



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler
Mayor
Nicholas A. Honeycutt
Vice-Mayor
Robert W. Zink
Treasurer
Stuart L. Jolley
Clerk
Larry H. Davis
Secretary

MINUTES SPECIAL FOR REGULAR MEETING Mars Hill Town Hall – Conference Room March 14, 2022 at 6:00 p.m.

The Town of Mars Hill Mayor and Board of Aldermen met in special session to conduct the business for the March regular meeting on Monday, March 14, 2022, at 6:00 p.m. in the Mars Hill Town Hall. The meeting was held in accordance with public notice given pursuant to N.C.G.S. 160A-71 and 143-318.12(b)(2). (Attachment A)

MEMBERS PRESENT: Mayor John Chandler; Aldermen Larry Davis, Nicholas Honeycutt, Stuart Jolley, and Robert W. (Bob) Zink.

STAFF PRESENT: Nathan R. Bennett, Town Manager; and Jamie Stokes, Town Attorney

OTHERS PRESENT: Ryan Bell

Call to Order

The meeting was called to order by Mayor John Chandler. Mayor Chandler welcomed those in attendance.

Approval of the Agenda

Mayor Chandler asked the Board to review the proposed agenda for approval. Upon review of the agenda, Mayor Chandler called for a motion. **Alderman Bob Zink made a motion that the agenda be approved as presented.** Alderman Nicholas Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the agenda was approved unanimously. (Attachment B)

Approval of Minutes

Mayor Chandler then asked the Board to review the minutes of the regular meeting held on February 14, 2022, and the special meeting held on February 14, 2022. There being no modifications to the minutes, **Alderman Stuart Jolley made a motion that the minutes for both the regular and special meetings held on February 14, 2022, be approved as presented by management.** Alderman Larry Davis seconded the motion. Upon a call for a vote on the motion by the Mayor, the minutes were approved unanimously.

Old Business

Mayor Chandler then moved to address old business.

Request for Voluntary Annexation – Crossroads Parkway – Mars Hill Ridge, LLC – PIN: 9757-45-7636

Mayor Chandler recognized Town Manager Nathan Bennett to review the petition request for voluntary annexation presented to the Board. Mr. Bennett advised that the Town received a petition on February 8, 2022, for voluntary contiguous annexation from the authorized representative of Mars Hill Ridge, LLC. This property

is not yet addressed by the county addressing office, but it is located on Crossroads Parkway at the intersection with Calvin Edney Road. The property is one of three parcels included in the proposed Mars Hill Ridge residential subdivision, and the only one of the three not already inside the Town boundary. The property was formerly owned by the Joy Anders Revocable Trust and is identified by Madison County Parcel Identification Number 9757-45-7636. Mr. Bennett advised that the petition application includes a copy of the subject property deed, plat, and a map. Mr. Bennett advised that the required clerk investigation is complete and that the Clerk has provided the Certificate of Sufficiency. The staff investigation determined this property meets the criteria for voluntary annexation and Mr. Bennett recommended approval of the associated ordinance. Pursuant to previous Board direction given on February 14, 2022, the public hearing notice for this voluntary annexation petition was published as required by law in the Madison News-Record & Sentinel on March 2 and March 9, 2022. The next step is to hold the public hearing on the request for annexation.

PUBLIC HEARING – Mayor Chandler then convened the public hearing to receive comments from the general public concerning the request for voluntary annexation of the subject property located adjacent to 735 Crossroads Parkway, and identified by Madison County PIN 9757-45-7636, pursuant to notice duly published to the public. There being no comments from the public, Mayor Chandler closed the public hearing.

ORDINANCE – Upon completing discussion of the matter, Mayor Chandler called for a motion. **Alderman Zink made a motion to approve “An Ordinance to Extend the Corporate Limits of the Town of Mars Hill” pursuant to the petition for voluntary annexation of the parcel identified as the vicinity of 735 Crossroads Parkway (Madison County PIN: 9757-45-7636 and Madison County Registry Deed Book 735 at Page 116) by the property owner of record, Mars Hill Ridge, LLC, through and by its’ agent of record David A. Luck, as more fully set forth in the petition application.** Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachment C)

New Business

Mayor Chandler then moved to address new business.

Budget Amendment(s) – FY 2021-22

Mayor Chandler recognized Mr. Bennett to provide information regarding purposed budget amendments to the current FY 2021-22 budget ordinance. Mr. Bennett advised that there are three proposed amendments, two making adjustments to the general fund budget and one for the water and sewer fund. Mr. Bennett advised we are nearing the completion of the third (3rd) quarter of the fiscal year and upon analysis of year-to-date actual budget activity there a few departmental line items that need to be modified to reflect actual activity. He also advised that the town has received several grants over the course of the year that were not known at the time the budget was adopted in June. Mr. Bennett reported that the Town received a grant from NCDEQ for the purchase of a new garbage truck in the amount of \$160,000, a grant from the Appalachian Regional Commission for the installation of a public wi-fi network for downtown in the amount of \$21,936, and the coronavirus relief funds from the federal American Rescue Plan Act in the amount of \$308,977.17. Mr. Bennett further explained the amendments contained additional appropriations to cover special projects and equipment purchases that have previously been approved by the Board. Mr. Bennett explained each of the three amendments in detail and recommended their approval. Upon completing discussion of these items, Mayor Chandler called for a motion. **Alderman Zink made a motion to approve the three proposed budget amendments entitled “Budget Ordinance Amendment for FY 2021-2022” identified as FY 2022-01, FY 2022-02, and FY 2022-03 as presented.** Alderman Honeycutt seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously. (Attachments D, E, and F respectively)

American Rescue Plan Act – GRANT PROJECT ORDINANCE

Mayor Chandler then asked Mr. Bennett to provide information regarding the proposed grant project ordinance regarding the American Rescue Plan Act of 2021. Mr. Bennett reminded the Board that the Town will be receiving funding from the federal American Rescue Plan Act (ARPA) as part of the federal government effort to assist local governments and their communities recover from the effects of COVID-19. Mr. Bennett summarized the requirements placed on this funding by the U.S. Treasury Department and advised that our consultant with Land of Sky Regional Council recommended the Town elect to take the standard allowance as authorized by the law and expend most of the Town ARP/CSLFRF funds for the provision of government services. The consultant advised this is the process recommended by the experts at the UNC School of Government who are advising North Carolina local governments on the appropriate processes in utilizing these funds. In addition, Mr. Bennett advised that the U.S. Treasury requires that the local governments adhere to the provisions of the federal Uniform Grant Guidance. Mr. Bennett advised that the Town must adopt a policy to comply with Uniform Grant Guidance that addresses accounting/auditing costs and costs principles for expenditure of the ARPA funds. Mr. Bennett summarized the proposed policy that will bring the Town in compliance with the requirements of the Uniform Guidance. Upon completion of discussion of the proposed grant project ordinance and the associated policy for allowable costs and cost principles, Mayor Chandler called for a motion. **Alderman Jolley made a motion to approve the grant project ordinance entitled “Town of Mars Hill American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds (Attachment G),” and the associated policy entitled “Policy for Allowable Costs and Cost Principles for Expenditure of American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds by North Carolina Local Governments (Attachment H).** Alderman Davis seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Town Manager Report – Nathan Bennett, Town Manager

Mayor Chandler then recognized Mr. Bennett to provide the Town Manager Report.

COVID-19 Response

Mr. Bennett provided the Board an update on the continuing Town response to the coronavirus and COVID-19 situation. The Town continues to be under the state and locally designated state of emergency in response to COVID-19. Mr. Bennett advised that the daily positive infection rate has come down considerably and the Governor has recommended ending mask requirements. He further advised there have been no issues to note due to COVID with Town operations, and recommends the Town leave the local state of emergency in place until the State terminates the statewide state of emergency declaration.

Personnel - Certification

Mr. Bennett advised the Board that public works employees Clint English and Craig Mace have completed training and have received state board certification for Water Treatment Facility Operators Grade-C Surface Water. This is the certification required to operate the Town’s water treatment plant. These employees will be receiving on-the-job training to allow them to fill the schedule due to the retirement of one of the current operators. Mr. Bennett requested the Board approve a salary adjustment of \$1,200 per annum for each employee for receiving this certification. Upon completing discussion of this matter, Mayor Chandler called for a motion. **Alderman Honeycutt made a motion to authorize the salary increase of \$1,200 per annum to Clint English and Craig Mace for receiving certification as water treatment operators as presented by management.** Alderman Jolley seconded the motion. Upon a call for a vote by the Mayor, the motion was approved unanimously.

Temporary Road Closure Ordinance – MHU Graduation Ceremony

Mr. Bennett advised the Board approval is necessary for the temporary closure of Cascade Street in the vicinity of Moore Auditorium for Mars Hill University graduation ceremonies on May 21, 2021, between from 8:30 a.m. and 2:30 p.m. This is not a continuous closure during those times, but only during those times of entry prior to the ceremony and exit after completion of the ceremony. This proposed ordinance for approval by the Board is part of the requirements of N.C. Department of Transportation to authorize such temporary closure of state roadways. Upon review and discussion of the Ordinance as presented, Mayor Chandler called for a motion. **Alderman Jolley made a motion to approve the ordinance entitled “An Ordinance Declaring a Road Closure for Mars Hill University’s Graduation Ceremony,” as presented by management.** Alderman Honeycutt seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion was approved unanimously. (Attachment I)

General Update

Mr. Bennett advised the Board that he is sponsoring an MHU student intern this semester who is assisting him with several projects. The intern is Logan Gunn, a Community and Non-Profit Leadership major, from Henderson County. Mr. Bennett then updated the Board on the Community Economic Revitalization and Recovery Initiative project that the Town is working in partnership with the N.C. Department of Commerce. The first meeting of the workgroup – consisting of downtown and NC 213 business owners, university leadership, and community members – was February 22nd and the next meeting is March 22nd at 5:30 at Town Hall. Mr. Bennett reviewed the meeting summary and process for completion of the project.

Mr. Bennett advised the Board that the gazebo lot at the corner of NC 213 and Main Street that has been leased by the Town from a private property owner for several years, has recently been purchased by Mars Hill University. Mr. Bennett advised he has spoken with President Tony Floyd regarding future MHU plans for the property and also confirmed that the University has taken responsibility for management and maintenance of the property from the Town.

Mr. Bennett advised the Board that the First Fridays’ monthly downtown business events will return April 1st and continue each month through December. He also advised the Board that Madison County High School has formed a tennis team and have asked to use the Town tennis courts for practice and perhaps match play since the school system does not have any tennis facilities. Mr. Bennett advised that he has authorized reserved use by the team during the afternoon’s afterschool through the end of April. Mr. Bennett also confirmed with the Board that there are no desired changes to the Town’s representation to the Land of Sky Regional Council Board of Delegates. Board consensus was to maintain Land of Sky primary delegate as Mayor Chandler and Mr. Bennett as the alternate delegate.

Mr. Bennett then notified the Board that Mr. Ronnie Rice, a long-time employee who served as a water treatment operator, retired from Town employment as of March 1. Mr. Bennett invited the Board to a retirement reception in Mr. Rice’s honor set for Friday, March 18 at noon in the Town Hall conference room. Mr. Bennett updated the Board on other items of interest to the Board.

Public Comment

Mayor Chandler then moved to public comment. Mayor Chandler recognized Mr. Ryan Bell who spoke briefly regarding the First Friday’s events and other recreation items at the Bailey Mountain Preserve and Smith Farm Park.

There were no other public comments.

Closed Session (Pursuant to N.C.G.S. 143-318.11)

There was no Closed Session.

Adjourn

There being no further business before the Board, Mayor Chandler called for a motion to adjourn. **Alderman Zink made a motion to adjourn.** Alderman Jolley seconded the motion. Upon a call for a vote on the motion by the Mayor, the motion to adjourn was unanimously approved.

Approved and authenticated this the 4th day of April, 2022.


John L. Chandler, Mayor

ATTEST:



Nathan R. Bennett,
Town Manager





Notice of Special Meeting for Regular Meeting
of the
Town of Mars Hill
Mayor and Board of Aldermen
Scheduled for 14 March 2022

PLEASE TAKE NOTICE that the Mars Hill Mayor and Board of Aldermen shall, pursuant to NC Gen. Stat. 160A-71 and NC Gen. Stat. 143-318.12(b)(2), hold a special meeting at the following designated place and time:

Date of Meeting: Monday, 14 March 2022

Time of Meeting: 6:00 p.m.

Place of Meeting: Mars Hill Town Hall
Large Conference Room
280 North Main Street
Mars Hill, North Carolina

Purpose of Meeting: Conduct the regular business meeting agenda for the month of March 2022.

This the 18th day of February 2022.

_____/s/_____
John L. Chandler, Mayor

Posted as required by NC Gen. Stat. 153A-40(b) and NC Gen. Stat. 143-318.12(b)(2) on this 18th day of February, 2022 at 9:00 o'clock a.m.



Nathan R. Bennett, Town Manager



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

John L. Chandler

Mayor

Nicholas A. Honeycutt

Vice-Mayor

Robert W. Zink

Treasurer

Stuart L. Jolley

Clerk

Larry H. Davis

Secretary

AGENDA

REGULAR MEETING

Mars Hill Town Hall Conference Room

March 14, 2022, at 6:00 p.m.

1. Call to Order – *Mayor John L. Chandler*
2. Approval of Agenda
3. Approval of Minutes: February 14, 2022, Regular and Special Meetings
4. Old Business
 - a. **PUBLIC HEARING** – Request for Voluntary Annexation – Mars Hill Ridge, LLC, David Luck
Vicinity of 735 Crossroads Parkway, Mars Hill – Madison PIN: 9757-45-7636
 - i. **ORDINANCE** – An Ordinance to Extend the Corporate Limits of the Town of
Mars Hill, North Carolina
5. New Business
 - a. Budget Amendment(s) – FY 2022-23
 - b. **ARPA – ORDINANCE** – Grant Project Ordinance – Town of Mars Hill American Rescue Plan
Act of 2021: Coronavirus State and Local Fiscal Recovery Funds
 - c. **ARPA – POLICY** – Policy for Allowable Costs and Cost Principles for Expenditure of
American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds by North
Carolina Local Governments
6. Town Manager Report – Nathan Bennett, Town Manager
 - a. COVID-19 Response Update
 - b. Personnel – Certification
 - c. General Update
7. Public Comment
[Policy: Each speaker shall be limited to a maximum of three (3) minutes. The public comment period is not intended to require the Board of Aldermen or staff to answer any impromptu questions. The Board will not take action on an item presented during the public comment period. The Board may refer inquiries made during the public comment period to the Town Manager to address as appropriate. If necessary, the item may be placed on the agenda of a future meeting.]
8. Closed Session (*Pursuant to N.C.G.S. 143-318.11 – if needed*)
9. Adjourn

Mars Hill Town Hall

280 North Main Street • P.O. Box 368

Mars Hill, North Carolina 28754

Phone: (828) 689-2301 • Fax: (828) 689-3333

ORDINANCE #: 263

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF MARS HILL, NORTH CAROLINA**

WHEREAS, the Board of Aldermen has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Board of Aldermen has by resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Mars Hill Town Hall at 6:00 o'clock, p.m. on the 14th day of March, 2022 after due notice by publication on the 2nd day of March, 2022; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Mars Hill, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Mars Hill as of the 14th day of March, 2022.

(Insert Metes and Bounds Description)

That real property located on Crossroad Parkway, Mars Hill currently owned by Mars Hill Ridge, LLC, as set forth and more fully described in Deed Book 735 at Page 116 in the Madison County Registry, Office of the Register of Deeds of Madison County, North Carolina, and further identified by Madison County Property Identification Number 9757-45-7636 and the attached Exhibit 1.

Section 2. Upon and after the 14th day of March, 2022, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Mars Hill and shall be entitled to the same privileges and benefits as other parts of the Town of Mars Hill. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Mars Hill shall cause to be recorded in the Office of the Register of Deeds, Madison County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

ADOPTED this the 14th day of March, 2022.



Mayor

ATTEST:



Clerk



APPROVED AS TO FORM:



Town Attorney

STATE OF NORTH CAROLINA
COUNTY OF MADISON
TOWN OF MARS HILL

I, Stuart L. Jolley, Town Clerk of the Town of Mars Hill in the State of North Carolina, **DO HEREBY CERTIFY**, that:

1. The attached is a copy of an Ordinance to extend the Corporate Limits of the Town of Mars Hill, North Carolina.
2. The Ordinance was adopted on the 14th day of March, 2022, at a regularly scheduled meeting of the Mayor and Board of Aldermen of the Town of Mars Hill, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the Corporate Seal of the Town of Mars Hill, North Carolina, this 14th day of March, 2022.

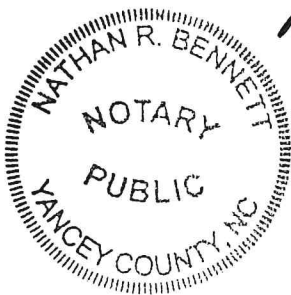


Stuart L. Jolley
TOWN CLERK

STATE OF NORTH CAROLINA
COUNTY OF MADISON

I, Nathan R. Bennett, a Notary Public of the aforesaid State and County, do hereby certify that Stuart L. Jolley, personally appeared before me this day and acknowledged the due execution of the foregoing certificate.

WITNESS my hand and Notarial Seal this 14th day of March, 2022.



Nathan R. Bennett
NOTARY PUBLIC

My Commission Expires:

November 19, 2022

ISK 735 PG 116

This Document eRecorded:
Fee: \$26.00 DocType: DEED
Madison County, North Carolina
Mary Jane Wallin, Register of Deeds

11/08/2021 03:28:14 PM
Tax: \$444.00

"EXHIBIT 1"

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$444.00

Parcel Identifier No. 9757-45-7636 Verified by _____ County on the ____ day of _____, 20__
By: _____

Mail/Box to: Goosmann Rose Colvard & Cramer, P.A., 77 Central Ave, Suite H, Asheville, NC 28801

This instrument was prepared by: Goosmann Rose Colvard & Cramer, P.A., 77 Central Ave, Suite H, Asheville, NC 28801 (21-3831 JRR mh)

Brief description for the Index: 99999 Crossroads Parkway

THIS DEED made this 8 day of November, 2021, by and between

GRANTOR

GRANTEE

Joy E Anders Revocable Trust dated March 27, 2000, a fifty percent (50%) undivided interest,
and
Anders Family Trust established under the Bryan Anders Revocable Trust dated March 27, 2000, a fifty percent (50%) undivided interest
445 Walnut Cove Road
Mars Hill, NC 28754

Mars Hill Ridge, LLC, a North Carolina limited liability company
1355 Cane Creek Road
Fletcher, NC 28732

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Mars Hill, Madison County, North Carolina and more particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference. This instrument was prepared by John R. Rose, a licensed NC attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 267 at page 429 and in Book 521 at page 661.

All or a portion of the property herein conveyed _____ includes or XXX does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: *Those matters set forth in the description for the property; easements and rights of way of record or in place; restrictive covenants of record; the use provisions of any governmental ordinance affecting the property and taxes for the current year.*

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Joy E Anders Revocable Trust dated March 27, 2000 _____ (SEAL)

Print/Type Name: _____

By: Joy E Anders
Joy E. Anders, Sole Trustee

Print/Type Name: _____ (SEAL)

Anders Family Trust established under the Bryan Anders Revocable Trust dated March 27, 2000

Print/Type Name: _____ (SEAL)

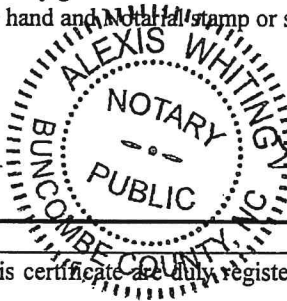
By: Joy E Anders
Joy E. Anders, Trustee

Print/Type Name: _____ (SEAL)

State of North Carolina – County of Buncombe

I, the undersigned Notary Public of the County and State aforesaid, certify that Joy E. Anders, personally appeared before me this day and acknowledged that he is the Sole Trustee of Joy E Anders Revocable Trust dated March 27, 2000, a ~~North Carolina or corporation/limited liability company/general partnership/limited partnership~~ (strike through the inapplicable), and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notary stamp or seal, this 3 day of November, 2021.

My Commission Expires: 6/17/26



Alexis Whiting
Notary Public

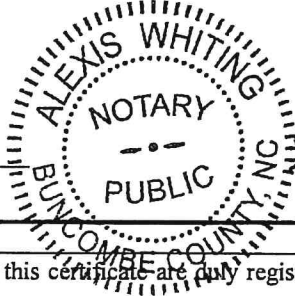
The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for _____ County
By: _____ Deputy/Assistant –Register of Deeds

State of North Carolina – County of Buncombe

I, the undersigned Notary Public of the County and State aforesaid, certify that Joy E. Anders, personally appeared before me this day and acknowledged that he is the Trustee of Anders Family Trust established under the Bryan Anders Revocable Trust dated March 27, 2000, a ~~North Carolina or corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable)~~, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 3 day of November, 2021.

My Commission Expires: 6/17/26



Alexis Whiting
Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: _____ Register of Deeds for _____ County
Deputy/Assistant –Register of Deeds

EXHIBIT "A"

Being all of that tract or parcel of property containing 5.00 acres, more or less, as shown on that plat recorded in Plat Book 6, at Page 377 of the Madison County, NC Register's Office; reference to which Plat is hereby made for a more particular description of said Property.

The above-described Property is a portion of that property conveyed in those deeds recorded in Record Book 267, at Page 429 and in Record Book 521, at Page 661 of the Madison County, NC Register's Office.



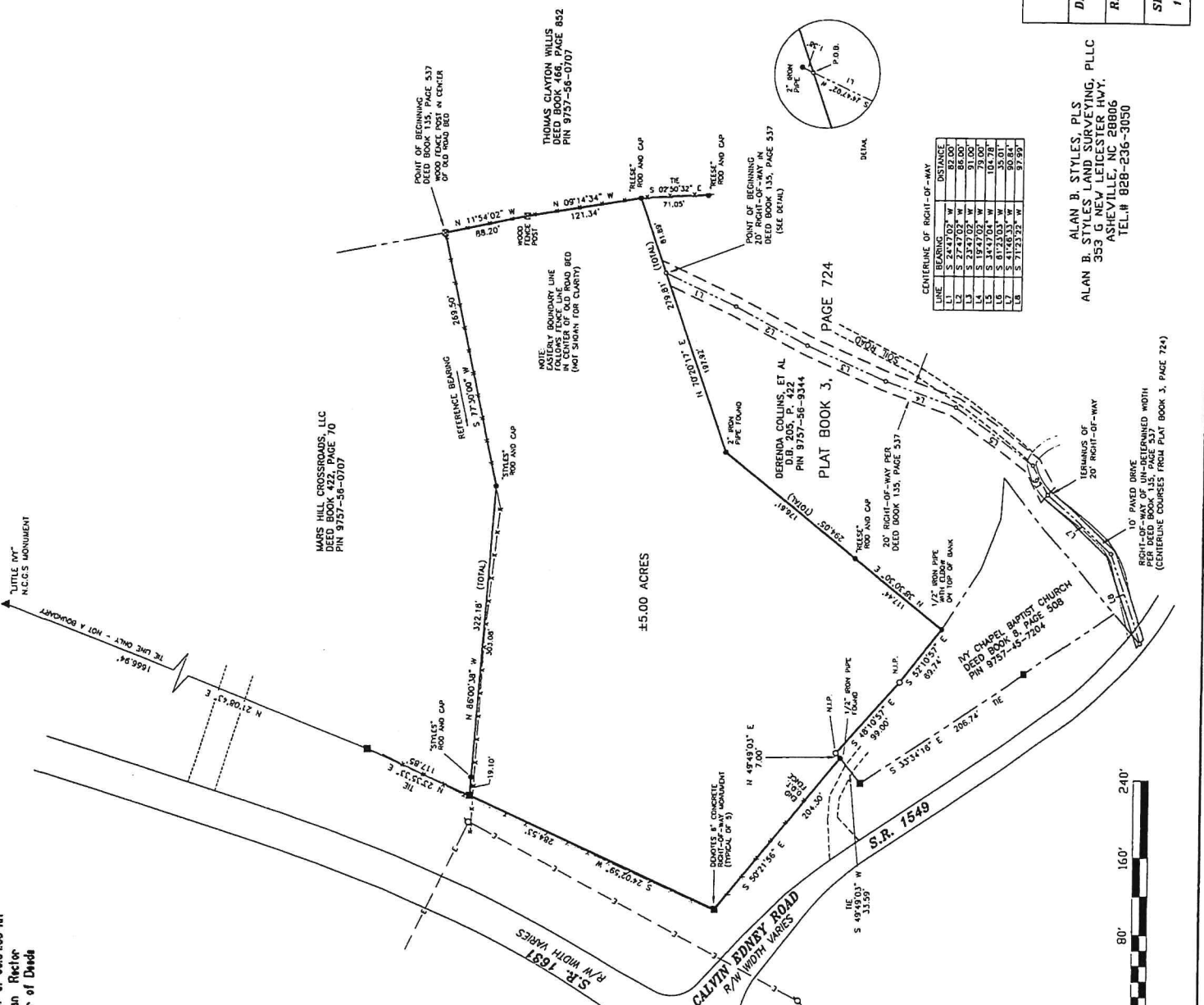
FILED in MADISON County, NC on
Oct 08, 2007 at 08:04:08 AM
by Susan Rector
Register of Deeds

DEED BOOK 422, PAGE 72

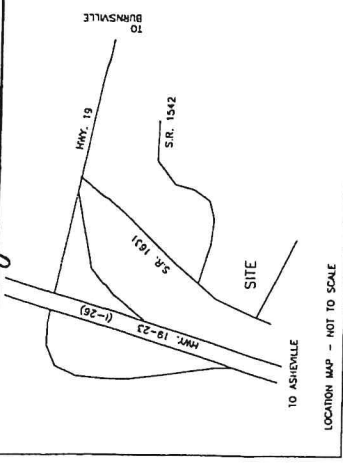
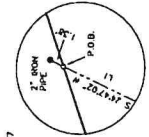
NOTES:
SURVEY IS BASED ON DEEDS AND EXISTING MONUMENTS AS SHOWN.
PARCEL MAY BE SUBJECT TO EASEMENTS, ENCUMBRANCES, RIGHTS AND RESTRICTIONS WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
ALL AREAS ARE COMPUTED BY COORDINATE METHOD.
ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
NO HCCS MONUMENTS LOCATED WITHIN 2000 FT. OF SURVEY UNLESS OTHERWISE INDICATED ON THIS PLAT.
UNDERGROUND UTILITIES AND BUILDING FOOTINGS, EAVE OVERHANG NOT LOCATED OR SHOWN.
THIS PLAT IS PREPARED FOR THE PERSON, WHOSE NAME IS SHOWN HEREON, AND UPON THE TITLE BLOCK OF THIS PAGE AND IS NOT INTENDED FOR USE BY ANY OTHER PERSON OR CORPORATION.

NOTE: SPECIAL FLOOD HAZARD ZONE AS DETERMINED BY FEMA.

- LEGEND
- CORNER NOT MONUMENTED
 - CIP = EXISTING IRON PIN (PIPE)
 - RRS = RAILROAD SPIKE
 - PK = SURVEYORS NAIL
 - CFP = CONCRETE FOOTING
 - DB = DEED BOOK
 - X-X-X-X = FENCE LINE
 - E-E-E-E = ELECTRIC LINE
 - WH = WATER MAIN/SEWER
 - L.P. = LIGHT POLE



LINE	BEARING	DISTANCE
L1	S 24°47'02" W	82.00
L2	S 77°47'02" W	66.00
L3	S 77°47'02" W	70.00
L4	S 18°47'02" W	70.00
L5	S 34°47'04" W	104.78
L6	S 81°33'03" W	55.01
L7	S 71°23'22" W	97.99
L8	S 71°23'22" W	97.99



LOCATION MAP - NOT TO SCALE

STATE OF NORTH CAROLINA
COUNTY OF MADISON
I, Alan B. Styles, RESIDENT OFFICER OF MADISON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS REFERRED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Alan B. Styles 10-5-07
REGISTER OFFICER DATE:

FILED FOR REGISTRATION ON THE 5th DAY OF October 2007 AT 9:04 AT PAGE 377
AND RECORDED IN PLAT BOOK 6 MADISON COUNTY REGISTER OF DEEDS
Alan B. Styles

I, ALAN B. STYLES, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY. I CERTIFY THAT THE ERROR OF PRECISION OF THE CONTROL SURVEY DOES NOT EXCEED CS 47-30 AS AMENDED, AND THE MAP WAS PREPARED IN ACCORDANCE WITH THE SURVEY IS OF AN EXISTING PARCEL OF LAND.
WITNESS MY HAND AND SEAL THIS 08th DAY OF OCTOBER 2007.
Alan B. Styles
ALAN B. STYLES, P.L.S.
N.C. NO. L-2985



BEING ALL OF DEED BOOK 135, PAGE 537
PIN 9757-43-7838

BOUNDARY SURVEY FOR
BRYAN ANDERS AND JOY E. ANDERS, OWNERS

DRAWN DB	DATE	NO. 4 TOWNSHIP
REVISED	9/11/07	MADISON COUNTY
STATE OF NORTH CAROLINA	9/25/07	ALAN B. STYLES, PLS
SHEET 1 OF 1	SCALE 1" = 80'	PROJECT NO. 07-J-11

REV. 9/23/07, REVISED FOR RECORDING

ALAN B. STYLES, P.L.S.
ALAN B. STYLES LAND SURVEYING, PLLC
353 G NEW LEICESTER HWY.
ASHEVILLE, NC 28806
TEL.# 828-236-3050

• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

Limited Liability Company

Legal Name

Mars Hill Ridge, LLC

Information

SosId: 2295893

Status: Current-Active ⓘ

Date Formed: 10/28/2021

Citizenship: Domestic

Annual Report Due Date: April 15th

Current Annual Report Status:

Registered Agent: Luck, David A

Addresses

Reg Office

1335 Cane Creek Road
Fletcher, NC 28732

Reg Mailing

1335 Cane Creek Road
Fletcher, NC 28732

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

TOWN OF MARS HILL

ATTACHMENT D

2021 – 2022 Fiscal Year


**BUDGET ORDINANCE AMENDMENT
FY 2022-01**

ORDINANCE #: 264

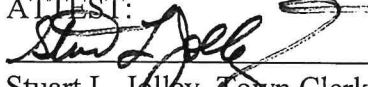
The purpose of this budget amendment is to update the FY 2021-22 **GENERAL FUND** budget as follows:

Budget Code	Description	Revenues	Expenditures
10-3491-0000	State Grants	\$ 160,000.00	
10-5800-7400	Capital Outlay – Equipment	\$	\$ 160,000.00
	<i>VW Grant for Garbage Truck</i>		
10-3994-0000	Appropriated Fund Balance	\$ 11,000.00	
10-5800-7400	Capital Outlay – Equipment	\$	\$ 11,000.00
	<i>Balance on Purchase of Garbage Truck</i>		
10-3490-0000	Federal Grants	\$ 21,936.00	
10-5600-7600	Downtown Revitalization Fund	\$	\$ 21,936.00
	<i>Public Wi-Fi for Downtown</i>		
10-3680-0000	Special Fire District Tax	\$ 22,600.00	
10-5300-7800	Non-Capital Outlay/Equipment	\$	\$ 22,600.00
	<i>Wellness/Fitness Equipment for Fire Dept.</i>		
10-3994-0000	Appropriated Fund Balance	\$ 3,000.00	
10-6200-7800	Non-Capital Outlay/Equipment	\$	\$ 3,000.00
	<i>Park Benches at Tennis Courts</i>		
	TOTAL ADDITIONAL REVENUES ANTICIPATED	\$ 218,536.00	
	TOTAL ADDITIONAL EXPENSES AUTHORIZED		\$ 218,536.00

This budget amendment is hereby **ADOPTED** and incorporated into the FY 2021-22 Budget Ordinance by the Mars Hill Mayor and Board of Aldermen meeting in regular session on this the 14th day of March, 2022.


John L. Chandler, Mayor

ATTEST:


Stuart L. Jolley, Town Clerk



TOWN OF MARS HILL

ATTACHMENT F

2021 - 2022 Fiscal Year


BUDGET ORDINANCE AMENDMENT
FY 2022-03


ORDINANCE #: 266

The purpose of this budget amendment is to update the FY 2021-22 WATER & SEWER FUND budget as follows:

Budget Code	Description	Revenues	Expenditures
10-3994-0000	Appropriated Fund Balance	\$ 37,100.00	
30-8100-7400	Capital Outlay/Equipment	\$	\$ 37,100.00
	<i>Purchase of John Deere Excavator</i>		
30-3994-0000	Appropriated Fund Balance	\$ 25,000.00	
30-8100-7300	Capital Outlay/Lines & Systems	\$	\$ 25,000.00
	<i>Waterline Stabilization – Laurel Valley Rd.</i>		
30-3994-0000	Appropriated Fund Balance	\$ 10,000.00	
30-8100-4500	Contracted Services	\$	\$10,000.00
	<i>Waterline Survey Work – Laurel Valley Rd.</i>		
30-7200-1800	Training	\$ 2,500.00	
30-8100-5700	Operations / Miscellaneous	\$	\$ 2,500.00
	<i>Moved from Operations to Admin. for Training</i>		
	TOTAL ADDITIONAL REVENUES ANTICIPATED	\$ 74,600.00	
	TOTAL ADDITIONAL EXPENSES AUTHORIZED		\$ 74,600.00

This budget amendment is hereby **ADOPTED** and incorporated into the FY 2021-22 Budget Ordinance by the Mars Hill Mayor and Board of Aldermen meeting in regular session on this the 14th day of March, 2022.


John L. Chandler, Mayor

ATTEST:

Stuart L. Jolley, Town Clerk



Town of Mars Hill

MAYOR AND BOARD OF ALDERMEN

ORDINANCE #: 267

GRANT PROJECT ORDINANCE

TOWN OF MARS HILL AMERICAN RESCUE PLAN ACT OF 2021: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

BE IT ORDAINED, by the Town of Mars Hill Mayor and Board of Aldermen that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Mars Hill (Town) has received the first tranche in the amount of \$308,977.17 of CSLFRF funds. The total allocation is \$617,954.34, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law:

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

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend most of its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriated for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Police services for period of July 1, 2022 through December 31, 2023	6.1	Salaries	\$ 422,454.34
			Benefits	\$ 165,500
002	Grant administration for period of January 1, 2022 through December 31, 2026	7.1	Fees	\$ 30,000
	TOTAL			\$ 617,954.34

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

Item	Amount
ARP/CSLFRF Funds	\$ 617,954.34
Transfer from General Fund	\$ 0
Total	\$ 617,954.34

Section 5: The officers of this unit are hereby directed to proceed with implementation of this grant project within the terms of the budget contained herein.


Section 6: The Town Manager and Finance Officer are hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town’s Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 7: The Town Manager is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 8: Copies of this grant project ordinance shall be furnished to the Clerk to the Governing Board, and to the Town Manager, Budget Officer, and Finance Officer for direction in carrying out this project.

Section 9: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

ADOPTED this the 14th day of March, 2022, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.



John L. Chandler, Mayor

ATTEST:



Stuart L. Jolley,
Town Clerk



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

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

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

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

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

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

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

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

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

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

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

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


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

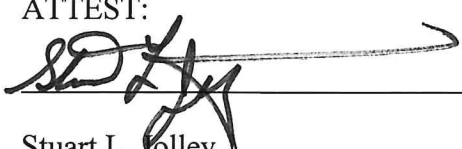
- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.
- (b) The non-Federal entity assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.

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

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

ADOPTED this the 14th day of March, 2022, by the Mayor and Board of Aldermen for the Town of Mars Hill, North Carolina.


 John L. Chandler, Mayor

ATTEST:

 Stuart L. Jolley,
 Town Clerk



Town of Mars Hill Allowable Costs and Costs Principles Policy

I. ALLOWABLE COSTS AND COSTS PRINCIPLES POLICY OVERVIEW

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

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

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

II. GENERAL COST ALLOWABILITY CRITERIA

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

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

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

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

- Whether the cost addresses project goals and objectives and is based on program data.

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

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

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

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

- 3. Be authorized and not prohibited under state or local laws or regulations.**

4. **Conform to any limitations or exclusions set forth in the principles, federal laws, ARP/CSLFRF award terms, and other governing regulations as to types or amounts of cost items.**
5. **Be consistent with policies, regulations, and procedures that apply uniformly to both the ARP/CSLFRF federal award and other activities of Town of Mars Hill.**
6. **Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost. And a cost must be treated consistently for both federal award and non-federal award expenditures.
7. **Be determined in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in the UG.**
8. **Be net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to and received by the local government related to the federal award, they shall be credited to the ARP/CSLFRF award, either as a cost reduction or a cash refund, as appropriate and consistent with the award terms.
9. **Be adequately documented.**

III. SELECTED ITEMS OF COST

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

The town manager is responsible for determining cost allowability and must be familiar with the Selected Items of Cost. The Town of Mars Hill must follow the applicable regulations when charging these specific expenditures to the ARP/CSLFRF grant. The town manager will check costs against the selected items of cost requirements to ensure the cost is allowable and that all process and documentation requirements are followed. In addition, State laws, Town of Mars Hill regulations, and program-specific rules may deem a cost as unallowable, and the town manager must follow those non-federal rules as well.

Exhibit A identifies and summarizes the Selected Items of Cost.

IV. DIRECT AND INDIRECT COSTS

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

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

subcontracted service provider, or other materials consumed or expended in the performance of a grant-eligible project.

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

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

V. SPECIAL PROVISIONS FOR STATE AND LOCAL GOVERNMENTS

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

§ 200.444 General costs of government.

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

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

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

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

§ 200.416 COST ALLOCATION PLANS AND INDIRECT COST PROPOSALS.

(a) For states, local governments and Indian tribes, certain services, such as motor pools, computer centers, purchasing, accounting, etc., are provided to operating agencies on a centralized basis. Since Federal awards are performed within the individual operating agencies, there needs to be a process whereby these central service costs can be identified and assigned to benefitted activities on a reasonable and consistent basis. The central service cost allocation plan provides that process.

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

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

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

§ 200.417 INTERAGENCY SERVICE.

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

VI. COST ALLOWABILITY REVIEW PROCESS

PREAPPROVAL COST ALLOWABILITY REVIEW

Before an ARP/CSLFRF-funded project is authorized, the town manager must review the proposed cost items within an estimated project budget to determine whether they are allowable and allocable and whether cost items will be charged as direct or indirect expenses. This review

will occur concurrently with the review of project eligibility and *before* obligating or expending any ARP/CSLFRF funds.

- Local government personnel must submit proposed ARP/CSLFRF projects to the town manager for review. In addition to other required information, all proposed project submissions must delineate estimated costs by cost item.
- Along with a general review of project eligibility and conformance with other governing board management directives, including the town's ARP/CSLFRF Eligible Use Policy, the town manager must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by the US Treasury.
- If a proposed project includes a request for an unallowable cost, town manager will return the proposal to the requesting party for review and, if practicable, resubmission with corrected cost items.
- Once a proposed project budget is pre-approved by the town manager the local government personnel responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget.

POST-EXPENDITURE COST ALLOWABILITY REVIEW

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

- All invoices or other demands for payment must include a breakdown by cost item. The cost items should mirror those presented in the proposed budget for the project. If an invoice or other demand for payment does not include a breakdown by cost item, the town manager will return the invoice to the project manager and/or vendor, contractor, or subrecipient for correction.
- The town manager must review the individual cost items listed on the invoice or other demand for payment to determine their allowability and allocability.
- If all cost items are deemed allowable and properly allocable, the town manager must proceed through the local government's normal disbursement process.
- If any cost item is deemed unallowable, the town manager will notify the project management and/or vendor, contractor, or subrecipient that a portion of the invoice or other demand for payment will not be paid with ARP/CSLFRF funds. The town manager may in their discretion, and consistent with this policy, allow an invoice or other demand for payment to be resubmitted with a revised cost allocation. If the local government

remains legally obligated by contract or otherwise to pay the disallowed cost item, it must identify other local government funds to cover the disbursement. Town of Mars Hill's governing board must approve any allocation of other funds for this purpose.

- The town manager must retain appropriate documentation of budgeted cost items per project and actual obligations and expenditures of cost items per project.

VII. COST TRANSFERS

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

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

EXHIBIT A

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

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

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

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



Town of Mars Hill

ORDINANCE #: 268

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE MARS HILL UNIVERSITY GRADUATION CEREMONY

- WHEREAS,** the Town of Mars Hill Mayor and Board of Aldermen acknowledge the long tradition of providing support for Mars Hill University graduation activities for the pleasure to its citizens, including MHU students, faculty, staff, and the parents of graduation students; and
- WHEREAS,** the Town of Mars Hill Mayor and Board of Aldermen acknowledge citizens and businesses realize a financial benefit from the graduation ceremonies; and
- WHEREAS,** the Town of Mars Hill Mayor and Board of Aldermen acknowledge the Mars Hill University graduation ceremony requires approximately 30 minutes to install signage and traffic control devices, and requires approximately 30 minutes for removing signage, traffic control devices, and litter.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF MARS HILL THE FOLLOWING:

1. That pursuant to the authority granted by N.C.G.S. 20-169 that a temporary road closure is hereby declared during the day and time set forth below on the following described portion of State Highway System routes and Town streets.
2. **Date:** Saturday, May 21, 2022
3. **Time:** 8:30 a.m. to 2:30 p.m.
4. **Route Description:** From NC Highway 213/ Cascade Street to Athletic Street to SR 1355/Bailey Street to SR 1609/North Main Street and South Main Street to NC Highway 213/Carl Eller Road, all within the Town of Mars Hill, North Carolina.
5. This ordinance shall become effective when signs are erected giving notice of the limits and times of the event and implementation of adequate traffic control to protect participants and to guide vehicles around the event route.

ADOPTED this the 14th day of March, 2022 by the Town of Mars Hill Mayor and Board of Aldermen.

Attest:


STUART L. COLLEY,
Town Clerk




JOHN L. CHANDLER,
Mayor

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