Ordinance: O-25-03
Board Meeting: March 10, 2025

Town of Black Mountain
Hurricane Helene
Amended Grant Project Ordinance

BE IT ORDAINED by the Town Board of the Town of Black Mountain, North Carolina, that, pursuant to the Local Government Budget and Fiscal Control a local government may, in its discretion, authorize and budget for a capital project or a grant project in a project ordinance adopted pursuant to G.S. 159-13.2. A project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any subsequent fiscal year; the following Grant Project Ordinance O-24-15, originally adopted October 7, 2024, is hereby amended and adopted as follows:

Section 1. Project Defined

The Town of Black Mountain defines a "Grant Project" as a project financed in whole or in part by revenues received from the Federal and/or State Government for operating or capital proposed as defined by the grant contract. The project may include expenditures that span across multiple fiscal years.

Section 2. Project Authorization

The project authorized is Hurricane Helene. Beginning September 25th, 2024 the Town of Black Mountain entered into a State of Emergency within North Carolina. September 28th, 2024 a Federal Major Disaster Declaration for the State of North Carolina due to Tropical Storm Helene was issued. September 30th, 2024 the Town of Black Mountain declared a State of Emergency. FEMA-4827-DR, North Carolina Disaster Declaration as of September 28, 2024, defines the Incident Period as September 25, 2024 and continuing.

Section 3. Funding

This project is to be funded in whole or part by FEMA-4827-DR. FEMA's Office of Response and Recovery has determined that with the President's Emergency Declaration, exigent and emergency circumstances currently exist. FEMA Assistance for this project has been declared for 100% of approved expenditures. For all permanent expenditures related to the storm FEMA has declared 90% reimbursement. The state of NC Emergency Management has declared funding of 10% to cover remaining unreimbursed amounts from FEMA. Funds may be advanced from other Town of Black Mountain fund accounts for the purpose of making payments as due. Reimbursement requests should be made to any applicable grantor agency following the regulations and rules of the grant.

Town of Black Mountain Operating Fund Transfers:

- Initial Funding for this project will need to be provided by a budget amendment from the General Fund Balance. In the case of funding that is not needed due to other funding sources, the Town will transfer unneeded funds transferred from the General Fund back to the general fund.
- The board approved in the January agenda meeting to Transfer funding from the general fund to the Helene Project to cover costs to Veteran Park Fencing in the amount of $121,000.

FEMA Funding Received to Date:

- The Town has received a payment of 50% of the emergency expenditures submitted. The total amount received was $860,666.18.

NCLM is the Town's insurance carrier. The following payments have been received to date:

- An advanced payment of $1,500,000 has been received by NCLM to assist in immediate needs while our insurance claims are being completed. This payment will be deducted from the insurance proceeds to be received for flood damage to Town property.
- Total Insurance Claims paid to date from NCLM equal $716,452.40

State Funding Has Been Received for the Following Items:

- NC DEQ Division of Water Infrastructure project Number HEL-0003 provides funding up to the amount of $3,000,000, repayable at 0% interest. The DEQ Water Infrastructure Emergency Bridge Loan Program established in Session Law 2024-53 Section 4C.7 has been awarded to the Town.
- The Town has also been awarded an additional $200,000 in grant funds for engineering assessment, planning and design work associated with the Water Infrastructure Emergency Bridge Loan.
- NC Department of State Treasurer has awarded a loan in the amount of $705,703.37 to aid with Cashflow due to Hurricane Helene

Section 4. Directives
The officers of the Town of Black Mountain are hereby directed to proceed with the federal and/or state grant project within the terms of the rules and regulations of those grants and the budget contained. The Town Manager is herby directed to act on behalf of the Town Council in all matters associated with the project within the terms of all contracts, agreements, and legal requirements binding on the project and within limits of the funds appropriated
Section 5. **Revenues**
The following anticipated revenues are hereby adopted:

Budgeted Revenues			
Budgeted Revenues	***Prior Authorized***	***Change***	***Amended Funding***
Transfer In From General Fund	2,121,000.00	200,000.00	2,321,000.00
Transfer In From Powell Bill Fund	0.00	100,000.00	100,000.00
Grant Revenue Federal - FEMA Emergency Expendituress	860,666.18	0.00	860,666.18
NCDEQ - Infrastructure Loan	3,000,000.00	0.00	3,000,000.00
NCDEQ - Infrastructure Technical Assist Grant	200,000.00	0.00	200,000.00
NCDST - Cashflow Loan	0.00	705,703.37	705,703.37
Insurance Proceeds	2,159,143.40	57,309.00	2,216,452.40
Total Funds	**$8,340,809.58**	**$1,063,012.37**	**$9,403,821.95**

Section 6. Expenditures
The following anticipated appropriations are hereby adopted:

Budgeted Expenses			
Budgeted Expenses	***Prior Anticipated***	***Change***	***Amended Expense***
Salaries and Benefits	$500,000.00	-$2,000.00	$498,000.00
Protective Clothing	$8,009.80	$2,000.00	$10,009.80
Contract Services	$1,722,090.29	$690,703.37	$2,412,793.66
Professional Services - Engineering and Design	$204,000.00	$0.00	$204,000.00
Professional and Technical Service	$50,100.00	$0.00	$50,100.00
Technology and Software License	$25,000.00	-$24,000.00	$1,000.00
Emergency Preparedness	$1,037.13	$0.00	$1,037.13
R&M Buildings	$6,261.58	$10,000.00	$16,261.58
R&M Grounds/Parks/Greenways	$50.00	$0.00	$50.00
R&M Equipment	$6,764.43	$18,500.00	$25,264.43

R&M Vehicle	$2,375.96	$0.00	$2,375.96
R&M Streets/Sidewalks/Curb	$16,289.76	$10,000.00	$26,289.76
R&M Utility System	$135,500.00	$0.00	$135,500.00
Office Supplies	$1,986.54	$0.00	$1,986.54
Medical Supplies	$210.49	$500.00	$710.49
Non-Capital Equipment and Furniture	$55,251.34	$1,683.00	$56,934.34
Lease Rental -Equipment	$144,150.00	$0.00	$144,150.00
Miscellaneous Expense	$39,010.03	$0.00	$39,010.03
Capital Outlay - Land Improments	$121,000.00	$0.00	$121,000.00
Capital Street/Bridge/Sidewalk	$50,000.00	$300,000.00	$350,000.00
Capital Outlay - Dist Lines and Connections	$2,500,000.00	$0.00	$2,500,000.00
Capital Outlay - Plants, Pump Stations, Sub Stations	$500,000.00	$0.00	$500,000.00
Capital Outlay - Vehicles	$2,156,722.23	$55,626.00	$2,212,348.23
Capital Outlay - Furninshings & Non-Motorized Equipment	$95,000.00	$0.00	$95,000.00
Total Expenses	**$8,340,809.58**	**$1,063,012.37**	**$9,403,821.95**

Section 7. Records and Reporting
The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable

Section 8. Official Copies
Copies of this Capital Project Ordinance shall be furnished to the Town Clerk and shall be held in the Finance Department for the direction in carrying out this project.

Section 9. Project Expiration
This project ordinance expires when the project has been completed and Project Funds have been obligated and expended for all project expenditures by the Town OR by the date set forth within the grant funding contract, if applicable, whichever occurs sooner.

Duly adopted this 10th day of March 2025.

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C. Michael Sobol
Mayor

ATTEST:

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Wesley Barker
Town Clerk