member Richardson made the motion to add a pilot program for 18 months allowing backyard chickens per the ordinance as written, adding with no more than two chickens on a minimum lot size of ¼ acre. The ordinance shall have a sunset provision for 18 months then requiring the ordinance to again review by Council along with the statistics regarding backyard chickens during this time including permitting, violations, and staff time. The motion was seconded by Council Member Grooms. The motion passed by a 3 to 3 vote with Council Members Hall, Drake, and Scholl opposing and Mayor Dunn breaking the tie in favor of the motion. The Ordinance Amendment allowing for Backyard Chickens is attached to these minutes and therefore incorporated herein.

4. Police Department Incentive Pay

Chief Franks presented the Council option for Police Department Incentive Pay. This memo is attached to these minutes and therefore incorporated herein.

Council held consensus to make a decision on this item at its January 24, 2022, meeting.

5. Blair Mill Park Playground Implementation Costs

Parks and Recreation Director Platts presented the Council with the Blair Mill Playground implementation costs for grading for ADA compliance, playground equipment, and fencing. This memo is attached to these minutes and therefore incorporated herein.

Council Member Richardson made the motion to approve the grading in the current fiscal year for playground equipment in the spring at a cost of \$19,000. The motion was seconded by Council Member Hall. The motion passed by a 4 to 2 vote with Council Member Grooms and Richardson opposing.

Council Member Grooms made the motion to move forward with the building of the playground and installing the fence at Blair Mill Park using the fees in lieu of parklands not to exceed \$90,000. The

motion was passed unanimously by Council after a second from Council Member Hall. Council also requested adding signage to Blair Mill Park soon.

6. DFI Contract

Town Manager Sewell shared his memo with the Council which requested a date and approval of the Council to hold a special meeting to meet virtually with Development Financial Initiative (DFI) through UNC School of Government with help local governments complete economic development projects. As the downtown was a Council's priority, the partnership would enable the Town to meet that priority. Mr. Sewell's memo is attached to these minutes and therefore incorporated herein.

Council held consensus to hold a special virtual meeting concerning this topic on February 28, 2022.

7. Financial Items

(A) Audit Letter

Finance Officer Gross reviewed the Audit Letter with the Council which highlighted the Auditor's Report with three significant deficiencies. Ms. Gross information is attached to these minutes and therefore incorporated herein.

Town Clerk Nichols received verbal permission from each Council Member for staff to use their electronics signatures on this letter.

(B) Five Year Plan

Finance Officer Gross presentation the Council with the Five Year Financial Plan. Council Member Richardson made the motion to approve the Five Year Financial Plan adding a note that the \$2.75M expenditure for property was for the purpose of investment for future use. The motion was seconded by Council Member Scholl and passed unanimously by the Council. The Five Year Financial Plan is attached to these minutes and therefore incorporated herein.

8. Backyard Chicken Ordinance

This item was moved to Agenda Item 3.A.

8.A. Updating Rules of Procedure

Town Manager Sewell explained that the update to the Rules of Procedure presented to the Council added the ability to conduct Conditional Zoning Subcommittee meetings virtually when necessary.

Council Member Scholl made the motion to approve the update to the Rules of Procedure. The motion was passed unanimously by Council after a second from Council Member Hall.

8.B. Potter/Pleasant Plains Intersection Design Update

Mayor Dunn explained that Council needed to authorize spending \$9000 on the utility redesign for the Potter/Pleasant Plains Intersection per Union County's recommendation. The money would be recouped with the savings realized in the construction costs.

Council Member Scholl made the motion to approve spending \$9000 on the utility redesign for the Potter/Pleasant Plains Intersection per Union County's recommendation. Council Member Richardson seconded the motion to which Council approved unanimously.

9. Closed Session Pursuant to NCGS143- 318.11(a)(5) and (6)

Parcel 07129315, 132 Stallings Road

Council Member Hall made the motion to go into closed session pursuant to NCGS143- 318.11(a)(5) and (6) - Parcel 07129315, 132 Stallings Road. The motion was seconded by Council Member Ayers and passed unanimously by Council.

Council went into closed session at 9:37 p.m. and reconvened in open session at 9:50 p.m.

10. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 9:51 p.m.

Approved on _____, 2022.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

**MINUTES OF TOWN COUNCIL MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for its regular meeting on January 24, 2022, via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://us06web.zoom.us/j/83424386414?pwd=MGRMS0FnZVRcN3g4c012UU5FbFp4QT09>) or the Zoom app (Meeting ID: 834 2438 6414; Password: 921892).

Those present were: Mayor Wyatt Dunn; Mayor Pro Tempore David Scholl; Council Members Steven Ayers, Taylor-Rae Drake; Heather Grooms, Graham Hall and Brad Richardson.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; Chief Dennis Franks; Max Hsiang, Planning Director; Kolleen Dickinson, Code Enforcement Officer; and Ashley Platts, Parks and Recreation Director.

Invocation, Pledge of Allegiance and meeting called to order

Mayor Wyatt Dunn welcomed everyone to the meeting and Council Member Grooms delivered the invocation. Mayor Dunn then led the Pledge of Allegiance and called the meeting to order.

Public Comments

No one joined the meeting who wanted to give public comments.

1. Agenda Approval

The motion to approve the Agenda was made by Council Member Scholl and seconded by Council Member Richardson. The motion passed unanimously.

2. Consent Agenda

A. Fee Schedule

B. Ordinance Adopting Supplement 12 of the Code of Ordinances

Council Member Richardson made the motion to adopt the Consent Agenda as presented. The motion was passed unanimously by Council after a second from Council Members Ayers. The Ordinance Adopting Supplement 12 of the Code of Ordinances is attached to these minutes and therefore incorporated herein.

3.A. TX21.12.01, TX21.12.02, TX21.12.03, & Code of Ordinance Changes

Mayor Dunn opened the public hearing. Town Planner Hsiang presented the Council with the changes to TX21.12.01, TX21.12.02, TX21.12.03, & Code of Ordinance Changes regarding the Planning Board and Board of Adjustment consistency throughout Town documents. This presentation is attached to these minutes and therefore incorporated herein.

- TX21.12.01, amending the Planning Board membership number

There was no public joining the meeting wishing to comment on this item. Council Member Richardson made the motion to approve TX21.12.01 as written and Council Member Hall seconded the motion. The motion passed by a 5 to 1 vote with Council Member Scholl opposing.

The Statement of Reasonableness and Consistency for TX21.12.01 was read into the record by Mayor Dunn was moved to be approved by Council Member Ayers. Council Member Grooms seconded the motion which was approved unanimously by Council. The Statement of Reasonableness and Consistency for TX21.12.01 is attached to these minutes and therefore incorporated herein.

- TX21.12.02, amending the Planning Board alternate membership appointments and duties

There was no public joining the meeting wishing to comment on this item. Council Member Richardson made the motion to approve TX21.12.02 as written and Council Member Ayers seconded the motion. The motion passed by a 5 to 1 vote with Council Member Scholl opposing.

The Statement of Reasonableness and Consistency was read into the record by the Mayor and Council Member Grooms made the motion to approve the Statement of Reasonableness and Consistency for TX21.12.02. Council Member Ayers seconded the motion which was approved unanimously by Council. The Statement of Reasonableness and Consistency for TX21.12.02 is attached to these minutes and therefore incorporated herein.

- TX21.12.03, amending the Board of Adjustment membership number

There was no public joining the meeting wishing to comment on this item. Council Member Richardson made the motion to approve TX21.12.03 as written and Council Member Ayers seconded the motion. The motion passed unanimously by Council.

The Statement of Reasonableness and Consistency was read into the record by the Mayor and Council Member Ayers made the motion to approve the Statement of Reasonableness and Consistency for TX21.12.03. Council Member Grooms seconded the motion which was approved unanimously by Council.

The Statement of Reasonableness and Consistency for TX21.12.03 is attached to these minutes and therefore incorporated herein.

- Board of Adjustment Code of Ordinance Change 32.10(B)(1), amending the Board of Adjustment membership number consistency and duties

There was no public joining the meeting wishing to comment on this item. Council Member Richardson made the motion to approve Board of Adjustment Code of Ordinance Change 32.10(B)(1) and Council Member Ayers seconded the motion. The motion was passed unanimously by the Council. The Ordinance amending the Board of Adjustment Code of Ordinance 32.10(B)(1) is attached to these minutes and therefore incorporated herein.

- Board of Adjustment Rules of Procedure 5.2(D), amending the Board of Adjustment membership number

There was no public joining the meeting wishing to comment on this item. Council Member Richardson made the motion to approve the change to the Board of Adjustment Rules of Procedure 5.2(D). The motion was approved unanimously by Council after a second from Council Member Hall.

Mayor Dunn then closed the public hearing.

4. Police Department Incentive Pay

Chief Franks presented the Council option for Police Department Incentive Pay. This presentation is attached to these minutes and therefore incorporated herein.

Council Member Scholl made the motion to approve the Police Department Incentive Pay as presented. The motion received Council's unanimous support after a second from Council Member Hall.

Council Member Scholl made the motion to suspend the rules and add Planning Board Appointment to the Agenda as Agenda Item 4.A. to which Council approved unanimously.

4.A. Planning Board Appointment

Council Member Scholl made the motion to appoint Laurie Wojtowicz to a full membership on the Stallings Planning Board with term expiration of 03-31-2023. Council Member Hall seconded the motion to which Council approved unanimously.

5. Code Enforcement Issues

(A) Fence Ordinance Changes

Code Enforcement Officer Kolleen Dickinson explained the fence ordinance changes being proposed by staff. The changes were approved by the Planning Board. Ms. Dickinson's presentation is attached to these minutes and therefore incorporated herein.

Council Member Scholl made the motion to the approve the fence ordinance changes to which Council Member Ayers seconded. The Ordinance Amending Code of Ordinances, Title IX General Regulations, Chapter 93, Public Health and Safety Matters; Public Nuisance, Section 93.01 Abatement of Unsanitary and Unsafe Conditions is attached to these minutes and therefore incorporated herein.

(B) Possible Demolition of Parcel 07102034B

Code Enforcement Officer Kolleen Dickinson explained that the building at this location, 12008 Stallings Commerce Drive, did not have any building inspections issues. The building was functional and could be used right away. Demolition of the building would cost between \$11,500 and \$14,950 as long as there was no asbestos present.

Council held consensus to have staff collect bids that did not include the demolition of the pad and asphalt. Council also requested the staff request the owner cost share in the expense.

6. Annual Retreat Agenda

Town Manager Sewell shared the draft agenda with the Council for the Annual Retreat which had been created by the Annual Retreat Subcommittee and the Consultant Curt Walton. Council held consensus to use the draft agenda for its annual retreat meeting.

7. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Ayers, and the motion received unanimous support. The meeting was adjourned at 8:16 p.m.

Approved on _____, 2022.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC
14835

January 24, 2022

**MINUTES OF A SPECIAL TOWN COUNCIL MEETING
OF THE
TOWN OF STALLINGS, NORTH CAROLINA**

The Town Council of the Town of Stallings met for a special meeting on January 31, 2022 at 6:00 p.m. via Zoom, a virtual electronic platform, due to the North Carolina declared state of emergency because of COVID-19. Public could access the meeting via phone (1-646-558-8656), web link (<https://us06web.zoom.us/j/85628906665?pwd=UGdVVkw4N29YSVVhM09JZ2UxbEhjUT09>), or the Zoom app (Meeting ID: 856 2890 6665; Password: 764432).

Those present and visible on camera were: Mayor Wyatt Dunn; Mayor Pro Tempore Lynda Paxton; Council Members Steven Ayers, Heather Grooms, John Martin, Brad Richardson, and David Scholl.

Staff present were: Alex Sewell, Town Manager; Erinn Nichols, Assistant Town Manager/Town Clerk; and Max Hsiang, Town Planner.

1. Call the meeting to order

Mayor Dunn called the meeting to order.

2. Lynx Silver Line in Stallings

Town Planner Hsiang stated that the presentation would update the Council on transportation options for Stallings and the proposed Silver Line. A study was funded by the Charlotte Regional Transportation Planning Organization (CRTPO) for the Silver Line. Presenting to the Council regarding this issue were:

- Scott Correll, Kittleson and Associates, Transit Oriented Development (TOD) Study
- Caitlin Tobin, Kittleson and Associates, Transit Oriented Development (TOD) Study
- John Howard, Charlotte Area Transportation System, Project Manager on TOD Study
- Yoland DeLong, Transling Consulting
- Jerrell Leonard, CRTPO, Transit Manager

The presentation by this group is attached to these minutes and therefore incorporated herein. The presentation focused on:

- LYNX Silver Line Overview
- Principles for TOD
- TOD Study Report Out
- TOD Implementation Toolbox

3. Adjournment

Council Member Scholl moved to adjourn the meeting, seconded by Council Member Richardson, and the motion received unanimous support. The meeting was adjourned at 6:55 p.m.

Approved on _____, 2022.

Wyatt Dunn, Mayor

Erinn E. Nichols, Town Clerk

Approved as to form:

Cox Law Firm, PLLC

DRAFT



MEMO

To: Mayor and Council
From: Alex Sewell, Town Manager
Date: 2/10/22
RE: **State Grant Funds**

Purpose: The memo provides background on two state grants and seeks Council direction.

Background:

- The Town received two grants in the most recent state budget. One for \$1.6 million and another for \$50,000.
 - \$1.6 million grant
 - The Town sought \$1.6 million from the state to help offset the estimated budget deficit on the Potter-Pleasant Plains intersection project (U-5112).
 - The Town received \$1.6 million in the budget, but the Senate added language that indicated that this funding “shall be used exclusively for property owned by the grant recipient city, county, or regional council of government.” The grant is “for capital improvements...” and state statute defines capital improvement to include real property acquisition.
 - Previous discussion contemplated using the \$1.6 million grant to reimburse the Town for part of the purchase of 2725 Old Monroe Road, which would free up equivalent funds elsewhere that could be applied towards the Potter-Pleasant Plains intersection project.
 - The Town has not received final confirmation that reimbursing the Town for this property purchase is an allowed use but has applied and anticipates receiving a determination sometime in February/March.
 - \$50,000 grant
 - This grant was unexpected and is for “improvements including wayfinding signage and economic development.”
 - The deadline to submit a completed proposal is 2/17/22.

Next Steps:

Staff are seeking the following Town Council actions:

- Confirmation that the Council seeks to use the \$1.6 million to reimburse the Town for the purchase of 2725 Old Monroe Road and authorizes staff to take necessary action including executing a contract with the State contingent on Town Attorney approval.
- Confirmation that, if the \$1.6 million can be credited towards the purchase of 2725 Old Monroe Road, the Council seeks to use \$1.6 million in Town funds towards the Potter-Pleasant Plains intersection project.

- Council direction on what to use the \$50,000 grant towards. The Town will need final confirmation from the State on what is an allowed use.
 - Given the quick turnaround time for submission to the State and the most recent 5-year financial forecast, staff would suggest using this \$50,000 towards an already anticipated project such as:
 - Reimbursement for purchase of 2275 Old Monroe Road.
 - DFI Phase 1 Downtown Feasibility Assessment; or
 - Gateway Signage Construction.

Appendix A

Scope of Work, Sub-Grants, and Annual Budget

As part of this grant agreement, you are required to provide a description of how you will spend the grant funds in compliance with the specific purpose as stated in the Appropriations Act ("Scope of Work"). You are also required to submit information related to any potential sub-grants and a budget for the grant funds. Please attach additional sheets as necessary.

1. Organization:

**2. Scope of Work,
Objectives, Results,
Performance Measures:**

Recipient shall detail below how the organization will spend the grant funds in compliance with the specific purpose(s) as stated in the Appropriations Act. The description should include objectives to be achieved, expected results and performance measures. The description should also include anticipated timing of those objectives, expected results and any services provided.

Objective(s):

Expected Results:

Performance Measure(s):

3. Sub-grants:			
a. Does the Recipient anticipate that it will sub-grant or pass down any funds to another organization?		Yes	No
If yes, answer the following:			
b. Name of Sub-recipient	c. Program Name	d. Amount to Sub-recipient	

4. Budget:

Below are general expenditure descriptions that can serve as a **guide** for preparing the organization’s budget related to the grant award.

The following budget is for the time period beginning (_____) and ending (_____).

EXPENDITURE DESCRIPTION	AMOUNT
Employee Expenses (e.g. program related staffing).	
Services and Contract Expenses (e.g. utilities, telephone, data, lease related expenses)	
Goods (e.g. supplies and equipment) Expenses	
Administration Expenses (e.g. overhead & project management)	
Other Expenses (e.g. related charges not assigned above and described by recipient)	
Total Beginning Balance of the Project Fund	

Please note, you will sign off on this appendix as part of executing the Grant Agreement (Contract).

Printed Name _____ Date _____

Title _____



**NC DEPARTMENT
of COMMERCE**
RURAL ECONOMIC
DEVELOPMENT

Roy Cooper
GOVERNOR

Machelle Baker Sanders
SECRETARY

Kenny Flowers
ASSISTANT SECRETARY

January 25, 2022

The Honorable Wyatt Dunn
Mayor
Town of Stallings
315 Stallings Rd.
Stallings, NC 28104

Re: Legislatively Directed Program Award Notification
Reference Number: 2022-078-1257-1913
Legislative Intended Use: Unspecified

Dear Mayor Dunn:

On behalf of the Rural Economic Development Division of the NC Department of Commerce and the members of the NC General Assembly, I am pleased to inform you that the Town of Stallings has been selected to receive a legislatively directed grant in the amount of **\$50,000.00** as authorized under the [State Appropriations Act of 2021](#), and amended by [S.L. 2021-189](#) (see the [Committee Report](#)). Funds may only be used for the purposes outlined in the Appropriations Act and purposes must be nonsectarian and nonreligious (See [Sec. 5.2 of S.L. 2021-180](#)). The application process and the requirements for the grant are described below and the ***Legislatively Directed Grants Proposal Form and Guidelines*** are attached to this e-mail. Additional copies of the proposal form and guidelines can be found at www.nccommerce.com/rgp.

Application Process

1. Complete the ***Legislatively Directed Grants Proposal Form***
2. Attach **Conflict of Interest Policy** and **Statement of No Overdue Tax Debts**

Conflict of Interest Policy. - Every grantee shall file, with the State agency disbursing funds, a copy of that grantee's policy addressing conflicts of interest that may arise involving the grantee's management employees and the members of its board of directors or other governing body. The policy shall address situations in which any of these individuals may directly or indirectly benefit, from the grantee's disbursing of State funds, and shall include details of actions that will be taken to avoid conflicts of interest and the appearance of impropriety. The policy shall be filed before funds are disbursed by the State agency.

Statement of No Overdue Tax Debts. - Every grantee shall file, with the State agency disbursing funds, a written statement completed by that grantee's board of directors or other governing body stating that the grantee does not have any overdue tax debts, as defined by G.S. 105-243.1, at the federal, State, or local level. The written statement shall be made under oath and shall be filed before the disbursing State agency may disburse the grant funds. A person who makes a false statement in violation of this subsection is guilty of a criminal offense punishable as provided by G.S. 143C-10-1.

3. **Deadline:** E-mail Completed Proposal Form, Conflict of Interest Policy and Statement of No Overdue Tax Debts to rgpreports@nccommerce.com by **February 17, 2022.**

(Continued on next page)

Contracting, Payment, and Reporting Processes

1. Once a completed proposal form, conflict of interest policy, and Statement of No Overdue Tax Debts are returned and approved, Commerce will e-mail contract documents to the local government. Local governments should e-mail the fully executed contract documents to rgpreports@ncommerce.com.
2. Once executed contract documents are returned and approved, Commerce will issue payments according to the following schedule:
 - Grants of \$100,000 or less will be issued in one payment.
 - Grants in excess of \$100,000 will be issued payments quarterly
3. Progress Reports are due annually according to the requirements below:
 - Level II – grants greater than \$25,000 but less than \$500,000
 - Certification that funds received, or held, were used for the purposes for which they were awarded.
 - Accounting of all funds received, held, used, or expended
 - Report on activities and accomplishments undertaken by the recipient, including reporting on any performance measures established in the contract
 - Level III – grants greater than \$500,000
 - Certification that funds received, or held, were used for the purposes for which they were awarded.
 - Accounting of all funds received, held, used, or expended
 - Report on activities and accomplishments undertaken by the recipient, including reporting on any performance measures established in the contract
 - A single or program-specific audit prepared in accordance with Generally Accepted Government Auditing Standards, also known as the Yellow Book (Audits must be provided no later than nine months after the grantee's fiscal year end)
 - The Reporting form can be found at www.ncommerce.com/rgp. Completed progress reports should be e-mailed to rgpreports@ncommerce.com.

We look forward to working with you on this legislatively directed grant. If you have any questions or need any additional information, please contact Melody Adams at melody.adams@ncommerce.com.

Sincerely,



Kenny Flowers
Assistant Secretary for Rural Development
Rural Economic Development Division

cc: Melody Adams, Director, Rural Development Division

From: [SCIFGrantsNC](#)
To: [SCIFGrantsNC](#); [Alex Sewell](#)
Cc: "[Dean.Arp@ncleg.gov](#)"; [Wyatt Dunn](#); [Marsha Gross](#); [Radford, Kay](#)
Subject: RE: [External] FW: OSBM Directed Grant Process
Date: Friday, January 21, 2022 2:21:18 PM
Attachments: [image001.png](#)
[image005.png](#)

You don't often get email from scifgrantsnc@osbm.nc.gov. [Learn why this is important](#)

Alex,

I apologize for initially misinterpreting your email. Following up on our conversation, real estate purchase should fall under the definition of Capital Improvement. The December 2021 purchase date is not an issue. Again, we'll spell out the specifics in the Scope of Work Phase. I apologize for any confusion.

143C-1-1. Purpose and definitions.

(5) Capital improvement. – A term that includes real property acquisition, new construction or rehabilitation of existing facilities, and repairs and renovations over one hundred thousand dollars (\$100,000) in value.

Thanks,

Jack Gagnon

Internal Auditor

NC Office of State Budget & Management

(984) 236-0636

john.gagnon@osbm.nc.gov



From: SCIFGrantsNC

Sent: Friday, January 21, 2022 1:50 PM

To: Alex Sewell <asewell@stallingsnc.org>

Cc: Dean.Arp@ncleg.gov; [Wyatt Dunn <wdunn@stallingsnc.org>](mailto:Wydunn@stallingsnc.org); [Marsha Gross <mgross@stallingsnc.org>](mailto:Marsha.Gross@stallingsnc.org); [Radford, Kay <kay.radford@osbm.nc.gov>](mailto:kay.radford@osbm.nc.gov)

Subject: RE: [External] FW: OSBM Directed Grant Process

Good afternoon Alex,

Thanks for reaching out regarding the SCIF grant for the Town of Stallings. Yes, we have the Town of Stallings down for a \$1.6 Million SCIF Grant for Capital Improvements. During the Scope of work phase we will work with you to determine the exact use of funds. The December 2021 date will not be an issue, but what does jump out to me is the description is for Capital Improvements not necessarily land/real

estate acquisition. In some of the SCIF Grants the purpose specifies land/ real estate purchases. I am going to flag this as we need to get that authorized use changed to purchase property. Again, thanks for reaching out and we look forward to working with you.

All information regarding SCIF Grants can be found on our website here:
<https://www.osbm.nc.gov/stewardship-services/directed-grants/scif-grants>

There are 4 forms we currently need from you. All of them can be found on our website above.

- W-9
- Electronic Payment Form
- Conflict of Interest
- No Tax Debt

The link below is where you will upload all of these documents. Please save this link as you upload all of your documents for the life of the grant using this link. Kay Radford is your assigned OSBM analyst and will be available to assist you through the grant process, she is cc'd on this email. We look forward to working with you.

<https://bit.ly/OSBMStallings>

Thank you,

Jack Gagnon

Internal Auditor

NC Office of State Budget & Management

(984) 236-0636

john.gagnon@osbm.nc.gov



From: Alex Sewell <asewell@stallingsnc.org>

Sent: Friday, January 21, 2022 8:32 AM

To: SCIFGrantsNC <SCIFGrantsNC@osbm.nc.gov>

Cc: Dean.Arp@ncleg.gov; Wyatt Dunn <wdunn@stallingsnc.org>; Marsha Gross <mgross@stallingsnc.org>

Subject: [External] FW: OSBM Directed Grant Process

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Hello,

The Town kindly received the following information from Rep. Arp. It's our understanding that the Town of Stallings received a \$1.6 million grant in the state budget per the following budget sections:

Section 40.16: [S105v7.pdf \(ncleg.gov\)](#)

Pg. 693: [S105-BD-NBC-9283 \(ncleg.gov\)](#)

The Town is seeking to use the \$1.6 million in funds towards a real property purchase the Town made in December 2021 (after the budget being approved). How do we verify this is an allowed purchase?

Thanks,

Alex

M. Alexander Sewell, Esq., ICMA-CM
Town Manager
Town of Stallings
(704) 821-0314

***Pursuant to Chapter 132 of the North Carolina General Statutes, this email message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered a public record(s) and as such are subject to request and review in accordance with the law.**

From: Rep. Dean Arp <Dean.Arp@ncleg.gov>

Sent: Wednesday, January 19, 2022 12:29 PM

To: Alex Sewell <asewell@stallingsnc.org>; Wyatt Dunn <wdunn@stallingsnc.org>

Subject: Fwd: OSBM Directed Grant Process

Thanks,

Dean

Sincerely,

In Kindest Regards,

Dean Arp

From: David Capen (Policy Director, Majority Leader Bell's Office) <David.Capen@ncleg.gov>

Sent: Wednesday, January 19, 2022 10:25:38 AM

To: @House/Members <Housemembers@ncleg.net>

Cc: @House/Legislative Assistants <Houselegislativeassistants@ncleg.net>; HSE - House Republican Research Assts <HSE-HouseRepublicanResearchAssts@ncleg.gov>; HSE - Speaker Moore <Tim.Moore.Office@ncleg.gov>

Subject: OSBM Directed Grant Process

Members,

Many of you have been receiving inquiries from non-State entities (counties, municipalities, non-profits, &c.) in your district regarding funds that have been appropriated to them in our State Budget.

OSBM has a 100 day deadline to get these funds out, and they have reached out to all receiving entities. Entities that have not responded to OSBM will not be able to receive the funds that have been appropriated to them.

At the request of the House Appropriations Chairmen, please take a few minutes to review the attached presentation which outlines the process for non-State entities to receive State funds.

OSBM is putting together a comprehensive list of the 150+ entities that they have not received a response from. When that is made available, we will share with you all.

If you have any questions, please reach out to Chairman Dean Arp, or email OSBM directly at SCIFGrantsNC@osbm.nc.gov.

We hope this information is helpful to you, your constituents, and organizations you've been working to support.

Very Respectfully.
David



David S. Capen
Director of Policy
Office of House Majority Leader
919.301.2021

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MEMO

To: Mayor and Council
From: Erinn Nichols via Alex Sewell
RE: Virtual meeting options in Council meeting spaces

As the state is still operating under a state of emergency, the Council has the option of meeting remotely for its meetings. Therefore, staff was requested to explore the ability to outfit the Council meeting spaces with remote meeting capabilities.

Costs:

- Council Chambers - \$4414.88
- GC Council Conference Room - \$5958.43

Timeline and Installation:

- Lead time is unknown until orders are placed for equipment. Can be anywhere from 6-8 weeks to 4-6 months due to current state of supplies.
- Once equipment is received, the project will take two technicians, two days to complete.

Items of Note:

- If any member of the Council joins a meeting virtually, the meeting is considered a remote meeting, regardless of the location of the majority of Council, and is subject to the remote meetings laws.
 - Allowing any public to participate remotely
 - Roll call votes
 - Noting which Council Member is speaking
- Allowing a Council Member to participate via phone only (call in) is still susceptible to the remote meetings laws and therefore requires giving the same option and access to the public for participation.
- Once the Governor removes the state from a state of emergency, there is the possibility that the Council will not be able to conduct remote meetings per statute. There could be new legislation to clear this up, but as of now it is not clear.