

TOWN OF ZEBULON
NON-PROFIT ORGANIZATION
FUNDING APPLICATION
FISCAL YEAR 2024-2025

GENERAL INFORMATION

Date:

Agency/Organization Name:

Mailing Address:

City:

State:

Zip Code:

Physical Address (if different from mailing):

Primary Contact & Title:

Phone Number:

Fax Number:

Email Address:

Website:

ORGANIZATION INFORMATION

1) Is your agency incorporated as a non-profit organization? ☐ Yes ☐ No. If "Yes", please attach a copy of your IRS tax-exempt designation.

2) Does your Board of Directors consist of non-paid volunteers? ☐ Yes ☐ No

3) Number of years organization has been in existence:

4) Did your organization receive funding from the Town of Zebulon previously? ☐ Yes ☐ No (Skip to questions)

4A) Did you provide an update to the Board of Commissioners?

4B) If you did not provide an update to the Board of Commissioners, attach a description of how the funds were used.

5) List your organization's Mission Statement:

6) Describe the service or project you intend to apply this grant towards:

7) What Focus Area of Zebulon's Vision 2030 Strategic Plan does this service or project fit within?:
(Ref: www.Zebulon2030.com)

☐ Small-Town Life ☐ Vibrant Downtown ☐ Grow Smart

8) How does this service or project accomplish a goal within the checked Focus Area?

9) How many Zebulon citizens do you serve annually?
10) In the upcoming year, list the metric(s) you will measure to ensure these grant funds are effectively progressing towards meeting the service goal or need?
Annual budget: _____ ; % Administration
Sources of revenue for annual budget (by amount and %):

REQUEST INFORMATION

Amount requested from Town of Zebulon:
Space requested from Town of Zebulon (Please indicate the location and the duration of your space needs):

Will you have a representative make a brief presentation (no more than 3 minutes) to the Board of Commissioners on Monday, March 4 @ 6:00 PM? ☐ Yes ☐ No

Certification

We certify to the best of our knowledge that the information provided in this application is accurate and complete and is endorsed by the organization.

If awarded a grant, I understand and am prepared to make a report to the Board of Commissioners at a Regular Board meeting on how the grant is being used and what progress is being made on the service goal or need. Failure to present can be a factor used in determining if subsequent grants are awarded.

We also certify that we have read Session 2021 Senate Bill 473 and can attest that a commissioner also serving on a nonprofit board shall not engage in self-dealing with regard to award of a grant to that nonprofit.

Signature:
Print Name & Title:

APPLICATION DUE BACK TO FINANCE OFFICE BY JANUARY 31, 2024

Please return your application to:

Town of Zebulon
Attn: Bobby Fitts
1003 N Arendell Avenue
Zebulon, NC 27597
rfitts@townofzebulon.org

STAFF ONLY

- 1) Does the proposed service or project advance upon goals noted within the Zebulon Vision 2030 Strategic Plan?
- 2) Does the organization provide the proposed service or project in a more efficient and effective manner than if provided as a Town of Zebulon service?
- 3) Does Staff recommend award of grant?

Attachment: Resolution 2020-07; Session 2021 Senate Bill 473

RESOLUTION 2020-07 NON-PROFIT FUNDING POLICY

1.0 PURPOSE:

The purpose of this policy is to provide guidelines to Board and staff in making decisions regarding funding requests by local non-profit organizations. The Town of Zebulon wishes to contribute to the efforts of these organizations when their focus areas align with those of the *Town of Zebulon Vision 2030 Strategic Plan*.

2.0 POLICY STATEMENT:

The Town of Zebulon is committed to providing financial assistance to those non-profit agencies which supplement the Town services that are provided to its citizens. Non-profit agencies should also focus on one or more of the Town of Zebulon's focus areas defined in the Strategic Plan. The focus areas and priority goals within those areas are:

- ***Focus area 1: Vibrant Downtown*** – We will have a clean, attractive, and historic downtown with a variety of special events, entertainment, shops, restaurants, businesses and housing to serve as the heart of Zebulon, providing a gathering place for the community and a destination for visitors.
 - ***Goal:*** Revitalize downtown Zebulon
 - ***Goal:*** Develop events, entertainment, and cultural attractions to draw people downtown
- ***Focus area 2: Small Town Life*** – We will preserve and enhance our small-town feel by developing more activities and locations to gather with family and neighbors, making Zebulon a safe, connected, family friendly and walkable town.
 - ***Goal:*** Promote more community events and festivals
 - ***Goal:*** Enhance and create more community gathering places
 - ***Goal:*** Increase the connectedness and walkability in the community
- ***Focus area 3: Growing Smart*** – Our community is growing and we will plan for the growth with appropriate staffing and service levels to address land use and traffic concerns; promote economic development and preserve the affordability of our community
 - ***Goal:*** Plan for appropriate land use to meet transportation and housing needs
 - ***Goal:*** Pursue economic development opportunities with our community partners
 - ***Goal:*** Maintain appropriate staffing to support expected service levels for the growing community

3.0 NON-PROFIT AGENCY ELIGIBILITY FOR TOWN FUNDS:

It shall be the policy of the Town of Zebulon to consider providing assistance to non-profit agencies meeting the criteria detailed below.

3.1 Eligibility Requirements

All non-profits shall verify their non-profit status by submitting an IRS tax exempt letter confirming 501(c)(3) status, and IRS 990 form and a current solicitation license from the North Carolina Secretary of State (or if exempt, the exemption letter). Additionally, non-profit organizations must not have their revenue suspended by the North Carolina Secretary of State or have overdue federal or state taxes.

3.2 Accountability

Non-profits agencies shall adhere to accountability standards set by the Town Manager and as required by law. Compliance with these standards is a criterion for funding. These standards include but are not limited to:

Complying with all financial requirements including the submission of financial statements or audits as specified by the contract.

Complying with program performance measurement requirements including quarterly reports to the Board of Commissioners.

3.3 Funding Eligibility

A non-profit agency must have operated for two years by December 31 of the year preceding the application deadline.

Non-profit agencies may not use a third party arrangement to meet requirements for eligibility.

Only one application per agency will be considered each year.

Grants are for operating costs. The Town will not fund the purchase, maintenance, or repair or capital assets in excess of \$5,000.

3.4 Use of Funds

Application must identify what project or program will use funds.

Application must identify and explain how project or program meets one of the goals of the Strategic Plan.

4.0 FUNDING APPLICATION PROCEDURE:

4.1 Application Timeline

- The application will be available on the Town of Zebulon website (www.townofzebulon.org) the first business day of the calendar year.
- Completed applications must be returned to the Finance Department no later than the date indicated in the public notice. Applications received after the published deadline will be deemed ineligible for that year.
- All applicants must appear and make a brief presentation at the March Board of Commissioners meeting (1st Monday of every March).

4.2 Application Requirements

- A completed and signed application is required, along with all required documentation by the advertised deadline.

4.3 Funding Award

- Requests for funding will be handled as part of the annual budget process.

- Town staff will provide analysis to assist the Board of Commissioners with how the applicant aligns with the Town's focus areas and goals.
- The Board of Commissioners will approve final funding for non-profits when the Annual Budget is adopted.
- Applicants will be notified of final funding no later than June 30th.
- The total amount of funding available for award to all non-profit organizations shall not exceed \$5,000 for any fiscal year, with no more than \$1,000 awarded to any single non-profit organization.
- Funds distributed by the Town of Zebulon may only be spent as indicated on the application submitted by the organization. In the event funds are not used as indicated, the full amount of funding will be required to be returned to the Town.
- Any organization receiving funding will hold the Town of Zebulon harmless from any claim or liability that may arise or result from the operation of any program or service assisted with funding from the Town of Zebulon.

5.0 GRANT REPORTING AND MONITORING

Each funded agency must present a report to the Board of Commissioners at a Regular Council meeting. Each agency shall also provide a written report documenting funds received and spent. Funded agencies who do not report will not be eligible for consideration of Town grants in the next fiscal year.

6.0 EXCEPTIONS

Other non-profit entities may receive funding at the Board of Commissioners discretion. The Board may consider other factors such as:

- Does it promote an established Town initiative?
- Does the entity provide a public purpose outside the Town's focus areas?
- Does the entity have a substantial presence in the community?
- Does the entity have a proven track record over time of contributions to the benefit of the Town, its institutions and citizens?
- Does the entity stimulate or encourage community participation in non-profit activities?

This policy replaces Resolution 2008-27 adopted December 3, 2007.

This policy shall remain in effect until such time as amended by the Board of Commissioners.

Adopted this the 6th day of January, 2020
Effective this the 6th day of January, 2020

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SENATE BILL 473
RATIFIED BILL**

AN ACT TO ENHANCE THE INDEPENDENCE OF THE ANNUAL AUDIT OF UNITS OF LOCAL GOVERNMENT PREVIOUSLY THE SUBJECT OF AN AUDIT BY THE STATE AUDITOR, TO REQUIRE GARNISHMENT OF CERTAIN MONIES OWED TO AN ELECTED OFFICIAL OF A UNIT OF LOCAL GOVERNMENT IN CERTAIN INSTANCES, TO PROVIDE IT IS A CRIME FOR AN ELECTED OFFICIAL TO MISUSE THE ELECTED OFFICE FOR PERSONAL FINANCIAL GAIN, AND TO PROVIDE THAT A PUBLIC OFFICER ALSO SERVING ON A NONPROFIT BOARD SHALL NOT ENGAGE IN SELF-DEALING WITH REGARD TO AWARD OF PUBLIC AGENCY CONTRACTS TO THAT NONPROFIT.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 147-64.6(c)(14) reads as rewritten:

"(14) The Auditor shall notify the General Assembly, the Governor, the Chief Executive Officer of each agency audited, and other persons as the Auditor deems appropriate that an audit report has been published, its subject and title, and the locations, including State libraries, at which the report is available. The Auditor shall then distribute copies of the report only to those who request a report. The copies shall be in written or electronic form, as requested. ~~He~~ The Auditor shall also file a copy of the audit report in the Auditor's office, which will be a permanent public record. In addition, the Auditor may publish on his or her Web site any reports from audits of State agencies not directly conducted by the Auditor. If the report is the result of an investigation of a unit of local government subject to Article 3 of Chapter 159 of the General Statutes, the Auditor shall notify the Local Government Commission that a report has been published with respect to that unit of local government. Nothing in this subsection shall be construed as authorizing or permitting the publication of information whose disclosure is otherwise prohibited by law."

SECTION 1.(b) G.S. 159-34 is amended by adding a new subsection to read:

"(d) Notwithstanding the requirement that the auditor is selected by and reports directly to the governing board in subsection (a) of this section, the Commission may require the governing board of a local government or public authority that has been the subject of an investigative audit with findings by the State Auditor, upon receipt of the investigative audit report in accordance with G.S. 147-64.6(c)(14), to select the certified public accountant to conduct the annual audit required by this section from a list of three certified public accountants provided by the Commission. The Commission may instruct the Secretary to issue a request for proposals when selecting a certified public accountant under this subsection. Upon exercise of this authority granted by this subsection, the certified public accountant shall report directly to the Commission and governing board, shall comply with all rules of the Commission, and shall be paid by the governing board. The Commission may exercise the authority granted by this subsection for up to three fiscal years after the release of the investigative report with findings by the State Auditor."



SECTION 1.(c) This section is effective when it becomes law and applies to any investigative audit issued by the State Auditor on or after that date. The Local Government Commission, in its discretion, may use the authority established by G.S. 159-34(d), as enacted by this act, with respect to any unit of local government that has been the subject of an investigative audit by the State Auditor on or after July 1, 2018.

SECTION 2.(a) G.S. 153A-28 reads as rewritten:

"§ 153A-28. Compensation of board of commissioners.

(a) The board of commissioners may fix the compensation and allowances of the ~~chairman-chair~~ and other members of the board by inclusion of the compensation and allowances in and adoption of the budget ordinance. In addition, if the ~~chairman-chair~~ or any other member of the board becomes a full-time county official, pursuant to G.S. 153A-81 or 153A-84, ~~his~~ the compensation and allowances may be adjusted at any time during ~~his~~ that person's service as a full-time official, for the duration of that service.

(b) In addition to any other enforcement available, the finance officer of the county shall garnish compensation paid under this section to any chair or other board member to collect any unpaid monies due to the county for county services until such debt is paid in full using the procedure for attachment and garnishment set forth in G.S. 105-368 as if unpaid monies due to the county for county services were delinquent taxes and that finance officer were the tax collector. The provision of G.S. 105-368(a) that limits the amount of compensation that may be garnished to not more than ten percent (10%) for any one pay period shall not apply to this subsection."

SECTION 2.(b) G.S. 160A-64.1 reads as rewritten:

"§ 160A-64.1. Withholding compensation; money judgment against council member.

(a) In addition to any other enforcement available, the finance officer of a city that obtains a final judgment awarding monetary damages against an elected or appointed member of the city council, either individually or jointly, may enforce that final judgment using any of the remedies set forth in G.S. 105-366(b) or the procedure for attachment and garnishment set forth in G.S. 105-368 as if final judgment awarding monetary damages were delinquent taxes and that finance officer were the tax collector.

(b) In addition to any other enforcement available, the finance officer of the city shall garnish compensation paid under G.S. 160A-64 to any mayor or council member to collect any unpaid monies due to the city for city services until such debt is paid in full using the procedure for attachment and garnishment set forth in G.S. 105-368 as if unpaid monies due to the city for city services were delinquent taxes and that finance officer were the tax collector.

(c) The provision of G.S. 105-368(a) that limits the amount of compensation that may be garnished to not more than ten percent (10%) for any one pay period shall not apply to this section."

SECTION 2.(c) This section is effective when it becomes law and applies to any compensation paid in accordance with G.S. 153A-28 or G.S. 160A-64 on or after that date.

SECTION 3.(a) Article 31 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-234.2. Public officers or employees financially benefiting from public position.

(a) No elected officer of a political subdivision of this State shall solicit or receive personal financial gain from the political subdivision of this State for which that elected officer serves by means of intimidation, undue influence, or misuse of the employees of that political subdivision of this State.

(b) This section shall not apply to financial gain received from a political subdivision of this State for acting in the elected official's official capacity or financial gain received with the approval of the governing board of the political subdivision of this State for which that elected officer serves.

(c) Violation of this section shall be a Class H felony."

SECTION 3.(b) This section becomes effective January 1, 2022, and applies to offenses committed on or after that date.

SECTION 4.(a) Article 31 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-234.3. Local public officials participating in contracts benefiting nonprofits with which associated.

(a) No public official shall knowingly participate in making or administering a contract, including the award of money in the form of a grant, loan, or other appropriation, with any nonprofit with which that public official is associated. The public official shall record his or her recusal with the clerk to the board, and once recorded, the political subdivision of this State may enter into or administer the contract.

(b) Anyone knowingly violating this section shall be guilty of a Class 1 misdemeanor. The exceptions listed in G.S. 14-234(b) and (d1) through (d5) shall apply to this section.

(c) A contract entered into in violation of this section is void. A contract that is void under this section may continue in effect until an alternative can be arranged when (i) an immediate termination would result in harm to the public health or welfare and (ii) the continuation is approved as provided in this subsection. A political subdivision of this State that is a party to the contract may request approval from the chair of the Local Government Commission to continue contracts under this subsection.

(d) For purposes of this section, the following definitions shall apply:

- (1) Nonprofit with which that public official is associated. – A nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating in the State primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes and of which the public official is a director, officer, or governing board member, excluding any board, entity, or other organization created by this State or by any political subdivision of this State.
- (2) Participate in making or administering a contract. – Any of the following actions by a public official:
 - a. Deliberating or voting on the contract.
 - b. Attempting to influence any other person who is deliberating or voting on the contract.
 - c. Soliciting or receiving any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a contract by the political subdivision of the State with the not-for-profit with which that public official is associated.
- (3) Public official. – Any individual who is elected or appointed to serve on a governing board of a political subdivision of this State. The term shall not include an employee or independent contractor of that political subdivision of this State."

SECTION 4.(b) This section becomes effective January 1, 2022, and applies to offenses committed on or after that date.

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SECTION 5. Except as otherwise provided, this act is effective when it becomes
In the General Assembly read three times and ratified this the 30th day of November,

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2021