

A G E N D A

Welcome and Call to Order by Mayor O. Stanhope Anthony III

~ Invocation ~

~ Pledge of Allegiance ~

A. Approval of agenda:

Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda

- 1) Motion to adopt the agenda as proposed or amended
(Show of hands)

Special Order of Business – 2021 Organizational Meeting

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Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion and vote.

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- 1) Consideration of a resolution approving the appointment of an Interim City Clerk effective as of the date and time of the City Clerk’s retirement: Resolution No. 72-2021 103

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J. Adjournment:

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

- a. Motion to adjourn 105

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

A. Approval of agenda:

Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda

- 1) Motion to adopt the agenda as proposed or amended
(*Show of hands*)
-

Special Order of Business – 2021 Organizational Meeting

- B. Recognition of Eric Byron Hendrick for his service to the City of Shelby: Resolution No. 63-2021

Agenda Item: (Presenting, Stan Anthony, Mayor)

Summary of Available Information:

- Resolution No. 63-2021
-

City Manager's Recommendation / Comments

This time is scheduled on your agenda for the Mayor to present Resolution No. 63-2021 to outgoing Council Member Eric Hendrick for his service to the City of Shelby. Resolution No. 63-2021 recognizes him for having served the City faithfully as a member of the governing body since February 3, 2014.

Mr. Hendrick has been a faithful servant of the people for almost 8 years always doing his best to represent the views of everyday folks. Mr. Hendrick participated in many endeavors which have benefited the City and will continue to do so in the future. I thank him for support of me and staff over these past several years.

RESOLUTION NO. 63-2021

**A RESOLUTION HONORING ERIC BYRON HENDRICK
FOR HIS SERVICE TO THE CITY OF SHELBY**

WHEREAS, on the occasion of his retirement from Shelby City Council it is fitting and proper to express appreciation to Eric Byron Hendrick for his commitment and commendable public service to the City of Shelby, which began on February 3, 2014 and concluded on December 6, 2021; and,

WHEREAS, Mr. Hendrick made numerous contributions as a dedicated, effective member of City Council and as Mayor Pro Tempore during his terms in office; and,

WHEREAS, while serving on City Council, Mr. Hendrick participated in several endeavors which have benefitted the City and will continue to do so in the future, including:

- ★ Expanding the City’s Water, Sewer, Electric, Natural Gas, and Stormwater utilities infrastructure by supporting the Uptown Shelby Water and Sewer Infrastructure Project, the Water and Wastewater Treatment Plant Upgrade Projects, along with numerous additional projects**
- ★ Developing and promoting economic development opportunities by endorsing the construction of Shell Buildings No. 3 and No. 4, the expansion of Clearwater Paper Company, and providing incentives to new projects**
- ★ Promoting and supporting the City’s strategic growth planning efforts, which led to the Uptown Streetscape Project, First Broad River Trail, Hanna Park, Rail Corridor Acquisition, Shelby-Cleveland County Regional Airport T-Hangar Buildings, Fallen Heroes Memorial Park, along with numerous various projects, setting the City’s course for future progress**

WHEREAS, Mr. Hendrick’s positive impact on the City will remain long after he leaves his seat on City Council; and,

WHEREAS, the City Council of the City of Shelby wishes to recognize and express its gratefulness to Mr. Hendrick for his years as a faithful public servant to our citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

SECTION 1. The Mayor and City Council publicly express their sincere appreciation to Mr. Hendrick for his exceptional public service to the City of Shelby.

SECTION 2. That this Resolution be spread upon the permanent Minutes of the City Council, and that an official copy of this Resolution be presented to Mr. Hendrick with thanks and gratitude.

Adopted and approved this 1st day of November 2021.

**O. Stanhope Anthony III
Mayor**

ATTEST:

**Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk**

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

C. Assumption of Office:

- 1) Oath of Office administered to Council Member
Emilie Bullock, Ward 1
- 2) Oath of Office administered to Council Member
Violet Arth, Ward 5
- 3) Oath of Office administered to Council Member
Charles Leon Webber, Ward 5

Agenda Item: (Staff Resource, Bernadette Parduski, City Clerk)

Summary of Available Information:

- Copies of oaths to be administered

City Manager's Recommendation / Comments

At this time Mayor Anthony will recognize the City Clerk to conduct the administration of the Oath of Office to the members noted above. Upon completion of the oath of office the newly elected members will assume their seats and Mayor Anthony will preside for the remainder of the meeting.

In accordance with past practice and tradition the organizational meeting of the City Council is scheduled for this time on the agenda. Following the administering of the oaths of office a time is set aside for each of them to make any remarks they wish.



**State of North Carolina
County of Cleveland
City of Shelby**

OATH OF OFFICE

I, Emilie Bullock, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a Member of the Shelby City Council of the City of Shelby, North Carolina, so help me God.

Emilie Bullock

Administered by:

**Bernadette A. Parduski
City Clerk
City of Shelby, North Carolina**

Date: December 6, 2021



**State of North Carolina
County of Cleveland
City of Shelby**

OATH OF OFFICE

I, Violet Arth, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a Member of the Shelby City Council of the City of Shelby, North Carolina, so help me God.

Violet Arth

Administered by:

**Bernadette A. Parduski
City Clerk
City of Shelby, North Carolina**

Date: December 6, 2021



**State of North Carolina
County of Cleveland
City of Shelby**

OATH OF OFFICE

I, Charles Leon Webber, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office as a Member of the Shelby City Council of the City of Shelby, North Carolina, so help me God.

Charles Leon Webber

Administered by:

**Bernadette A. Parduski
City Clerk
City of Shelby, North Carolina**

Date: December 6, 2021

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

D. Election of Mayor Pro Tempore

City Manager's Recommendation / Comments

The election of the Mayor Pro Tempore will follow. The NC General Statute 160A-70 requires the election of this position from among the members of City Council. The statute is included below for your information.

§ 160A-70. Mayor pro tempore; disability of mayor.

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A councilman serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pro tempore any of the powers and duties of the mayor. If the mayor should become physically or mentally incapable of performing the duties of his office, the council may by unanimous vote declare that he is incapacitated and confer any of his powers and duties on the mayor pro tempore. Upon the mayor's declaration that he is no longer incapacitated, and with the concurrence of a majority of the council, the mayor shall resume the exercise of his powers and duties. In the event both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from its members a temporary chairman to preside in such absence. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 4.)

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Consent Agenda:

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Agenda Item: E-1

- 1) Approval of the Minutes of the Regular Meeting of November 15, 2021

(Consent Agenda Item, Staff Resource: Bernadette A. Parduski, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of November 15, 2021

City Manager's Recommendation / Comments

Approve the minutes as presented or as amended by the Mayor and City Council via the Consent Agenda.

MINUTES

Regular Meeting
Don Gibson Theatre

November 15, 2021
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, David Causby, Violet Arth, Charles Webber, Andrew L. Hopper Sr.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Justin S. Merritt, MPA, City Attorney Andrea Leslie-Fite, City Clerk Bernadette A. Parduski, Public Information and Communications Officer Chip Nuhrah, Assistant Director of Finance Sam Clark, Director of Energy Services Julie R. McMurry, Fire Chief William P. Hunt, MPA, EFO, Director of Planning and Development Services Walter (Walt) Scharer, AICP; Stan Lowery, Executive Director, Don Gibson Theatre, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Social Media Connections

Mayor Anthony called the meeting to order at 6:00 p.m. and delivered the invocation.

Mr. Webber led the Pledge of Allegiance.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve the agenda as presented.

B. Special Presentation:

1) City of Shelby 2021 Audited Financial Statements – Tonya L. Thompson, CPA, Manager, Martin Starnes & Associates, CPAs, P. A.

Mr. Howell introduced Tonya Thompson with Martin Starnes & Associates as the presenter of the annual audit report and Annual Comprehensive Financial Report (ACFR) for Fiscal Year (FY) ended June 30, 2021.

Next, as included in the audit highlights, Miss Thompson stated the Martin Starnes' report yielded an unmodified opinion, meaning the City's financials are not materially misstated and are fairly presented in conformity with generally accepted accounting principles (GAAP). Miss Thompson also acknowledged the assistance and cooperation of Mrs. Beam and the Finance Department's staff during the audit process.

Miss Thompson mentioned additional audit highlights:

- General Fund – \$2.7 million increase in fund balance

- Enterprise Funds – \$11.5 million increase in net position
- 2021 Property tax revenues – \$13,274,915
- 2021 Collection rate – 98.48 percent

It was noted the increase of \$856,000 or 7 percent collection rate is due to the increase in the tax base through economic development.

Miss Thompson summarized and compared General Fund revenues and expenditures for 2020 and 2021. In 2021, revenues increased by \$2 million, or 9 percent due to property taxes and sales taxes and expenditures increased by \$175,000 or 0.7 percent as spending was conservative due to COVID-19 uncertainties. She noted these amounts do not include other financing sources and uses such as transfers and capital financing.

Miss Thompson stated fund balance includes these five categories: Non-spendable, restricted, committed, assigned, and unassigned classifications, and serves as a measure of the City's available financial resources.

Currently, the City has:

- \$2.1 million in Non-spendable fund balance
- \$5.5 million in Restricted fund balance which includes Stabilization by State statute, Powell Bill, public safety funds, and unspent debt proceeds
- \$900,000 in Committed fund balance
- \$2.6 million in Assigned fund balance
- \$6 million in Unassigned fund balance

Regarding total fund balance for the General Fund, Miss Thompson noted there was an increase of \$2,741,181 or approximately 29 percent from the prior year.

Miss Thompson stated available fund balance as defined by the Local Government Commission (LGC) is calculated as Total Fund Balance less Non-spendable, less Stabilization by State Statute (restricted) which then equals Available Fund Balance. This calculation is utilized as the basis for comparing Shelby to other units of similar size as well as calculating fund balance percentages.

Miss Thompson reviewed Shelby's Fund Balance position in the General Fund:

Total Fund Balance	\$ 12,202,765
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Non-spendable	(574,074)
Stabilization by State statute	(4,307,083)
Available Fund Balance 2021	\$ 7,321,608
Available Fund Balance 2020	\$ 5,508,138
Change in Available Fund Balance	\$ 1,813,470

She noted an increase of 33 percent from the prior year, which is due to an increase in overall fund balance in the current year. Stabilization by State Statute refers to accounts receivable at June 30, 2021, not yet available per State statute because the money has not been received. It is not in cash spendable form. The non-spendable amount represents \$574,074 in inventories and in prepaids, reiterating these items are not in spendable form.

Miss Thompson explained the new guidelines from the Local Government Commission (LGC) regarding fund balance available (FBA) excluding Powell Bill funding. This calculation looks at fund balance available plus debt service fund balance less Powell Bill. The number is then divided by the total of total expenditures plus transfers out less bond proceeds. Shelby's FBA as a percentage of net expenditures in 2021 is 27 percent and the LGC minimum requirement is 25 percent. Miss Thompson further explained the LGC's median for units with General Funds expenditures of \$10 million such as Shelby is 46 percent.

Miss Thompson reported the top three sources of revenue include property taxes, other taxes and licenses, and other revenues which comprise \$21.1 million or 83 percent of the total revenues. The total revenues equal \$25,366,228.

As previously mentioned regarding property taxes, Miss Thompson further stated there was an increase of \$856,259 or 7 percent, mainly due to growth in taxable basis within the City.

Regarding other taxes and licenses, Miss Thompson noted an increase of \$1 million or 22 percent due to local option sales tax dollars, which was an unexpected consequence of the COVID-19 pandemic.

Regarding unrestricted intergovernmental revenues, there was a decrease of \$14,603 or 1 percent comparable to the prior year. Miss Thompson explained this revenue consists mostly of utility franchise tax and alcohol beverage control (ABC) revenues.

Miss Thompson reported the General Fund expenditures include public safety, general government, transportation, and other expenditures, which include environmental protection, cultural and recreation, and debt service for a total of \$25,484,921.

Miss Thompson said public safety had a decrease of \$604,000 or 5 percent due to decreased expenditures for personnel changes in the Police and Fire Departments.

Regarding general government, Miss Thompson commented expenditures increased by \$49,049 or 1.5 percent which was comparable to the prior year.

Miss Thompson said transportation had an increase of \$64,000 or 2 percent which was comparable to the prior year.

Regarding the City's enterprise funds, Miss Thompson reported an increase in total net position of \$11,548,618. She explained net investment in capital assets is the total capital assets less all outstanding debt related to acquiring those assets plus any unspent debt proceeds. For enterprise funds, unrestricted net position is similar to fund balance available for appropriation.

Regarding the Water Fund, the unrestricted net position is up \$890,000 due to overall positive change in net position. Cash flows were up 185 percent.

Miss Thompson explained LGC's benchmarking utilizing the quick ratio. When a quick ratio is less than 1, it indicates that the unit owes more for its current bills than what it has on hand in unrestricted cash and investments plus what is owed from customers (accounts receivable). This could indicate that the fund may have difficulty paying its current bills. If this pattern continues, the water and/or sewer system may not be sustainable.

Regarding the Sewer Fund, the unrestricted net position is up 4.8 million due to the decrease in net investment in capital assets and overall increase in net position. Cash flows were down 33 percent. The quick ratio is above 1 for LGC benchmarking purposes.

Regarding the Electric Fund, the unrestricted net position is up \$6.5 million due to overall increase in net position. Cash flows were up 22 percent. Miss Thompson stated there was an overall positive change in net position of \$2.4 million. The quick ratio is above 1 for LGC benchmarking purposes.

Regarding the Natural Gas Fund, the unrestricted net position is up \$2.4 million due to the overall increase in net position. Cash flows were up 56 percent. The quick ratio is above 1 for LGC benchmarking purposes.

Regarding other non-major enterprise funds, the Stormwater Fund and Housing, were comparable to the prior year.

Miss Thompson reviewed performance indicators requiring a written, signed response with explanations and/or corrective actions by all the City Council

Members, the City Manager, and the Finance Director within 60 days of the audit presentation to the following:

- 1) Material weakness – prior period adjustment**
- 2) Transfer out of the Electric Fund – The LGC wants to know what the Council is funding and if Council plans to continue the practice**

Mr. Howell acknowledged the first general performance indicator is noted as a material weakness in relation to a prior period adjustment. Mr. Merritt has noted that this adjustment involves the cash and debt associated with the purchase of the Norfolk Southern Rail Corridor. In the previous fiscal year, the cash and subsequent debt were recorded on the balance sheet, however, the cash used to purchase the corridor was never reclassified as a fixed asset of land. The adjustment simply recognizes the land (rail corridor) purchase in Fiscal Year 2019-2020.

Mr. Howell acknowledged the second general performance indicator is a new requirement for all local governments transferring money from an enterprise fund to the general fund. The LGC is requiring all units to provide an explanation of why transfers are being made, what they are specifically funding, and if the transfer is a one-time occurrence or recurring year to year. He noted the City has largely held steady on transfers made from the Electric and Natural Gas Funds to the General Fund operating budget.

Mr. Howell noted the high increase in net position across all enterprise funds, which is not a normal circumstance occurring every year, is mainly due to a wholesale power bill credit to the Electric Fund received from the North Carolina Municipal Power Agency 1 (NCMPA1) this year. The second factor involved in this net position increase is the hold on capital spending affecting all the utility funds.

Mr. Howell also noted the General Fund Summary reflects expenditures greater than the revenues which is due to the fact that the transfers from the Natural Gas and Electric Funds to the General Fund operations are not reflected in the audit presentation.

Miss Thompson concluded by reiterating Shelby's positive performance indicators for the record include:

- General Fund balance**
- Enterprise fund quick ratios – all positive**
- Timely audit submission**
- Stable property tax valuation and collection percentage**

ACTION TAKEN: Upon a motion made by Mr. Webber, City Council voted unanimously to accept and acknowledge receipt of the City's Annual Audit Report for the year ended June 30, 2021.

C. Public Comment:

- 1) Gary Leigh who resides at 922 Surrey Drive in Shelby, North Carolina spoke to raise awareness of the issue of homelessness in Shelby and Cleveland County. Mr. Leigh is the Executive Director and active in an organization known as Trailhead Resources assisting individuals who are unsheltered with basic needs. He stated currently there is no emergency shelter for men in Shelby or Cleveland County. Mr. Leigh and Trailhead Resources are attempting to open a men's emergency shelter before this winter and have secured a location at 214 North Washington Street. After the inspection of the property by the Fire Marshal's office, he is requesting a waiver of the procedural requirements from the City in order that the facility can open and operate. Mr. Leigh expressed safety concerns for those who need to be served by this shelter if the opening is delayed.
- 2) Dr. Becky Love who resides at 520 West Warren Street in Shelby, North Carolina spoke in support of opening the men's emergency shelter at 214 North Washington Street. She works with Trailhead Resources to connect the homeless with access to care and basic needs for wellness. Dr. Love stated a shelter makes a huge difference to the homeless clients and the providers of service who wish to assist and offer opportunities to this population in a safe space. She also requested the City waive the requirement of 45 days so the Fire Marshall can re-inspect the property and allow the new location for the shelter to open before the cold weather sets in.
- 3) Robert Johnson who resides at 1502 Lackey Street in Shelby, North Carolina spoke in support of opening the men's emergency shelter at 214 North Washington Street. Mr. Johnson stated he has experienced and is a product of the homeless environment. He is now associated with Trailhead Resources and made the repairs to the proposed shelter at 214 North Washington Street, hoping the inspectors will return to the facility for a re-inspection. Mr. Johnson also requested Council consider waiving the inspection and permit requirements as well as the requirement of 45 days and allow the new location of the shelter to open before the cold weather sets in.

Mr. Scharer explained the development standards for a homeless shelter in Shelby include a conditional use permit authorizing such use which must be renewed annually by the Zoning Board of Adjustment. There is a Zoning Board of Adjustment meeting scheduled on this matter for December 9, 2021. The Planning staff did relax the lead time because the matter was discussed with the applicant. Although the applicant failed to submit the application on

time, the matter will be heard on December 9, 2021. Upon questioning, Mr. Scharer further stated once the Zoning Board of Adjustment hears the case and approves the permit, the project can move forward. He did clarify that the application was filed on November 9, 2021 but Planning staff was aware the project was ongoing.

D. Public Hearings:

1) Consideration of a proposed ordinance to amend the Unified Development Ordinance of the City of Shelby: Ordinance No. 42-2021

Mr. Scharer presented the proposed text amendment for on site conversions with development standards. He stated the applicant is a property owner and business owner in Shelby and introduced the proposal of a new business. The business is known as On Site Building Conversions, using existing shipping containers, storage buildings, etc. and repurposing them into homes, workshops, and different types of storage buildings. The applicant proposed allowing this use in General Business (GB) and General Business 2 (GB2) Districts with development standards and in Light Industrial (LI) District without development standards. Mr. Scharer also discussed the stacking of the containers, setbacks, and the buffering requirements. This ordinance does not allow the stacking of shipping containers. He noted the construction, conversion, and storage of these buildings takes place on site.

Mayor Anthony opened the public hearing at 6:42 p.m. and invited comments from the public.

The public offered no comments.

Mayor Anthony closed the public hearing at 6:43 p.m.

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to approve and adopt Ordinance No. 42-2021 entitled, “A PROPOSED ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SHELBY”.

2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina (203 West Warren Street): Ordinance No. 43-2021

Mr. Scharer introduced Ordinance No. 43-2021 for Council’s consideration. He stated the site is located at 203 West Warren Street and is currently a vacant commercial building and a storage building. The applicant, Terry McCartney, wishes to develop the property due its proximity to the future Rail Trail. The property is currently zoned General Business (GB) District and the applicant is requesting the property be zoned Central Business (CB) District.

Mr. Scharer stated land uses in the area include commercial, recreational, and industrial uses. He further stated the proposed zoning map amendment is consistent with Shelby Comprehensive Land Use Plan. The Planning and Zoning Board also recommended this proposed zoning amendment due to the property's location and propensity for future development in the area.

Mayor Anthony opened the public hearing at 6:45 p.m. and invited comments from the public:

Charles Skip McCartney who resides at 3316 Crawley Road in Shelby, North Carolina spoke in support of and as a representative of his wife, Terry McCartney, the applicant. Mr. McCartney provided a packet of information including a letter from Mrs. McCartney describing her ideas for this project, a preliminary site plan prepared by Roger Holland, and sketches and renderings of her proposal. The existing main building facing West Warren Street will be renovated, a covered patio will be added behind the main building, and several small buildings will be built along South Morgan Street, facing the Rail Trail. Mrs. McCartney wishes to utilize her experience in real estate and to be a part of the Uptown Shelby success story. Her property is on the edge of the Uptown Central Business District and by extending the Central Business District boundaries west seems to have potential to be become an asset to the Uptown area.

Mayor Anthony closed the public hearing at 6:50 p.m.

ACTION TAKEN: Upon a motion made by Miss Arth, City Council voted unanimously to approve and adopt Ordinance No. 34-2021 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA".

3) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina (325-5 West Dixon Boulevard): Ordinance No. 44-2021

Mr. Scharer introduced Ordinance No. 44-2021 for Council's consideration. He stated these parcels are currently the site of a garage along West Dixon Boulevard and the properties are zoned General Business (GB) District and Residential 6 (R6) District. The applicant has requested all properties be rezoned to General Business 2 (GB2) District in order to expand the business uses to allow for commercial development toward the rear of the property. Mr. Scharer explained the GB2 District is established as a district in which the permitted uses are identical to the GB District except that billboards are not permitted in the GB2 District. He added the Shelby Comprehensive Land Use Plan designates these sites as Corridor Revitalization District. The proposed zoning map amendment is consistent with the Shelby Comprehensive Land Use Plan and the Planning and Zoning Board recommended approval.

Mayor Anthony opened the public hearing at 6:51 p.m. and invited comments from the public.

The public offered no comments.

Mayor Anthony closed the public hearing at 6:52 p.m.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve and adopt Ordinance No. 44-2021 entitled, “A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA”.

E. Consent Agenda:

Mayor Anthony presented the consent agenda. Mr. White moved to approve the consent agenda and the following items were unanimously adopted:

- 1) Approval of the Minutes of the Regular Meeting of November 1, 2021
- 2) Approval of Special Event Permit Application:
 - a. The Light Ball Dash, requested date: December 19, 2021
- 3) Adoption of Fiscal Year (FY) 2021-2022 Budget Ordinance Amendment No. 2: Ordinance No. 45-2021

F. Unfinished Business:

- 1) Consideration of appointments to City advisory boards and commissions:
 - a. Shelby Parks and Recreation Advisory Board

Mrs. Parduski reported the terms of five incumbents, Marie Hendrick (2020), Craig Ferree (2020), Juan Cherry (2021), Michael Shawn Collins (2021), and Shanda Hoskins (2021) concluded July 2020 and July 2021, respectively.

All the incumbents wish to continue their service.

There is one vacancy for a new term concluding July 2024.

There are no applications on file in the Clerk’s Office.

Mr. Causby nominated the five incumbents, Marie Hendrick, Craig Ferree, Juan Cherry, Michael Shawn Collins, and Shanda Hoskins, for reappointment.

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to close the nominations and accept the nominees by acclamation.

G. New Business:

- 1) Consideration of an ordinance amending the City of Shelby's Schedule of Fees: Ordinance No. 46-2021

Mr. Howell introduced Ordinance No 46-2021 for Council's consideration.

First, Mr. Howell explained the City of Shelby currently offers seven natural gas rates for its customers based on customer class (residential or commercial) and the volume of natural gas usage. The City has one residential rate and six commercial/industrial rates. With feedback from recent economic development requests, staff felt a review of the City's rates was warranted. The review was to ensure that the City had competitive rates in place for different size customers based on their natural gas usage. Mr. Howell stated it was found that there is a gap in the rate structure for industrial customers. An evaluation was completed for the small/medium industrial customer. This rate is fair and competitive and would benefit several of the City's current customers financially and would be offered to any future customers that meet the qualifications. If approved, it would add a new natural gas rate schedule to the Schedule of Fees and Charges. Mr. Howell added this new rate schedule is entitled "Small/Medium Industrial Firm Gas Service" and would add an eighth schedule for commercial/industrial natural gas customers qualifying at the noted level of consumption.

Second, Mr. Howell explained the City of Shelby currently offers nine electric rates for its customers based on customer class (residential or commercial) and the volume of electric usage. It is common practice for electric utilities to offer economic development riders to new companies locating on their system. The City of Shelby currently does not have a rider in place. Recent economic development activity has shown that having a rider in place would make locations on the City's electric system more attractive. City staff worked with Electricities of North Carolina's rate staff to develop a rider for consideration.

If approved, Mr. Howell explained it would further add an Economic Development Rider for new electric customers qualifying under the terms of the schedule. It essentially offers an initial reduction of electric charges for new commercial customers over a 48-month period. The rider discounts the electric non-coincident peak rate by 20 percent for the first 12 months, 15 percent for months 13-24, 10 percent for months 25-36 and 5 percent for months 37-48. After the 48th month the discount is discontinued. Mr. Howell noted that this Economic Development Rider very closely mirrors a rider

offered by Duke Energy. Council's adoption will provide the City with a more effective tool in recruitment of commercial/industrial customers.

ACTION TAKEN: Upon a motion made by Mr. Webber, City Council voted unanimously to approve and adopt Ordinance No. 46-2021 entitled, "AN ORDINANCE AMENDING THE CITY OF SHELBY'S SCHEDULE OF FEES".

H. City Manager's Report:

- 1) Mr. Howell stated regarding the 2017 Comprehensive Classification and Pay Plan for City employees, one of the recommendations that was made to Council was to annually complete a market rate study of one-third of the City's positions. The first one-third group market study has been conducted and the results are complete. Mr. Howell plans to provide and discuss this information with Council prior to their annual retreat. Positions this year included sworn police personnel, Water Resources personnel, and Electric Department field personnel.
- 2) Regarding the Civil Rights Marker for installation, the marker has been received from the vendor and the City is waiting for the State Commission responsible for the North Carolina Civil Rights Trail Marker Program to set an acceptable timeframe for an appropriate installation event. This marker recognizes the efforts of Cleveland High School students to integrate the lunch counters in Shelby in the early 1960s. The marker will be installed in the sidewalk area outside of the Buffalo Creek Gallery on East Warren Street.
- 3) Regarding Shell Building No. 4, Mr. Howell said the specifications have been finalized and this project is out to bid. Bids will be opened on December 15, 2021. Once bids have been evaluated and determined to be responsive, he will schedule this on a future agenda for bid award consideration. As a reminder, this is a joint City/County partnership with each entity paying 50 percent of the development cost. The City is again acting as developer and will oversee the project from beginning until completion.
- 4) Regarding City's health insurance policy with the North Carolina League of Municipalities Municipal Insurance Trust, Mr. Howell stated over the past several years "claims paid" numbers have been fairly good versus our "total billed premiums" and renewal costs have been held steady. This year that is not likely to happen. Through October 31, 2021 our loss ratio is 126.9 percent, indicating claims paid significantly exceeds total billed premiums. Mr. Howell further stated this will most likely be a significant cost driver during budget discussions in the spring. Annual health insurance costs exceed \$3,400,000.
- 5) Mr. Howell mentioned future agenda items will include:

- December 6 – Ratification of the November 2, 2021 bond referendum results and Council’s action to ratify the sale of bonds more formally.
- December 6 – Oath ceremonies and Council’s organizational meeting
- December 6 – Engineering agreements and project budget ordinance amendments will be presented for the Hickory Creek Sewer Outfall Replacement Project (Outfall replacement from Windsor Drive to Highway 74 – \$1,400,000) and the second phase of the Crosstown Water Distribution Line to South Tank and Forest Hill Drive (Transmission line from Marion Street to South elevated storage tank and partial line from Morgan Street and Graham Street to Forest Hill Drive - \$6,000,000)

- 6) Regarding the City Employee United Way Campaign, Mr. Howell proudly reported this year’s initial total is \$144,036 and exceeds the 2020 campaign due to the generosity and big-heartedness of the City’s employees. The City has been awarded the Spirit of North Carolina Award for the last six years as well.
- 7) As a long time Salvation Army bell ringer, Mr. Howell was seeking volunteers who can ring the bell at Walmart Supercenter on either December 14 or December 15, 2021 for an hour. Several volunteers have already signed up, but more are needed to fill all the time slots.

I. Council Announcements and Remarks:

- 1) Mr. Hopper announced he was invited to join the Executive Committee of Cleveland County American Legion World Series Baseball, Inc.
- 2) Mr. White bid farewell to Eric Hendrick as he leaves his seat as Council Member.
- 3) Mr. Hendrick said he enjoyed his time serving as a Shelby City Council Member and expressed his appreciation to all.
- 4) Miss Arth encouraged attendance at the Light Ball Dash event scheduled for December 19, 2021. As a reminder, she said the Light Ball Dash is a fundraiser to benefit Feeding Kids Cleveland County.
- 5) Mayor Anthony also encouraged attendance at the Light Ball Dash on December 19, 2021. The Mayor also reminded Council members the Shelby Christmas Parade is December 19, 2021.

J. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Miss Arth, City Council voted unanimously to adjourn the meeting at 7:14 p.m.

Respectfully submitted,

**Bernadette A. Parduski, NCCMC, MMC
City Clerk**

**O. Stanhope Anthony III
Mayor**

Minutes of November 15, 2021

DRAFT

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-2

- 2) Approval of a resolution honoring Coach David Steeves and the 2021 Shelby High School Golden Lions Soccer Team: Resolution No. 67-2021

Consent Agenda Item: (Stan Anthony, Mayor)

- Resolution No. 67-2021

City Manager's Recommendation / Comments

Resolution No. 67-2021 is presented for City Council consideration at this time. This resolution recognizes Coach David Steeves and the the Shelby High Men's Soccer Team as 2021 State 2A Champions. Once adopted and prepared for presentation the City Clerk will contact Coach Steeves to invite the team and coaching staff to attend a future Council meeting for a formal presentation as has been the custom.

It is my recommendation that Resolution No. 67-2021 be adopted and approved by City Council via the Consent Agenda at this time.

RESOLUTION NO. 67-2021

A RESOLUTION HONORING COACH DAVID STEEVES
AND THE 2021 SHELBY HIGH SCHOOL GOLDEN LIONS SOCCER TEAM

WHEREAS, in addition to the positive role high school athletics can play in the lives of our youth, they are a great source of pride in our community; and,

WHEREAS, the Shelby High School Varsity Men's Soccer Team has been a source of pride for our community throughout the years; and,

WHEREAS, that pride continued in 2021 as the Shelby High School Golden Lions won their third 2A Men's Soccer Championship, by playing an incredible game against the Greene Central High School Rams of Snow Hill, North Carolina at Koka Booth Field at WakeMed Soccer Park in Cary, North Carolina on November 20, 2021; and,

WHEREAS, this is the third title for the Golden Lions' Soccer Program, and the first since claiming back-to-back championships in 2009 and 2010; and,

WHEREAS, the accomplishments of the 2021 Shelby High School Golden Lions Varsity Men's Soccer Team have brought significant recognition to the City of Shelby and the Cleveland County School System.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The Mayor and City Council publicly acknowledge and applaud Coach David Steeves and the 2021 Golden Lions Varsity Men's Soccer Team for their outstanding North Carolina 2A Men's Soccer Championship season.

Section 2. That this Resolution be spread upon the permanent Minutes of the City Council, and that an official copy of this resolution be presented to Coach David Steeves and the Golden Lions Varsity Men's Soccer Team with thanks and gratitude. Adopted and approved this 6th day of December 2021.

O Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-3

- 3) Approval of a resolution adopting the 2021 General Records and Program Records Retention Schedules for Local Government Agencies: Resolution No. 68-2021

Consent Agenda Item: (Bernadette A. Parduski, City Clerk)

- Memorandum dated December 1, 2021 from Bernadette A. Parduski, City Clerk or Rick Howell, City Manager
- Records Retention and Disposition Schedule, dated October 1, 2021 (Program Records Schedule and General Records Schedule)
- Resolution No. 68-2021

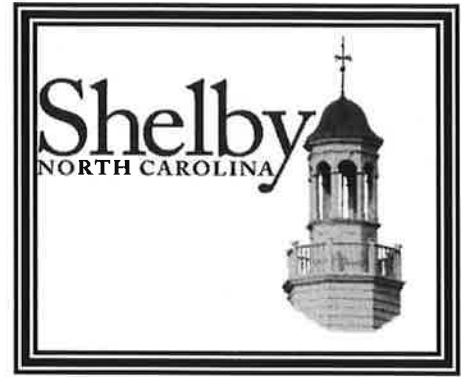
City Manager's Recommendation / Comments

Resolution No. 68-2021 is presented for City Council at this time via the Consent Agenda. This is a matter of routine action. If approved this resolution would adopt the recommended schedule for retention and disposition of municipal public records by the NC Department of Cultural Resources. The recommended schedule sets forth what records are to be retained and for how long. It further governs when records may be disposed of following adopted procedures.

The Records Retention and Disposition Schedule - Program Records Schedule for Local Government Agencies issued by the NC Department of Cultural Resources on October 1, 2021 is included in your agenda packet for your reference.

It is my recommendation that Resolution No. 68-2021 be adopted and approved by City Council via the Consent Agenda at this time.

**OFFICE OF THE
CITY CLERK**



Memo

To: Rick Howell, City Manager

From: Bernadette A. Parduski, City Clerk

A handwritten signature in black ink, appearing to read "B. Parduski", is written over the "From:" line.

Date: December 1, 2021

Re: Adoption of 2021 General Records and Program Records Retention Schedules for Local Government Agencies

BACKGROUND AND REVIEW:

N.C.G.S 132-8 direct local government to adopt and adhere to records retention and disposition schedules that are created and managed by the NC Department of Cultural Resources (NC DCS). These schedules serve as an agreement between the local government office/department and NC DCS, and provide guidance on the types of records to be maintained and for how long.

The 2021 General Records Schedule for Local Government Agencies will supersede the 2019 version, upon adoption, and includes updated records standards for the following programs:

- Administration & Management
- Budget/Fiscal/Payroll
- GIS
- Human Resources
- Information Technology
- Legal
- Public Relations
- Risk Management

The new schedule, along with a log outlining substantial changes between the 2021 and 2019 schedules, are attached for review.

The 2021 Program Records Schedule for Local Government Agencies is a new retention schedule created from the former Municipal (last updated in 2012) retention schedule, and includes updated records standards for the following programs:

Airport Authority
Animal Services
Code Enforcement/Inspection
EMS/Fire Department
Parks & Recreation
Planning & Development
Law Enforcement
Tax

The new schedule, along with a log outlining substantial changes between the new document and prior Municipal schedules, are attached for review.

Staff requests City Council approve the 2021 General Records Schedule for Local Government Agencies and the 2021 Program Records Schedule for Local Government Agencies issued by NC DCS to ensure compliance with statutory guidelines.

ACTION REQUESTED:

Pursuant to 132-8, approve the 2021 General Records Schedule for Local Government Agencies and the 2021 Program Records Schedule for Local Government Agencies issued by the NC Department of Cultural Resources, as presented.

RECORDS RETENTION AND DISPOSITION SCHEDULE

PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

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Program Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

10. Airport Authority Records
11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)
21. Tax Records (for municipalities)

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

"Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software."

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "*reference value ends.*" All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "*destroy when reference value ends.*" If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "*destroy when reference value ends.*"

Record Copy

A record copy is defined as "The single copy of a document, often the original, that is designated as the official copy for reference and preservation."¹ The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

² Ibid.

APPROVAL RECOMMENDED

Municipal/County Clerk or Manager

Title: _____



Sarah E. Koonts, Director

Division of Archives and Records

APPROVED

Head of Governing Body

Title: _____



D. Reid Wilson, Secretary

Department of Natural and Cultural
Resources

County/Municipality: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a [Request for Disposal of Unscheduled Records](#) (page A-19) for records that are no longer being created.

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

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2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends*.” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends*.” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends*.”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

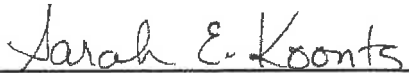
Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED


Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

RESOLUTION NO. 68-2021

A RESOLUTION ADOPTING THE 2021 GENERAL RECORDS AND PROGRAM RECORDS RETENTION SCHEDULES FOR LOCAL GOVERNMENT AGENCIES

WHEREAS, the North Carolina Department of Cultural Resources has prepared an update of its "Municipal Records Retention and Disposition Schedule" to supersede its 2012 edition of said schedule and its "General Records Schedule for Local Government Agencies" to supersede its 2019 edition; and,

WHEREAS, the Department of Cultural Resources has provided said schedules to the City of Shelby and recommended its official adoption and utilization by the City in the maintenance of the City's official records and materials; and,

WHEREAS, City Council desires to accept the recommendation of the State and take action to accept and approve these schedule documents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The 2021 Program Records Schedule for Local Government Agencies is a new retention schedule created from the former Municipal (last updated in September 2012) retention schedules and the 2021 General Records Schedule for Local Government Agencies will supersede the March 2019 version and issued by the North Carolina Department of Cultural Resources are hereby accepted and approved for use by the City of Shelby in the maintenance and disposal of its official records and materials.

Section 2. The official approval statements contained in the schedules referenced in Section 1 of this resolution bearing all the signatures of State and Municipal officials shall be spread upon the minutes of City Council. The City Clerk and all other applicable City officials are hereby authorized to implement utilization of these schedules.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of December 2021.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-4

- 4) Approval of a resolution accepting and entering into an agreement with ElectriCities of North Carolina, Inc. and the City of Rocky Mount for a Member Cooperative Bid Agreement for joint purchasing of utility materials, supplies and equipment: Resolution No. 69-2021

Consent Agenda Item: (Julie R. McMurry, Director of Energy Services)

- Memorandum dated November 29, 2021 from Julie R. McMurry, Director of Energy Services to Rick Howell, City Manager
- Cooperative Bid Agreement
- Resolution No. 69-2021

City Manager's Recommendation / Comments

Resolution No. 69-2021 is presented for City Council consideration at this time via the Consent Agenda. If approved this resolution would authorize management to enter into a joint purchasing agreement with Electricities of North Carolina and the City of Rocky Mount for the purchase of utility system materials, supplies and equipment. This agreement would largely apply to the electric system but some materials, supplies and equipment applicable to other areas may be applicable. Approval would give the City access to significantly more buying power than it would have on its own. This arrangement does create the potential for savings in the purchasing process. The agreement does not make it mandatory that we purchase through the agreement however.

It is my recommendation that Resolution No. 69-2021 be adopted and approved by City Council via the Consent Agenda at this time.



Memorandum

To: Rick Howell, City Manager
Justin Merritt, Assistant City Manager

From: Julie R. McMurry, Director of Energy Services *JRM*

RE: 2021-2024 Cooperative Bid Agreement

Date: November 29, 2021

Background

As a member of NCMPA1 and Electricities, the City of Shelby electric department has the benefit of purchasing resources. Electricities negotiates centralized service contracts with vendors to reduce the cost of essential services for its members. The attached agreement is for the joint purchasing of materials, supplies and equipment. Examples of what falls into these categories are: utility poles, tree trimming and line clearance, meter testing.

Members wishing to participate are asked to receive approval from their Boards/Councils and submit to Electricities. Once all members interested in participating have submitting their interest, Electricities staff will complete final documents. City of Rocky Mount has been the Acting Member in the past and is in this agreement as well.

Recommendation

Staff would like to request approval to participate in the 2021-2024 Cooperative Bid agreement.

Please let me know if more information is needed.

Attachments

**MEMBER COOPERATIVE BID AGREEMENT
FOR JOINT PURCHASING OF
UTILITY MATERIALS, SUPPLIES AND EQUIPMENT**

THIS IS A MEMBER COOPERATIVE BID AGREEMENT made effective the _____ day of _____, 2021, among the North Carolina municipalities and other local political subdivisions, authorities, and agencies of local government being parties signatory to this Agreement either originally or by counterpart executed from time to time (referred to herein individually as a "**Participating Member**" and collectively as the "**Participating Members**") and ELECTRICITIES OF NORTH CAROLINA, INC., a joint municipal assistance agency ("ElectriCities").

RECITALS

A. Each Participating Member desires to purchase various materials, supplies and items of equipment for use in the operation of its electric utility system (referred to herein collectively as ("**Utility Equipment**") during the 2021-2024 calendar years; and desires to jointly advertise and receive bids for fixed prices on those items of Utility Equipment to obtain the lowest price reasonably available to them.

B. Pursuant to §160A-460 et seq. of the General Statutes of North Carolina, the Participating Members desire to join in this Agreement for the purpose of jointly advertising for and receiving bids for one or more vendors to provide a fixed price or prices to supply various items or category of items of Utility Equipment as may be desired by two or more of Participating Members, to identify the lowest responsive and responsible bidder(s) for each item or category of items, to award a fixed price contract and establish a process whereby each of the Participating Members may issue purchase orders against such fixed price contracts as specified in the bid documents, and to have ElectriCities provide administrative assistance to the Participating Members in the bid and award process and in the administration of the contracts, all in conformity with the requirements of North Carolina General Statute § 143-129 and other relevant public procurement laws.

COVENANTS

NOW, THEREFORE, the parties hereto agree as follows:

1. Scope of Member Cooperation. The Participating Members associate themselves under this Agreement for the purpose of proceeding jointly in the competitive procurement of various items of categories of Utility Equipment. As set forth below, the Participating Members, with the administrative assistance of ElectriCities, shall prepare the appropriate bid materials, place required advertisements, receive bids, determine the lowest responsive and responsible bidder(s) (the "**Vendor(s)**"), award a fixed price contract and establish a process whereby each of the Participating Members desiring to participate in a joint bid may issue purchase orders against such contracts directly to the Vendor(s). The Participating Members acknowledge and agree that this Agreement is for the purpose of interlocal cooperation

under North Carolina General Statute §160A-460 et seq. and not as a partnership or joint venture. No Participating Member shall have the power or right to bind or act on behalf of any other Participating Member except as expressly set forth in this Agreement. Neither this Agreement, nor the fixed price contract contained in the bid documents, shall be considered a requirements contract, and a Participating Member will have no obligation to a Vendor under or in connection with the same until and only if the Participating Member issues a purchase order as specified in the bid documents against the fixed price contract to that Vendor. The fixed price contract shall provide that by issuing a purchase order as specified in the fixed price contract to a Vendor for a particular item, the Participating Member will be covenanting not to purchase that item, and that item only, from a source other than the successful Vendor for the term of the fixed price contract. Except as set forth in the preceding sentence, nothing herein shall preclude a Participating Member from purchasing any item or category of Utility Equipment from any source or under any procedures it deems appropriate, in its sole and absolute discretion.

2. Term. The term of this Agreement shall commence on the date hereof and shall end on December 31, 2024.

3. Participation of ElectriCities. Pursuant to this Agreement, the Participating Members have requested that ElectriCities assist them in the administration of the joint bid process and to exercise each other and further powers as may be reasonably necessary to administer the joint fixed price contract as deemed in the best interest of the Participating Members. Except as provided in Section 7 below, to the fullest extent permitted by law, the Participating Members shall jointly and severally release, indemnify, defend and hold harmless ElectriCities, and its officers, directors, commissioners, officials, employees and agents, from and against any and all loss, liabilities, claims, damages, fines, penalties, clean-up costs and other pollution related items, costs, fees (including reasonable attorney's fees) and expenses related thereto (referred to herein collectively as "Damages"), resulting or arising out of the services to be provided hereunder by ElectriCities, including, without limitation, those resulting or arising out of the acts or omissions (negligent or otherwise) of ElectriCities or its officers, directors, commissioners, officials, employees or agents. Notwithstanding the foregoing, Participating Members do not jointly and severally release, indemnify, defend, and hold harmless ElectriCities, and its officers, directors, commissioners, officials, employees and agents from and against any and all loss, liabilities, claims, damages, fines, penalties, clean-up costs and other pollution related items, costs, fees (including reasonable attorney's fees) and expenses resulting solely from their gross negligence or willful misconduct.

4. Appointment of an Acting Member. By joining in the execution of this Agreement, each Participating Member hereby authorizes the City of Rocky Mount (Rocky Mount"), or such other Participating Member as shall be designated as provided below, to act on its behalf under this Agreement pursuant to North Carolina General Statute §160A-460 et seq. At any time and from time to time, Rocky Mount or a majority of the Participating Members may designate a Participating Member other than Rocky Mount to perform the tasks of Rocky Mount for one or more of the joint bids to be made pursuant to this Agreement. Hereinafter Rocky Mount and the other Participating Member(s), if any are designated as herein provided, shall be referred to as the "**Acting Member**" in connection with each joint bid.

a. Powers and Duties. With the assistance of ElectriCities, the Acting Member, or its delegates under North Carolina General Statute §143-129(a), shall have the following powers and duties:

(i) To canvass or otherwise determine what items or categories of Utility Equipment are desired by the Participating Members, and for which of those items or categories bidding under this Agreement might be advisable,

(ii) To prepare a joint invitation for bids for each item or category of Utility Equipment to be jointly bid hereunder, with appropriate terms and specifications, together with a joint advertisement consistent with the public bid laws, and with the joint purchase approach contemplated by this Agreement. In carrying out this duty, the Acting Member shall observe the following requirements:

(1) The bid documents shall clearly state:

(a) That upon award, the Vendor agrees to enter into the fixed price contract included in the bid documents within the time period set forth in the bid documents, which period shall not exceed thirty (30) days, and to comply with all purchase orders, if any, issued by a Participating Member;

(b) That no contract enforceable against any Participating Member is formed until that Participating Member accepts the fixed price contract and issues its individual purchase order as specified in the bid documents to the Vendor and that the Participating Member's liability to the successful Vendor shall exist solely pursuant to, and only to the extent of, its individual purchase orders.

(2) The right shall be reserved to make multiple awards when it appears in the best interest of the Participating Members. The joint advertisement shall be placed in newspapers having general circulation or any other media permitted in the then current North Carolina General Statutes addressing public bidding and advertisement, and otherwise qualified to advertise legal notices, in each Participating Member desiring to participate in a joint bid.

(3) The location for the receipt and opening of the public bids shall be the offices of ElectriCities in Raleigh, North Carolina, or such other location as shall be designated by the Acting Member.

(iii) To examine the bids to identify all bids complying with the terms and specifications of the invitation for bids, and to tabulate all complying bids, identifying the lowest responsive and responsible bidder or bidders, taking into consideration matters permitted by law and deemed appropriate by the Acting Member; to cause the tabulation and the identification of the lowest responsive and responsible bidder(s) to be transmitted by ElectriCities to each Participating Member, or its delegees under North Carolina General Statute §143-129(a); thereafter, unless otherwise instructed by a majority of the Participating Members desiring to participate in a joint bid, or unless good cause appears to the Acting Member to either recall the tabulation due to error or to reject all bids and cancel the procurement (notification of which decisions shall be transmitted to each Participating Member), to cause a notice to be sent to the lowest and best responsive and responsible Vendor on behalf of all Participating Members desiring to participate in a joint bid together with a fixed price contract form to be executed as set forth in the bid documents;

(iv) to execute fixed price contracts on behalf of the Participating Members desiring to participate in a joint bid and to cause the transmittal of copies of each such contract to each Participating Member desiring to participate in a joint bid, or its delegees under North Carolina General Statute § 143-129(a); and

(v) to exercise such other and further powers as may be reasonably necessary to administer the joint fixed price contracts or as otherwise consistent with the public procurement procedures of the Acting Member.

b. **Hold Harmless.** Each of the Participating Members, other than the Acting Member; hereby jointly and severally agrees, to the fullest extent permitted by law, to release, indemnify, defend and hold harmless the Acting Member, and its officers, councilmen, officials, employees and agents, from and against any and all Damages resulting or arising out of acts or omissions (negligent or otherwise) of the Acting Member, or its officers, councilmen, officials, employees or agents as the Acting Member, except those resulting solely from their gross negligence or willful misconduct, including without limitation, the Acting Member's execution of the Fixed price Contract on behalf of the Participating Members. ElectriCities and the Participating Members agree that the provisions of this paragraph 4(b) shall apply separately to each joint bid conducted pursuant to this Agreement and that the "Acting Member" may be different for one or more joint bids and that this paragraph shall be interpreted and applied accordingly.

5. **Purchase Orders.** Each Participating Member or its delegees under North Carolina General Statute §143-1 29(a), shall be responsible for preparing and executing its own purchase order or orders for each item or category of items of Utility Equipment it desires to purchase pursuant to this Agreement, if any, which purchase orders shall not be inconsistent with the bid documents used in this cooperative bidding. Each purchase order shall provide that the Participating Member shall be solely liable for obligations to the party shown as Vendor on the purchase order and shall permit each Participating Member, at its option, to waive bonding requirements as provided in the North Carolina General Statutes.

6. **Administration of Purchase Contracts.** Each Participating Member shall be solely responsible for the administration and enforcement of its respective purchase orders, if any, and to see that the party shown as Vendor on the purchase order fulfills its obligation to that Participating Member. Each Participating Member will notify ElectriCities as soon as is practicable of any problems or disputes with a vendor, and ElectriCities shall use its good faith efforts to assist the Participating Member in its efforts to resolve the problem or dispute. Each Participating Member hereby agrees, to the fullest extent permitted by law, to release, indemnify, defend and hold harmless the other Participating Members, and their respective officers, councilmen, officials, employees and agents, from and against any and all Damages arising or resulting from that Participating Member issuing a purchase order in connection with a joint bid conducted pursuant to this Agreement.

7. **Costs and Expenses.** ElectriCities shall bear the administrative costs and expenses of activities it participates in pursuant to this Agreement, including the costs of placing all joint legal advertisements in connection with the public bid. Costs may be recovered as agreed upon between ElectriCities and the Participating Members.

8. Assignment. To the extent allowed by applicable law, no Participating Member may assign this Agreement or any of its rights or obligations hereunder without the prior consent of all the other Participating Members.

9. Notice. Except as provided in Section 4.a. hereof, all notices and other communications authorized or required hereunder shall be in writing and shall be deemed given when hand delivered, upon confirmation of receipt of facsimile transfer or three (3) days after being sent by certified mail, return receipt requested, postage prepaid, to ElectriCities and the Participating Members at the last address of each as on record at ElectriCities, or such other address or addresses as a Participating Member hereto may hereafter designate by notice to the other parties hereto given in the manner provided for notices hereunder:

ElectriCities of North Carolina, Inc.
Procurement Specialist
Post Office Box 29513
Raleigh, NC 27626-0513
Facsimile Number: (919) 715-6055

10. Counterparts. This Agreement may be executed in two or more counterparts or through the use of counterpart signature pages. The signature of any party on any counterpart signature page, even if executed after the date of this Agreement, shall be deemed to be a signature to, and may be appended to, a counterpart of this Agreement. All such counterparts and counterpart pages shall be deemed an original and all of which shall together constitute one and the same instrument binding on all parties to this Agreement, notwithstanding that all parties may not have executed all counterparts or the same counterpart, or that counterpart signature pages have been executed after the date of this Agreement and appended to a counterpart of this Agreement. A Participating Member may only directly participate in fixed price contracts jointly bid pursuant to this Agreement where the newspaper notice for that joint bid is published for the first time after the counterpart signature page for that Participating Member is received by ElectriCities. However, nothing herein shall preclude a Participating Member from utilizing Section 143-129(g) of the North Carolina General Statutes or other rights it may have in connection with a joint bid made pursuant to this Agreement to fulfill its public procurement requirements.

11. Entire Agreement. This Agreement constitutes the entire agreement among ElectriCities and the Participating Members with respect to the subject matter described herein, and this Agreement may not be modified except by a writing executed by all the Participating Members. The exhibit and counterpart signature pages attached hereto from time to time are hereby incorporated herein by reference.

IN WITNESS WHEREOF, the parties hereto have signed and sealed this Agreement in the manner prescribed by law, to be effective the day and year first above written.

ELECTRICITIES OF NORTH CAROLINA, INC.



By: _____
Roy Jones
Chief Executive Officer

CITY of ROCKY MOUNT
(as a Participating Member and as Acting
Member)

By: _____

Mayor

ATTEST:

Clerk
[SEAL]

SEPARATE ADDITIONAL SIGNATURE PAGE
FOR PARTICIPATING MEMBER

MEMBER COOPERATIVE BID AGREEMENT
FOR JOINT PURCHASING OF
UTILITY MATERIALS, SUPPLIES AND EQUIPMENT

Participating Member

By: _____

[Printed Name]

Title: _____

ATTEST:

Clerk
[SEAL]

RESOLUTION NO. 69-2021

A RESOLUTION ACCEPTING AND ENTERING INTO AN AGREEMENT WITH ELECTRICITIES OF NORTH CAROLINA, INC. AND THE CITY OF ROCKY MOUNT FOR A MEMBER COOPERATIVE BID AGREEMENT FOR JOINT PURCHASING OF UTILITY MATERIALS, SUPPLIES AND EQUIPMENT

WHEREAS, the City of Shelby is a participating member of ElectriCities of North Carolina, Inc.; and,

WHEREAS, by being a member of ElectriCities of North Carolina, Inc., the City is able to receive a benefit from joint purchasing contracts for certain materials and services through a joint agreement with ElectriCities and the City of Rocky Mount.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The Shelby City Council hereby accepts the terms and conditions of the Member Cooperative Bid Agreement for Joint Purchasing of Utility Materials, Supplies and Equipment attached hereto as Exhibit A.

Section 2. The City Manager or his designee is hereby authorized to execute and submit the agreement and any subsequent modifications and renewals to the joint agreement by and between the City of Shelby, ElectriCities of North Carolina, Inc. and the City of Rocky Mount.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of December 2021.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-5

5) City of Shelby Fiber Optic System Asset Evaluation and Master Plan:

- a. Adoption of Fiscal Year (FY) 2021-2022 Budget Ordinance Amendment No. 3: Ordinance No. 47-2021
- a. Approval of a resolution approving the City of Shelby Fiber Optic System Asset Evaluation and Master Plan contract between the City of Shelby and Fiber Planners Inc.: Resolution No.: 70-2021

Consent Agenda Item: (Justin Merritt, Assistant City Manager)

- Memorandum dated November 29, 2021 from Justin Merritt, Assistant City Manager to Rick Howell, City Manager
- Services Quotation from Fiber Planners
- Ordinance No. 47-2021
- Resolution No. 70-2021

City Manager's Recommendation / Comments

Ordinance No. 47-2021 and Resolution No. 70-2021 is presented for City Council consideration at this time via the Consent Agenda and is considered a matter of routine action. If approved this ordinance and resolution would authorize the City Manager to enter into an agreement with Fiber Planners, Inc. in order to undertake a comprehensive evaluation of the City's current fiber optic system and conduct a master planning process to determine where the current system vulnerabilities exist and finally to develop a long range plan that will enable the City to grow and improve the system in the future.

As background the fiber optic system that is referenced dates to 2004 and is the system of fiber optic cables to serve all City facilities with internet access for a variety of purposes. The original purpose was to provide fiber connectivity for communications with electric substations and other utility facilities. The current system has some deficiencies that have been identified and a longer term plan and approach is warranted to ensure that any money invested is well thought out. The agreement is not to exceed \$32,000. Funding is appropriated from the Electric Fund Net Retained Earnings.

It is my recommendation that Ordinance No. 47-2021 and Resolution No. 70-2021 be adopted and approved by City Council via the Consent Agenda at this time.



To: Rick Howell, City Manager
From: Justin Merritt, Assistant City Manager
Date: November 29, 2021
Subject: Fiber Optic Evaluation and Master Plan Contract

Background:

For over 20 years, the City has installed and maintained a fiber optic network that consists of approximately 18 miles of fiber and 27 connected locations. The fiber optic network is a critical piece of our information technology infrastructure and allows the City to utilize technology to communicate and manage software systems across all City Departments. Over time, components have been added, replaced and repaired to meet organizational needs as they arose. We are now at a point where some of our existing fiber is nearing end of life and some components are ageing out as well. As such, a comprehensive system evaluation and master planning process is needed to determine where current system vulnerabilities exist and to develop a long-range plan that will enable us to grow our system for future needs.

To that end, the City of Shelby has received the attached proposal from Fiber Planners, Inc. to work with City staff to develop the aforementioned plans.

Recommendation:

The recommendation from staff is to approve the attached resolution approving the City Manager to execute the contract with Fiber Planners, Inc. and the attached budget amendment that will appropriate funding for the project.



Services Quotation for the City of Shelby, NC

November 15, 2021

Item	Description	Price
1.	Route Selection Study and Master Plan Consulting fee for selection of the aerial fiber optic route to support the electric plant, city offices, schools and also take into consideration potential future dark fiber leases. The route would provide suggested locations for stored cable for future road construction and community growth. Route selection would be determined during up to a five day visit to the area to evaluate existing communication needs of each city department and provide the fiber plan which best services those needs. The route would include recommended phases and associated outside plant costs. The existing city fiber cables appear to be very low fiber counts (6, 12, 24, and 48 fibers, some being multimode) and may not be functional in the proposed Master Plan. Travel expenses are included. Deliverables consist of digital format and one hard copy notebook containing presentation maps (11" x 17" max.) showing the proposed routes in each phase, detailed mileage chart of the routes, outside plant cost estimates for each route, lists of facilities passed per phase and a brief report summary. The documentation is written with Board members in mind, so it is concise (less than 6 pages, typically) and packed with information needed to make fiber optic budget decisions. Documentation typically can be provided within three weeks after the field visit. If additional hard copy documentation notebooks are needed, additional fee may apply. The above is based on a few assumptions: a. One client-provided assistant familiar with the distribution and sub-transmission system and ownership issues of the structures. b. Attachment location in the supply region of client-owned structures. c. Client to provide access to maps of existing electric plant and underground.	\$10,000.
2.	Verification of City's Fiber Optic Assets at 27 Locations Consulting fee to visit each city splice and termination location (estimated to be 27 locations and approximately 18 route miles from Mark Seagroves' documentation) and determine the individual fiber paths. Concise circuit diagrams will be provided for each location and also as a part of the overall fiber network, with end to end points defined by	not to exceed \$32,000.

terminations. Unused fibers will be documented with a coiled icon. If bad fibers are determined, they will be labeled on the documentation. End to end testing will not be provided at this phase. If fibers are not terminated and are suspected to have an issue, documentation will reflect the suspicion.

This quotation item will required the City to provide a City employee (such as Jordan Merritt) to work with Denise Frey at each splice location. It is important to involve City employees familiar with the cable paths and network history. For that reason, some of Jeff Wright's time may also be required. If the lower fiber count cable splices are deemed 'simple', then a City employee may only be needed to access the splice, either lowering from an aerial mount or opening a handhole and accessing the splice closure. In either case, Fiber Planners will be considerate of the City employee's time and scheduling. If a splicing contractor is needed at any point during this process, their cost is not included in this item.

Per the City's existing documentation, this quote is based on the largest fiber count cable to be 48 fibers. At the termination points, best efforts will be made to document the individual fiber ports at each end. In some instances, this may not be possible due to accessibility of the panels.

Documentation will consist of Google Earth kmz files for cable routes and pdfs for splice location fiber paths. An example of splice documentation is attached. Fiber Planners will work with Eric Snyder to update existing fiber documentation in the GIS system. FPI will provide photos of splice locations, pdf's of fiber splices at each location and any photos that might help future generations working on the City's fiber network.

3. **Design Phase of a Project** \$2,200/mile

If after review of the Master Plan provided in item 1, the City decides to build some infrastructure to facilitate new economic development or improve redundancy of the existing system, then design work may be needed. This item package provides specific information and pole by pole instructions for a client-designated route to build the outside plant ADSS installation provided in concise documentation. It will include a summary map, detail maps, bill of materials and qualified suppliers. The pole by pole construction details will include the pole attachment location, suspension hardware for each pole and potential guying requirements. Make-ready requirements will also be provided.

Price is based on a minimum of 5 miles. Travel expenses are included.

Deliverables consist of one printed documentation notebook plus the digital version and, typically, is provided within three weeks after completion of the field visit. Longer routes will be sectionalized into Route Blocks of approximately 20 miles each, with separate documentation notebooks.

A list of poles which do not meet the NESC clearance requirements prior to the fiber optic design attachment will also be provided. This list will assist the utility

in Joint Use discussions concerning pole clean-up, but will have little or no effect on the fiber project since the attachments will be in the supply region.

The cable specification Detail Requirements document will be developed and **must be added** to the generic cable specification from Item 4 before going out for bid. The Detail Requirements will include maximum span, sag requirements and cable cut lengths.

Item 3 is based on a few assumptions:

- a. Attachment Location in the Supply Region
- b. Available NESC Safety Region on the pole of at least 40"
- c. Assistance from client with state permits, i.e., highway and RR
- d. Adequate cable design to meet sag/tension requirements
- e. Right-of-Way access clear for walking

This price does not include the actual installation labor and equipment, cable or hardware but will provide the instructions for the contracted or in-house crew to install the cable.

4. Material and Services Specifications \$2,000.

Three separate generic specifications, (1) ADSS Fiber Optic Cable Specification and (2) Construction Specification and (3) Testing/Splicing Specification, are suitable to define generic material and services requirements, but will need additional information provided at the design step quoted in item 3. For example, the Cable Detail Requirements document will describe the specific project requirements, such as fiber count and sag requirements for the specific route.

The splicing specification will need a splice point layout once the fiber count is established. Assistance in development of the fiber splicing assignments can be quoted after item 3 is complete and discussions of connectivity take place.

These specifications insure participation of at least three vendors in the bid process and have no bias to a particular vendor. (specifications individually, \$800)

5. Bid Evaluations \$400.

Fiber Planners to evaluate the responses to RFQ's from all three specifications in item 4 and provide a written technical comparison with rated qualifications.

After the technical evaluation is complete, the pricing information can be forwarded to FPI and a price evaluation for each bid will also be provided.

6. Installation Training \$ 4,800.

If Fiber Planners designs the system, we'd like to qualify the installation crew with two full days of on-the-job crew training on proper practices including proper sheave positioning, pull rope attachment, handling techniques and clipping-in of hardware. This training is suitable for a contracted crew or in-house crews.

Travel expenses are included.

7. On-Site Advisor

Additional days of an on-site advisor will be \$1,800 per day in succession immediately after the two day training session in item 6. Travel expenses are included in the per day rate. If on-site advisor days are interrupted by non-work days, such as rain days or weekends, the daily fee will be \$300 per day plus hotel expenses.

8. Hourly Consulting beyond items 1 through 7 \$220/hr

Attendance of meetings outside the confines of items 1 and 2 shall be billed based on hours of the actual meeting plus travel expenses.

All billable hours will be identified and verbally approved by the client prior to work.

9. On-site Seminars \$2,200/day

Proposed agendas for seminars are attached. Travel expenses are included.

No limit to the group size. Digital handout can be provided, to be distributed.

If a virtual presentation is appropriate, then the price will be reduced.

Fiber Planners Inc. Terms & Conditions:

Full payment is due Net 10 days from the invoice date.

Items 1, 2, 3, 4 & 5 will be invoiced at the time of documentation completion. All other items will be invoiced at the time of services.

Prices are firm for the duration of the project but no longer than one year from this quotation date.

Insurance Requirements:

Fiber Planners shall maintain Workers Compensation insurance coverage consistent with applicable state law. Insurance Underwriters are NC Rate Bureau with \$1,000,000 Employer's Liability each accident. Proof of coverage shall be provided upon request.

Fiber Planners shall maintain Professional Liability (E&O) insurance with \$1,000,000 coverage and \$1,000,000 aggregate for each annual period. Insurance Underwriters are at LLOYD's of London. Proof of coverage shall be provided upon request.

Fiber Planners shall maintain Commercial Umbrella and General Liability insurance with \$1,000,000 general aggregate coverage. Insurance Underwriters are Auto-Owners Insurance. Proof of coverage shall be provided upon request.

Fiber Planners shall indemnify and holds the City of Shelby, NC harmless for any claims, actions, liabilities or losses arising out of Fiber Planners' performance of services pursuant to this quote.

ORDINANCE NO. 47-2021

CITY OF SHELBY
FISCAL YEAR (FY) 2021-2022 BUDGET ORDINANCE AMENDMENT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its annual budget for FY 2021-2022; and,

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve same for implementation and compliance with the Fiscal Control Act;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. Ordinance No. 23-2021, the City’s FY 2021-2022 Budget Ordinance, is hereby amended as follows to provide for Budget Amendment No. 3 for the year:

(A) The City of Shelby has identified a need to evaluate and make improvements to certain Electric Utility infrastructure. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

(1) The following Electric Fund line items are amended:

- (a) Increase 63006000-39900 Fund Balance Appropriated \$42,000
- (b) Increase 630733-42500 Contracted Services \$42,000

Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

	<u>Current Budget</u>	<u>Amendment No. 3</u>
General Fund	\$ 28,794,000	\$ 28,794,000
Emergency Telephone System Fund	107,000	107,000
Powell Bill Fund	515,000	515,000
Economic Dev. Fund	687,000	687,000
Housing Fund	1,836,751	1,836,751
Cemetery Fund	30,000	30,000
Utilities-Water Fund	6,438,171	6,438,171
Utilities-Sewer Fund	6,942,644	6,942,644
Utilities-Electric Fund	22,039,455	22,081,455
Utilities-Gas Fund	16,576,250	16,576,250
Utilities – Stormwater Fund	<u>840,520</u>	<u>840,520</u>
FY 2021-2022 Budget Total	<u>\$ 84,806,791</u>	<u>\$ 84,848,791</u>

Ordinance No. 47-2021
December 6, 2021
Page 2

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of December 2021.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

APPROVED AS TO FORM:

Andrea Leslie-Fite
City Attorney

RESOLUTION NO. 70-2021

A RESOLUTION APPROVING THE CITY OF SHELBY FIBER OPTIC SYSTEM ASSET EVALUATION AND MASTER PLAN CONTRACT BETWEEN THE CITY OF SHELBY AND FIBER PLANNERS INC.

WHEREAS, the City of Shelby has identified a need to conduct an Asset Evaluation and Master Plan for its Fiber Optic System; and

WHEREAS, the City of Shelby has received a proposal from Fiber Planners, Inc. to conduct the aforementioned project; and

WHEREAS, the staff of the City of Shelby have determined that Fiber Planners, Inc. is suitably qualified to complete the requested project based upon the proposal submitted; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The City Council of the City of Shelby hereby desires for the City Manager, in consultation with the City Attorney, to enter into negotiations and a contract for professional services with Fiber Planners, Inc. for the above referenced project.

Section 2. The City Manager of the City is hereby authorized and directed to execute the contract set forth in Section 1 of this resolution.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of December 2021.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-6

6) Management Reports:

- a. Monthly Financial Summary – October 2021

Consent Agenda Item: (Rick Howell, City Manager)

- Monthly Financial Summary

City Manager's Recommendation / Comments

The above listed report is for City Council information and is placed on the consent agenda to ensure documentation that it was formally presented by management during a regular meeting.

Shelby
NORTH CAROLINA

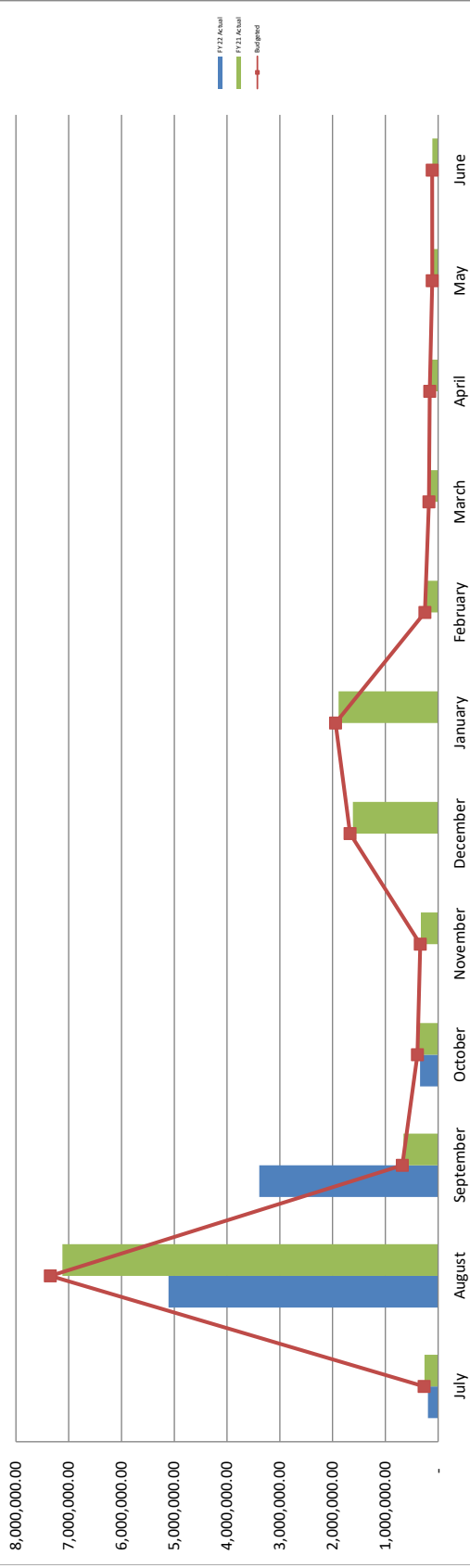


**Monthly Financial Summary
October 2021**

City of Shelby
Current Property Tax Collections
FY 2022

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	266,872.03	7,347,866.86	678,339.62	391,751.34	338,537.34	1,668,045.24	1,946,211.21	251,158.11	175,779.68	159,120.20	111,682.24	115,136.13	13,450,500.00
FY 2021	258,629.06	7,120,910.64	657,387.50	379,651.17	328,080.81	1,616,523.72	1,886,097.88	243,400.50	170,350.31	154,205.40	108,232.67	111,579.88	13,035,049.54
FY 2022	192,874.52	5,110,461.99	3,390,680.59	343,629.74	-	-	-	-	-	-	-	-	9,037,646.84
% of Budget	1.43%	37.99%	25.21%	2.55%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	67.19%
Variance	(73,997.51)	(2,237,404.87)	2,712,340.97	(48,121.60)	(338,537.34)	(1,668,045.24)	(1,946,211.21)	(251,158.11)	(175,779.68)	(159,120.20)	(111,682.24)	(115,136.13)	(4,412,853.16)

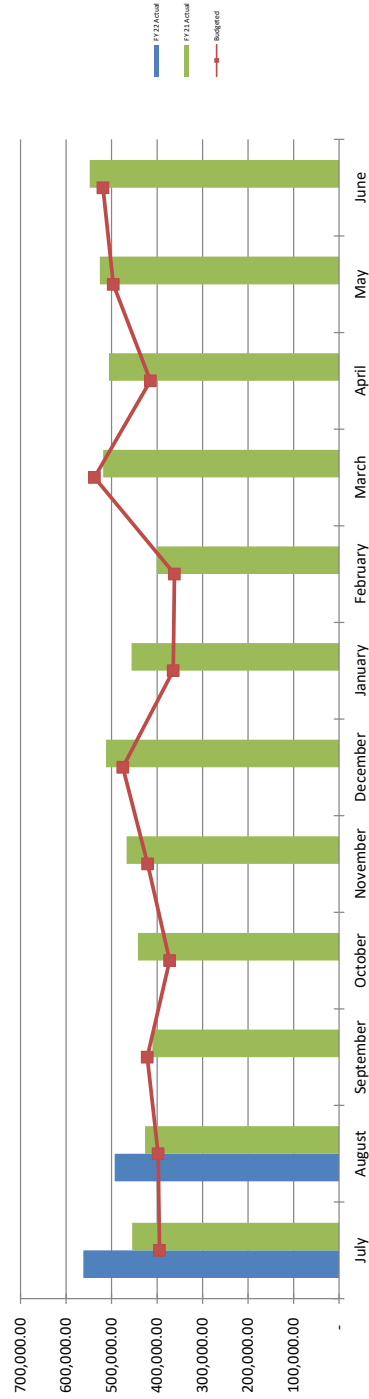
Current Property Tax Collections Budgeted and Collected



City of Shelby
Sales Tax Collections
FY 2022

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	394,351.82	397,446.29	421,604.76	372,123.31	420,646.68	475,132.30	364,692.02	361,742.33	537,573.72	414,801.75	496,080.53	518,804.51	5,175,000.00
FY 2021	454,615.42	426,384.38	410,452.25	442,297.17	467,100.43	512,492.21	455,885.01	400,803.20	518,480.64	505,892.93	525,880.46	548,176.57	5,668,460.67
FY 2022	561,875.17	493,247.25	-	-	-	-	-	-	-	-	-	-	1,055,122.42
% of Budget	10.86%	9.53%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	20.39%
Variance	167,523.35	95,800.96	(421,604.76)	(372,123.31)	(420,646.68)	(475,132.30)	(364,692.02)	(361,742.33)	(537,573.72)	(414,801.75)	(496,080.53)	(518,804.51)	(4,119,877.58)

Sales Tax Collections Budgeted and Collected



Notes:
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-5.pdf>

Sales Tax Distribution Method: A link to a description of the individual articles of Sales Tax is embedded here: http://www.dor.state.nc.us/publications/sales/distribution_articles.pdf

City of Shelby
 Utility Sales Tax Distribution (Formerly Utility Franchise Tax)
 Last Three Years

	Third Quarter	Fourth Quarter	First Quarter	Second Quarter	Totals
Collection Period:	(July-Sept.)	(Oct.-Dec.)	(Jan.-Mar.)	(Apr.-June)	
Received in:	December	March	June	September	
FY 20	562,390.96	392,246.27	460,205.55	410,481.08	1,825,323.86
FY 21	574,782.27	445,666.24	476,587.12	451,433.94	1,948,469.57
FY 22	-	-	-	-	-
Budget	556,178.37	484,704.73	500,184.30	458,932.60	2,000,000.00
% of Budget	0.00%	0.00%	0.00%	0.00%	0.00%



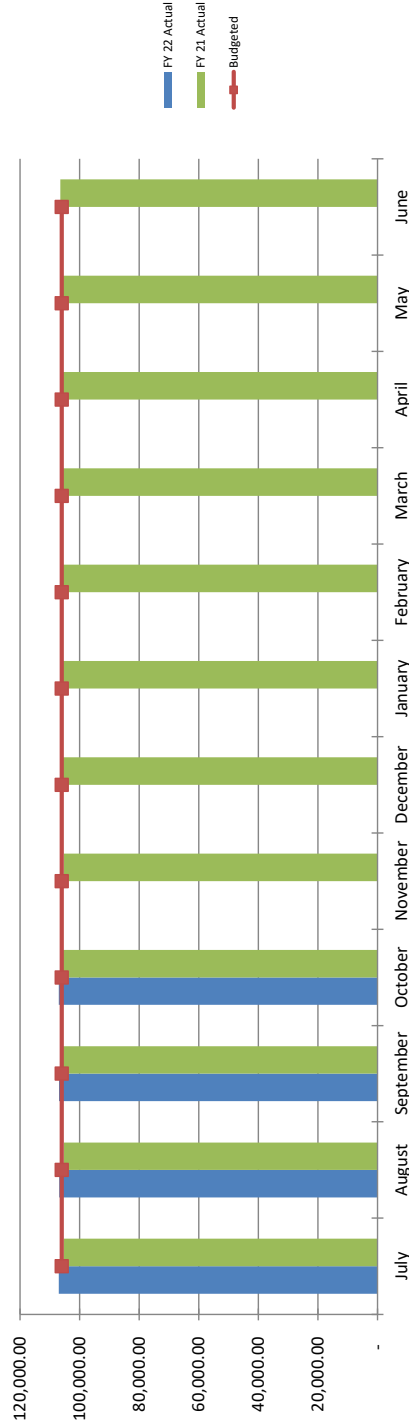
Notes:

Effective July 2014, utility franchise tax was eliminated on sales of electricity and piped natural gas. A "hold harmless" provision will keep local distribution levels at the amounts received during the 2013-14 Fiscal Year.

City of Shelby
Solid Waste Fees
FY 2022

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	106,000.00	1,272,000.00
FY 2021	105,380.54	105,237.32	105,800.50	105,677.68	105,243.58	105,899.38	105,833.19	105,909.14	106,446.69	106,036.48	106,495.44	106,448.69	1,270,408.63
FY 2022	107,028.51	106,863.30	106,940.27	107,008.94	-	-	-	-	-	-	-	-	427,841.02
% of Budget	8.41%	8.40%	8.41%	8.41%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	33.64%
Variance	1,028.51	863.30	940.27	1,008.94	(106,000.00)	(106,000.00)	(106,000.00)	(106,000.00)	(106,000.00)	(106,000.00)	(106,000.00)	(106,000.00)	(844,158.98)
Res. Accts:	7,738	7,718	7,730	7,731	-	-	-	-	-	-	-	-	-
Comm. Accts:	674	674	671	677	-	-	-	-	-	-	-	-	-

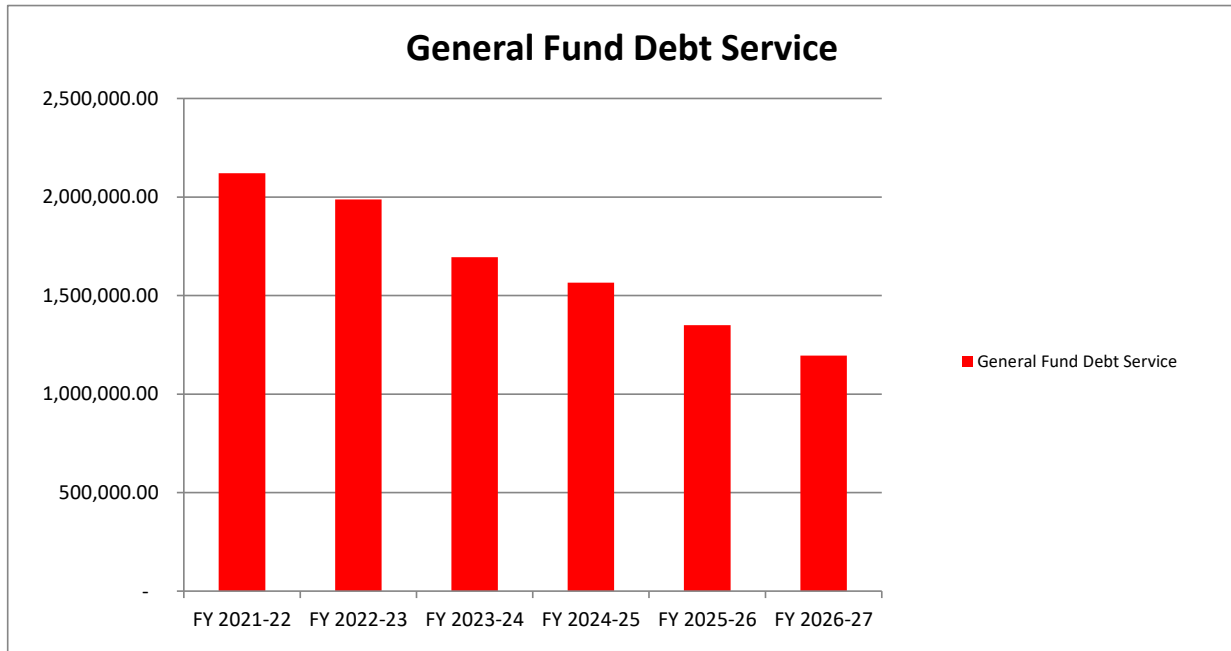
Solid Waste Fees Budgeted and Collected



DEBT SERVICE - GENERAL FUND

	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
<u>Installment Purchase Contracts</u>						
Hanna Park Recreation Complex Debt Retired In 2032	673,134.00	658,606.66	644,079.33	629,552.00	615,024.66	600,497.33
NS Rail Corridor Purchase Debt Retired In 2029	650,375.00	639,222.22	628,069.44	617,100.00	605,763.89	594,611.11
FY 17 Installment Purchase Debt Retired In 2022	108,238.48	-	-	-	-	-
FY 18 Installment Purchase Debt Retired In 2023	266,389.91	266,389.91	-	-	-	-
FY 19 Installment Purchase Debt Retired In 2024	104,354.77	104,354.77	104,354.77	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	189,692.00	189,692.00	189,692.00	189,692.00	-	-
FY 21 Installment Purchase Debt Retired In 2026	128,617.50	128,617.50	128,617.50	128,617.50	128,617.50	-
Total Debt Service - General Fund	2,120,801.66	1,986,883.06	1,694,813.04	1,564,961.50	1,349,406.05	1,195,108.44

Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



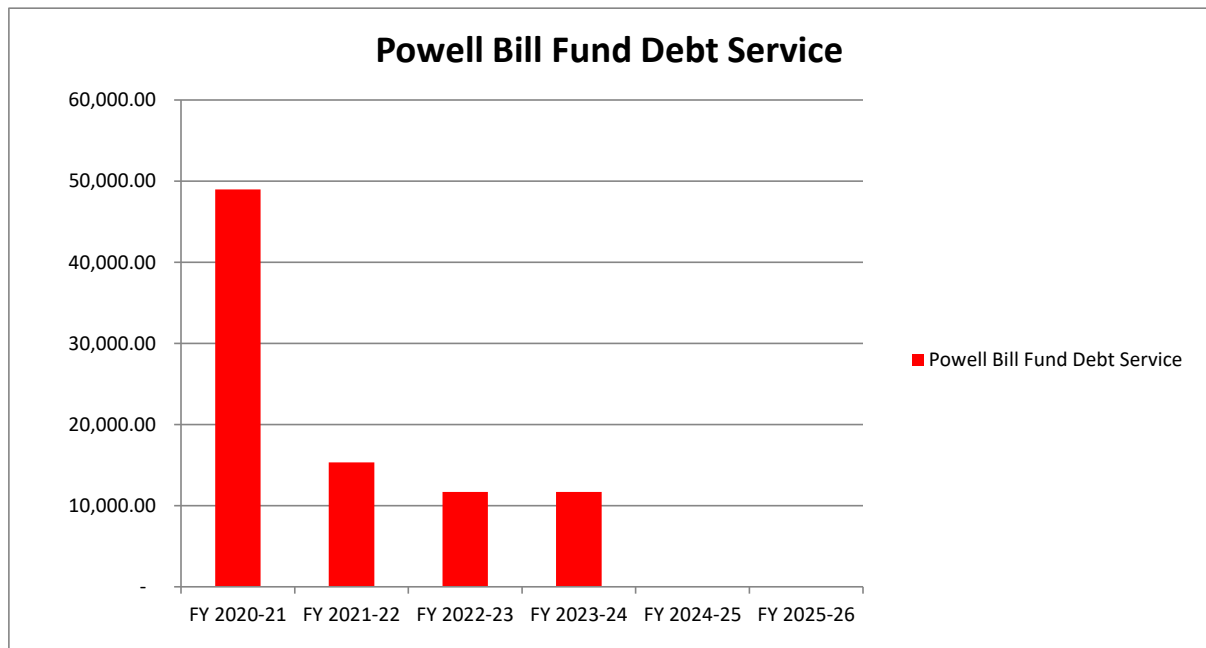
City of Shelby
 For 2022 04 (33.34% of the Fiscal Year)
 General Fund Expenditures by Division

DEPARTMENT	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL GOVERNING BOARD	85,921.00	85,921.00	27,783.29	0.00	58,137.71	32.30 %
TOTAL ADMINISTRATION	719,261.00	719,261.00	231,252.77	1,139.91	486,868.32	32.30 %
TOTAL FINANCE	656,717.00	656,717.00	364,027.43	2,154.55	290,535.02	55.80 %
TOTAL PURCHASING	77,710.00	77,764.00	22,055.99	53.59	55,654.01	28.40 %
TOTAL HUMAN RESOURCES	273,393.00	273,393.00	62,283.21	0.00	211,109.79	22.80 %
TOTAL CUSTOMER SERVICE	292,079.00	296,377.00	102,017.31	43,877.50	150,482.16	49.20 %
TOTAL INFORMATION SERVICES	329,919.00	331,621.00	118,373.28	61,852.48	151,395.24	54.30 %
TOTAL METER SERVICE	96,082.00	96,082.00	22,058.61	0.00	74,023.39	23.00 %
TOTAL GARAGE	534,715.00	534,715.00	185,362.57	0.00	349,352.43	34.70 %
TOTAL CITY HALL	452,800.00	452,800.00	49,698.26	0.00	403,101.74	11.00 %
TOTAL POLICE	7,671,563.00	7,679,007.00	2,482,619.35	23,324.47	5,173,063.14	32.60 %
TOTAL COMMUNICATION	794,100.00	794,100.00	209,605.21	0.00	584,494.79	26.40 %
TOTAL FIRE	5,626,296.00	5,660,068.00	1,592,194.27	855,811.27	3,212,062.94	43.30 %
TOTAL BUILDING INSPECTIONS	416,775.00	416,775.00	81,841.86	0.00	334,933.14	19.60 %
TOTAL STREETS	1,276,305.00	1,278,052.00	430,750.86	2,272.37	845,028.77	33.90 %
TOTAL AIRPORT	438,275.00	446,030.00	197,152.18	9,662.12	239,215.70	46.40 %
TOTAL SOLID WASTE	2,144,010.00	2,144,010.00	692,890.68	7,471.63	1,443,647.69	32.70 %
TOTAL GIS	54,989.00	87,788.00	33,258.35	38,000.00	16,529.65	81.20 %
TOTAL PLANNING SERVICES	590,950.00	591,376.00	159,765.19	425.50	431,184.81	27.10 %
TOTAL SPECIAL APPROPRIATIONS	2,948,525.00	3,016,680.00	275,766.68	0.00	2,740,913.32	9.10 %
TOTAL PARKS & RECREATION	1,717,290.00	1,720,237.00	559,608.89	78,799.56	1,081,828.55	37.10 %
TOTAL MAINTENANCE & CEMETERY	1,596,325.00	1,596,325.00	443,615.15	27,287.95	1,125,421.90	29.50 %
GRAND TOTAL	28,794,000.00	28,955,099.00	8,343,981.39	1,152,132.90	19,458,984.21	32.79 %

DEBT SERVICE - POWELL BILL FUND

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
<u>Installment Purchase Contracts</u>						
FY 17 Installment Purchase Debt Retired in 2022	33,612.66	-	-	-	-	-
FY 18 Installment Purchase Debt Retired in 2023	3,644.52	3,644.52	-	-	-	-
FY 20 Installment Purchase Debt Retired in 2025	11,703.00	11,703.00	11,703.00	11,703.00	-	-
Total Debt Service - Powell Bill Fund	48,960.18	15,347.52	11,703.00	11,703.00	-	-

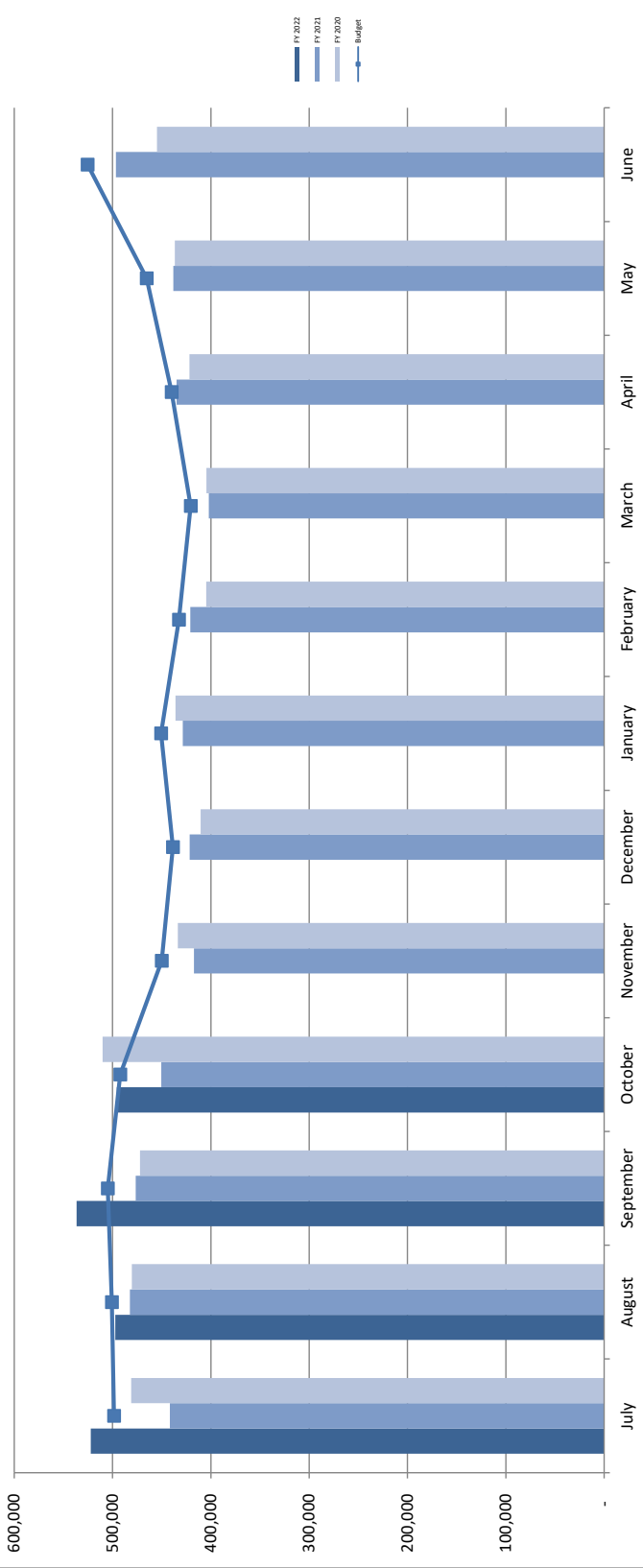
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Water Revenue Budget to Actual
FY 2022

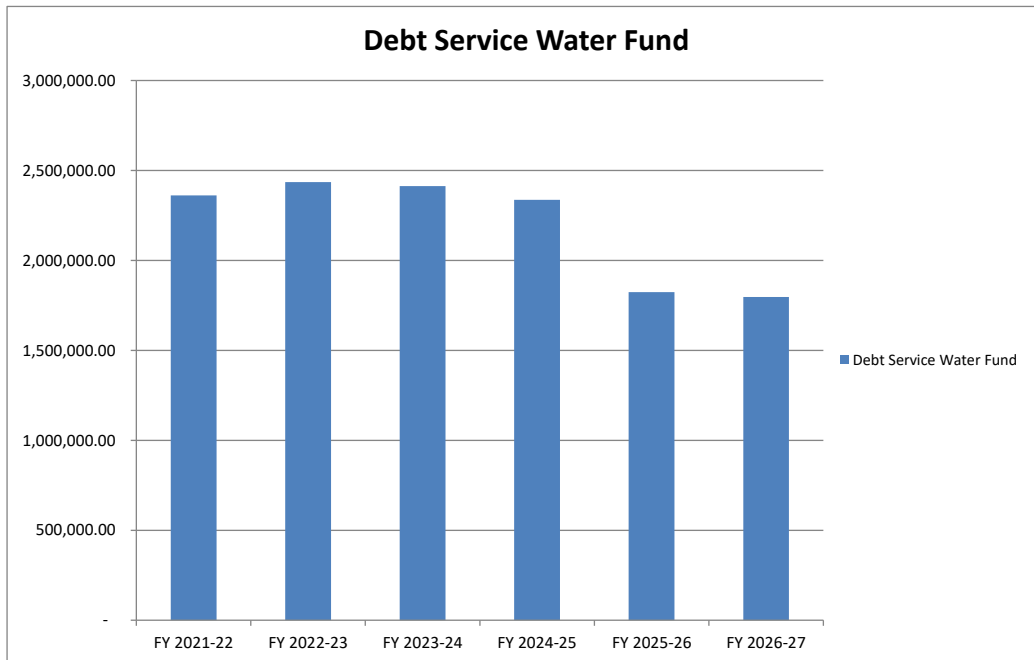
	July	August	September	October	November	December	January	February	March	April	May	June	Total
FY 2022 Budget													
Inside Water													
Useage	132,961	135,912	137,516	130,967	116,874	114,782	120,220	110,024	106,297	114,535	123,558	147,145	1,490,790
Dollars	440,558.64	448,193.27	444,341.63	435,884.36	400,113.12	392,334.71	402,926.15	382,715.01	375,154.16	392,427.58	415,062.20	467,791.58	4,997,502.43
Outside Water													
Useage	15,372	13,571	16,377	14,910	12,691	11,485	11,930	12,803	11,352	11,842	12,840	15,353	160,526
Dollars	57,978.14	52,587.35	60,609.17	56,390.38	49,951.05	46,256.35	47,833.99	49,797.86	45,444.00	47,489.15	50,185.45	57,614.67	622,137.57
Totals	148,333	149,484	153,893	145,878	129,565	126,267	132,150	122,827	117,649	126,376	136,398	162,497	1,651,316
Dollars	498,536.78	500,780.62	504,950.80	492,274.74	450,064.17	438,591.06	450,760.15	432,512.88	420,598.16	439,916.74	465,247.65	525,406.25	5,619,640.00
FY 2022 Actual													
Inside Water													
Useage	147,300	132,769	156,014	136,379	-	-	-	-	-	-	-	-	572,462
Dollars	465,884	437,870	478,412	441,580	-	-	-	-	-	-	-	-	1,823,744.92
Outside Water													
Useage	15,182	16,501	16,094	14,496	-	-	-	-	-	-	-	-	62,273
Dollars	56,397	59,395	58,290	54,158	-	-	-	-	-	-	-	-	228,241
Totals	162,482	149,270	172,108	150,875	-	-	-	-	-	-	-	-	634,735
Dollars	522,281	497,265	536,702	495,738	-	-	-	-	-	-	-	-	2,051,985.65
Variance													
Inside Water													
Useage	14,339	(3,143)	18,498	5,412	(116,874)	(114,782)	(120,220)	(110,024)	(106,297)	(114,535)	(123,558)	(147,145)	(918,328)
Dollars	25,325.14	(10,323.43)	34,069.94	5,695.37	(400,113.12)	(392,334.71)	(402,926.15)	(382,715.01)	(375,154.16)	(392,427.58)	(415,062.20)	(467,791.58)	(3,173,757.51)
Outside Water													
Useage	(190)	2,930	(283)	(414)	(12,691)	(11,485)	(11,930)	(12,803)	(11,352)	(11,842)	(12,840)	(15,353)	(98,253)
Dollars	(1,580.66)	6,807.52	(2,319.17)	(2,232.00)	(49,951.05)	(46,256.35)	(47,833.99)	(49,797.86)	(45,444.00)	(47,489.15)	(50,185.45)	(57,614.67)	(393,897)
Totals	14,149	(214)	18,215	4,997	(129,565)	(126,267)	(132,150)	(122,827)	(117,649)	(126,376)	(136,398)	(162,497)	(1,016,581)
Useage	23,744.48	(3,515.91)	31,750.77	3,463.37	(450,064.17)	(438,591.06)	(450,760.15)	(432,512.88)	(420,598.16)	(439,916.74)	(465,247.65)	(525,406.25)	(3,567,654.35)

Water Sales In Dollars - Budget to Actual FY 2021 - 2022



DEBT SERVICE - WATER FUND	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
<u>Revenue Bonds</u>						
Series 2013A Revenue Bonds Debt Retired In 2029	324,157.13	325,250.01	324,029.73	324,717.52	325,173.82	325,173.82
Series 2010 Revenue Bonds Debt Retired In 2025	526,469.18	517,224.37	507,603.26	497,590.50	-	-
Series 2015 Revenue Bonds Debt Retired In 2030	201,100.00	201,100.00	201,100.00	201,100.00	201,100.00	201,100.00
Series 2016 Revenue Bonds Debt Retired In 2031	233,400.00	233,400.00	233,400.00	233,400.00	233,400.00	233,400.00
NCDEQ-DWI SRF Loan Debt Retired In 2040	959,805.01	1,060,171.30	1,047,604.00	1,035,036.68	1,022,469.38	1,009,902.08
<u>Installment Purchase</u>						
Uptown Infrastructure - Electric Fund Loan Debt Retired In 2038	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00
FY 17 Installment Purchase Debt Retired In 2022	17,188.29	-	-	-	-	-
FY 19 Installment Purchase Debt Retired In 2024	54,380.79	54,380.79	54,380.79	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	2,561.50	2,561.50	2,561.50	2,561.50	-	-
FY 21 Installment Purchase Debt Retired In 2026	14,465.00	14,465.00	14,465.00	14,465.00	14,465.00	-
Total Debt Service - Water Fund	2,360,776.90	2,435,802.97	2,412,394.28	2,336,121.20	1,823,858.20	1,796,825.90

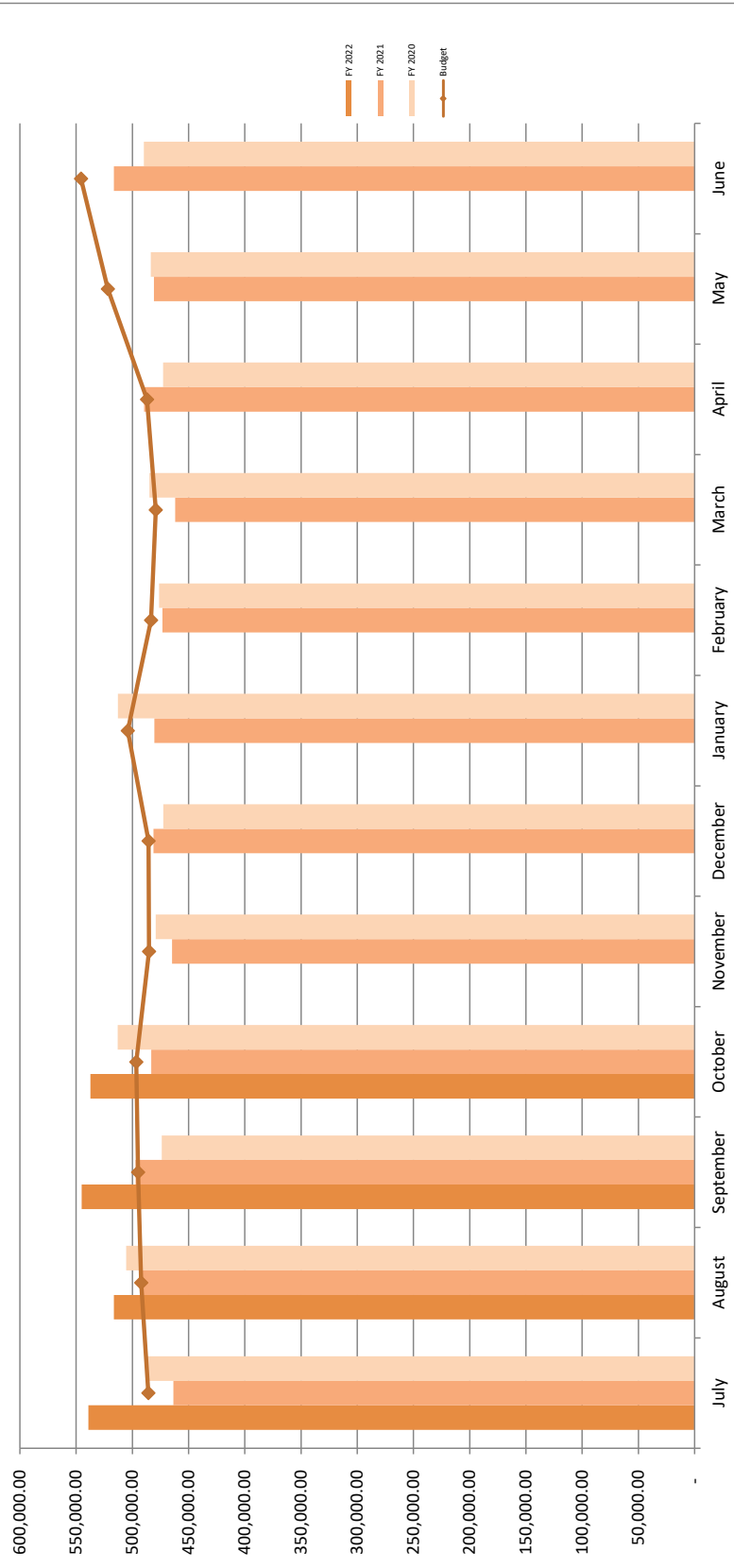
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Sewer Revenue Budget to Actual
FY 2022

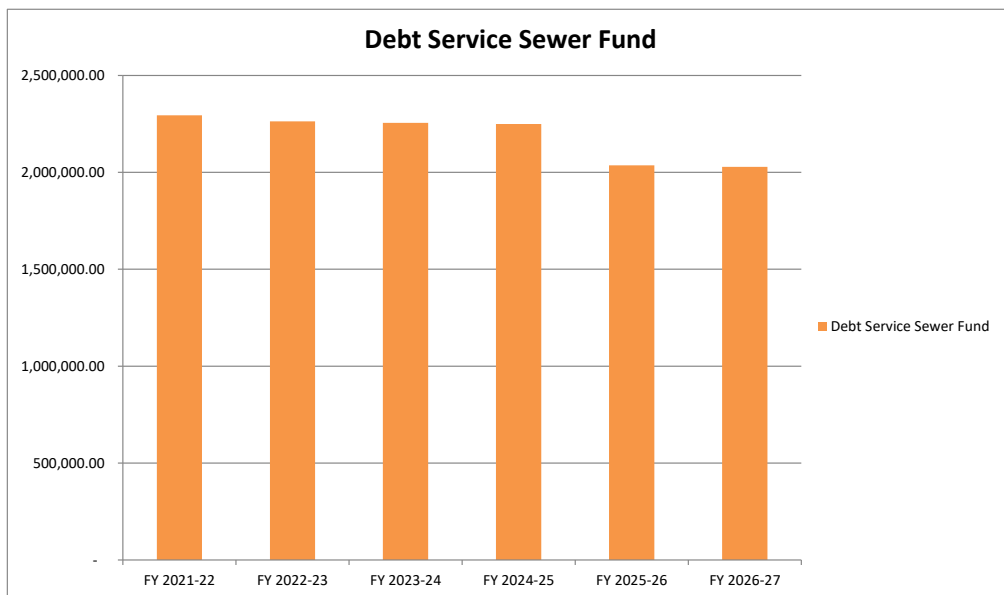
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY 2022 Budget													
Inside Sewer													
Useage	68,512	70,250	53,846	69,057	66,689	67,452	71,487	66,675	64,185	66,827	76,924	82,341	824,244
Dollars	456,884.41	465,493.45	462,106.95	462,388.82	448,975.74	450,155.61	464,781.57	449,302.18	439,595.61	451,018.69	485,603.30	509,783.35	5,546,089.69
Outside Sewer													
Useage	2,886	2,520	3,410	3,557	3,855	3,771	4,329	3,581	4,344	3,369	3,361	3,320	42,303
Dollars	28,960.22	26,678.11	32,909.79	34,083.37	36,133.08	35,355.54	39,258.40	34,125.67	39,547.42	35,886.02	36,098.03	35,946.66	414,982.31
Totals													
Useage	71,398	72,770	57,256	72,614	70,544	71,223	75,816	70,256	68,529	70,196	80,285	85,661	866,547
Dollars	485,844.63	492,171.56	495,016.74	496,472.19	485,108.82	485,511.15	504,039.97	483,427.85	479,143.04	486,904.71	521,701.33	545,730.01	5,961,072.00
FY 2022 Actual													
Inside Sewer													
Useage	77,633	73,340	81,561	76,522	-	-	-	-	-	-	-	-	309,056
Dollars	501,861.04	479,112.06	505,097.81	493,553.81	-	-	-	-	-	-	-	-	1,979,624.72
Outside Sewer													
Useage	2,432	2,397	2,756	3,298	-	-	-	-	-	-	-	-	10,883
Dollars	37,319.18	37,327.88	39,989.26	43,817.13	-	-	-	-	-	-	-	-	158,453.45
Totals													
Useage	80,065	75,737	84,317	79,820	-	-	-	-	-	-	-	-	319,939
Dollars	539,180.22	516,439.94	545,087.07	537,370.94	-	-	-	-	-	-	-	-	2,138,078.17
Variance													
Inside Sewer													
Useage	9,121	3,090	27,715	7,465	(66,689)	(67,452)	(71,487)	(66,675)	(64,185)	(66,827)	(76,924)	(82,341)	(515,187.67)
Dollars	44,976.63	13,618.61	42,990.86	31,164.99	(448,975.74)	(450,155.61)	(464,781.57)	(449,302.18)	(439,595.61)	(451,018.69)	(485,603.30)	(509,783.35)	(3,566,464.97)
Outside Sewer													
Useage	(454)	(123)	(654)	(259)	(3,855)	(3,771)	(4,329)	(3,581)	(4,344)	(3,369)	(3,361)	(3,320)	(31,420.00)
Dollars	8,358.96	10,649.77	7,079.47	9,733.76	(36,133.08)	(35,355.54)	(39,258.40)	(34,125.67)	(39,547.42)	(35,886.02)	(36,098.03)	(35,946.66)	(256,528.86)
Totals													
Useage	8,667	2,967	27,061	7,206	(70,544)	(71,223)	(75,816)	(70,256)	(68,529)	(70,196)	(80,285)	(85,661)	(546,607.67)
Dollars	53,335.59	24,268.38	50,070.33	40,898.75	(485,108.82)	(485,511.15)	(504,039.97)	(483,427.85)	(479,143.04)	(486,904.71)	(521,701.33)	(545,730.01)	(3,822,993.83)

Sewer Sales in Dollars - Budget to Actual FY 2021 - 2022



DEBT SERVICE - SEWER FUND	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
<u>Revenue Bonds</u>						
Series 2013A Revenue Bonds Debt Retired In 2029	102,558.09	102,903.86	102,517.78	102,735.39	102,879.76	102,292.28
Series 2013C Revenue Bonds Debt Retired In 2028	199,458.88	198,822.47	198,081.73	197,236.66	200,137.25	198,979.17
Series 2010 Revenue Bonds Debt Retired In 2025	215,198.61	211,419.72	207,487.01	203,394.22	-	-
NC DENR-DWI SRF Loan Debt Retired in 2034	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10
NC DENR-DWI SRF Loan Debt Retired in 2035	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90
NC DENR-DWI SRF Loan Debt Retired in 2035	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90
NC DENR-DWI SRF Loan Debt Retired in 2041	991,870.00	991,870.00	991,870.00	991,870.00	991,870.00	991,870.00
<u>Installment Purchase</u>						
Uptown Infrastructure - Loan from Electric Fund Debt Retired in 2038	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00
FY 17 Installment Purchase Debt Retired In 2022	26,880.58	-	-	-	-	-
FY 18 Installment Purchase Debt Retired In 2023	2,903.26	2,903.26	-	-	-	-
FY 19 Installment Purchase Debt Retired In 2024	1,408.74	1,408.74	1,408.74	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	12,525.50	12,525.50	12,525.50	12,525.50	-	-
FY 21 Installment Purchase Debt Retired In 2026	6,215.00	6,215.00	6,215.00	6,215.00	6,215.00	-
Total Debt Service - Sewer Fund	2,294,423.55	2,263,473.45	2,255,510.66	2,249,381.66	2,036,506.90	2,028,546.34

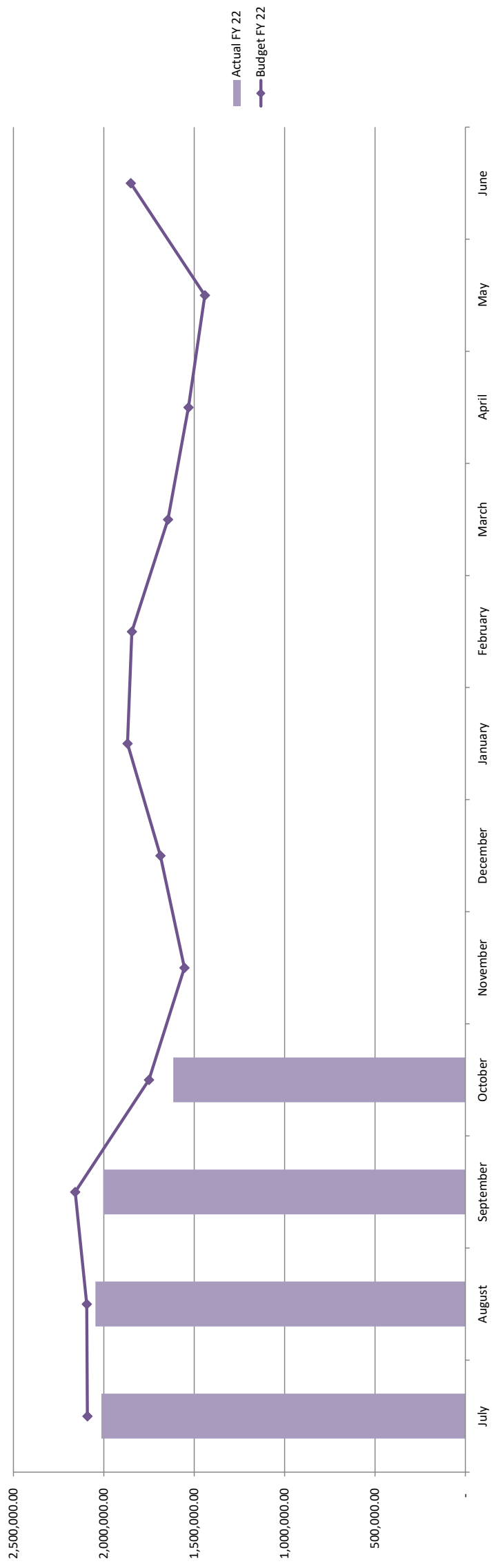
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



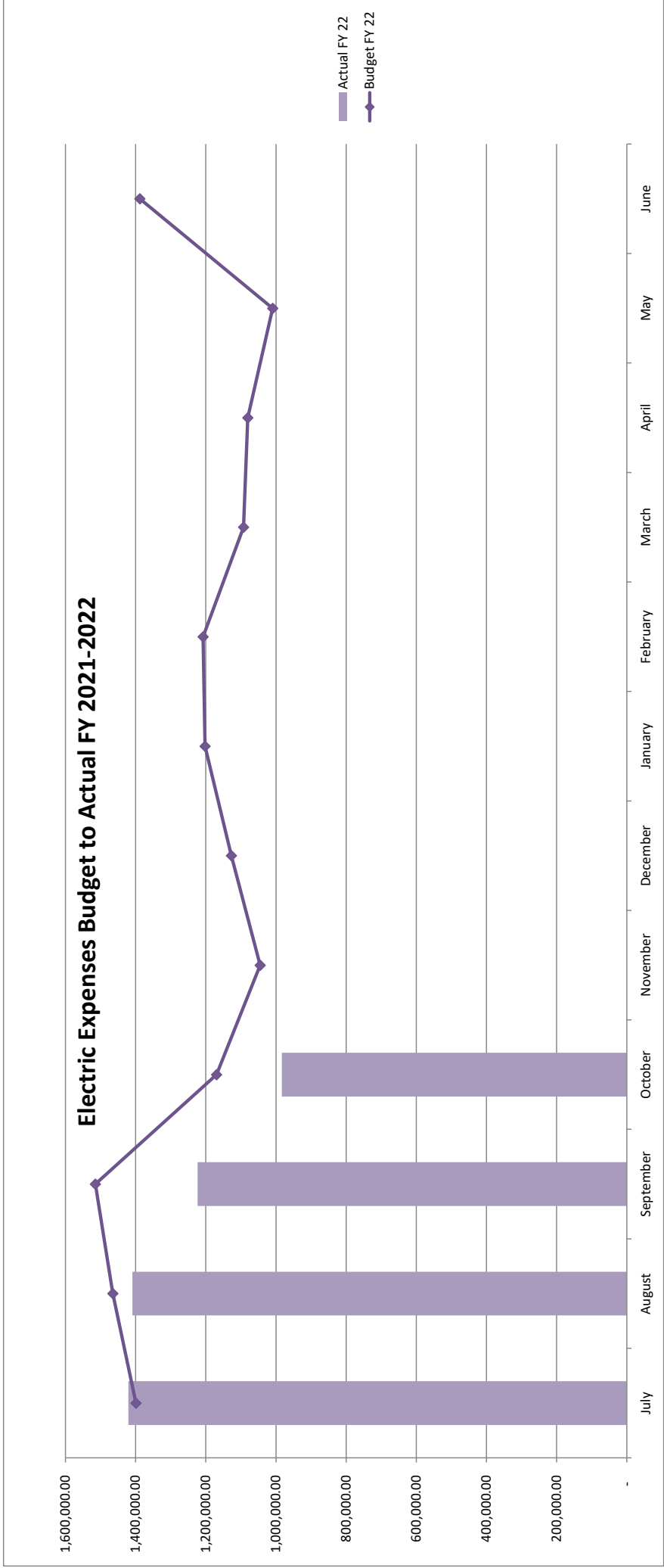
City of Shelby
Electric Revenues Budget to Actual
FY 2022

Revenues Budget FY 22	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	888,192.80	905,070.83	889,403.93	683,984.80	623,498.84	798,656.66	926,510.59	912,010.95	762,405.29	648,463.38	574,814.98	770,567.06	9,383,580.12
Commercial	1,183,523.77	1,166,811.02	1,245,221.55	1,049,869.82	916,006.21	873,253.35	927,811.46	917,660.30	868,382.85	866,482.11	850,742.92	1,055,875.44	11,921,640.80
Industrial	19,505.92	22,388.91	23,737.08	16,789.71	14,997.50	15,378.27	14,823.35	15,520.93	14,739.64	16,908.65	15,683.89	24,305.22	214,779.08
Totals	2,091,222.49	2,094,270.76	2,158,362.56	1,750,644.33	1,554,502.55	1,687,288.28	1,869,145.41	1,845,192.18	1,645,527.78	1,531,854.14	1,441,241.79	1,850,747.72	21,520,000.00
Actual FY 22	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	880,501.52	879,896.06	842,330.03	619,318.24	-	-	-	-	-	-	-	-	3,222,045.85
Commercial	1,091,518.23	1,126,015.11	1,119,148.12	965,598.51	-	-	-	-	-	-	-	-	4,302,279.97
Industrial	41,076.50	40,385.09	41,368.65	30,744.31	-	-	-	-	-	-	-	-	-
Totals	2,013,096.25	2,046,296.26	2,002,846.80	1,615,661.06	-	-	-	-	-	-	-	-	7,677,900.37
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	(7,691.27)	(25,174.77)	(47,073.91)	(64,666.57)	(623,498.84)	(798,656.66)	(926,510.59)	(912,010.95)	(762,405.29)	(648,463.38)	(574,814.98)	(770,567.06)	(6,161,534.27)
Commercial	(92,005.55)	(40,795.92)	(126,073.42)	(84,271.30)	(916,006.21)	(873,253.35)	(927,811.46)	(917,660.30)	(868,382.85)	(866,482.11)	(850,742.92)	(1,055,875.44)	(7,619,360.83)
Industrial	21,570.58	17,996.18	17,631.57	13,954.60	(14,997.50)	(15,378.27)	(14,823.35)	(15,520.93)	(14,739.64)	(16,908.65)	(15,683.89)	(24,305.22)	(61,204.53)
Totals	(78,126.24)	(47,974.50)	(155,515.76)	(134,983.27)	(1,554,502.55)	(1,687,288.28)	(1,869,145.41)	(1,845,192.18)	(1,645,527.78)	(1,531,854.14)	(1,441,241.79)	(1,850,747.72)	(13,842,099.63)

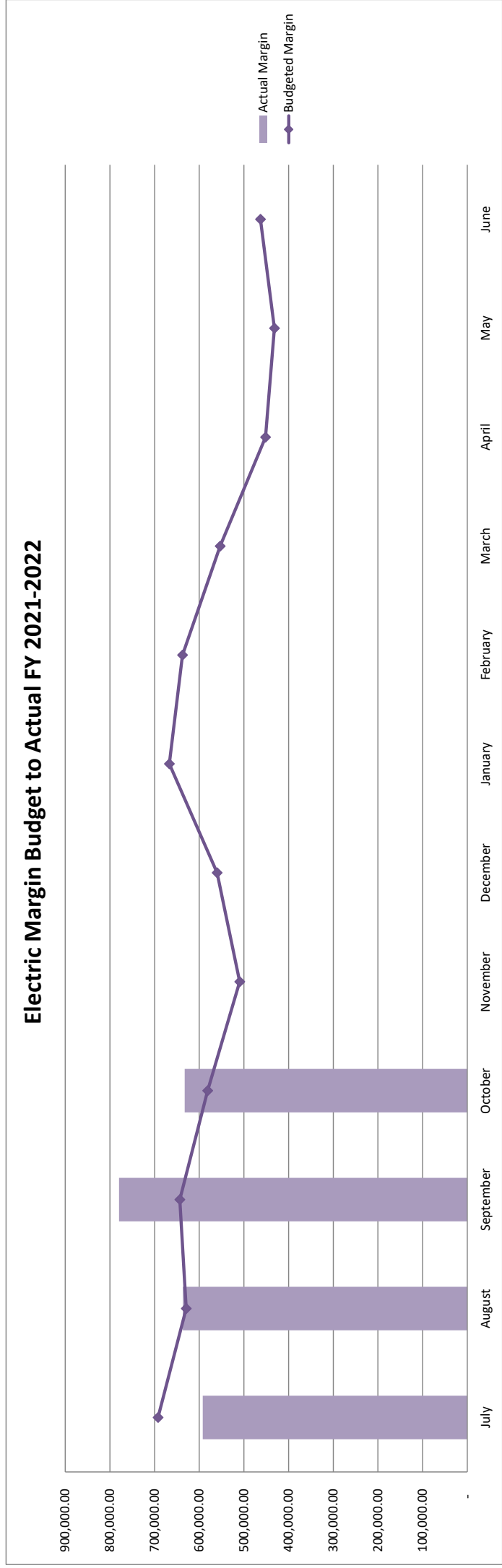
Electric Revenues Budget to Actual FY 2021-2022



Expenses													
Budget FY 22													
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,348,754.95	1,414,214.89	1,467,192.58	1,132,669.12	1,009,425.68	1,089,253.24	1,163,230.60	1,167,262.35	1,054,934.95	1,044,498.58	974,058.23	1,344,504.84	14,210,000.00
SEPA	50,123.30	50,951.57	47,498.77	36,873.99	35,749.70	37,820.86	38,817.94	40,530.13	37,260.83	35,634.69	35,409.97	43,328.26	490,000.00
Totals	1,398,878.25	1,465,166.46	1,514,691.35	1,169,543.11	1,045,175.38	1,127,074.10	1,202,048.53	1,207,792.48	1,092,195.78	1,080,133.27	1,009,468.19	1,387,833.10	14,700,000.00
Actual FY 22													
NCMPA1	1,387,577.43	1,374,262.77	1,189,126.57	947,970.65	-	-	-	-	-	-	-	-	4,898,937.42
SEPA	33,362.07	35,097.20	34,006.80	35,274.36	-	-	-	-	-	-	-	-	137,740.43
Totals	1,420,939.50	1,409,359.97	1,223,133.37	983,245.01	-	-	-	-	-	-	-	-	5,036,677.85
Expense Variance													
NCMPA1	(38,822.48)	39,952.12	278,066.01	184,698.47	1,009,425.68	1,089,253.24	1,163,230.60	1,167,262.35	1,054,934.95	1,044,498.58	974,058.23	1,344,504.84	9,311,062.58
SEPA	16,761.23	15,854.37	13,491.97	1,599.63	35,749.70	37,820.86	38,817.94	40,530.13	37,260.83	35,634.69	35,409.97	43,328.26	352,259.57
Totals	(22,061.25)	55,806.49	291,557.98	186,298.10	1,045,175.38	1,127,074.10	1,202,048.53	1,207,792.48	1,092,195.78	1,080,133.27	1,009,468.19	1,387,833.10	9,663,322.15

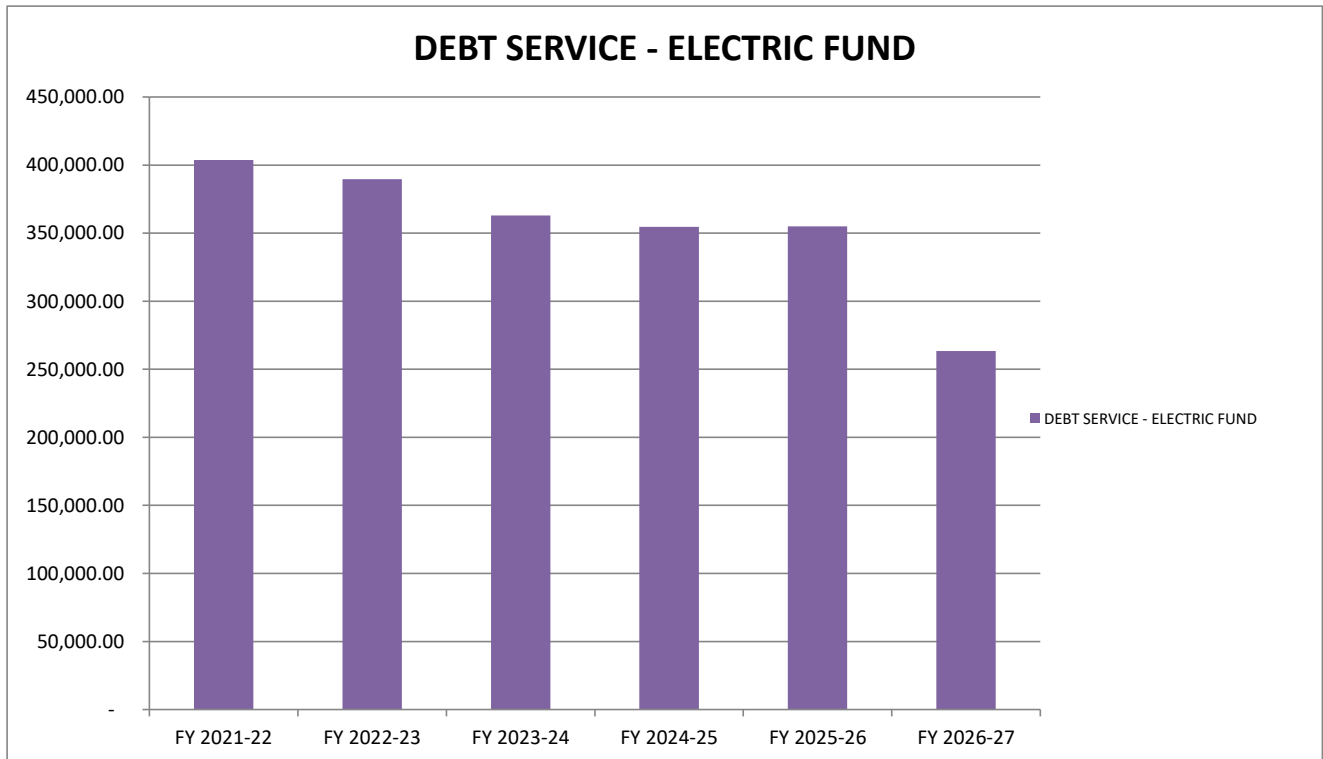


Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	2,091,222.49	2,094,270.76	2,158,362.56	1,750,644.33	1,554,502.55	1,687,288.28	1,869,145.41	1,845,192.18	1,645,527.78	1,531,854.14	1,441,241.79	1,850,747.72	21,520,000.00
Budgeted Expenses	(1,398,878.25)	(1,465,166.46)	(1,514,691.35)	(1,169,543.11)	(1,045,175.38)	(1,127,074.10)	(1,202,048.53)	(1,207,792.48)	(1,092,195.78)	(1,080,133.27)	(1,009,468.19)	(1,387,833.10)	(14,700,000.00)
Budgeted Margin	692,344.24	629,104.31	643,671.22	581,101.22	509,327.17	560,214.18	667,096.88	637,399.70	553,332.00	451,720.87	431,773.60	462,914.62	6,820,000.00
Actual Revenues	2,013,096.25	2,046,296.26	2,002,846.80	1,615,661.06	-	-	-	-	-	-	-	-	7,677,900.37
Actual Expenses	(1,420,939.50)	(1,409,359.97)	(1,223,133.37)	(983,245.01)	-	-	-	-	-	-	-	-	(5,036,677.85)
Actual Margin	592,156.75	636,936.29	779,713.43	632,416.05	-	-	-	-	-	-	-	-	2,641,222.52
Margin Variance	(100,187.49)	7,831.98	136,042.21	51,314.83	(509,327.17)	(560,214.18)	(667,096.88)	(637,399.70)	(553,332.00)	(451,720.87)	(431,773.60)	(462,914.62)	(4,178,777.48)



DEBT SERVICE - ELECTRIC FUND		FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
<u>Revenue Bonds</u>							
Series 2013A Revenue Bonds							
Total	Debt Retired In 2029	264,102.54	264,992.95	263,998.74	264,559.11	264,930.87	263,418.02
<u>Installment Purchase Contracts</u>							
FY 17 Installment Purchase							
	Debt Retired In 2022	15,039.75	-	-	-	-	-
FY 18 Installment Purchase							
	Debt Retired In 2023	25,727.86	25,727.86	-	-	-	-
FY 19 Installment Purchase							
	Debt Retired In 2024	8,921.99	8,921.99	8,921.99	-	-	-
FY 21 Installment Purchase							
	Debt Retired In 2026	89,952.50	89,952.50	89,952.50	89,952.50	89,952.50	-
Total		<u>403,744.64</u>	<u>389,595.30</u>	<u>362,873.23</u>	<u>354,511.61</u>	<u>354,883.37</u>	<u>263,418.02</u>

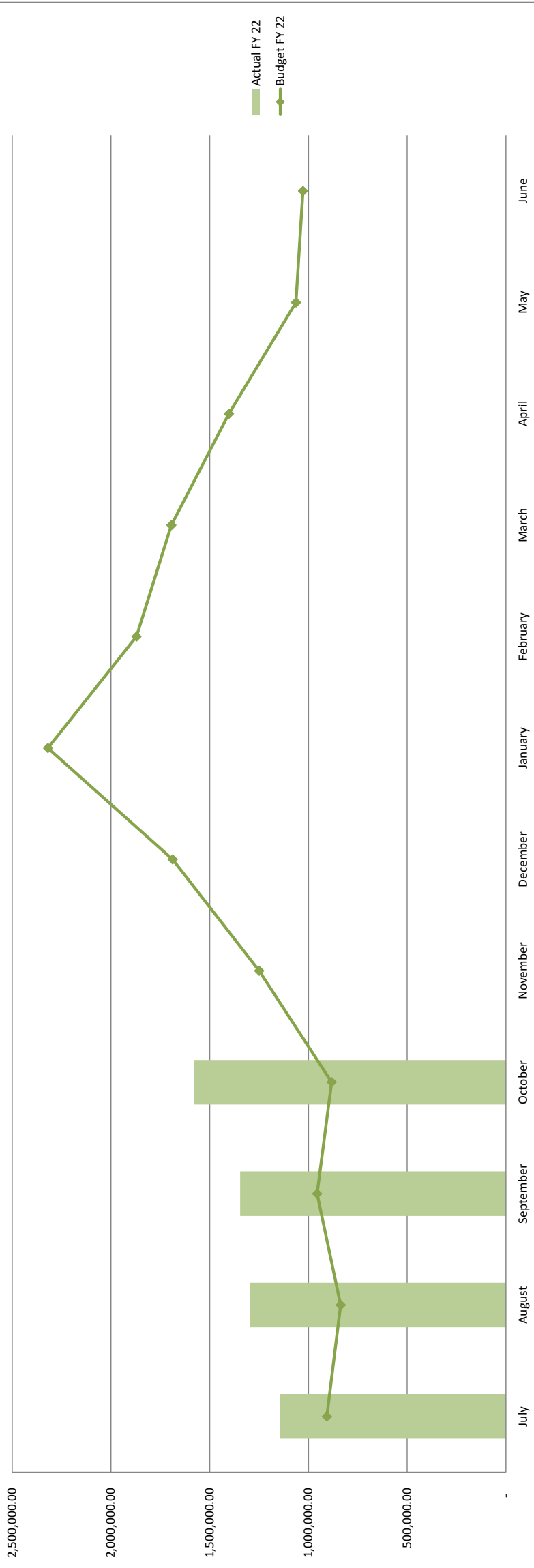
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Gas Revenues Budget to Actual
FY 2022

Revenues Budget FY 22	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	122,595.58	119,268.48	121,306.17	129,799.55	246,011.66	586,018.72	791,708.03	637,787.28	504,139.51	367,667.88	184,345.28	140,512.60	3,951,160.73
Commercial	127,145.91	138,085.78	150,892.43	157,303.22	224,156.33	451,584.06	652,439.46	522,669.45	421,087.18	337,776.30	160,527.02	142,379.72	3,486,046.85
High Load Factor	21,204.40	17,255.87	13,195.68	10,537.51	44,416.21	49,695.69	51,938.49	56,935.06	50,251.61	53,598.68	50,480.09	50,460.41	469,969.71
Interruptibles	53,938.27	54,429.36	51,846.13	50,373.91	65,220.45	56,126.20	53,678.30	76,814.28	52,852.17	54,901.55	51,318.41	54,642.71	676,141.74
Special lnd Class	582,378.63	507,899.21	619,077.33	535,030.86	669,816.02	544,232.23	769,537.34	577,077.07	665,601.80	588,925.46	616,872.18	640,232.84	7,316,680.97
Totals	907,262.79	836,938.70	956,317.74	883,045.05	1,249,620.66	1,687,656.91	2,319,301.61	1,871,283.13	1,693,932.27	1,402,869.87	1,063,542.98	1,028,228.29	15,900,000.00
Actual FY 22	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	126,424.43	121,787.88	125,541.02	149,464.40	-	-	-	-	-	-	-	-	523,217.73
Commercial	216,803.16	218,558.89	258,602.85	281,892.54	-	-	-	-	-	-	-	-	975,857.44
High Load Factor	45,862.44	53,682.87	67,506.54	65,253.37	-	-	-	-	-	-	-	-	232,305.22
Interruptibles	61,086.99	63,329.37	69,418.16	79,776.44	-	-	-	-	-	-	-	-	273,610.96
Special lnd Class	692,577.77	838,939.79	824,567.30	1,003,415.62	-	-	-	-	-	-	-	-	3,359,500.48
Totals	1,142,754.79	1,296,298.80	1,345,635.87	1,579,802.37	-	-	-	-	-	-	-	-	5,364,491.83
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	3,828.85	2,519.40	4,234.85	19,664.85	(246,011.66)	(586,018.72)	(791,708.03)	(637,787.28)	(504,139.51)	(367,667.88)	(184,345.28)	(140,512.60)	(3,427,943.00)
Commercial	89,657.25	80,473.11	107,710.42	124,589.32	(224,156.33)	(451,584.06)	(652,439.46)	(522,669.45)	(421,087.18)	(337,776.30)	(160,527.02)	(142,379.72)	(2,510,189.41)
High Load Factor	24,658.04	36,427.00	54,310.86	54,715.86	(44,416.21)	(49,695.69)	(51,938.49)	(56,935.06)	(50,251.61)	(53,598.68)	(50,480.09)	(50,460.41)	(237,664.49)
Interruptibles	7,148.72	8,900.01	17,572.03	29,402.53	(65,220.45)	(56,126.20)	(53,678.30)	(76,814.28)	(52,852.17)	(54,901.55)	(51,318.41)	(54,642.71)	(402,530.78)
Special lnd Class	110,199.14	331,040.58	205,489.97	468,384.76	(669,816.02)	(544,232.23)	(769,537.34)	(577,077.07)	(665,601.80)	(588,925.46)	(616,872.18)	(640,232.84)	(3,957,180.49)
Totals	235,492.00	459,360.10	389,318.13	696,757.32	(1,249,620.66)	(1,687,656.91)	(2,319,301.61)	(1,871,283.13)	(1,693,932.27)	(1,402,869.87)	(1,063,542.98)	(1,028,228.29)	(10,535,508.17)

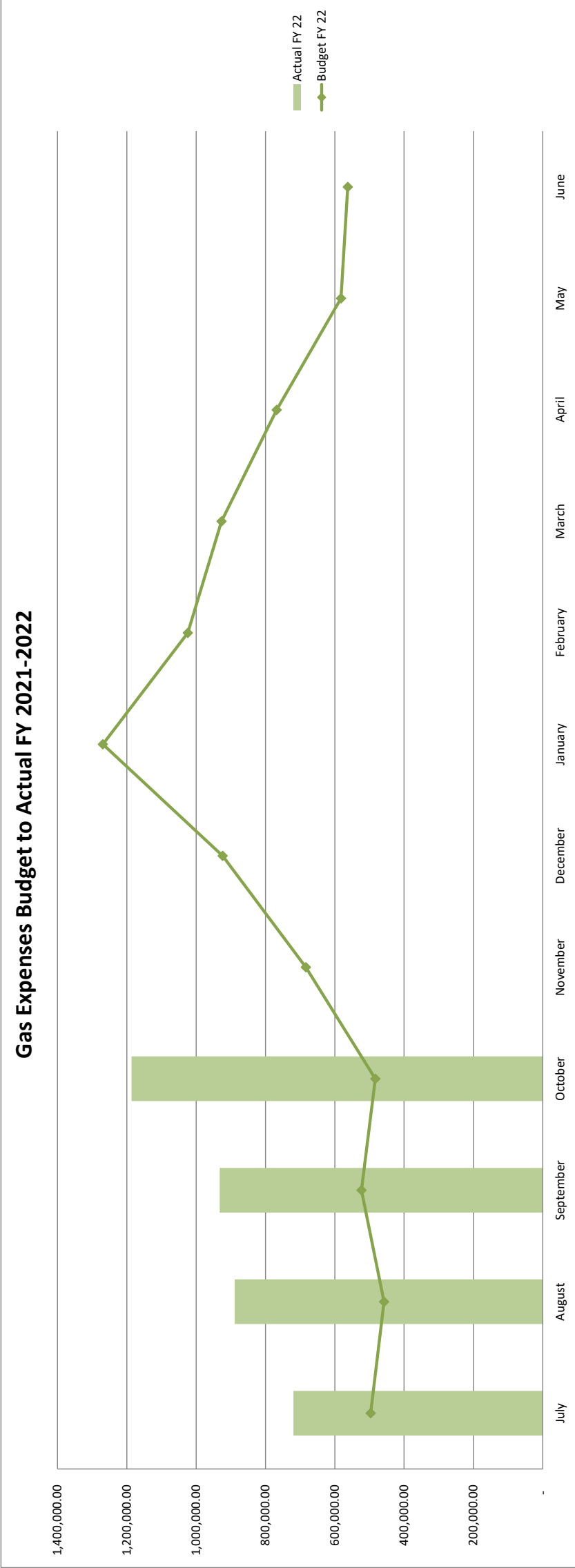
Gas Revenues Budget to Actual FY 2021-2022



Expenses Budget FY 22	July	August	September	October	November	December	January	February	March	April	May	June	Totals
	496,426.81	457,947.59	523,268.20	483,175.60	683,754.70	923,434.91	1,269,051.83	1,023,909.64	926,868.60	767,608.04	581,938.61	562,615.48	8,700,000.00

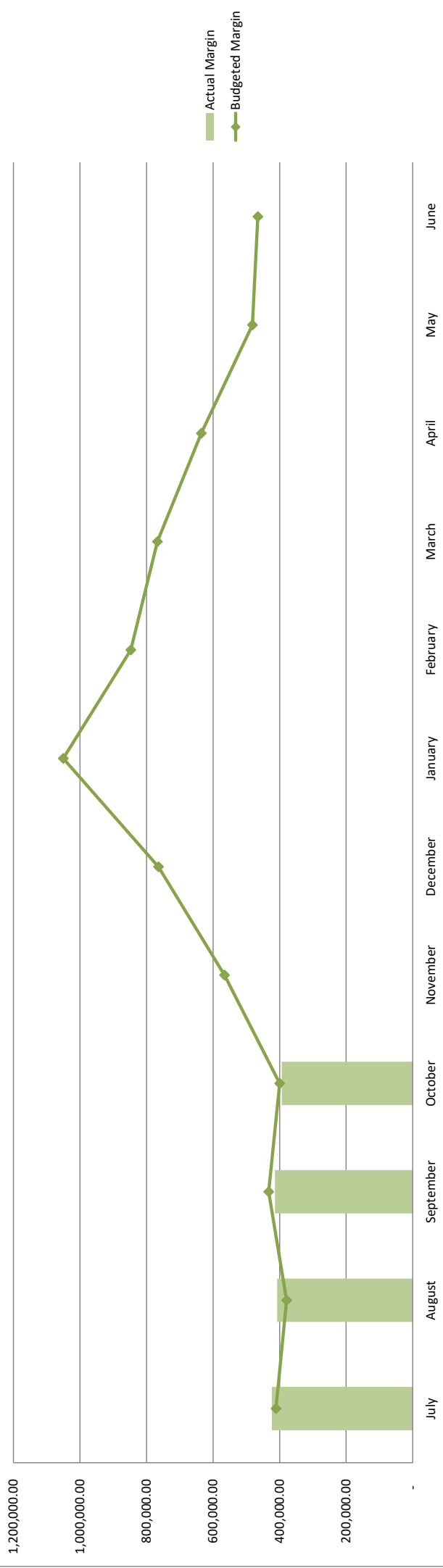
Actual FY 22 719,330.94 888,896.75 931,759.06 1,186,326.46 - - - - - - - - - 3,726,313.21

Expense Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
	(222,904.13)	(430,949.16)	(408,490.86)	(703,150.86)	683,754.70	923,434.91	1,269,051.83	1,023,909.64	926,868.60	767,608.04	581,938.61	562,615.48	4,973,686.79



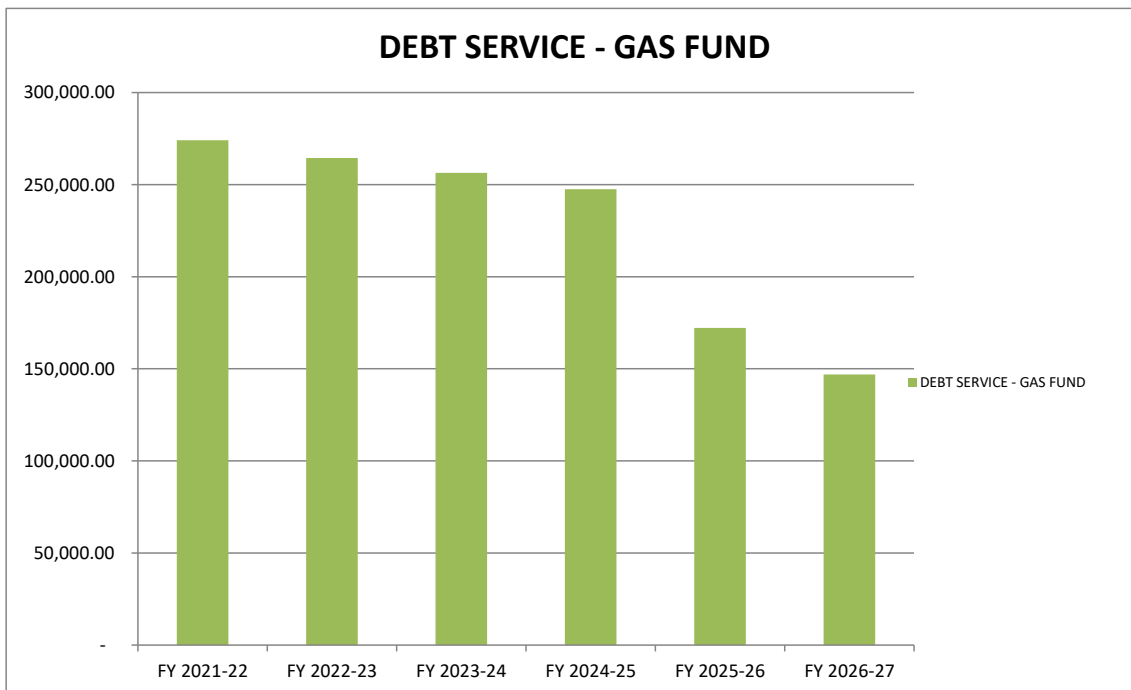
Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	907,262.79	836,938.70	956,317.74	883,045.05	1,249,620.66	1,687,656.91	2,319,301.61	1,871,283.13	1,693,932.27	1,402,869.87	1,063,542.98	1,028,228.29	15,900,000.00
Budgeted Expenses	496,426.81	457,947.59	523,268.20	483,175.60	683,754.70	923,434.91	1,269,051.83	1,023,909.64	926,868.60	767,608.04	581,938.61	562,615.48	8,700,000.00
Budgeted Margin	410,835.98	378,991.11	433,049.54	399,869.46	565,865.96	764,222.00	1,050,249.79	847,373.49	767,063.67	635,261.83	481,604.37	465,612.81	7,200,000.00
Actual Revenues	1,142,754.79	1,296,298.80	1,345,635.87	1,579,802.37	-	-	-	-	-	-	-	-	5,364,491.83
Actual Expenses	719,330.94	888,896.75	931,759.06	1,186,326.46	-	-	-	-	-	-	-	-	3,726,313.21
Actual Margin	423,423.85	407,402.05	413,876.81	393,475.91	-	-	-	-	-	-	-	-	1,638,178.62
Margin Variance	12,587.87	28,410.94	(19,172.73)	(6,393.55)	(565,865.96)	(764,222.00)	(1,050,249.79)	(847,373.49)	(767,063.67)	(635,261.83)	(481,604.37)	(465,612.81)	(5,561,821.38)

Gas Margin Budget to Actual FY 2021-2022



DEBT SERVICE - GAS FUND	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27
<u>Revenue Bonds</u>						
Series 2013A Revenue Bonds Debt Retired In 2029	87,777.24	88,073.18	87,742.75	87,928.99	88,052.55	87,549.74
Series 2013C Revenue Bonds Debt Retired In 2028	59,578.63	59,388.53	59,167.27	58,914.85	59,781.26	59,435.34
Series 2010 Revenue Bonds Debt Retired In 2025	61,073.28	59,999.82	58,883.96	57,722.44	-	-
<u>Installment Purchase Contracts</u>						
FY 17 Installment Purchase Debt Retired In 2022	8,761.25	-	-	-	-	-
FY 18 Installment Purchase Debt Retired In 2023	6,424.24	6,424.24	-	-	-	-
FY 19 Installment Purchase Debt Retired In 2024	7,621.62	7,621.62	7,621.62	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	18,518.00	18,518.00	18,518.00	18,518.00	-	-
FY 21 Installment Purchase Debt Retired In 2026	24,392.50	24,392.50	24,392.50	24,392.50	24,392.50	-
Total Debt Service - Gas Fund	274,146.76	264,417.89	256,326.09	247,476.77	172,226.30	146,985.07

Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
 For 2022 04 (33.34% of the Fiscal Year)
 Utility Funds Expenditures by Department

	ORIGINAL APPROP	TRANFRS ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL WATER ADMINISTRATION	3,242,898.00	5,515.00	3,248,413.00	387,343.93	5,514.85	2,855,554.07	12.1 %
TOTAL WATER LINES OPERATIONS	843,190.00	49,669.00	892,859.00	209,868.48	64,095.27	618,895.05	30.7 %
TOTAL WATER PLANT OPERATIONS	1,953,083.00	120,175.00	2,073,258.00	579,133.06	233,590.04	1,260,534.90	39.2 %
TOTAL WATER	6,039,171.00	175,359.00	6,214,530.00	1,176,345.47	303,200.16	4,734,984.02	18.5 %
TOTAL SEWER ADMINISTRATION	3,024,004.00	29,578.00	3,053,582.00	269,680.00	5,514.85	2,778,387.00	9.0 %
TOTAL SEWER LINES OPERATIONS	1,008,340.00	188,301.00	1,196,641.00	271,409.56	230,986.59	694,244.45	42.0 %
TOTAL SEWER PLANT OPERATIONS	2,366,300.00	50,730.00	2,417,030.00	659,448.02	388,324.34	1,369,257.53	43.3 %
TOTAL SEWER	6,398,644.00	268,609.00	6,667,253.00	1,200,537.58	624,825.78	4,841,888.98	27.4 %
TOTAL ELECTRIC ADMINISTRATION	2,560,638.00	17,067.00	2,577,705.00	704,478.57	17,067.35	1,856,159.43	28.0 %
TOTAL ELECTRIC PURCHASE	16,220,000.00	0.00	16,220,000.00	5,504,233.62	0.00	10,715,766.38	33.9 %
TOTAL ELECTRIC LINES	3,258,817.00	72,843.00	3,331,660.00	868,827.08	631,288.39	1,831,544.92	45.0 %
TOTAL ELECTRIC	22,039,455.00	89,910.00	22,129,365.00	7,077,539.27	648,355.74	14,403,470.73	34.9 %
TOTAL NATURAL GAS ADMINISTRATION	4,541,910.00	476,401.00	5,018,311.00	1,708,430.98	6,581.23	3,303,299.02	34.2 %
TOTAL NATURAL GAS PURCHASE	9,370,000.00	0.00	9,370,000.00	2,651,341.59	0.00	6,718,658.41	28.3 %
TOTAL NATURAL GAS LINES	2,213,690.00	278,915.00	2,492,605.00	430,984.38	408,940.26	1,652,680.61	33.7 %
TOTAL NATURAL GAS	16,125,600.00	755,316.00	16,880,916.00	4,790,756.95	415,521.49	11,674,638.04	30.8 %

City of Shelby
Weather Variances
Fiscal Year to Date at October 31, 2021

Month	Average Rain*	Actual Rain	Variance	Average CDD**	Actual CDD	Variance	Average HDD**	Actual HDD	Variance
July	4.30	8.30	4.00	388	460	72	0	0	0
August	4.40	3.60	(0.80)	563	474	-89	0	0	0
September	3.80	1.50	(2.30)	256	203	-53	5	8	3
October	3.80	2.80	(1.00)	109	105	-4	129	100	-29
November	3.40	0.00	(3.40)	0	0	0	460	0	-460
December	4.00	0.00	(4.00)	1	0	-1	564	0	-564
January	3.90	0.00	(3.90)	0	0	0	810	0	-810
February	3.90	0.00	(3.90)	0	0	0	586	0	-586
March	4.70	0.00	(4.70)	24	0	-24	464	0	-464
April	3.30	0.00	(3.30)	23	0	-23	223	0	-223
May	4.40	0.00	(4.40)	116	0	-116	51	0	-51
June	4.30	0.00	(4.30)	337	0	-337	0	0	0
Totals	48.20	16.20	(32.00)	1,817	1,242	(575)	3,292	108	(3,184)

Heating Degree Days: This is a value which gives an indication of the need to heat a building in a given climate. The number of heating degrees in a day is defined as the difference between a reference value of 65°F and the average outside temperature for that day.

Cooling Degree Days: This is a value which gives an indication of the need to cool a building in a given climate. The number of cooling degrees in a day is defined as the difference between a reference value of 65°F and the average outside temperature for that day.

* Source www.weather.com
 ** Source www.climate.fizber.com

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: E-7

- 7) Approval of Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council

(Staff Resource: Bernadette A. Parduski, City Clerk)

Summary of Available Information:

- Notice of Cancellation

City Manager's Recommendation / Comments

After reviewing with staff the upcoming agenda schedule and any upcoming items requiring action by City Council it is my recommendation that the regular meeting slated for Monday, December 20, 2021 be cancelled via the Consent Agenda. As a matter of practice agenda items are scheduled and planned weeks in advance for most items to allow the appropriate review process to occur. I would note that in the event an issue arises that would require immediate action by City Council a special meeting could be called in accordance with the NC General Statutes. If approved by City Council your next regularly scheduled meeting would be held on Monday, January 3, 2022.



**Notice of Cancellation
in the
Regular Meeting Schedule
of
Shelby City Council**

This notice is to inform the general public and the media and is conducted in accordance with the mandates of North Carolina General Statutes 160A-71 and 143-318.12 (a), that the regularly scheduled December 20, 2021 meeting of the Shelby City Council has been cancelled in observance of the City's Christmas holidays. The regular meeting schedule, as adopted by the Council, remains in place for all other regular meetings of the Council and will resume:

**Monday, January 3, 2022, at 6:00 p.m.
City Hall Council Chamber
300 South Washington Street
Shelby, North Carolina**

Dated: December 6, 2021

**O. Stanhope Anthony III
Mayor**

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Unfinished Business Item F-1

- 1) Consideration of Council liaison appointments to City advisory boards

(Staff Resource: Bernadette A. Parduski, City Clerk)

Summary of Available Information:

- Memorandum dated December 1, 2021 from Bernadette A. Parduski, City Clerk to Rick Howell, City Manager

City Manager's Recommendation / Comments

This time is scheduled on City Council agenda to allow the Mayor and Council to make liaison assignments to the City volunteer boards and commissions. You will recall that Council altered the traditional 2 year rotation that had been used since the inception of the liaison policy. The only action required is for Council to affirm the assignments shown in the memorandum noted above.

**OFFICE OF THE
CITY CLERK**



Memo

To: Rick Howell, City Manager
From: Bernadette A. Parduski, City Clerk
Date: December 1, 2021
Re: City Council Liaison Appointments

DUTIES OF A COUNCIL LIAISON

- Per Council's policy established on January 7, 2002, the City Council designates one of its own to serve as a Council Liaison to each City advisory board/commission for a two-year term.
- The Council Liaison attends his/her respective board meetings and participates, on a limited basis, but does not vote on any matters presented to the board/commission.
- The Council Liaison does not become involved in administrative issues of the board/commission.
- The Council Liaison may provide verbal reports to the Council on the work of the board/commission.

After the 2021 Election, City Council liaison appointments for the Term 2021-2023 are as follows:

- Ward 1/Emilie Bullock – Zoning Board of Adjustment and Shelby-Cleveland County Regional Airport Commission
- Ward 2/David White – Parks and Recreation Advisory Board

- Ward 3/David Causby – Planning and Zoning Board and Keep Shelby Beautiful (KSB) Commission
- Ward 4/Violet Arth – Uptown Shelby Association (USA) Board and Public Art Advisory Board
- Ward 5/Charles Webber – Alcohol Beverage Control (ABC) Board
- Ward 6/Andrew Hopper – Housing and Redevelopment Board

ADDITIONAL BOARDS:

- North Carolina Municipal Power Agency 1 (NCMPA1) Commissioner and Alternate Commissioners – Commissioner City Manager Rick Howell, Alternate 1 Assistant City Manager Justin Merritt, and Alternate 2 Energy Resources Director Julie McMurry
- Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) Board – Member Mayor Stan Anthony and Alternate Member Violet Arth
- Foothills Regional Commission Board of Directors – City Manager Rick Howell

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Unfinished Business Item F-2

- 2) Consideration of a resolution declaring the result of the Bond Referendum held in the City of Shelby, North Carolina on November 2, 2021, upon the question of approving \$10,000,000 Street and Sidewalk Improvements Bonds:
Resolution No. 71-2021

(Staff Resource: Beth Beam, Director of Finance)

Summary of Available Information:

- Memorandum dated November 29, 2021 from Beth Beam, Director of Finance to Rick Howell, City Manager
- Statement of the Result
- Resolution No. 71-2021

City Manager's Recommendation / Comments

Resolution No. 71-2021 is presented for City Council consideration at this time. If approved this resolution would simply acknowledge receipt of the certified results of the November 2, 2021 bond referendum from the Cleveland County Board of Elections and direct the publication of a public legal notice with a statement of the results.

Once adopted and implemented the resolution will allow city staff to move forward with the remaining steps in the General Obligation Bond process. This will largely be directed by our Bond Counsel, financial advisor and Finance Director.

It is my recommendation that Resolution No. 71-2021 be adopted and approved by City Council at this time.



MEMORANDUM

To: Rick Howell, City Manager

From: Beth Beam, Director of Finance

RE: Street and Sidewalk Improvement General Obligation Bonds

Date: November 29, 2021

Background

As you are aware, the City, through Resolution 41-2021, approved the filing of an application with the NC Local Government Commission (LGC) for the proposed issuance of Street and Sidewalk Improvement General Obligation Bonds. The application has been filed with the LGC, Council has taken the first action on the Bond Order, has offered a Public Hearing on the Bond Order, has read the Bond Order a second time for adoption and adopted the Resolution calling for a Bond Referendum. The Bond Referendum occurred on November 2, 2021 and the results must now be declared through a resolution.

The Resolution declaring the result of the Bond Referendum is the document that states that the City of Shelby received from Cleveland County Board of Elections a certified copy of the proceedings of the Board of Elections taken on November 9, 2021 to certify the result of the Bond Referendum. The Resolution also sets forth the requirement to publish a legal notice with the statement of results from the referendum.

Staff Recommendation:

Staff recommends that City Council read and adopt a Resolution declaring the result of the Bond Referendum so that we may move forward with the next steps in the GO Bond process.

TO THE PUBLISHERS OF THE SHELBY STAR:

Please publish the following once in The Shelby Star on Friday, December 10, 2021. If the date of publication is not December 10, 2021, then please change the date of publication in the final paragraph.

STATEMENT OF THE RESULT
OF THE
BOND REFERENDUM
HELD IN THE
CITY OF SHELBY, NORTH CAROLINA
ON NOVEMBER 2, 2021
UPON THE QUESTION OF APPROVING
\$10,000,000 STREET AND SIDEWALK IMPROVEMENT BONDS

At a bond referendum held in the City of Shelby, North Carolina on November 2, 2021, 14,129 voters were registered and qualified to vote.

At said referendum, 709 votes were cast for the order adopted on August 2, 2021, authorizing \$10,000,000 Street and Sidewalk Improvement Bonds of the City of Shelby, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, to construct, extend, widen, resurface and improve streets, sidewalks, greenways and multi-use paths for said City, including, without limitation, any related land, easements, rights of way and streetscape, traffic signal and utility improvements, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on said bonds, and 195 votes were cast against said order, and that a majority of the qualified voters of the City of Shelby, North Carolina who voted thereon at said referendum voted in favor of said order, said order was thereby approved and is in force and effect.

Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after December 10, 2021.

City Council of the
City of Shelby, North Carolina

RESOLUTION NO. 71-2021

The City Council of the City of Shelby, North Carolina met in a regular meeting at the Don Gibson Theatre located at 318 South Washington Street in Shelby, North Carolina at 6:00 p.m. on December 6, 2021.

Present: Mayor O. Stanhope Anthony III, presiding, and Council Members

Absent: Council Members

Also Present: _____

* * * * *

The City Council received from the Cleveland County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 9, 2021, evidencing said Board’s determination of the result of the canvass of the returns of the bond referendum held in the City of Shelby, North Carolina on November 2, 2021, upon the question of approving \$10,000,000 Street and Sidewalk Improvement Bonds of said City.

After said proceedings had been considered and reviewed by the City Council, _____ introduced the following resolution the title of which was read and a copy of which had been previously distributed to each Council Member:

RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE CITY OF SHELBY, NORTH CAROLINA ON NOVEMBER 2, 2021, UPON THE QUESTION OF APPROVING \$10,000,000 STREET AND SIDEWALK IMPROVEMENT BONDS

BE IT RESOLVED by the City Council of the City of Shelby, North Carolina:

Section 1. The City Council, having received from the Cleveland County Board of Elections a certified copy of the proceedings of said Board of Elections taken on November 9, 2021, evidencing said Board’s determination of the result of the canvass of the returns of the

bond referendum held in the City of Shelby, North Carolina on November 2, 2021, upon the question of approving \$10,000,000 Street and Sidewalk Improvement Bonds of said City, does hereby declare and certify the result of said referendum to be the result which is set forth in the following statement of the result of said referendum, which statement has been prepared by said City Council:

STATEMENT OF THE RESULT
OF THE
BOND REFERENDUM
HELD IN THE
CITY OF SHELBY, NORTH CAROLINA
ON NOVEMBER 2, 2021
UPON THE QUESTION OF APPROVING
\$10,000,000 STREET AND SIDEWALK IMPROVEMENT BONDS

At a bond referendum held in the City of Shelby, North Carolina on November 2, 2021, 14,129 voters were registered and qualified to vote.

At said referendum, 709 votes were cast for the order adopted on August 2, 2021, authorizing \$10,000,000 Street and Sidewalk Improvement Bonds of the City of Shelby, North Carolina, plus interest, for the purpose of providing funds, together with any other available funds, to construct, extend, widen, resurface and improve streets, sidewalks, greenways and multi-use paths for said City, including, without limitation, any related land, easements, rights of way and streetscape, traffic signal and utility improvements, and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on said bonds, and 195 votes were cast against said order, and that a majority of the qualified voters of the City of Shelby, North Carolina who voted thereon at said referendum voted in favor of said order, said order was thereby approved and is in force and effect.

City Council of the
City of Shelby, North Carolina

Section 2. The City Clerk of the City of Shelby, North Carolina shall file a copy of the foregoing statement of the result of said referendum in her office and shall publish such

statement once in The Shelby Star. A statement in substantially the following form shall be published with the foregoing statement:

“Any action or proceeding challenging the regularity or validity of this bond referendum must be begun within 30 days after [date of publication].”

Section 3. This resolution shall take effect upon its adoption.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing resolution entitled “RESOLUTION DECLARING THE RESULT OF THE BOND REFERENDUM HELD IN THE CITY OF SHELBY, NORTH CAROLINA ON NOVEMBER 2, 2021, UPON THE QUESTION OF APPROVING \$10,000,000 STREET AND SIDEWALK IMPROVEMENT BONDS” was adopted by the following vote:

Ayes: _____

Noes: _____

* * * * *

I, Bernadette A. Parduski, City Clerk of the City of Shelby, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on December 6, 2021, as relates in any way to the declaration of the result of the bond referendum held in said City on November 2, 2021, upon the question of approving \$10,000,000 Street and Sidewalk Improvement Bonds of said City and that said proceedings are to be recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

I DO HEREBY FURTHER CERTIFY that a copy of the statement of the result of the referendum adopted by the resolution set forth in the foregoing transcript has been filed in my office.

WITNESS my hand and official seal of said City this 6th day of December, 2021.

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

New Business Item G-1

- 1) Consideration of a resolution approving the appointment of an Interim City Clerk effective as of the date and time of the City Clerk's retirement:
Resolution No. 72-2021

(Staff Resource: Beth Beam, Director of Finance)

Summary of Available Information:

- Memorandum dated November 29, 2021 from Beth Beam, Director of Finance to Rick Howell, City Manager
- Statement of the Result
- Resolution No. 72-2021

City Manager's Recommendation / Comments

Resolution No. 72-2021 is presented for City Council consideration at this time. If approved this resolution would approve the appointment of Carol Williams as Interim City Clerk effective January 1, 2022 until a new City Clerk is appointed.

It is my recommendation that Resolution No. 72-2021 be adopted and approved by City Council at this time.

RESOLUTION NO. 72-2021

A RESOLUTION APPROVING THE APPOINTMENT OF AN INTERIM CITY CLERK EFFECTIVE AS OF THE DATE AND TIME OF THE CITY CLERK'S RETIREMENT

WHEREAS, after 20 years of dedicated service to the City of Shelby, City Clerk Bernadette A. Parduski is retiring from her position effective January 1, 2022; and,

WHEREAS, North Carolina General Statute 160A-171 provides that City Council shall appoint a City Clerk; and,

WHEREAS, effective as of the date and time of City Clerk Bernadette A. Parduski's retirement, the City Council has appointed Carol Williams as Interim City Clerk until a new City Clerk is appointed; and,

WHEREAS, the City Manager recommends City Council's approval of this appointment of Carol Williams as Interim City Clerk commencing with the date and time of City Clerk Bernadette A. Parduski's retirement and continuing until a new City Clerk is approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA as follows:

Section 1. The City Council hereby approves the appointment of Carol William as Interim City Clerk, effective as of the date and time of City Clerk Bernadette A. Parduski's retirement, and until such time as a new City Clerk is appointed and approved.

Section 2. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of December 2021.

O. Stanhope Anthony III
Mayor

ATTEST:

Bernadette A. Parduski, NC-CMC, IIMC-MMC
City Clerk

City of Shelby
Agenda Item Summary
December 6, 2021
Council Chambers

Agenda Item: H

City Manager's Reports

Agenda Item: I

Council Announcements and Remarks

J. Adjournment:

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

- 1) Motion to adjourn