

**Madison Board of Aldermen
Regular Meeting
Madison Municipal Building
July 13, 2023
6:00 p.m.**

Members Present: Mayor William Phillips
Alderman Alan Hensley
Alderman Virginia Hoover
Alderman Brenda Platt
Alderman Micky Silvers

Members Absent: Alderman Matt Bullins
Alderman Tom Rogers

Staff Present:

Town Attorney: Michael Cassidy
Town Manager: Kevin Baughn
Town Clerk/Zoning Officer: Amy Roberts
Police Captain: Clint Smith
Fire Chief: Jim Ritchey
Public Works Director: Josh Shuler
Finance Director: Tina West

Others Present:

Mavis Dillion, WRCC
Bobbie Webster, Madison Merchants Guild
Other Interested Citizens

Chase Norwood, NCLM
Diane Seaford, NCLM

Call to Order

Items 1A: Moment of Silence & 1B: Pledge of Allegiance

Mayor Phillips called the meeting to order at 6:00 p.m. Mayor Phillips called for a Moment of Silence after which he asked that everyone stand for the Pledge of Allegiance.

Item 2: Approval of Agenda for July 13, 2023

MOTION, by Alderman Silvers, seconded by Alderman Hoover, to approve the July 13, 2023 agenda as presented. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

Item 3: Public Comments

Mavis Dillion, WRCC advised that a Chamber Coffee will be held July 20, 2023 at the Chamber office, Lunch & Learn on September 14, 2023 at Deep Springs County Club and a ribbon cutting is scheduled for Southern Roots Realty. Ms. Dillion, speaking as a Downtown Business owner expressed concern with the Madison Rockingham Rescue Squad's continuous request for funding from the Town.

Consent Agenda

Items: 4A & B: Minutes & 4C: Budget Report

MOTION, by Alderman Platt, seconded by Alderman Hoover, to approve the minutes of the meetings held June 8, 2023 and June 29, 2023 as presented along with the Budget Report ending June 30, 2023. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

New Business:

Item 5A: Resolution to Approve a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement.

Chase Norwood and Diane Seaford, NCLM advised that this Agreement is funded by the North Carolina League of Municipalities and includes the purchase of Financial Software and first three years of maintenance through Black Mountain Software with the Town taking responsibility for software maintenance after the first three years.

MOTION, by Alderman Silvers, seconded by Alderman Hoover, to Approve the Resolution to Approve a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

RESOLUTION TO APPROVE A MUNICIPAL ACCOUNTING SERVICES, CYBERSECURITY AND TECHNICAL ASSISTANCE MEMORANDUM OF AGREEMENT

WITNESSETH:

WHEREAS, the North Carolina State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189, and SL 2022-6) provided to the NC League of Municipalities (League) grant funds provided to the State of North Carolina by the U.S. Treasury pursuant the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319, American Rescue Plan Act of 2021 (ARP); and

WHEREAS, the League received two Award Agreements (OSBM-NCLM-65) from the Office of State Budget and Management (OSBM) and the North Carolina Pandemic Recovery Office (NCPRO); and

WHEREAS, the first Award Agreement is identified as OSBM-NCLM-65. This grant enables the League to provide "financial software and assistance programs for units of local government for expenses related to the COVID-19 pandemic..." This grant is referred to as the Municipal Accounting Services and Cybersecurity Grant; and

WHEREAS, the second Award Agreement is identified as OSBM-NCLM-66. This grant enables the League "to provide guidance and technical assistance to units of local government in the administration of funds from the Local Fiscal Recovery Fund, as established in Section 2.6 of S.L. 2021-25, and in the administration of projects funded through the State Fiscal Recovery Fund, as established in Section 2.2 of S.L. 2021-25." This grant is referred to as the Guidance and Technical Assistance Grant; and

WHEREAS, the Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant are collectively referred to herein as the "League Grants".

WHEREAS, the League Grants are deemed part of US Treasury Expenditure Category: 6, Revenue Replacement and shall only be spent on governmental services; and

WHEREAS, pursuant to US Treasury Guidance, units of local government that receive services that are funded by one or both of the League Grants are beneficiaries of one or both of the League Grants, respectively, and such services are provided at no cost to these local governments; and

WHEREAS, the League has established a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement pursuant to the terms of the League's Municipal Accounting Systems and Cybersecurity Grant and the Guidance and Technical Assistance Grant; and

WHEREAS, the value of the Contractor Services provided by Black Mountain Software to the Town of Madison is currently \$90,560; and

WHEREAS, the League has established a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement pursuant to the terms of the League's Municipal Accounting Systems and Cybersecurity Grant and the Guidance and Technical Assistance Grant; and

WHEREAS, this Municipal Accounting System, Cybersecurity and Technical Assistance Memorandum of Agreement will offer local municipalities:

(1) Services rendered by the League (League Services) including but not limited to capital expenditures for special purpose software and computer equipment as set forth in §2 C.F.R. 200.439; and

(2) Services rendered by one or more service providers (Contractor Services), retained by the League on behalf of the Municipality, who are members of a particular profession or possess a special skill as set forth in §2 C.F.R. 200.459; and

(3) Equipment, including information technology systems, and supplies, including computing devices, as set forth in §2 C.F.R. 200.439 and §2 C.F.R. 200.453; and

WHEREAS, the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement, is attached hereto as Exhibit A; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY/TOWN COUNCIL/BOARD OF THE TOWN OF MADISON:

1. That, the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement is hereby approved.
2. That the Manager/Clerk is authorized to execute the attached Memorandum of Agreement (or one substantially equivalent thereto) and such

other agreements as necessary in accordance with the League's Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant.

Adopted this the 13th day of July, 2023.

ATTEST:

William Phillips, Mayor

Amy Roberts, Town Clerk

A Copy of Exhibit A: Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement and Exhibit B: Contractor Services will be on File in the Town Clerk's Office.

Item 5B: Request to Close Portion of South Dalton Street

MOTION, by Alderman Silvers, seconded by Alderman Hensley, to Approve the Resolution of Intent to Close an Unopened Portion of South Dalton Street Lying Parallel to South Market Street and Running North and South from East Hunter Street to East Academy Street Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

RESOLUTION OF INTENT TO CLOSE AN UNOPENED PORTION OF SOUTH DALTON STREET LYING PARALLEL TO SOUTH MARKET STREET AND RUNNING NORTH AND SOUTH FROM EAST HUNTER STREET TO EAST ACADEMY STREET.

WHEREAS, North Carolina General Statute 160A-299 authorizes the Board of Aldermen to permanently close any street or public alley, including unopened streets that have been platted but not accepted or maintained by the Town; and,

WHEREAS, North Carolina General Statute 160A-299 requires the Board of Aldermen to first adopt a resolution declaring their intent to close the street and call for a Public Hearing on the matter; and,

WHEREAS, North Carolina General Statute 160A-299 requires that the resolution be published once a week for four successive weeks prior to the public hearing, a copy sent by certified mail to all owners of property adjoining the street and a notice of closing and public hearing be prominently posted in at least two places along the street.

NOW THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Madison:

1. A Public Hearing shall be held on August 10, 2023 at 6:00 pm in the Madison Municipal Building, 120 N. Market Street to consider the adoption of an order to abandon and close a portion of South Dalton Street shown on the Plat of Town of Madison Traced by & From Records of J. S. Trogdon, Engineer, Leaksville, NC recorded in Plat Book 3, Page 86 at the Rockingham County Register of Deed, North Carolina and described as:

a. a portion of South Dalton Street, as shown on the Town of Madison Plat, recorded in Plat Book 3, Page 86 running North to South, parallel to South Market Street from East Hunter Street to East Academy Street being sixty-six feet in width and bounded on the East by Lot Nos. 70 and 75 and bounded on the West by Lot Nos. 69 and 76.

2. The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the *Rockingham Now* newspaper, send by certified mail to each owner of abutting property of said street a copy of this Resolution and to post notice of this Resolution in at least two prominent places along said street.

3. The Board of Aldermen will at the Public Hearing hear any person on the question of whether or not the closing would be detrimental to public interest or the property rights of any individual and if it appears to the satisfaction of the Board after the hearing that closing the street will not be contrary to public interest and that no individual owning property in the vicinity of said street would be denied ingress and egress, the Board of Aldermen will adopt an order closing the street that shall be recorded at the Office of the Register of Deed in Rockingham County, North Carolina

Adopted this the 13th day of July, 2023.

ATTEST:

William Phillips, Mayor

Amy Roberts, Town Clerk

Item 5C: Resolution for Approving Local Water Supply Plan

MOTION, by Alderman Hensley, seconded by Alderman Hoover, to Approve the Resolution for Approving Local Water Supply Plan. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Madison has been developed and submitted to the Board of Aldermen for approval; and

WHEREAS, the Board of Aldermen finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for Town of Madison, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of Town of Madison that the Local Water Supply Plan entitled, 2022 Local Water Supply Plan dated March 15, 2023, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Board of Aldermen intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 13th day of July, 2023.

Name: William Phillips
Title: Mayor of the Town of Madison
Signature: _____

ATTEST:

Amy Roberts, Town Clerk

Item 5D: Resolution Approving Funding Offer from NC Department of Environmental Quality for Sanitary Sewer Rehab & Flood Protection Project.

MOTION, by Alderman Hensley, seconded by Alderman Silvers, to Approve the Resolution Approving Funding Offer from NC Department of Environmental Quality for Sanitary Sewer Rehab & Flood Protection Project. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

RESOLUTION BY TOWN OF MADISON BOARD OF ALDERMEN

WHEREAS, the **Town of Madison** has qualified for the Viability Utility Reserve (VUR) designation associated with the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of **\$4,871,000** to perform work detailed in the submitted application titled **Sanitary Sewer Rehab and Flood Protection (NCDEQ Project No. VUR-W-ARP-0078)**, and

WHEREAS, the **Town of Madison** intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF MADISON

That **Town of Madison** does hereby accept the American Rescue Plan Grant offer of **\$4,871,000**.

That the **Town of Madison** does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That **William Phillips, Mayor**, and **Kevin Baughn, Town Manager**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 13th of July 2023 at Madison Town Hall, in Madison, North Carolina.

William Phillips, Mayor

Item 5E: NCDEQ American Rescue Plan Act Grant Project Budget Ordinance

MOTION, by Alderman Silvers, seconded by Alderman Hensley, to Approve Town of Madison NCDEQ American Rescue Plan Act Grant Project No. VUR-W-ARP-0078 Project Budget Ordinance Ayes: Aldermen, Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

TOWN OF MADISON
NCDEQ AMERICAN RESCUE PLAN ACT GRANT
Project No. VUR-W-ARP-0078
PROJECT BUDGET ORDINANCE

BE IT ORDAINED, by the Madison Board of Aldermen, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted:

- Section 1: The project authorized is the **Sanitary Sewer Rehab and Flood Protection** described in the work statement contained in the grant agreement between this unit and the North Carolina Department of Environmental Quality. This project is assigned the NCDEQ project number VUR-W-ARP-0078.
- Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the appropriate state and/or federal funding agencies, and the budget contained herein.
- Section 3: The following revenues are anticipated to be available to complete this project.

NCDEQ American Rescue Plan Act Grant Funds	<u>\$4,871,000</u>
Total Revenues:	\$4,871,000

Section 4: The following amounts are appropriated for the project:

Sewer Improvements - Construction	\$4,203,000
Sewer Improvements – Engineering / Soft Costs	\$648,000
Sewer Improvements - Administration	<u>\$20,000</u>
Total Expenditures:	\$4,871,000

- Section 5: The Town Manager/Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.
- Section 6: Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.
- Section 7: The Town Manager/Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.
- Section 8: The Town Manager/Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.
- Section 9: Copies of this grant project ordinance shall be made available to the Town Manager/Finance Officer for direction in carrying out this project.

Adopted this the 13th day of July, 2023.

Mayor

Town Clerk

Item 5F: Approval of National Fish and Wildlife Foundation Project Funding Agreement (Big Beaver Island Creek Restoration)

MOTION, by Alderman Platt, seconded by Alderman Hoover, to Approve the National Fish and Wildlife Foundation Project Funding Agreement (Big Beaver Island Creek Restoration) Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

A copy of the National Fish and Wildlife Foundation Funding Agreement will be on file in the Town Clerk’s Office.

Item 5G: NFWF Project Budget Ordinance.

MOTION, by Alderman Silvers, seconded by Alderman Hensley, to Approve the Grant Project Ordinance for the Town of Madison National Fish and Wildlife Foundation, Big Beaver Island Creek Restoration. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

Grant Project Ordinance for the Town of Madison National Fish and Wildlife Foundation, Big Beaver Island Creek Restoration

BE IT ORDAINED by the Madison Board of Alderman, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant ordinance is hereby adopted.

- Section 1: The project authorized is the Big Beaver Island Creek Restoration described in the work statement contained in the grant agreement between this unit and the National Fish and Wildlife Foundation. This project is assigned the NFWF project ID# 8020.23.081304.
- Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant documents, the rules and regulations of the appropriate state and/or federal funding agencies, and the budget contained therein.
- Section 3: The following revenues are anticipated to be available to complete the project:

NFWF	<u>\$200,000.00</u>
Total Revenues	\$200,000.00

Section 4: The following amounts are appropriated for the project and authorized for expenditure:

Ecological Engineering and Surveying	<u>\$200,000.00</u>
Total Expenditures	\$200,000.00

- Section 5: The Town Manager/Finance Director is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and federal and state regulations.
- Section 6: Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7: Copies of this grant project ordinance shall be furnished to the Town Manager, the Finance Director and to the Clerk to Town Board.

Section 8: This grant project ordinance expires October 31, 2024, or when the project has been completed, if before.

Adopted this 13th day of June 2023.

William Phillips, Mayor

Amy Roberts, Town Clerk

Item 5H: Confirmation of Abatement Cost

MOTION, by Alderman Hensley, seconded by Alderman Silvers, to Confirm the Abatement for Allison Greene, 209 South Wilson Street in the amount of \$453.20 which shall become a lien against the property and recorded and collected as an unpaid tax. Ayes: Aldermen Hensley, Hoover, Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

Item 6A: Manager/Manager Comments & Announcements

Mayor Phillips highlighted the announcements including Beach ‘n’ BBQ on July 22, 2023 beginning at 10:00 am and Municipal filing ending July 21, 2023 at 12:00 pm

Item 7: Adjournment

MOTION, by Alderman Hensley, seconded by Alderman Hoover ,to adjourn the meeting. Ayes: Aldermen, Hensley, Hoover Platt, Silvers and Mayor Phillips. Nays: None. Motion carried.

ATTEST:

Amy Roberts, Town Clerk

William Phillips, Mayor