

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: May 15, 2024

SUBJECT: Land of Sky Grant Award – Jackson Park Wi-Fi

PRESENTERS: Samantha R. Reynolds, Finance Director
Mark Seelenbacher, IT Director

ATTACHMENTS: Yes

1. Budget Amendment
2. Memorandum of Understanding

SUMMARY OF REQUEST:

Staff is requesting the Board approve a Memorandum of Understanding from the Land of Sky Regional Council in the amount of \$75,000. The purpose of these grant funds is for the establishment and maintenance of expanding public park Wi-Fi in Jackson Park within Henderson County. The coverage areas within Jackson Park include tennis courts, basketball courts, playground, baseball fields and picnic shelters. The project is anticipated to cost \$87,682.98, with the additional cost to be covered by available budget with the IT Department.

Staff requests the Board also approve a budget amendment for the grant funding as presented.

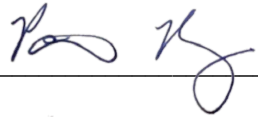
BOARD ACTION REQUESTED:

The Board is requested to approve the Memorandum of Understanding for grant funding and the related budget amendment.

Suggested Motion:

I move the Board approve the Memorandum of Understanding for grant funding and the related budget amendment.

Land of Sky Regional Council Award Notice

Type of Award: <input checked="" type="checkbox"/> Sub-Award <input type="checkbox"/> Purchase of Goods & Service	Contract No: <input checked="" type="checkbox"/> New <input type="checkbox"/> Modification
Henderson County	Land of Sky Regional Council
Henderson County 1 Historic Courthouse Square, Hendersonville, NC 28792	Land of Sky Regional Council 339 New Leicester Hwy, Suite 140 Asheville, NC 28806
1. TIN/EIN:	Source of Funding: Prime Sponsor: Federal Aid Number: CFDA: Federal Provisions Applicable: _____ <i>[if marked, Federal Funds clause is included in compliance with 2 CFR Part 200]</i>
2. DUNS:	
3. Proposal/Project Title: Public WIFI access expansion	
Congressional Districts: Awardee: NC 11 Awardee Performance Area: NC 11	4. Funding Information/Period of Performance: a. Amount Funded this Action: \$75,000 b. Amount Cost Share: N/A c. Total Funds: \$75,000 d. Start Date: April 25, 2024 e. End Date: October 1, 2024
<i>This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.</i>	
Signature:  _____ Finance Officer: Patricia Rosenberg	Date: 04/25/24 _____

Awardee	Land of Sky Regional Council
Principal Contact: Name: Mark Seelenbacher Phone: Email: mseelenbacher@hendersoncountync.gov	LOSRC Department Director: Name: Erica Anderson Phone: 828.251.7442 Email: erica@landofsky.org
Fiscal Officer: Name: Samantha Reynolds Phone: Email: sreynolds@hendersoncountync.gov	LOSRC Financial Officer: Name: Patricia Rosenberg Phone: 828.251.6622 Email: patricia@landofsky.org
Send Payment to: Accounts Payable 113 N Main St, Hendersonville, NC 28792	Send Invoices to: Accounts Payable Land of Sky Regional Council 339 New Leicester Hwy, Suite 140 Asheville, NC 28806
The undersigned hereby certifies further that: <ul style="list-style-type: none"> ▪ He or she is a duly authorized representative of the Entity named herein; ▪ He or she is authorized to make, and does hereby make, the foregoing certifications on behalf of the Entity; and ▪ He or she understands that any person who knowingly submits a false certification in response to the requirements of G.S. 143-59.1 and -59.2 shall be guilty of a Class I felony 	
Awardee Signature: _____ Name: Title: Date: _____	Land of Sky Regional Council Signature: _____ Name: Nathan Ramsey Title: Executive Director Date: _____



Contract No. _____

MEMORANDUM OF UNDERSTANDING BETWEEN
LAND OF SKY REGIONAL COUNCIL
and
HENDERSON COUNTY
for the provision of
expanding Public WIFI

This **AGREEMENT**, entered on the _____ 2024, by and between the Land of Sky Regional Council of Governments (hereinafter referred to as the "Council") and Henderson County, North Carolina (hereinafter referred to as the "Local Government"); **WITNESSETH THAT:**

WHEREAS, the Council is empowered to grant \$75,000 of funding from DHT/IEI Digital Inclusion Implementation for Public WIFI access expansion;

WHEREAS, the Local Government has requested said help with to help expanding public park WIFI access within Henderson County.

WHEREAS the Council and Commission desire to cooperate with each other in every way possible to the end that the proposed activities are carried out in an efficient manner;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. **Purpose**

This grant of funds will be used only for the establishment and maintenance of expanding public park WIFI in Henderson County known as (Jackson Park).

2. **Time of Performance**

The Council shall ensure that all services required herein shall be completed and all required reports and documents submitted during the contract period stated above.

3. **Interest of Members, Officers, or Employees of the Council, Members of the Local Government, or Other Public Officials**

No member, officer, or employee of the Council or its agents; no member of the governing body of the locality in which the program is situated; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his or her tenure or for one year thereafter, shall have any financial interests, either direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interests in the program. The Council shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

4. **Nondiscrimination Clause**

No person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination with any program or

activity funded in whole or in part with funds available under the Housing and Development Act of 1974, Section 109.

5. **Age Discrimination Act of 1975, as amended**

No qualified person shall on the basis age be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives benefits from federal financial assistance.

6. **Section 504, Rehabilitation Act of 1973, as amended**

No qualified handicapped person shall, on the basis of handicap be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

7. **E-Verify Provision**

Pursuant to G.S. 143-48.5 and G.S. 147-33.95(g), the undersigned hereby certifies that the Contractor named below, and the Contractor's subcontractors, complies with the requirements of Article 2 of Chapter 64 of the NC General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system. E-Verify System Link: www.uscis.gov

Henderson County

By: _____

Title: _____

Date: _____

Land of Sky Regional Council

By: _____

Title: Executive Director

Date: _____