Shelby City Council Agenda
Regular Meeting
November 2, 2026, at 6:00 p.m.

City Hall Council Chambers
300 South Washington Street
Shelby, North Carolina

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

B. Public Hearings:

1) Consideration of an ordinance imposing a temporary moratorium on new businesses that primarily sell products consisting of, or relating to, tobacco, hemp derived, or vapor products: Ordinance No. 43-2026 **1 - 8**

2) Consideration of a resolution and order permanently closing Eastfield Street: Resolution No. 96-2026 **9 - 18**

C. Consent Agenda:

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.

1) Approval of the Minutes of the Regular Meeting of October 19, 2026 **19 - 27**

2) Approval of a resolution honoring Charles Wendell Leonard on the occasion of his retirement from employment with the City of Shelby: Resolution No. 90-2026 **28 - 29**

3) Approval of a resolution to accept an offer to purchase property by upset bid process (Parcel # 26522): Resolution No. 91-2026 **30 - 36**

4) Approval of a resolution to accept an offer to purchase property by upset bid process (Parcel # 26523): Resolution No. 92-2026 — 37 - 43

5) Approval of a resolution awarding the Residuals Management Services Contract to EMA Resources, Inc. for the City of Shelby Water and Wastewater Treatment Plants: Resolution No. 93-2026 — 44 - 93

6) Special Event application: — 94 - 109

   a) Atrium Health Holiday Celebration, requested date: December 8, 2026

   b) Lighting the Way, Courtsquare luminaries, requested date: December 11, 2026

7) Management Report: — 110 - 143

   a) Finance Quarterly Report ended September 30, 2026

END OF CONSENT AGENDA

D. Unfinished Business: — 144 - 157

1) Electric Circuit 8-4 Project: (Ben Yarboro, presenting)

   a) Adoption of a budget ordinance amendment for the City of Shelby's Substation 8 Circuit Addition Project: Ordinance No. 44-2026

   b) Approval of a resolution awarding the contract for the construction of the new Electric Circuit 8-4 Project from Substation 8 to Huss Boring, LLC: Resolution No. 94-2026

2) Electric Circuit 11-2 Project: (Ben Yarboro, presenting) — 158 - 171

   a) Adoption of a budget ordinance amendment for the City of Shelby's Electric Substation 11 Circuit 11-2 Project: Ordinance No. 45-2026

   b) Approval of a resolution awarding the contract for the construction of the City of Shelby's Electric Substation 11 Circuit 11-2 Project to Huss Boring, LLC: Resolution No. 95-2026

E. New Business: **172**

F. City Manager's Report **172**

G. Council Announcements and Remarks **172**

H. Adjournment: **172**

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

1) Motion to adjourn

B. Public Hearings:

Agenda Item: B-1

1) Consideration of an ordinance imposing a temporary moratorium on new businesses that primarily sell products consisting of, or relating to, tobacco, hemp derived, or vapor products: Ordinance No. 43-2026

Presenting: (Brian Burgess, Director of Planning & Development)

Summary of Available Information:

- Memorandum dated October 26, 2026, from Brian Burgess, Director of Planning & Development to Justin Merritt, City Manager
- Ordinance No. 43-2026
- Problems and Conditions Necessitating a Moratorium

City Manager's Recommendation / Comments

The City of Shelby has, since 2024, experienced a 128% increase in the number of tobacco, hemp derived and vapor product businesses. The City also has no definition of, or land use regulations concerning these new businesses. There is a clear need for the City to develop regulations to mitigate the impacts these businesses have on our community, which include negative public health and safety impacts, as well as code enforcement actions. According to Cleveland County Public Health, these businesses have a greater negative impact on youth, which has been self-reported as the second most common way to access these products, with receiving the product from a friend being the first.

A temporary moratorium, as requested through Ordinance 43-2026, will establish an 8-month pause on new tobacco, hemp derived and vapor product businesses, which will allow City staff adequate time to develop regulations necessary to address the aforementioned concerns. A public hearing, as required by state law, must be held before Council may consider the moratorium.

It is my recommendation that Ordinance No. 43-2026 be adopted and approved by City Council via the Consent Agenda.

Post Office Box 207 • Shelby, NC 28151-0207

TO: Mr. Justin Merritt, City Manager

FROM: Brian Burgess, Director of Planning & Development

DATE: October 26, 2026

SUBJECT: Temporary Moratorium on New Tobacco, Hemp Derived, or Vapor Product Shops

Background

The City of Shelby currently has no definition nor land use regulations concerning new businesses that primarily sell tobacco, hemp derived, or vapor products within its Unified Development Ordinance. This type of land use has seen an exponential increase in both applications for new development and enforcement measures necessary to deal with problems caused by these businesses within the City. More urgently, the use of these products has been shown to be a significant issue among persons below the age of 21 throughout the State of North Carolina, and particularly Cleveland County. There is a clear need for the City of Shelby to mitigate the impacts of these land uses on the community, as well as our youth. In a review of other nearby communities there is an undeniable correlation between strong development regulations and the pervasiveness of this land use, as well as the impact caused by similar shops. To that end, there is a clear need for a temporary moratorium on related development approvals in order to provide the City a reasonable amount of time to act on this issue.

Recommendation

Staff recommends the adoption of a temporary moratorium on new businesses that primarily sell tobacco, hemp derived, or vapor products in order to appropriately respond to the concerns raised above.

ORDINANCE NO. 43-2026

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON NEW BUSINESSES THAT PRIMARILY SELL PRODUCTS CONSISTING OF, OR RELATING TO, TOBACCO, HEMP DERIVED, OR VAPOR PRODUCTS

WHEREAS, North Carolina General Statute § 160D-107(a) authorizes cities to adopt a temporary moratorium on development approvals of reasonable duration to allow for development of regulations for a particular use which is novel and currently undefined in the City's Unified Development Ordinance; and,

WHEREAS, the City of Shelby Unified Development Ordinance currently has no definition or regulations pertaining to businesses that primarily sell tobacco, hemp derived, or vapor products; and,

WHEREAS, the Cleveland County Health Department has reported that in the 2025-2026 school year, 95% of violations of the school drug policy in Cleveland County were synthetic THC related; and,

WHEREAS, the City of Shelby has seen an exponential increase in applications for and enforcement needs regarding this specific land use; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the City Staff, City Council now desires to act on this matter.

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

Section 1. A temporary moratorium is hereby imposed commencing November 3, 2026, and expiring no later than June 7, 2027, on the approval of new businesses that primarily sell tobacco, hemp derived, or vapor products within the City of Shelby. This moratorium shall apply to any new development, use, or change of use that would reasonably fall under this description, or any facility functionally equivalent to such uses.

Section 2. In compliance with the requirements of North Carolina General Statute 160D-107(d), the following statements are included in this ordinance:

(1)The problems or conditions necessitating the moratorium are those outlined in "Exhibit A," attached with this Ordinance.

(2)The development approvals subject to the moratorium are the zoning and permitting approval of new businesses that primarily sell tobacco, hemp derived, or vapor products, and any applications for such approvals. The moratorium will allow the City of Shelby to address the stated

problems or conditions by providing time to analyze the impacts, appropriate geographical context and design, best practices from other cities, current supply and future demand of such shops thus allowing the City to prepare appropriate regulations and effectively respond and provide some level of certainty to new businesses that primarily sell tobacco, hemp derived, or vapor products, and to better determine acceptable development proposals.

(3)The moratorium will terminate not later than June 7, 2027. The duration of the moratorium is reasonably necessary to address the problems or conditions leading to imposition of the moratorium, in that it will provide sufficient time for the City of Shelby to contract with outside consultants, analyze and quantify the impacts of new businesses that primarily sell tobacco, hemp derived, or vapor products in the City, and develop and approve appropriate land use policies, strategies, tools and regulations to apply to new businesses that primarily sell tobacco, hemp derived, or vapor products. This duration is further necessary in order to allow for public engagement and to allow a review of recommended land use and zoning changes by the City's Planning and Zoning Board, and ultimately by the full City Council itself.

(4)The timeline for actions to be taken during the duration of the moratorium are outlined in "Exhibit A" attached to this Ordinance.

Section 3. The moratorium will terminate sooner than June 7, 2027, or upon the adoption of an ordinance that establishes zoning regulations related to new businesses that primarily sell tobacco, hemp derived, or vapor products, whichever occurs first.

Section 4. The City Clerk of the City of Shelby is hereby authorized and directed to cause the provisions of this ordinance to be properly codified.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Any part of provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 7. This ordinance shall become effective on November 3rd, 2026, upon its adoption and approval.

ADOPTED AND APPROVED this the 2nd day of November 2026.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Exhibit A

Problems and Conditions Necessitating a Moratorium

Tobacco, hemp derived, and vapor products have been shown to be detrimental to the health of its users, especially in the case of persons under the age of 21. A policy brief published by the UNC School of Medicine reports that 1 in every 8 high schoolers in North Carolina use tobacco products. E-cigarette usage was reported at an alarming 23.8% among North Carolina youth- dwarfing the 18% national average. Specifically in Cleveland County there is cause for concern. Among Cleveland County ninth and twelfth grade students in 2023, vape shops were the second most common way minors accessed these products, with the primary means being friends, according to information gathered by the Cleveland County Health Department. The same study reported that 14.9% of high school seniors used some form of tobacco, and 27.8% reported using e-cigarettes. Local students reported that e-cigarettes are easier to obtain than any other substance. In the 2025-2026 school year, 95% of violations of the school drug policy in Cleveland County were synthetic THC related. Businesses that deal primarily in these kinds of products have been shown to have significant impacts on the community. Studies have consistently shown a relationship between tobacco retailer density and rates of use among youth.[1] [2] In Shelby specifically, shops that primarily sell products consisting of, or relating to, tobacco, alternative nicotine, vapor products, CBD, or similar goods account for 10.24% of all zoning enforcement cases. In addition, 10 out of the 16 or 62.5% of the current shops have had calls for service from the Shelby Police Department since January of 2026. Of the shops that have had calls for service, they average 8.1 calls per shop so far in 2026.

The City's existing Unified Development Ordinance (UDO) does not specifically define or establish development standards for businesses that primarily sell tobacco, hemp derived, or vapor products. Currently, these businesses have been permitted under the general land use classification of "Miscellaneous Retail Sales." While this classification allows for general retail activities, it does not distinguish specialty retailers whose primary business operations involve the sale of these products or address the potential impacts associated with their location and operation, particularly concerning minors and surrounding properties.

Recent changes to North Carolina law provide additional guidance for identifying certain specialty retail establishments. Specifically, the term "Specialty Retailer of Vapor Products"

[1] https://countertobacco.org/policy/licensing-and-zoning/
[2]https://www.cdc.gov/tobacco/data_statistics/evidence/pdfs/Tobacco-Retail-Density-Location-and-Licensure-508.pdf

identifies a retail business that primarily focuses on the sale of vapor products, based on factors such as the nature of its inventory, the proportion of floor or shelf space dedicated to those products, and the name or marketing of the business. While this definition specifically addresses vapor products, the City recognizes that specialty retail establishments may also primarily sell tobacco, hemp-derived, or vapor products. Accordingly, the City seeks to evaluate whether comparable land-use classifications and development standards should be established for these businesses within its UDO. Establishing clear definitions and objective criteria would allow the City to distinguish specialty retailers from general retail establishments that offer these products as part of a broader inventory.

The absence of a specific land use classification and corresponding development standards within the City's current UDO creates challenges in consistently evaluating these businesses and determining appropriate land use requirements. Given the documented increase in these establishments, along with the associated zoning enforcement concerns and calls for police service, the City has identified a need to evaluate whether additional development standards are warranted. Between 2018-2023 the City saw an average of 1 new shop per year. Since 2024 the City has seen a 128% increase in new tobacco, hemp derived, and vapor product shops, an average of 3 new shops per year. This exponential growth paired with the UDO's lack of clear guidance on how to mitigate the impacts of this land use on minors and neighboring residents poses a clear threat to the safety and well-being of our community, especially among our youth.

As an alternative to the moratorium, immediate changes to the Shelby City Code and its UDO to create regulations for new businesses that primarily sell products consisting of, or relating to, tobacco, hemp derived, or vapor products were considered. The City determined that it is not appropriate to proceed with immediate regulatory changes. Regulatory changes require continued review of an evolving market. The City intends to identify necessary changes to its land use laws while also studying changes to federal laws and regulations as well as State law. The City has further concluded that the only means by which to adopt and enforce these development regulations is through the inclusion of such regulations within the adoption of a new UDO due to current state law (NCGS 160D-601) which prohibits "Down-Zoning".

Development Approvals Subject to the Moratorium

The development approvals that would be paused under this moratorium would be the approval of any new businesses that primarily sell items consisting of, or relating to, tobacco, hemp derived, or vapor products. This would also apply to the expansion, major renovation, or relocation of any said business.

Connection Between the Moratorium and Desired Outcomes

City staff are actively researching ways to help mitigate the impacts of this land use on the community and are exploring ways to implement these regulations through the adoption of the new UDO. Studies have shown that lower retailer density leads to a reduction in youth initiation, and higher cessation among adults.[3] Neighboring communities provide compelling evidence that proper permitting requirements and zoning regulations do have a measurable impact on the pervasiveness of this land use: Kings Mountain has very strong language in their UDO regarding these businesses and have 2.47 shops per 10 thousand residents. Forest City and Hickory, however, seem to have no land use regulations surrounding these shops and have a rate of 5.4 and 4.13 shops per 10 thousand residents, respectively. The City of Shelby currently has a rate of 6.86 shops per 10 thousand residents. Possible development standards being considered are the inclusion of separation requirements between residences and areas with high concentrations of persons under the age of 21 (schools, daycares, etc.), the requirement that signage consistent with NCGS 14-313 explaining that persons under the age of 21 may not be permitted to enter these businesses, and a requirement that all new applicants for this land use undergo a Technical Review Committee pre-application meeting to allow staff and the applicant to discuss the relevant regulations that pertain to them. While these alone cannot protect residents and minors from all negative impacts of these businesses, staff feel that these changes will serve as a major step forward in mitigating the risks mentioned above.

Moratorium Timeline

The re-writing and adoption of an entirely new UDO is a complex and time-intensive process; fortunately, much of the work has been completed by staff and the consultants contracted to perform the work. A second review of the text is currently underway and anticipated by mid-November. Edits will be ongoing with a finished draft anticipated by early Spring. Public input, Planning and Zoning Board review, and City Council review would then follow between February and April of 2027. Staff anticipate that a new UDO can be late spring or early summer. With this adoption the regulations best intended to address the concerns mentioned above will be in place, therefore ending the need for a moratorium. Given this timeline, staff is suggesting that a moratorium of 8 months is necessary to ensure adoption of the new UDO while also allowing ample public input.

[3] https://www.publichealthlawcenter.org/sites/default/files/resources/National-Zoning-Resource.pdf

City of Shelby
Agenda Item Summary
November 2, 2026
City Hall Council Chambers

Agenda Item: B-2

2) Consideration of a resolution and order permanently closing Eastfield Street: Resolution No. 96-2026

Presenting: (Brian Burgess, Director of Planning & Development)
Summary of Available Information:

- Memorandum dated October 26, 2026, from Brian Burgess, Director of Planning & Development to Justin Merritt, City Manager
- Resolution No. 96-2026

City Manager's Recommendation / Comments

City staff received a petition for the permanent closure of Eastfield Street, which is an unopened street right of way. These requests may be considered pursuant to NC General Statute 160A-299, which establishes the procedure for consideration. One component of consideration listed in 160A-299 is whether the closure would be "contrary to the public interest". The unopened right of way, formally known as Eastfield Street, serves as a dead-end driveway serving a single parcel along Elizabeth Avenue. City Staff have evaluated this request and have determined that it will not be contrary to the public interest, the petition is sufficient, reasonable and in harmony with the needs of City residents.

On October 5, 2026 City Council approved resolution 78-2026 and Resolution 79-2026, which would instruct City staff to proceed with the required public notification and establish November 2, 2026 as the date for the required public hearing.

Resolution 96-2026, if approved, would order the unopened right of way, known as Eastfield Street, permanently closed and instruct City staff to complete the necessary recordings with the Register of Deeds. The City would retain all utility easements that currently exist.

It is my recommendation that Resolution No. 96-2026 be adopted and approved by City Council at this time.

Memorandum

To: Justin Merritt – City Manager

From: Brian Burgess – Director of Planning & Development

Date: October 26, 2026

Subject: Request to close Eastfield Street

Executive Summary of issue – Background

The property owners adjacent to Eastfield Street have petitioned the City to close the right-of-way. This is essentially a driveway- it's unclear if this was planned to be extended at some point in the past, but for several decades now has remained un-utilized.

Review and Comments

On October 5, 2026, City Council approved a Resolution of Petition Acceptance and a Resolution of Intent to close the Eastfield Street right-of-way, and establishing a public hearing for this right-of-way closing. The resolution of intent was published once a week for 4 weeks in the Shelby Star and the notice of public hearing was posted in the affected area.

Recommendation

Please schedule a public hearing for this right of way closing on the November 2, 2026 City Council agenda.

PRELIMINARY

E. STEVE SMITH
SURVEYING
3520 McKINNEY ROAD
MOORESBORO, NC 28114
ssmithpls@carolina.rr.com
704-434-5369
704-434-6682(fax)

NC GRID
NAD'83
(2011)

NOTES

SURVEY BASED ON PHYSICAL EVIDENCE FOUND ON DATE OF SURVEY

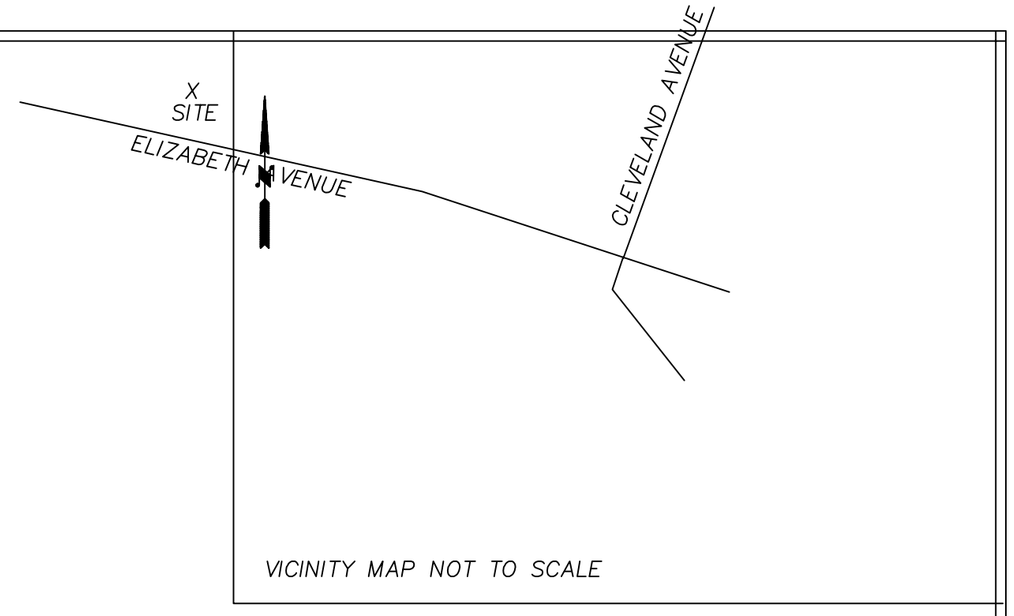
THIS PROPERTY (X)IS ( )IS NOT LOCATED WITHIN 2000 FEET OF A N.C.G.S./U.S.G.S. MONUMENT.

THIS PROPERTY MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHTS-OF-WAYS OR EASMENTS NOT OBSERVED.

THIS PROPERTY ( )IS (X)IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE DEPARTMENT OF HOUSING URBAN DEVELOPMENT.

ALL DISTANCES ARE HORZONTAL IN FEET.

THIS SURVEY IS OF EXISTING PARCELS, REF.: NCGS 47-30(f)11D.
LOT A IS AN NOW LOT 11 OF EASTFIELD SPRINGS ESTATES, NAMED EASTFIELD STREET, PORTION USED BY LOTB FOR INGRESS/EGRESS. REF.: DB18799, PG.2552.



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PIPE
OWEN GERROLD
DB.1942, PG.1562
CCC MEMBER
DB.1792, PG.1946
N 70°34'05" W
206.33
N 40°34'30" E
190.96
IRON PIN
Lot 1
64,329 ft2
1.477 Acres
S 05°13'05" W
107.92
HOYT KEETER
DB.8A, PG.262
REBAR
N 80°27'42" W
106.61
PIPE
S 80°47'56" E
49.61
IRON PIN
REBAR
S 17°56'06" W
159.20(TIE)
9
10
11
1.4ACRES
0.18
ACRES
161.96
162.08
WOOD FENCE
Lot 1
7,852 ft2
0.180 Acres
A
CONCRETE
DRIVEWAY
HOUSE
S 26°59'56" E
910.85(TIE)
NCGS "CLEVELAND"
N=569686.86
E=1255457.65
C.F.=0.99983618
CURTIS ROBINSON
DB.1879, PG.2552
N 11°44'47" E
VINYL FENCE
EASTFIELD STREET
(UNOPENED)
S 12°30'33" W
S 05°22'12" W
173.59
WILLIAM SHERWOOD
DB.1335,PG.265
B
REBAR
AXLE
S 80°47'39" E
47.45
REBAR
N 83°24'46" W
174.88
IRON PIN
60'R/W
CL
ELIZABETH AVENUE
60'R/W

LEGEND

- W — WATER METER
- P — POWER POLE
- (IPF) IRON PIN FOUND
- (IPS) IRON PIN SET
- (PNF) POINT NOT FOUND
- (CM) CONCRETE MONUMENT
- (UMP) UNMARKED POINT
- BOUNDARY LINE
- CENTERLINE
- EASEMENT LINE
- RIGHT OF WAY
- UNSURVEYED LINE
- POWER LINE

I, E. Steve Smith, PLS, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book_1854__, Page_1980); that the boundaries not surveyed are clearly indicated as drawn from information found in Book_____, Page_____; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S.47-30 as ammended. Witness my original signature, registration number and seal this_18_day of_JUN_, AD 2026

_____ L-4297
E. Steve Smith, PLS (Registration Number)

SCALE: 1"=30 FEET
0 15 30 60

CLEVELAND COUNTY, NORTH CAROLINA
FORMERLY TOWNSHIP #6
SURVEY FOR:
VICTORIA CURTIS
THOMAS E CURTIS
131 ELIZABETH AVENUE
DEED BOOK 1854, PAGE 1980
PROPERTY OF:
CITY OF SHELBY
EASTFIELD STREET
CLEVELAND SPRINGS ESTATES
PLAT BOOK 2, PAGE 22
JUNE 18, 2026

Legal description Deed Book 1879, Page 2554, Cleveland Springs Estates Plat Book 2 Page Block “S” Lot 11.

Beginning upon a Rebar located N26º59’56”W 910.85’from NC Geodetic Survey Monument “Cleveland”, N=569686.86’, E=1255457.65’, CF.:0.99983518, thence N80°47’85”W 47.45’to an Axle, thence N11°44’47”E 161.96’, to a Rebar, thence S80°47’56”E 49.61’,to a Rebar thence, S12°30’33”W 162.08’ to the beginning point, containing 7,852 ft2, 0.180 Acres.

Agreement regarding the matter concerning Eastfield Street, Shelby, NC 28150.

We Curtis K. Robinson, Curtis K. Robinson and Tonia H. Robinson, Tonia H. Robinson owners of the property located at 129 Elizabeth Avenue, hereby relinquish our rights to the portion of Eastfield Street and the right of way that is adjacent to our property.

Our decision to forgo our rights to the property gives Thomas E. Curtis and Victoria D. McSwain Curtis, the owners of the adjacent property located at 131 Elizabeth Avenue, full rights to Eastfield Street and the right of way.

WITNESSES

We, David Gosnell and Tiffaney Pruett,

Witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the owners of 129 Elizabeth Avenue signs willingly, and that each of us witness to the signing, and that to the best of our knowledge that they are eighteen years of age or older, of sound mind and under no constraint or undue influence.

David Gosnell	10-21-25	165 Wisdom Cove Rd, Flat Rock
Witness	Date	Address
	10.21.25	1433 Cesar Landa ER RD Casar, NC 28020
Witness	Date	Address

NORTH CAROLINA

CLEVELAND COUNTY

Subscribed, sworn to and acknowledged before me by Thomas E. Curtis, Thomas E. Curtis and Victoria D. McSwain Curtis Victoria D. McSwain Curtis

property owners of 131 Elizabeth Avenue subscribed and sworn before me

by Wanda J. LaRhette and

—————————————————————, this 21

day of October, 2025.

WANDA J LARHETTE
NOTARY PUBLIC
CLEVELAND County
North Carolina
My Commission Expires JULY 21, 2029

MY COMMISSION EXPIRES: July 21, 2029

Wanda J. LaRhette

NOTARY PUBLIC

NOTICE OF PUBLIC HEARING TO CLOSE EASTFIELD STREET

The City Council of Shelby, North Carolina will conduct a public hearing on November 2, 2026 at 6:00 p.m. at 300 South Washington Street to discuss an order closing Eastfield Street.

Additional information regarding this proposed right-of-way closure is on file and available for inspection at the City of Shelby Planning & Development Services office, 311 South Lafayette Street, Shelby, North Carolina.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

North Carolina General Statute 160A-299 requires that a copy of the City's resolution of intent to permanently close a street or alley be published once a week for four (4) successive weeks prior to the hearing. A copy of Resolution No. 79-2026 adopted by City Council on October 5, 2026 follows:

RESOLUTION NO. 79-2026

A RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF SHELBY TO CONSIDER THE PERMANENT CLOSURE OF EASTFIELD STREET

WHEREAS, North Carolina General Statute 160A-299 authorizes the City Council of the City of Shelby to permanently close public streets and alleys within its jurisdiction; and,

WHEREAS, the City has received a request and petition from abutting property owners to permanently close Eastfield Street; and,

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to this proposal;

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

Section 1. That a public hearing on the matter will be held at 6:00 PM, on the 2nd day of November, 2026 in the Council Chambers at the City Hall in Shelby, North Carolina to consider an order closing Eastfield Street.

Section 2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four (4) successive weeks prior to the public hearing in *The Shelby Star*.

Section 3. The City Clerk is further directed to transmit by certified mail, return receipt requested, to each owner of property abutting on said street a copy of this Resolution of Intent and shall cause a notice of the Public Hearing to be prominently posted in at least two places along the subject street.

Section 4. This Resolution of Intent shall become effective upon its adoption and approval.

Adopted and Approved this 5th day of October 2026.

The Shelby Star:

Please publish this notice as a legal line ad in the Shelby Star on FRIDAY, October 9, 2026; and repeat the same ad on WEDNESDAY, October 14, 2026; WEDNESDAY, October 21, 2026; and Wednesday, October 28, 2026.

Mail invoices with affidavits to Audrey Whetten Godfrey, City of Shelby, PO Box 207, Shelby, NC 28151. Thank you.

RESOLUTION NO. 96-2026

A RESOLUTION AND ORDER PERMANENTLY CLOSING EASTFIELD STREET

WHEREAS, on October 5, 2026, the City Council of the City of Shelby directed the City Clerk to publish a Resolution of Intent of the City Council to consider Eastfield Street; and,

WHEREAS, said publication was to be accomplished in The Shelby Star once a week for four (4) successive weeks advising the public that a public hearing would be conducted on November 2, 2026; and,

WHEREAS, the City Clerk was further instructed to notify all persons owning property abutting the affected portion of said street if the scheduled public hearing by copy of the Resolution of Intent, and that said notice of public hearing be posted in two places at the site; and,

WHEREAS, the City Clerk has advised the City Council that on the date directed, she sent notice to each of said abutting property owners advising them of the date, time, and place of the public hearing by copy of the City Council's Resolution of Intent and advising said abutting property owners that the question as to the closing of said street would be acted upon, said notice having been mailed by certified mail with return receipt requester; and,

WHEREAS, a public hearing on this matter was held on November 2, 2026; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said right-of-way; and,

WHEREAS, it now appears to the satisfaction of the City Council the closing of said right-of-way is not contrary to the public interest and that no individual owning property abutting the street, will as a result of said closing, be thereby deprived of a reasonable means of ingress and egress to their property; and,

WHEREAS, it appears to the satisfaction of the City Council that the closing of said right-of-way will not be in conflict with the public interest;

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

Section 1. The right-of-way as displayed on the plat titled "Survey for: Victoria Curtis, Thomas E. Curtis" prepared by E. Steve Smith Surveying, as situated within the City of Shelby is hereby permanently closed and all rights, title, and interest that may be vested in the public to said area for street purposes is hereby released to the abutting property owners in accordance with Chapter 160A-299, as amended, of the North Carolina General Statues.

Section 2. In accordance with Chapter 160A-229 the City of Shelby reserves easements for all its utilities within the Right-of-Way of Eastfield Street.

Section 3. The City Clerk is hereby authorized and directed to file in the Office of the Register of Deeds in Cleveland County a certified copy of this resolution ordering the closure of a portion of Eastfield Street.

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

Adopted and Approved this the 2nd day of November 2026.

_____
O. Stanhope Anthony, III
Mayor

ATTEST:

_____

Carol Williams
City Clerk

APPROVED AS TO FORM:

_____

Jason Lunsford

City Attorney

C. Consent Agenda:

Agenda Item: C-1

1) Approval of the Minutes of the Regular Meeting of October 19, 2026

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of October 19, 2026

City Manager's Recommendation / Comments

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

DRAFT MINUTES

Regular Meeting of Shelby City Council **October 19, 2026**
City Hall Council Chambers **Monday, 6:00 p.m.**

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew Hopper, Sr., Emilie Bullock, David White, Violet Arth, Lori Waris and Charles Webber; City Manager Justin S. Merritt, Assistant City Manager Ben Yarboro, Assistant City Manager Kerri Melton, City Attorney Jason Lunsford, City Clerk Carol Williams, Human Resources Director Deborah (Deb) Jolly, Director of Finance Chris Costner, Director of Water Resources Brian Wilson, Fire Chief William Hunt, EFO, Public Works Director Scott Black, Public Information/Communications Officer Chip Nuhrah and Paralegal Nicole Hart

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

Mrs. Waris led the Pledge of Allegiance.

A. Approval of agenda:

Motion to adopt the proposed agenda as presented.

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

B. Special Presentation:

1) North Carolina's Area Wide Optimization Program Award (AWOP) – Certification of Facility Optimization

<u>Presenting: Mayor Anthony along with Brian Wilson, Water Resources Director:</u>

- **The North Carolina Department of Water Quality started giving this award 27 years ago to encourage Water Treatment plants to look at optimizing their plants to reduce turbidity.**
- **Turbidity is a measure of the cloudiness of water; it is the best indicator that shows the City has safe drinking water.**
- **Every amount of turbidity that is reduced at the Water Treatment plant means there is less bacteria, less E coli, or anything that can pass through the filters and onto the customers.**
- **The City of Shelby Water Treatment plant has exceeded the state and federal standards, which results in safer water for the City of Shelby customers.**

- **The City has always offered safe, clean water, but this is the first time in the plants' history that it has won this award.**
- **Our Water Treatment plant is a 24/7 operation that puts out 5.5 million gallons/day of water and sometimes up to 8 million gallons/day 365 days a year.**

Mr. Wilson expressed appreciation and gratitude to the staff at the Water Treatment plant for receiving this award and for the work they do every day.

On behalf of City Council, Mayor Anthony thanked the Water Treatment plant staff for their exemplary work and congratulated them on receiving this award. He stated it takes a lot of effort to make sure we have clean water and their work is appreciated.

C. Public Comment:

1) **Cynitra Stewart, 416 McBrayer Street, Shelby, North Carolina spoke about the utility pole outside her house; it's leaning and could cause problems if not secured. Also, there is a creek and trees behind her residence, and she asked if the City could send someone to look at it; she thinks it is a stormwater issue.**

2) **Richard Hooker, 1520 King Arthur Court, Shelby, North Carolina thanked Council for their continued support of the Minority Enterprise Development (MED) week. This week is observed to celebrate the achievements and accomplishments of small businesses, minority businesses, and women-owned businesses throughout the county. MED Week was founded in 1983 and started in Cleveland County in 1999. The MED Week gala will be this Thursday, October 22nd at the LeGrand Center and on October 24th the 50 Women Basketball Legends ceremony will be at Gardner Webb University. Mr. Hooker invited Council to attend both events.**

D. Consent Agenda:

Mayor Anthony presented the consent agenda. Ms. Arth moved to approve the consent agenda, and the following items were unanimously adopted:

1) **Approval of the Minutes of the Regular Meeting of October 5, 2026**

2) **Approval of a resolution approving the local Alcohol Beverage Control (ABC) Board's use of the appointing authority's Travel Policy: Resolution No. 80-2026**

3) **Approval of resolutions to accept an offer to purchase property by Upset Bid Process:**

a) 415 Oakland Drive (Parcel 17980): Resolution No. 81-2026
b) 701 Douglas Street (Parcel 18832): Resolution No. 82-2026
c) 702 Douglas Street (Parcel 18842): Resolution No. 83-2026
d) 703 Douglas Street (Parcel 18831): Resolution No. 84-2026
e) 704 Douglas Street (Parcel 18843): Resolution No. 85-2026
f) LeGrand Street (Parcel 18169): Resolution No. 86-2026

4) Approval of a resolution to delegate to the City Manager authority to accept donations: Resolution No. 87-2026

5) Approval of a resolution for an agreement for the Great Trails Program Grant by the North Carolina Department of Natural and Cultural Resources: Resolution No. 88-2026

6) Management Reports:

a) 3rd Quarter 2026 Planning and Development Services Report

END OF CONSENT AGENDA

E. Unfinished Business:

1) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Harmony Trail Project: Ordinance No. 39-2026

<u>Presenting: Ben Yarboro, Assistant City Manager</u>

- The City purchased property recently at the intersection of S. Morgan Street and S. DeKalb Street near Shelby Middle School
- The 1.2-acre parcel adjoins the Carolina Harmony Trail
- A DOT traffic study showed the need for a signalized pedestrian crossing at that intersection
- The change in plan creates an extension of the 12' wide trail that needs to be extended to S. Morgan Street instead of the 5' wide sidewalk spur connection that was in the original plans
- The new design also creates 2' of separation from the back edge of the curb which makes the path safer for trail users
- The plan also includes a trailhead site and a 22-space parking lot with bike racks, benches, a kiosk and landscaping
- The cost associated with this change in design is approximately $190,000

Mayor Anthony asked for clarification of the location of the trail crossing at S. DeKalb Street. Mr. Yarboro explained that the signalized crossing would cross S. DeKalb Street towards the Palisades apartments.

ACTION TAKEN: Upon a motion from Mr. Hopper, City Council voted unanimously to approve Ordinance No. 39-2026 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S CAROLINA HARMONY TRAIL PROJECT."

F. New Business:

1) **Adoption of a budget ordinance amendment for the installation of a StoryWalk® along the Carolina Harmony Trail: Ordinance No. 40-2026**

Presenting: Kerri Melton, Assistant City Manager

The City has partnered with Reading Kids Cleveland County which is a division of Feeding Kids Cleveland County to create a StoryWalk® along the Carolina Harmony Trail.

Heather Stevens with Feeding Kids Cleveland County explained the project further.

Presenting: Heather Stevens, Founder of Feeding Kids Cleveland County

- **Feeding Kids Cleveland County started 11 years ago and Reading Kids started in 2022.**
- **Research shows that many households that struggle to have enough food also have low literacy rates and 60% of low-income homes do not have children's reading material.**
- **Providing a StoryWalk® will be an equal opportunity for families and kids to read a story and do activities while enjoying the trail.**
- **Reading Kids Cleveland County will provide the books and the 24 surface mounted holders to display the books.**
- **Reading Kids Cleveland County is asking the City to install 24 5' x 5' concrete pads to provide a stable surface for mounting the book holders.**

Ms. Melton concluded by stating the cost of installing the concrete pads is approximately $12,000.

The StoryWalk® Project was created by Anne Ferguson and developed in collaboration with the Kellogg-Hubbard Library in Montpelier Vermont. StoryWalk® is a registered service mark owned by the Kellogg-Hubbard Library. Mayor Anthony and Council are enthusiastic about this project and are looking forward to it being completed.

ACTION TAKEN: Upon a motion from Ms. Arth, City Council voted unanimously to approve Ordinance No. 40-2026 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE INSTALLATION OF A STORY WALK ALONG THE CAROLINA HARMONY TRAIL."

2) **Adoption of FY 2026-2027 Budget Amendment for the Water and Natural Gas Budget Reductions due to NEG Closure: Ordinance No. 41-2026**

<u>Presenting: Ben Yarboro, Assistant City Manager</u>

- **NEG (formerly PPG) closed its operation in August 2026. PPG had been a major employer in our County since 1958 and a large utility customer**
- **Since the announcement in July, staff has been reviewing what the impact will be on our water and natural gas utility systems and the associated annual revenues**
- **NEG historically averaged about 670,000 gallons of water per day which equals approximately 20 million gallons of water per month**
- **An average residential household uses approximately 5,000 gallons of water per month, so when looking at the revenue it takes 1,312 residential accounts to offset the NEG closure**
- **The City added 175 residential accounts in the past 12 months; so, there is a large gap in the revenue intake**
- **The result is a $401,000 reduction in water revenue**
- **This reduction in revenue will delay the following:**
    - **the installation of the grating and new bar screen for the old raw water intake**
    - **reduces the number of hydrants and valves replaced this year**
- **NEG used an average of 2,700 DT of natural gas a day which equals about 81,000 DT per month**
- **An average residential household uses approximately 32 DT per month, so when looking at the revenue it takes 1,275 residential accounts to offset the NEG closure**
- **The City added 75 new accounts in the past 12 months**
- **The result is a $350,000 reduction in natural gas revenue**
- **This reduction in revenue will delay the following:**
    - **the painting of the large industrial meters, we will only do 1 instead of 5 that were planned**

- the integrity digs on the 400lb line; this is done to check on coating and wall thickness of the pipe
- the upsizing of the Pleasant Hill Regulator Station

Staff recommends the approval of the Budget Ordinance Amendment that will decrease the FY 2026-2027 Water Budget in the amount of $401,000 and decrease the FY 2026-2027 Natural Gas Budget in the amount of $350,000.

Dr. Webber inquired if this would result in any reduction in staff. Mr. Merritt stated it will not. Instead, the City will delay the system improvements and system maintenance items. In the next 18-24 months PPG Aerospace will come online, which will help with these revenues.

Mr. Merritt continued by stating this is a large revenue loss, and the City will need to be fiscally responsible in future budgets.

ACTION TAKEN: Upon a motion from Dr. Webber, City Council voted unanimously to approve Ordinance No. 41-2026 entitled, "FY 2026-2027 BUDGET AMENDMENT FOR THE WATER AND NATURAL GAS BUDGET REDUCTIONS DUE TO NEG CLOSURE."

3) **City of Shelby City-Owned Sanitary Sewer Force Main Connection Policy and Amended Sewer Fee Schedule:**

   a) **Approval of a resolution adopting the City of Shelby's City-Owned Sanitary Sewer Force Main Connection Policy: Resolution No. 89-2026**
   b) **Adoption of an ordinance amending the City of Shelby's Schedule of Fees: Ordinance No. 42-2026**

<u>Presenting: Brian Wilson, Water Resources Director</u>

- **The City's sewer system has 200 miles of gravity sewer line which goes out to 9,358 sewer customers.**
- **The City also has 26 miles of sewer force main.**
- **Force main is pressurized sewer pipe that conveys wastewater under pressure from a discharge lift station to a point where it can feed into gravity flow.**
- **Force main allows sewer to flow uphill, over terrain or through obstacles where gravity flow is not feasible.**
- **The City has several city-owned lift stations that are used in low lying areas where we need to pump up to gravity sewer.**
- **The City has had requests to connect to the force main so they can have sewer available.**

- **Staff has developed a City-owned Sanitary Sewer Force Main Connection Policy to be able to provide a formal review and approval process.**
- **This policy sets forth the rules and requirements by which a private connection may be made, once City approval has been granted.**
- **An annual inspection report will be required by the private owner to make sure they are tracking the performance of their lift station.**
- **Application review fees will be established to recover city costs incurred; therefore, an amendment to the Fee Schedule is necessary.**
- **The policy has been created and reviewed by several staff members, including Mr. Wilson, Mr. Yarboro, Brad Greene and Mr. Lunsford.**

Mr. Merritt stated that the development along the new bypass will most likely be more commercial, and a septic system is not practical in that type of development, so a sewer force main connection is an option that a developer may choose.

ACTION TAKEN: Upon a motion from Mrs. Bullock, City Council voted unanimously to approve Resolution No. 89-2026 entitled, "A RESOLUTION ADOPTING THE CITY OF SHELBY'S CITY-OWNED SANITARY SEWER FORCE MAIN CONNECTION POLICY" and Ordinance No. 42-2026 entitled, "AN ORDINANCE AMENDING THE CITY OF SHELBY'S SCHEDULE OF FEES."

G. City Manager's Report:

- **Regarding the drought conditions – 40% of the County is considered no drought, 44% is considered abnormally dry, and 13% is in moderate drought. Periodic rainfall will recharge our water supply.**
- **Carolina Harmony Trail update – This week paver, irrigation and sod installation will be complete, next week sidewalk and trail installation will be near the Hwy 74 overpass. The City is waiting on anchor bolts for the mast-arm bases to be installed.**
- **The new amenities at the Dog Park have been installed, and a Grand Reopening is scheduled for Thursday at 10:30.**
- **Regarding S. Lafayette Street Waterline Project – The waterline is fully operational and complete. As of today, NCDOT paving date is scheduled for some time in November.**
- **Regarding the S. Morgan Street Waterline Project – The project is complete and fully operational. Work along the trail can continue in this area.**
- **Bulky Item pick-up occurred recently, and our crews collected about 100 tons of household waste, which is an increase of 6% from last fall.**

- **Thanks to staff that worked at the Livermush Festival, it was a great event with a great turnout.**

H. Council Announcements and Remarks:

Mayor Anthony also thanked everyone for the great Livermush Festival this past Saturday.

Community Walkthrough is scheduled for Tuesday at 1:30 at The Pointe near Dodd Street.

Wall of Fame event at Holly Oak will be this Saturday.

Mr. Hopper and Ms. Arth reminded everyone to get out and vote.

Mr. White was amazed with the number of cars and people in Uptown for the Livermush Festival.

I. Adjournment:

1) **Motion to adjourn**

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 6:55 p.m.

Respectfully submitted,

Carol Williams
City Clerk

O. Stanhope Anthony, III
Mayor

Minutes of October 19, 2026

Agenda Item: C-2

2) Approval of a resolution honoring Charles Wendell Leonard on the occasion of his retirement from employment with the City of Shelby: Resolution No. 90-2026

Consent Agenda Item: (Justin Merritt, City Manager)

Summary of Available Information:

- Resolution No. 90-2026

City Manager's Recommendation / Comments

This time is scheduled on your agenda to consider a resolution recognizing Charles Wendall Leonard on the occasion of his retirement from employment. In keeping with policy, Resolution No. 90-2026 will recognize him for having served the City faithfully for the past 29 years as a City of Shelby Water Resources Department and Water Treatment Plant Employee. He is to be congratulated! Mr. Leonard is an experienced professional and will be greatly missed by his fellow water resources employees.

In keeping with current policy Mr. Leonard will be presented with a framed resolution, a city lapel pin and a key to the City. It is customary and appropriate to recognize Wendell Leonard for his many years of service to the City.

Please join me in wishing him a healthy and happy retirement. He will attend a future meeting of City Council for a formal presentation.

It is recommended that Resolution No. 90-2026 be adopted and approved via the Consent Agenda.

Resolution No. 90-2026

A RESOLUTION HONORING CHARLES WENDELL LEONARD ON THE OCCASION OF HIS RETIREMENT FROM EMPLOYMENT WITH THE CITY OF SHELBY

WHEREAS, on the occasion of his retirement from employment on October 30, 2026, it is fitting for City Council to express its appreciation to Charles Wendell Leonard for his loyal service to the City of Shelby from November 24, 1997, to October 30, 2026; and

WHEREAS, Mr. Leonard has been a loyal team member in the continuing development of the City of Shelby Water Resources Department and more specifically, to the City of Shelby Water Treatment Plant; and,

WHEREAS, the City of Shelby is most grateful for the professional contributions Mr. Leonard has given to all the citizens and organizations within the Shelby community; and,

WHEREAS, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Mr. Leonard for his nearly 29 years of employment, noting that Mr. Leonard will be missed both professionally and as a fellow co-worker.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Charles Wendell Leonard and extend their very best wishes for a successful, long, safe, and happy retirement.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the Shelby City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 2nd day of November 2026.

_____
O. Stanhope Anthony III
Mayor

ATTEST:

_____
Carol Williams, CMC
City Clerk

Agenda Item: C-3

3) Approval of a resolution to accept an offer to purchase property by upset bid process (Parcel # 26522): Resolution No. 91-2026

Consent Agenda Item: (Nicole Hart, Paralegal)

Summary of Available Information:

- Memorandum Dated October 20, 2026, from Nicole Hart, Paralegal to Justin Merritt, City Manager
- Resolution No. 91-2026

City Manager's Recommendation / Comments

Resolution No. 91-2026 is presented for City Council consideration as a matter of routine business via the Consent Agenda.

As background, City staff determined that the listed parcels are surplus in nature and have no immediate or long-term public purpose. Resolution No. 62-2026 was adopted by City Council in accordance with NC General Statute 160A-269, authorizing the sale of the described property through the upset bid method. City Staff has followed the statutory steps and have received bids as listed below. The required deposit has been received and the time for receiving upset bids has expired.

If approved, the following resolution would accept the respective offer from the listed party and authorize the City Manager to facilitate the sale of the property.

Resolution #	Parcel #	Location	Acreage	Amount Offered	Tax Value	Purchaser
91-2026	26522	Lincoln Dr.	0.5621	$ 2,000	$ 1,225	Devin Hembree

It is my recommendation that Resolution No. 91-2026 be adopted and approved by City Council via the Consent Agenda.

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

October 20, 2026

Devin Hembree
1604 Lincoln Drive
Shelby, NC 28152

Dear Mr. Hembree,

As you are aware, the resolution (Res. No. 62-2026) to receive an offer to purchase and advertise the offer to purchase for upset bids for property located at Lincoln Drive (Parcel# 26522) was approved by City Council on September 21, 2026.

Pursuant to GS 160A-269, the City published a notice of the offer after the appropriate deposit had been submitted to the City Clerk. The notice contained a general description of the property, the amount of the offer and a notice that within 10 days, any person may raise the bid.

We received no other bids, so your bid was the highest. Therefore, I've asked the City Manager to place this item on the agenda for City Council to consider your offer. The City Council meeting will take place on Monday, November 2, 2026 at 6:00 p.m. in the Council Chamber at City Hall.

Please keep in mind that City Council may at any time reject any and all offers. The sale of the property is not subject to any contingencies. If Council approves the sale, the City Attorney will facilitate the real estate closing. You will be responsible for all legal fees and recording fees.

If you have any questions, please contact me at 704-669-2521.

Sincerely,

Nicole Hart

Nicole Hart
City Paralegal

Cc: Justin Merritt, City Manager
Chris Costner, Finance Director
Jason Lunsford, City Attorney

RESOLUTION NO. 62-2026

RESOLUTION AUTHORIZING THE SALE OF CITY OF SHELBY OWNED REAL PROPERTY IDENTIFIED BY PARCEL NUMBER 26522 THROUGH THE UPSET BID PROCEDURE OF N. C. GENERAL STATUTE § 160A-269

WHEREAS, the City of Shelby owns real property in the City of Shelby identified by parcel number 26522, located in Deed Book 1767 Page 0455 and further identified by Map 6-54 Blk 2 Lot 16; and

WHEREAS, City Council has determined no current or future use of the properties identified by the above parcel number; and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid, after receiving an offer for the property; and

WHEREAS, the City of Shelby requests bids start at a minimum of the present tax value, which currently is one thousand two hundred twenty-five ($1,225.00) dollars; and

WHEREAS, the City is selling this property as is with no warranty and conveyance will be by quitclaim deed, which will be drafted by the City Attorney; and

WHEREAS, the winning bidder shall pay an administrative fee of one hundred fifty ($150.00) dollars for the preparation of the deed and the filing fee, which is currently twenty-six ($26) dollars.

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

Section 1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

Section 2. Persons wishing to make an initial offer shall submit a sealed bid with their offer to the office of the City Clerk accompanied by a deposit in the amount of 5% of the bid.

Section 3. The City Manager is authorized to solicit an initial bid in accordance with the N. C. General Statutes § 160A-269.

Section 4. The terms of the final sale are that:

- The City Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
- The winning bidder must pay an administrative fee of one hundred fifty ($150.00) dollars and filing the deed at a current cost of twenty-six ($26.00) dollars; and
- The buyer must pay all costs and fees with cash at the time of closing.

Section 5. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

This Resolution shall become effective upon its adoption and approval. Adopted and Approved this the 21st day of September 2026.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

CITY OF SHELBY NC
300 S WASHINGTON ST
PO BOX 207
SHELBY NC 28151-0207

PARCEL ID.. 26522
LOCATION... LINCOLN DR
DEED YEAR/BOOK/PAGE.. 2018 1767 0455
PLAT BOOK/PAGE.. PB6 98
LEGAL DESC:#94-98 BLK L WASH DEV PB6-98
TOWNSHIP... 6 SHELBY
DESCRIPTION FULLY EXEMPT

PIN... 6-54 2 16
SHELBY
ASSESSMENT NONE .00 .00 .00
OWNER ID.. 1244176
DISTRICT.. 5 CITY OF SHELBY (CO SCH)
NBRHOOD... 49 6-54 #06

MAINTAINED.. 6/06/2025 BY SHERRYL VALUED.. 1/31/2025 BY TBAME
VISITED..... 5/01/1998 BY TYPE OF REVIEW
PARCEL STATUS... ACTIVE

EXEMPT.... GE GOVERNMENT EXEMPT
ROUTING#..
CATEGORY.. GROUP 100

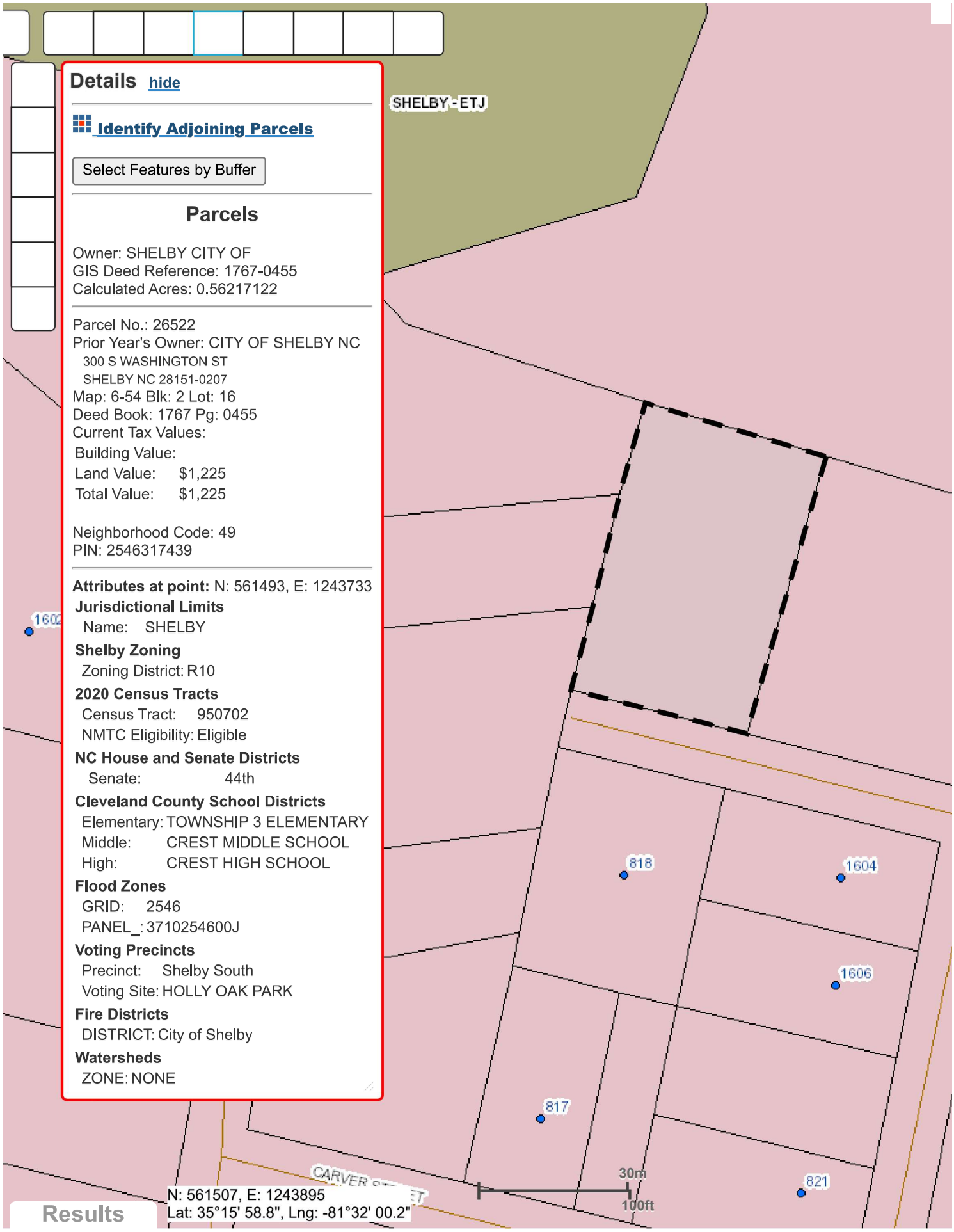
SALES HISTORY

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
1767 0455	5/09/2018	DEED	MINERAL OR TIMB			CITY OF SHELBY NORTH CAROLINA
1166 1737	9/05/1995	DEED	ADDITION PARCEL	20,000	40.00	HABITAT FOR HUMANITY IN CLEVEL
1166 1735	9/05/1995	DEED	MINERAL OR TIMB			HOSPICE OF CLEVELAND COUNTY IN
8P 622	1/01/1960	SALE	QUALIFIED			

LAND SEGMENTS

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV
1		17	AC WOODS	.560	3,500.00	.00	.00	.00	125.00	50.00	.00	62.50	1,225
	TOTAL ACRES..			.000							TOTAL LAND FMV..		1,225

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS / OVR	TOTAL LAND/IMPROVE	2025 VALUE
FMV.....	1,225		0	1,225	1,225
APV.....	1,225		0	1,225	1,225


Details hide
Identify Adjoining Parcels
Select Features by Buffer
Parcels
Owner: SHELBY CITY OF
GIS Deed Reference: 1767-0455
Calculated Acres: 0.56217122
Parcel No.: 26522
Prior Year's Owner: CITY OF SHELBY NC
300 S WASHINGTON ST
SHELBY NC 28151-0207
Map: 6-54 Blk: 2 Lot: 16
Deed Book: 1767 Pg: 0455
Current Tax Values:
Building Value:
Land Value: $1,225
Total Value: $1,225
Neighborhood Code: 49
PIN: 2546317439
Attributes at point: N: 561493, E: 1243733
Jurisdictional Limits
Name: SHELBY
Shelby Zoning
Zoning District: R10
2020 Census Tracts
Census Tract: 950702
NMTC Eligibility: Eligible
NC House and Senate Districts
Senate: 44th
Cleveland County School Districts
Elementary: TOWNSHIP 3 ELEMENTARY
Middle: CREST MIDDLE SCHOOL
High: CREST HIGH SCHOOL
Flood Zones
GRID: 2546
PANEL_: 3710254600J
Voting Precincts
Precinct: Shelby South
Voting Site: HOLLY OAK PARK
Fire Districts
DISTRICT: City of Shelby
Watersheds
ZONE: NONE
SHELBY - ETJ
1602
818
1604
1606
817
821
30m
100ft
N: 561507, E: 1243895
Lat: 35°15' 58.8", Lng: -81°32' 00.2"
Results

RESOLUTION NO. 91-2026

A RESOLUTION TO ACCEPT AN OFFER TO PURCHASE PROPERTY BY UPSET BID PROCESS

WHEREAS, the City of Shelby received a bid to purchase property located at Lincoln Drive (Parcel ID # 26522) from Devin Hembree in the amount of $2,000.00; and,

WHEREAS, Devin Hembree has paid the required 5% deposit on this offer; and,

WHEREAS, the current tax value of Parcel Number 26522 is $1,225.00; and,

WHEREAS, the City Council of the City of Shelby adopted Resolution No. 62-2026 to receive an offer to purchase and advertise the offer to purchase for upset bids as defined in North Carolina General Statute 160A-269.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHELBY RESOLVES THAT:

Section 1. That the City of Shelby will accept the offer from Devin Hembree to purchase the property at Lincoln Drive with Cleveland County Tax Parcel Number 26522 and authorize the City Manager to facilitate the sale of the property.

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

Adopted and approved this the 2nd day of November, 2026.

_____
O. Stanhope Anthony, III
Mayor

ATTEST:

_____
Carol Williams
City Clerk

Agenda Item: C-4

4) Approval of a resolution to accept an offer to purchase property by upset bid process (Parcel # 26523): Resolution No. 92-2026

Consent Agenda Item: (Nicole Hart, Paralegal)

Summary of Available Information:

- Memorandum Dated October 20, 2026, from Nicole Hart, Paralegal to Justin Merritt, City Manager
- Resolution No. 92-2026

City Manager's Recommendation / Comments

Resolution No. 92-2026 is presented for City Council consideration as a matter of routine business via the Consent Agenda.

As background, City staff determined that the listed parcels are surplus in nature and have no immediate or long-term public purpose. Resolution No. 63-2026 was adopted by City Council in accordance with NC General Statute 160A-269, authorizing the sale of the described property through the upset bid method. City Staff has followed the statutory steps and have received bids as listed below. The required deposit has been received and the time for receiving upset bids has expired.

If approved, the following resolution would accept the respective offer from the listed party and authorize the City Manager to facilitate the sale of the property.

Resolution #	Parcel #	Location	Acreage	Amount Offered	Tax Value	Purchaser
92-2026	26523	Lincoln Dr.	0.7676	$ 3,500	$ 2,826	Devin Hembree

It is my recommendation that Resolution No. 92-2026 be adopted and approved by City Council via the Consent Agenda.

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

October 20, 2026

Devin Hembree
1604 Lincoln Drive
Shelby, NC 28152

Dear Mr. Hembree,

As you are aware, the resolution (Res. No. 63-2026) to receive an offer to purchase and advertise the offer to purchase for upset bids for property located at Lincoln Drive (Parcel# 26523) was approved by City Council on September 21, 2026.

Pursuant to GS 160A-269, the City published a notice of the offer after the appropriate deposit had been submitted to the City Clerk. The notice contained a general description of the property, the amount of the offer and a notice that within 10 days, any person may raise the bid.

We received no other bids, so your bid was the highest. Therefore, I've asked the City Manager to place this item on the agenda for City Council to consider your offer. The City Council meeting will take place on Monday, November 2, 2026 at 6:00 p.m. in the Council Chamber at City Hall.

Please keep in mind that City Council may at any time reject any and all offers. The sale of the property is not subject to any contingencies. If Council approves the sale, the City Attorney will facilitate the real estate closing. You will be responsible for all legal fees and recording fees.

If you have any questions, please contact me at 704-669-2521.

Sincerely,

Nicole Hart

Nicole Hart
City Paralegal

Cc: Justin Merritt, City Manager
Chris Costner, Finance Director
Jason Lunsford, City Attorney

RESOLUTION NO. 63-2026

RESOLUTION AUTHORIZING THE SALE OF CITY OF SHELBY OWNED REAL PROPERTY IDENTIFIED BY PARCEL NUMBER 26523 THROUGH THE UPSET BID PROCEDURE OF N. C. GENERAL STATUTE § 160A-269

WHEREAS, the City of Shelby owns real property in the City of Shelby identified by parcel number 26523, located in Deed Book 1767 Page 0457 and further identified by Map 6-54 Blk 2 Lot 17; and

WHEREAS, City Council has determined no current or future use of the properties identified by the above parcel number; and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid, after receiving an offer for the property; and

WHEREAS, the City of Shelby requests bids start at a minimum of the present tax value, which currently is two thousand eight hundred twenty-six ($2,826.00) dollars; and

WHEREAS, the City is selling this property as is with no warranty and conveyance will be by quitclaim deed, which will be drafted by the City Attorney; and

WHEREAS, the winning bidder shall pay an administrative fee of one hundred fifty ($150.00) dollars for the preparation of the deed and the filing fee, which is currently twenty-six ($26) dollars.

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

Section 1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

Section 2. Persons wishing to make an initial offer shall submit a sealed bid with their offer to the office of the City Clerk accompanied by a deposit in the amount of 5% of the bid.

Section 3. The City Manager is authorized to solicit an initial bid in accordance with the N. C. General Statutes § 160A-269.

Section 4. The terms of the final sale are that:

- The City Council must approve the final high offer before the sale is closed, which it will do within thirty (30) days after the final upset bid period has passed;
- The winning bidder must pay an administrative fee of one hundred fifty ($150.00) dollars and filing the deed at a current cost of twenty-six ($26.00) dollars; and
- The buyer must pay all costs and fees with cash at the time of closing.

Section 5. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

This Resolution shall become effective upon its adoption and approval. Adopted and Approved this the 21st day of September 2026.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

CITY OF SHELBY NC
300 S WASHINGTON ST
PO BOX 207
SHELBY NC 28151-0207

PARCEL ID.. 26523
LOCATION... LINCOLN DR
DEED YEAR/BOOK/PAGE.. 2018 1767 0457
PLAT BOOK/PAGE.. PB6 93
LEGAL DESC:#34-40 BLK A WASH DEV PB6-93
TOWNSHIP... 6 SHELBY
DESCRIPTION FULLY EXEMPT

PIN... 6-54 2 17
SHELBY
ASSESSMENT NONE .00 .00 .00
OWNER ID.. 1244176
DISTRICT.. 5 CITY OF SHELBY (CO SCH)
NBRHOOD... 49 6-54 #06

MAINTAINED.. 6/06/2025 BY SHERRYL VALUED.. 1/31/2025 BY TBAME
VISITED..... 5/01/1998 BY TYPE OF REVIEW
PARCEL STATUS... ACTIVE

EXEMPT.... GE GOVERNMENT EXEMPT
ROUTING#..
CATEGORY.. GROUP 100

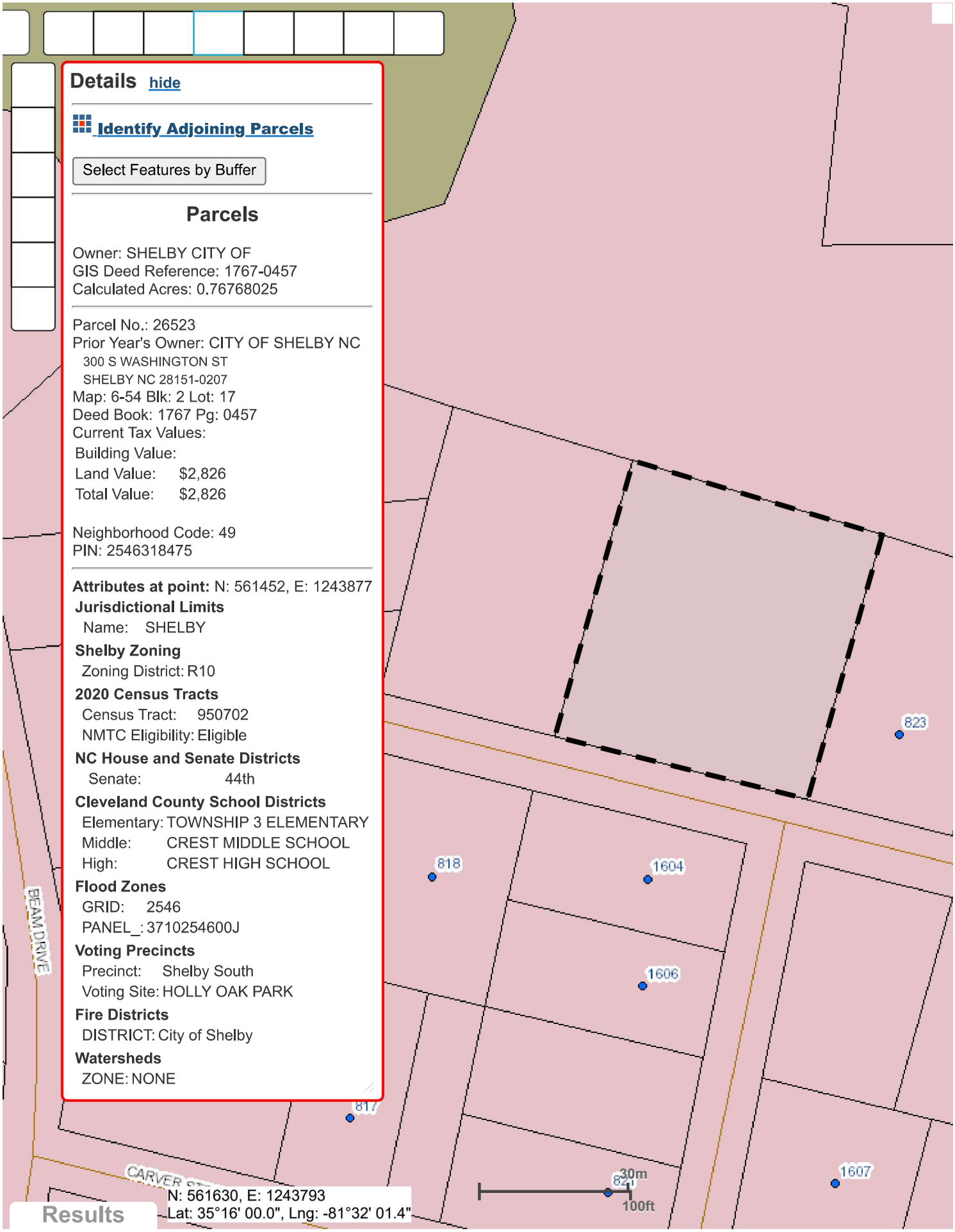
SALES HISTORY

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
1767 0457	5/09/2018	DEED	MINERAL OR TIMB			CITY OF SHELBY NORTH CAROLINA
1166 1737	9/05/1995	DEED	ADDITION PARCEL	20,000	40.00	HABITAT FOR HUMANITY IN CLEVEL
1166 1737	9/05/1995	DEED	ADDITION PARCEL	20,000	40.00	HABITAT FOR HUMANITY IN CLEVEL
1166 1735	9/05/1995	DEED	MINERAL OR TIMB			HOSPICE OF CLEVELAND COUNTY IN
8P 622	1/01/1960	SALE	QUALIFIED			

LAND SEGMENTS

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV
1		17	AC WOODS	.760	3,500.00	.00	.00	.00	125.00	.00	85.00	106.25	2,826
	TOTAL ACRES..			.000								TOTAL LAND FMV..	2,826

TOTAL PARCEL VALUES----	LAND / OVR	IMPROVEMENTS / OVR	TOTAL LAND/IMPROVE	2025 VALUE
FMV.....	2,826	0	2,826	2,826
APV.....	2,826	0	2,826	2,826


Details hide
Identify Adjoining Parcels
Select Features by Buffer
Parcels
Owner: SHELBY CITY OF
GIS Deed Reference: 1767-0457
Calculated Acres: 0.76768025
Parcel No.: 26523
Prior Year's Owner: CITY OF SHELBY NC
300 S WASHINGTON ST
SHELBY NC 28151-0207
Map: 6-54 Blk: 2 Lot: 17
Deed Book: 1767 Pg: 0457
Current Tax Values:
Building Value:
Land Value: $2,826
Total Value: $2,826
Neighborhood Code: 49
PIN: 2546318475
Attributes at point: N: 561452, E: 1243877
Jurisdictional Limits
Name: SHELBY
Shelby Zoning
Zoning District: R10
2020 Census Tracts
Census Tract: 950702
NMTC Eligibility: Eligible
NC House and Senate Districts
Senate: 44th
Cleveland County School Districts
Elementary: TOWNSHIP 3 ELEMENTARY
Middle: CREST MIDDLE SCHOOL
High: CREST HIGH SCHOOL
Flood Zones
GRID: 2546
PANEL_: 3710254600J
Voting Precincts
Precinct: Shelby South
Voting Site: HOLLY OAK PARK
Fire Districts
DISTRICT: City of Shelby
Watersheds
ZONE: NONE
823
818
1604
1606
817
1607
BEAM DRIVE
CARVER
30m
100ft
N: 561630, E: 1243793
Lat: 35°16' 00.0", Lng: -81°32' 01.4"
Results

RESOLUTION NO. 92-2026

A RESOLUTION TO ACCEPT AN OFFER TO PURCHASE PROPERTY BY UPSET BID PROCESS

WHEREAS, the City of Shelby received a bid to purchase property located at Lincoln Drive (Parcel ID # 26523) from Devin Hembree in the amount of $3,500.00; and,

WHEREAS, Devin Hembree has paid the required 5% deposit on this offer; and,

WHEREAS, the current tax value of Parcel Number 26523 is $2,826.00; and,

WHEREAS, the City Council of the City of Shelby adopted Resolution No. 63-2026 to receive an offer to purchase and advertise the offer to purchase for upset bids as defined in North Carolina General Statute 160A-269.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHELBY RESOLVES THAT:

Section 1. That the City of Shelby will accept the offer from Devin Hembree to purchase the property at Lincoln Drive with Cleveland County Tax Parcel Number 26523 and authorize the City Manager to facilitate the sale of the property.

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

Adopted and approved this the 2nd day of November, 2026.

_____
O. Stanhope Anthony, III
Mayor

ATTEST:

_____
Carol Williams
City Clerk

Agenda Item: C-5

5) Approval of a resolution awarding the Residuals Management Services Contract to EMA Resources, Inc. for the City of Shelby Water and Wastewater Treatment Plants: Resolution No. 93-2026

Consent Agenda Item: (Ben Yarboro, Assistant City Manager)

Summary of Available Information:

- Memorandum dated October 28, 2026, from Ben Yarboro, Assistant City Manager to Justin Merritt, City Manager
- Memorandum dated October 26, 2026, from Brian Wilson, Director of water Resources to Ben Yarboro, Assistant City Manager
- Request for Proposals
- EMA Resources Inc Proposal
- Synagro No Bid Letter
- Resolution No. 93-2026

City Manager's Recommendation / Comments

The City of Shelby operates a Water Treatment Plant and a Wastewater Treatment Plant, both of which generate residual waste materials. The City has historically contracted with a licensed firm to manage and dispose of these residuals in a manner compliant with State and Federal regulations.

The City issues a Request for Qualification's (RFQ) for these services every 5 years, most recently in September 2026. The City received one (1) response from EMA Resources Inc., who is the current service provider. They have successfully managed this contract for the previous 5 years. Their proposal meets all requirements of the City and is similar to the previous contract, which we are currently operating under. Resolution 93-2026, if approved, would award the contract to EMA Resources, Inc, which would allow the company to continue disposing of the Water Treatment Plant and Wastewater Treatment Plant residuals.

It is my recommendation that Resolution No. 93-2026 be adopted and approved by City Council via the Consent Agenda.

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: **Justin Merritt, City Manager**

From: **Ben Yarboro, Assistant City Manager**

RE: **Recommendation to Award – Residuals Management Services Contract for the Wastewater Treatment Plant and Water Plant**

Date: **October 28, 2026**

Background

As outlined in the attached memo prepared by Brian Wilson, Director of Water Resources, the City of Shelby utilizes contracted services to manage the residual materials generated from the treatment processes at both the Wastewater Treatment Plant and Water Treatment Plant. This is a detailed process in which the materials must be managed in a manner that complies with state and federal regulations.

In September 2026, the City issued a Request for Proposals (RFP) for Residuals Management Services and received one responsive proposal from EMA Resources, Inc. Over the past five years, EMA has satisfactorily completed the residuals management for the City and complied with the applicable regulations.

City staff recommend that City Council approve the resolution awarding the Residuals Management Services Contract for the Wastewater Treatment Plant and Water Treatment Plant to EMA Resources, Inc.

Please advise if you have any questions or need additional information.

Attachments:

- Memo from Brian Wilson, Director of Water Resources
- RFP Advertisement
- EMA Resources Inc Proposal
- Synagro No Bid Letter

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: **Ben Yarboro, Assistant City Manager**

From: **Brian Wilson, Director of Water Resources**

RE: **Recommendation to Award – Residuals Management Services Contract**

Date: **October 26, 2026**

Background

The City of Shelby contracts for residuals management services associated with operations at both the Wastewater Treatment Plant (WWTP) and Water Treatment Plant (WTP). Both facilities generate residual materials as part of their treatment processes that must be properly managed, handled, and disposed of in accordance with applicable state and federal regulations. At the WWTP, these materials consist primarily of biosolids generated during wastewater treatment, while the WTP produces residual solids removed during the drinking water treatment process.

Residuals management services include the handling, removal, transportation, and beneficial reuse or disposal of these materials, along with necessary regulatory documentation and reporting. Proper management of these residuals is essential to maintaining efficient plant operations, preventing excessive solids accumulation, and ensuring continued regulatory compliance. To maintain these services at both facilities, the City issued a Request for Proposals (RFP) for Residuals Management Services on September 3rd, 2026.

Review

Three companies initially expressed interest in the solicitation; however, EMA Resources, Inc. was the only firm to submit a proposal. Synagro provided formal notification of its decision not to bid. City staff reviewed EMA's proposal and determined that it met all requirements outlined in the RFP.
EMA has provided residuals management services for the City of Shelby for more than five years and has established a strong working relationship with City staff during that time. Throughout this partnership, EMA has demonstrated its ability to reliably perform the required services while maintaining an understanding of the

operational needs of both treatment facilities. Based on the firm's experience, satisfactory past performance, and responsive proposal, City staff are confident in EMA's ability to continue providing these services and recommend moving forward with the contract award.

Recommendation

City staff recommend that the Shelby City Council approve the resolution awarding the Residuals Management Services Contract for the Wastewater Treatment Plant and Water Treatment Plant to EMA Resources, Inc.

Please advise if you have any questions or need additional information.

Attachments:

- RFP Advertisement
- EMA Resources Inc Proposal
- Synagro No Bid Letter



Request for Proposal # 2026-001
Residuals Management Services

Due Date: September 29th, 2026
Time: 3:00 PM
Receipt Location: George Clay Utilities Operations Center
824 W Grover Street
Shelby, NC 28152

Pre-Submittal Site Visit: September 15th, 2026

Contact Name: Brad Greene
Title: Water Resources Operations Manager
E-mail: brad.greene@cityofshelby.com
Telephone: 980-295-9614

Contents

2 Submittal Deadline and Addendum Information 3
2.1 PROPOSAL SUBMISSION DEADLINE 3
2.2 PRE-SUBMITTAL SITE VISIT 3
2.3 PROPOSAL QUESTIONS 4
2.4 ADDENDUM 4

3 PURPOSE 4
3.1 INTRODUCTION 4

4 BACKGROUND 5
4.1 INTRODUCTION OF TREATMENT PLANTS 5
4.2 VOLUMES and CHARACTERISTICS OF RESIDUALS 5

5 SCOPE OF WORK 6
5.1 INTENT 6
5.2 SUMMARY OF SERVICES 7
5.3 PLANNING AND ADMINISTRATION 7
5.4 TECHNOLOGIES AND MANAGEMENT PRACTICES 8
5.5 USE & MAINTENANCE OF EQUIPMENT & FACILITIES 8
5.6 CLASS B BIOSOLIDS PERMITTING & LAND ACQUISITION 8
5.7 EQUIPMENT 8
5.8 STORAGE OF DEWATERED CLASS B BIOSOLIDS 10
5.9 REMOVAL AND TRANSPORT OF RESIDUALS 10
5.10 RESIDUALS REMOVAL DOCUMENTATION 11
5.11 MONITORING, RECORD KEEPING, AND REPORTING 12
5.12 SOIL SAMPLING AND ANALYSIS 12
5.13 USE OF SUBCONTRACTORS 12
5.14 CLASS B BIOSOLIDS AND CLASS A WATER TREATMENT RESIDUALS PRODUCT QUALITY AND QUALITY IMPROVEMENT PROGRAM 12
5.15 PUBLIC ACCEPTANCE PROGRAM 12
5.16 SPILL CONTROL AND CLEAN-UP PROCESS 12
5.17 SAFETY PROGRAM 13
5.18 ADDITIONAL SERVICES 13
5.19 INSPECTION RIGHTS 13
5.20 CONTINGENCY PLANS 13

6 CITY RESPONSIBILITIES AND DUTIES 13

7 DETAILED SUBMITTAL REQUIREMENTS 14
7.1 PROPOSAL FORMAT 14

8 EVALUATION CRITERIA 16
8.1 EVALUATION OF PROPOSALS 16
8.2 AWARD PROCEDURES 16
8.3 AWARD 17

9 GENERAL CONDITIONS AND REQUIREMENTS 17
9.1 TERMS AND CONDITIONS 17
9.2 SUB-CONTRACTOR/PARTNER DISCLOSURE 17
9.3 MODIFICATION OR WITHDRAWAL OF PROPOSAL 17
9.4 EQUAL EMPLOYMENT OPPORTUNITY 18
9.5 LICENSES 18
9.6 E-VERIFY 18

10 APPENDIX A - PRICING FORM 19

11 APPENDIX B - PROPOSAL SUBMISSION FORM 20

12 APPENDIX C – ADDENDUM RECEIPT AND ANTI-COLLUSION 21

13 APPENDIX D - FORM OF CONTRACT 22

2 Submittal Deadline and Addendum Information

2.1 PROPOSAL SUBMISSION DEADLINE

Submittals shall be sealed and labeled on the outside "RFP# 2026-001 Residuals Management Services". RFPs are to be received by the City of Shelby Water Resources Department by **3:00 PM on September 29th, 2026.**

Mail or hand-deliver submission packets to:

City of Shelby
George Clay Operations Center
824 West Grover Street
Shelby, NC 28152
Attention: Brian Wilson Director of Water Resources

The proposal must be submitted in printed form; one (1) original printed (marked "ORIGINAL COPY") plus five (5) printed hard copies of the proposal must be submitted. The original proposal package must have original signatures and must be signed by a person who is authorized to bind the proposing firm. All additional proposal sets may contain photocopies of the original package.

Electronic (email) or facsimile submissions will not be accepted.

There is no expressed or implied obligation for the City of Shelby to reimburse firms for any expenses incurred in preparing proposals in response to this request.

City of Shelby reserves the right to reject any or all proposals or to select the proposal, which in its opinion, is in the best interest of the City.

2.2 PRE-SUBMITTAL SITE VISIT

A pre-submittal site visit is allowed on the date and location listed below. A visit is not mandatory, but bidders are highly encouraged to visit to ensure a full understanding of the City's needs.

DATE:	September 15th, 2026
TIME:	Please schedule a time with Jody Black, at jody.black@cityofshelby.com
LOCATION 1:	First Broad WWTP 1940 S Lafayette Street Shelby, NC 28152
LOCATION 2:	City of Shelby WTP 801 West Grover Street Shelby, NC 28150

2.3 PROPOSAL QUESTIONS

Proposal questions will be due on **September 17th, 2026, at 4 pm EST**. The primary purpose of this is to provide participating firms with the opportunity to ask questions, in writing, related to the RFP. The City may respond with an addendum within five (5) business days.

Submit questions by e-mail to Brad Greene at **brad.greene@cityofshelby.com by the deadlines shown above.** The email should identify the RFP number and project title. All questions and answers may be posted as addenda on www.cityofshelby.com.

2.4 ADDENDUM

City may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum.

Should a vendor find discrepancies or omissions in this RFP or any other documents provided by City, the vendor should immediately notify the city of such potential discrepancy in writing via e-mail as noted above.

Any addendum to these documents shall be issued in writing. No oral statements, explanations, or commitments by anyone shall be of effect unless incorporated in the written addendum. Receipt of Addendum shall be acknowledged by the Contractor on Appendix C, Addendum Receipt and Anti-Collusion form.

3 PURPOSE

3.1 INTRODUCTION

The City of Shelby (hereafter the "City"), through its Water Resources Department, is soliciting proposals from qualified contractors to provide residuals management services (hereafter, Residuals Services) for the First Broad Wastewater Treatment Plant (FBWWTP) and the City's Water Treatment Plant (WTP).

Solicited services include the beneficial reuse or lawful disposal of treatment plant residuals, including hauling, testing, permitting support, transportation, and land application of Class B Biosolids produced at the First Broad Wastewater Treatment Plant and Class A Water Treatment Residuals produced at the City of Shelby Water Treatment Plant. Work shall comply with all applicable federal, state, and local laws, regulations, permits, and approvals.

The successful Proposer will be required to execute the Form of Contract furnished as Appendix D. This RFP, all addenda, the completed Pricing Form, and the accepted portions of the successful Proposer's proposal will be incorporated into the Contract. Any exception requested to the Form of Contract must be clearly identified in the proposal; failure to identify an exception constitutes acceptance of the Form of Contract.

4 BACKGROUND

4.1 INTRODUCTION OF TREATMENT PLANTS

CITY OF SHELBY WATER TREATMENT PLANT

The City of Shelby owns and operates a 12-MGD Water Treatment Plant (WTP) located at 801 West Grover Street on the west side of Shelby. The plant was originally constructed in the 1950s and has been upgraded and expanded several times. WTP is a conventional water plant with rapid-mix flocculation, sedimentation (with tube settlers), dual media filtration and chlorine disinfection.

Alum is used for flocculation/sedimentation process and solids are removed from the treatment process through sedimentation basin cleaning and filter washes. These solids are discharged into two-(2) 750,000-gal clay lined lagoons.

These solids are managed under the City's Class A residuals land application permit and may be land applied. Solids may also be dewatered through mechanical means or air drying and lawfully landfilled or land applied.

FIRST BROAD WASTEWATER TREATMENT PLANT

The City of Shelby owns and operates a 6.0 MGD Wastewater Treatment Plant (WWTP) located at 1940 South Lafayette Street on the south side of Shelby. The plant was originally constructed in the 1960s and has been upgraded several times since. The liquid treatment process includes influent screening with a fine rotating drum screen, Pista Grit System, primary clarification, biological treatment in an activated sludge process configured to operate as a Modified Ludzack-Ettinger (MLE) process for enhanced nitrification and partial denitrification, secondary clarification, chlorine disinfection, and reaeration. Waste Activated Sludge is thickened through a circular gravity thickener. Primary and waste activated solids are treated by Anaerobic Digestion, dewatered and stored in a covered storage area that is 7,000 square feet. It is estimated that City has 90-days of storage at 6 MGD biosolids production rates. This is based on 20% solids.

These biosolids conform to regulations promulgated by the U.S. Environmental Protection Agency (EPA), as codified in 40 CFR Part 503, including the regulations for Class B pathogens, for Class B biosolids. The City of Shelby also has the capability to accept biosolids produced at the Town of Boiling Springs WWTP in the event of an emergency. These solids would be transported to the First Broad WWTP and introduced into the solid's treatment process.

4.2 VOLUMES and CHARACTERISTICS OF RESIDUALS

WATER PLANT

Type and Condition:

The residuals removed from the water treatment process will be managed primarily through land application under the City's Class A residuals land application permit. Residuals may also be mechanically removed, air dried, and transported to an approved landfill when directed by City and when performed in compliance with applicable law.

Quantity:

In the past solids have been mechanically removed by equipment and allowed to air dry before disposal in the local landfill. The local landfill has capped the number of dry tons per week; therefore, City is anticipating solids application of 500 to 1,300 dry tons per year at twenty percent to sixty percent (20-60%) solids. These production rates are based on historical data since 2020, and these volumes are dependent on surface water turbidity conditions of the City's water supply. The City of Shelby WTP has an annual permit limit of dry tons max of 3,000.

WASTEWATER TREATMENT PLANT

Type and Condition:

The normal product is anaerobically digested biosolids meeting EPA Part 503 and applicable NCDEQ requirements for Class B Biosolids. Dewatered material from the First Broad WWTP has historically averaged approximately 20.52 percent total solids.

Quantity:

The following are quantities of dewatered Class B Biosolids that are for the First Broad WWTP. These production rates are based on historical data since the startup of the anerobic digestors. First Broad WWTP has an annual permit limit of dry tons max of 1,226.

ANNUAL VOLUMES PROJECTED	
City of Shelby - First Broad WWTP	700 dry tons
Town of Boiling Springs	26 dry tons
Total	726 dry tons

Note: City does not guarantee the estimated quantities or percent solids produced during the contract period, these quantities could be more or less than the quantities shown.

5 SCOPE OF WORK

5.1 INTENT

First Broad WWTP

Class B Biosolids produced at the First Broad WWTP are dewatered for removal and land application in accordance with First Broad WWTP's permit from the State.

First Broad WWTP desires to have liquid Class B Biosolids removed and transported from the First Broad WWTP primarily as a dewatered Class B Biosolids to permitted land for beneficial reuse. City currently has 586.37 permitted acres for use as Class B and Class A land application sites. All current permitted land application sites are within 20 miles of the First Broad WWTP and the City of Shelby WTP.

As a back-up for potential dewatering issues, bids shall provide a price for liquid applications as well. City has a draw offline for removal of the solids from the sludge holding tank. Contractor shall provide pump and loading stand for loading of tanker trucks.

Contractor is responsible for testing as herein described. Contractor shall also be responsible for: biosolids hauling; adhering to all State permitting processes; landowner contact; and compliance with any federal and State permit requirements regarding land application. City may direct Contractor to haul dewatered biosolids to approved landfills if needed.

City of Shelby WTP

Contractor is responsible for certain testing as herein described, residuals hauling, State permitting process, landowner contact, and compliance with federal and State permit requirements regarding land application. City may direct Contractor to haul dewatered residuals to approved landfills if needed.

5.2 SUMMARY OF SERVICES

Contractor shall furnish all labor, materials, equipment, licenses, approvals, landowner agreements, sampling, documentation, and permit-support services required to remove, transport, beneficially reuse, and otherwise manage the City's Class B Biosolids and Class A Water Treatment Residuals. City will remain the permittee for City-held land application permits. Contractor shall not commence work until it has furnished evidence of all contractor-held permits, licenses, insurance, and approvals required for its work. Within twenty-four (24) hours after occurrence, Contractor shall provide City written notice of any violation or noncompliance involving Contractor's permit, City's permit, or Contractor's management of City residuals.

5.3 PLANNING AND ADMINISTRATION

Contractor shall conduct short and long-term planning efforts in conjunction with City to assure there are reliable methods and resources available for residuals management. Contractor shall perform the following services related to the management of the First Broad WWTP's Class B Biosolids and the City of Shelby WTP Class A Water Treatment Residuals: monitoring and evaluating local, regional, state and federal laws, rules and policy changes, including making necessary changes to the management of Class B Biosolids and Class A Water Treatment Residuals based upon such changes in law and policy; assisting City in improving the quality of its products and reuse program; enhancing public acceptance of the Class B Biosolids and Class A Water Treatment Residuals and the management of such Class B Biosolids and Class A Water Treatment Residuals; and utilizing creative means of quality; cost effective management of First Broad WWTP's Class B Biosolids and City of Shelby WTP Class A Water Treatment Residuals

Contractor shall supply the following information prior to beginning services, and again, whenever such information changes, or when requested by City:

a) List of equipment, type and number to be used,
b) An outline of procedures to be used by the Contractor,
c) A plan of operation detailing the methods of removal, and
d) The emergency spill control plan described in 6.15 below.

5.4 TECHNOLOGIES AND MANAGEMENT PRACTICES

Contractor shall apply beneficial use technologies and/or management practices that will enhance the Management of City's residuals. Contractor shall use only proven technologies that are consistent with the requirements for residuals management. City may request Contractor to remove, transport, and dispose of biosolids produced at the City's facilities in a manner other than reuse at an application site. Notwithstanding anything herein to the contrary, the final location of residuals managed by Contractor under this contract shall only be application sites unless explicitly requested otherwise in writing by First Broad WWTP or City of Shelby WTP.

5.5 USE & MAINTENANCE OF EQUIPMENT & FACILITIES

It is the responsibility of Contractor to ensure that all employees performing work are trained in the proper use and maintenance of any City facilities/equipment. It is Contractor's responsibility to be familiar with City's facilities and equipment, including pumps, holding tanks, mixers, and other applicable support equipment that may be encountered in the management of residuals for City. Contractors shall not use any City owned equipment without authorization and training by City. All equipment/facilities shall be operated in a safe and workmanlike manner using due care with respect to such equipment.

5.6 CLASS B BIOSOLIDS PERMITTING & LAND ACQUISITION

Contractor shall identify sufficient land application acreage, obtain landowner agreements, conduct required testing and site analyses, and prepare all applications and amendments necessary to add or delete sites under City's permits. Contractor shall submit all permit documents to City for review and execution by City as permittee. No application site may be used until approved by City and NCDEQ, as applicable.

Contractor shall provide City copies of all vicinity, soil, aerial, application-area, and topographic maps for proposed application sites. All land and application sites acquired by Contractor for application of City residuals shall be approved under City's applicable permit and shall not be used for residuals from other generators without City's prior written approval. Contractor shall also use previously permitted City acreage to the extent it remains suitable and authorized.

Contractor shall be responsible for maintaining all appropriate records specified in the permits. The Contractor shall prepare the annual reports required in the permits, and the annual reports required by 40 CFR 503 and any other state or federal regulations. The reports shall be submitted to the City at least ten (10) business days prior to the specified due date of the respective government agency.

5.7 EQUIPMENT

(a) Contractor will provide loader and operator for loading Class B Biosolids at the First Broad WWTP and Class A Water Treatment Residuals at the City of Shelby WTP

(b) If Class B liquid application is needed, Contractor shall provide pump/hose/loading stand necessary for loading tanker trucks. City's biosolids holding tank includes a pump pipe connection directly from the tank for loading.

(c) contractor shall secure, maintain, and ensure transport vehicles and other equipment necessary for the transport and application of residuals reuse at application sites. Contractor shall ensure that all equipment used for such purposes is operated safely and that such equipment, and use thereof, complies with all applicable law, as well as City's Safety Policy and Procedures. Furthermore, all such equipment shall always be clean and provide a positive public image. All equipment used shall be equipped and maintained to prevent leakage, spillage, and/or overflow. Contractor shall provide City a detailed equipment list to include number and type of units that will be utilized for the management of City's residuals.

(d) Liquid residuals must include DOT-approved sealed volume-certified tanker trailers with six inch (6") quick disconnects capable of safely transporting slurries of one to eight percent (1%-8%) total solids in accordance with applicable law. All necessary truck tractors which are part of Transport Vehicles and required to safely transport tanker trailers, must be provided by Contractor. All tanker trailers will be numbered, which numbers shall be noted on the daily Trip Tickets. In addition, all Transport Vehicles shall be marked with all required DOT placards, as well as Contractor's name and telephone number. All tractors and tanker trailers must be equipped with spill guards and mud flaps. Contractor is responsible for ensuring all DOT weight requirements, as well as other requirements of applicable law, are met related to transport vehicles.

(e) Dewatered residuals transport vehicles must include either side dump trailers or end dump trailers with leak proof tailgates. Trucks and trailers must meet all state and local regulations. Open trucks must be covered with a tarpaulin or similar device as necessary to prevent windblown removal of material during transport and to contain odors when trailers are stored at the plant site between loading and transport. Roll-off dumpsters are not permissible; trailers must have pneumatic wheels. The capacity will be certified by an independent agency capable of performing such certifications, and Contractor shall furnish City a copy of said certification prior to use. All trailers will be numbered, which numbers shall be noted on the daily trip tickets. In addition, all transport vehicles shall be marked with all required DOT placards, as well as Contractor's name and telephone number. All tractors and tanker trailers must be equipped with spill guards and mud flaps. Contractor is responsible for ensuring all DOT weight requirements, as well as other requirements of applicable laws, are met related to transport vehicles.

(f) All tanker trailers which are part of the transport vehicles used to transport liquid residuals/biosolids shall be calibrated before initial use. If a tanker trailer was previously used, and is part of a transport vehicle, a calibration record verifying tanker trailer capacity shall be submitted. City has the right, but not the duty, to inspect any transport vehicle to ensure it is filled to its proper volume at any time.

(g) All equipment necessary to properly apply all residuals to application sites, including application of Class A Water Treatment Residuals/biosolids slurries and Class A Water Treatment Residuals/biosolids cake at proper application rates as approved by NCDEQ and all other applicable laws. Land application equipment that minimizes soil compaction and damages the application sites.

(h) All liquid residuals shall be applied using calibrated vacuum pressure equipped spreaders. Liquid application equipment shall be capable of delivering uniform and accurate application rates with respect to both hydraulic and nutrient loading rates.

(i) All residuals application equipment shall be calibrated by Contractor annually, or upon request by City. Contractor shall submit the calibration procedure and the calibration records of all application equipment to City.

5.8 STORAGE OF DEWATERED CLASS B BIOSOLIDS

The quantity of Class B Biosolids or Class A Water Treatment Residuals stored at any time shall not exceed the capacity for which the storage facility (or facilities) is (are) permitted. Failure to comply with this condition is a contract violation for which the contract may be terminated.

Under no circumstance shall the Class B Biosolids or Class A Water Treatment Residuals be discharged at any site or location other than the areas designated by the Contractor and approved by City in accordance with the Contract and all applicable laws and regulations.

5.9 REMOVAL AND TRANSPORT OF RESIDUALS

Contractor shall be responsible for the following requirements for removal, transport, and application of all Class B Biosolids and Class A Water Treatment Residuals as it relates to those facets of the management of such Class B Biosolids and Class A Water Treatment Residuals:

a. All removal, transport, and application of residuals shall occur during First Broad WWTP and City of Shelby WTP normal working hours, Monday through Friday, 7:30 a.m. to 4 p.m., excluding City observed holidays, provided, however, that City may in its sole discretion direct or give permission to Contractor to transport or apply residuals outside of these specified working hours.

b. Contractor shall coordinate residuals application with City's Plant Operations Superintendent or their representative and shall develop a schedule no later than thirty (30) days prior to application events. Contractor shall supply the transportation and application schedule for residuals to the Plant Operations Superintendent or their representative. Changes in these schedules will be communicated immediately, and a rescheduling date will be coordinated at that time. All schedule changes must be approved by City.

c. Contractor shall communicate with City's Plant Operations Superintendent or their representative to confirm daily activities and plans for any application event involving City's residuals. City has the right to cancel an application event at any time if, in its sole discretion, City determines that concerns have arisen over application site conditions, changes in weather that will promote run-off, and/or public concerns.

d. Dewatered Class B Biosolids and dewatered Class A Water Treatment Residuals shall be invoiced by cubic yard. Liquid residuals shall be invoiced by gallon. Billable quantities shall be supported by daily Trip Tickets and certified vehicle or trailer capacities. Contractor shall provide calibration and capacity records before use and upon request. Dry-ton quantities required for regulatory reporting shall be calculated using a City-approved method based on measured volume or weight and representative solids analysis.

e. Contractor's field personnel shall be knowledgeable of all applicable laws, site management requirements, and best practices for the management of Biosolids/Residuals. Contractor's field personnel shall receive continuing education in Biosolids/Residuals management to keep up to date on all changes in practices and applicable laws. All field managers shall be licensed or certified biosolids operators.

f. No Class B Biosolids or Class A Water Treatment Residuals shall be applied to any land not duly or properly permitted or approved by NCDEQ and any other required agencies under applicable law. It shall be the sole responsibility of Contractor to ensure that its biosolids operators know the boundaries of the Application Sites and the proper procedures and practices for land applying Class B Biosolids and Class A Water Treatment Residuals. In addition, buffer area markers shall be placed on the Application Sites and all necessary site notices shall be posted on Class B Biosolids and Class A Water Treatment Residuals Application Sites as required by permit. Likewise, Contractor shall ensure all work areas and field entry and exit roads remain clean and well-marked for traffic purposes. Application events will adhere to all requirements of the First Broad WWTP and City of Shelby WTP permit issued by NCDEQ for the Application Site.

g. Any failure by Contractor to provide transportation and application of residuals in the manner expected shall result in a charge for the actual costs incurred by the City to remove and apply said residuals.

5.10 RESIDUALS REMOVAL DOCUMENTATION

Residuals removed by Contractor shall be documented on a daily Trip Ticket. The daily Trip Ticket will serve as the transport manifest and support invoice documentation. Each daily Trip Ticket shall accompany the driver during transport from the applicable City treatment plant to the approved application site or disposal facility.

Trip Ticket shall include at a minimum:

(a) Facility from which the biosolids/residuals were removed, along with the volume and/or mass of residuals removed;

(b) A description of the residuals (liquid or cake); Identification of the Transport Vehicle, as well as the Transport Vehicle number;

(c) Transport Vehicle driver's name and signature;

(d) Location and/or Application Site ID Number where residuals were applied;

(e) Date and time of residuals removal and application;

(f) Name and signature of field supervisor;

(g) Beginning and ending mileage of each Transport Vehicle; and

(h) Any other information required by applicable law. Trip Tickets shall be provided to City at the end of each hauling event.

A monthly summary report summarizing the quantities of residuals removed from each City facility, the Application Site at which such residuals were applied, and the method of application shall be furnished.

5.11 MONITORING, RECORD KEEPING, AND REPORTING

Contractor shall develop an appropriate monitoring, record keeping, and reporting program to demonstrate compliance with all local, state, regional and federal compliance requirements, and other applicable laws, in Contractor's management of residuals. Contractor shall be responsible for determining and tracking proper nutrient and metal application rates for residuals and shall provide quarterly site information to City.

5.12 SOIL SAMPLING AND ANALYSIS

Contractor shall provide all nutrient, metal and pollutant sampling at the frequency that is required by land application permits. Contractor shall use these results to calculate the appropriate application rate according to crop agronomic needs. An annual Toxicity Leaching Characteristic Procedure (TCLP) with polychlorinated biphenyls (PCBs) and Reactivity and Corrosivity Ignitability (RCI) will be performed by Contractor, with results provided to City. Contractor shall also be responsible for all soil sampling required by the North Carolina land application permit at respective application sites. All sampling activities, whether for residuals or soils, will adhere to North Carolina state sampling requirements, as well as other applicable laws.

5.13 USE OF SUBCONTRACTORS

Contractor shall not assign this Contract. Contractor may use a subcontractor only after providing written disclosure and receiving City's prior written approval. Contractor remains solely responsible for all services, acts, omissions, insurance, permit compliance, and performance of every approved subcontractor. Approval of a subcontractor does not create any contractual relationship between City and the subcontractor.

5.14 CLASS B BIOSOLIDS AND CLASS A WATER TREATMENT RESIDUALS PRODUCT QUALITY AND QUALITY IMPROVEMENT PROGRAM

Contractor shall assist First Broad WWTP and City of Shelby WTP in its goal of providing quality Class B Biosolids and Class A Water Treatment Residuals at all times and continuously seeking methods of improving the quality of First Broad WWTP Class B Biosolids and City of Shelby Class A Water Treatment Residuals by suggesting ways of improving the efficiency of producing, processing, removing, transporting, and applying all Class B Biosolids and Class A Water Treatment Residuals.

5.15 PUBLIC ACCEPTANCE PROGRAM

Contractor shall, at City's request, assist in efforts to promote public acceptance of residuals beneficial reuse practices. Activities may include field demonstrations, training, plant and field tours, community outreach, research, and user education. Contractor shall maintain professional relationships with property owners, users, adjacent owners, and the surrounding community.

5.16 SPILL CONTROL AND CLEAN-UP PROCESS

Contractor shall be responsible for the following:

a) Any spillage of residuals on City property, public or private roadways, application sites, or any other property during Contractor's management, including managing, containing, removing, cleaning, and properly disposing of the spilled material.

b) Developing and implementing a Spill Control and Clean-Up Plan and Procedure which complies with DOT, OSHA, NCDEQ, EPA and City regulations and standards, as well as other applicable laws.

c) Immediately notifying City once a spill of residuals, of any amount, has occurred. Contractor shall submit a written report describing the nature of the spill; quantity of residuals spilled; actions taken to manage, contain, remove, and clean up the spill; the environmental impact of the spill; and the preventative steps that will be taken in the future to avoid spills to City within twenty-four (24) hours of the spill.

d) All expenses incurred by Contractor and City due to any spill occurring during its management of residuals. This includes, without limitation, all expenses from all management, containment, clean-up, removal, environmental testing, remediation and disposal at a licensed site (if necessary) which may occur as a result of a spill, as well as any penalties, fines, or any other costs assigned to City issued by any governmental agency or other authority as a result of the spill.

5.17 SAFETY PROGRAM

Contractor shall certify that it has an Occupational Safety and Health Program in place and that Contractor follows OSHA and North Carolina Department of Labor standards and regulations.

5.18 ADDITIONAL SERVICES

City may request additional services related to residuals management, including digester cleaning, lagoon cleaning, or dewatering. These services are outside the base scope and may be performed only after City issues a written, pre-audited amendment or purchase order establishing the scope, price, and schedule. City may obtain such services from another contractor.

5.19 INSPECTION RIGHTS

Contractor shall allow and assist in the inspection of its activities by City. All land application sites and vehicles used by Contractor must be available for inspection by City personnel at any time requested by City.

5.20 CONTINGENCY PLANS

Contractor shall provide a written plan of contingency capabilities. In the event of natural disasters, emergency operations, equipment failure or other failures beyond Contractor’s reasonable control, Contractor must provide a list of alternative removal capabilities in the event land application sites are unusable/unavailable.

6 CITY RESPONSIBILITIES AND DUTIES

The responsibilities and duties of City of Shelby, as performed by City, shall be the following:

(a) Operate all City owned solids processing units including thickeners, digesters, holding tanks, and belt filter presses;

(b) Ensure that all Class B Biosolids generated meet the Standards for the Use or Disposal of Sewage Sludge pursuant to 40 CFR 503 and NCDEQ Metal, Pathogen, and Vector requirements for beneficial reuse prior to removal, transport, and application by Contractor;

(c) Maintain all Class B Biosolids and Class A Water Treatment Residuals storage facilities;

(d) Notify Contractor when the amount of Class B Biosolids stored reaches forty to fifty percent (40% - 50%) of storage capacity at the First Broad WWTP. The schedule for removing dewatered Class B Biosolids shall be coordinated between Plant Operations Superintendent or their representative and Contractor based on equipment provided and available staging area; and

(e) Provide Plant Operations Superintendent or their representative to serve as point of contact for Contractor regarding land application of Class B Biosolids and Class A Water Treatment Residuals.

7 DETAILED SUBMITTAL REQUIREMENTS

7.1 PROPOSAL FORMAT

Contractors should prepare their proposals in accordance with the instructions outlined in this section. Each Contractor is required to submit the proposal in a sealed package. Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Contractor's capabilities to satisfy the requirements of the RFP. Utmost attention should be given to accuracy, completeness, and clarity of content. All parts, pages, figures, or tables should be numbered and clearly labeled. Response information should be limited to pertinent information only.

The submitted proposal should be a maximum of twenty (20) pages in length, 12-point font (excluding cover, title sheets, dividers, etc.) The proposal shall provide the following information and be in the following format:

- **Tab A** for Cover Letter / Executive Summary;
- **Tab B** for Project Performance & References;
- **Tab C** for Personnel Qualifications & Experience;
- **Tab D** for Equipment;
- **Tab E** for Proposed Pricing; and
- **Tab F** for Required Signature Forms.

Omissions and incomplete answers will be deemed unresponsive. Please initial all corrections.

A. Cover Letter / Executive Summary

An executive Summary shall provide the name, address, and telephone numbers for Contractor along with the name, title, address, telephone numbers, and e-mail address of the executive that has the authority to contract with City. The summary must be signed by an individual authorized to

contractually bind the firm and include an expression of the firm's ability and desire to meet the requirements of this Request for Proposal (RFP). The Executive Summary should not exceed two (2) pages.

Each Contractor shall make the following representation and warranty in the cover letter/executive summary, the falsity of which might result in rejection of its proposal: "*The information contained in this proposal or any part thereof, including any exhibits, schedules, and other documents and instruments delivered or to be delivered to the City, is true, accurate, and complete. This proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead City as to any material facts.*

The undersigned is authorized to submit this Proposal on behalf of _____ in response to RFP #2026-001 and all addenda. This Proposal remains valid for 120 calendar days after the due date. The Proposer accepts Appendix D except for stated exceptions accepted by City in writing.

B. Project Performance & References

Contractor shall have at least five (5) similar biosolids management contracts, for land application and associated services contracts within the past ten (10) years for public sector utilities. Include projects that are most similar in scope and volume. Provide information on each project including the following:

i. Project Manager
ii. Project and Facility Name, Location, and Owner
iii. Contract Dates (include Notice to Proceed, Contractual Completion, and Actual Completion)
iv. Description of Contract
v. References

C. Personnel Qualifications & Experience

The Contractor shall designate a project manager and technicians that shall have experience on projects of similar size and scope. The following qualifications will also be considered in this evaluation:

i. Show the applicant's corporate organizational chart and provide number of employees. Emphasize running projects of similar size.

ii. Licensed Land Applicator and Operator with the State of North Carolina.

D. Equipment

List all owned equipment for the use of biosolids hauling, spreading, and disposal.

E. Pricing Form

Submit Appendix A – Pricing Form

F. Required Signature Forms

Contractors should include signed copies of the following documents:

- Proposal Submission Form, Appendix B
- Addendum Receipt and Anti-Collusion Form, Appendix C

- Written identification of any requested exceptions to Appendix D - Form of Contract (if any)
- W-9 Form (Contractor supplied)

8 EVALUATION CRITERIA

8.1 EVALUATION OF PROPOSALS

City reserves the right to determine the suitability of proposals based on a proposal satisfying administrative requirements and technical requirements; the evaluation committee assessment of the quality, performance of the services proposed; and cost.

Evaluation Committee will select based on criteria listed below (no order) and other relevant RFP information. Evaluation factors will include, but are not limited to, the following:

- Demonstrated ability to provide the services,
- References
- Price/Cost
- Compliance with the information listed in the RFP

8.2 AWARD PROCEDURES

The award shall be made in the best interest of City based on the evaluation criteria and the complete procurement record. City reserves the right to accept or reject any or all proposals, waive immaterial informalities, request clarification, conduct interviews or presentations, negotiate with one or more Proposers, and award without discussions. Because City may award based on initial proposals, each Proposer should submit its best technical and pricing offer.

The commencement of such discussions, however, does not signify a commitment by City to execute a contract or to continue discussions. City may terminate discussions at any time and for any reason.

A proposal may be rejected if it is incomplete. City may reject any or all proposals and may waive any immaterial deviation in a proposal.

As City may award a contract based on the initial offer, a bidder should make its initial offer on the most favorable terms available. City reserves the right, however, to have discussions with those bidders falling within a competitive range, and to request revised pricing offers from them and to make an award or conduct negotiations thereafter.

City may select and enter negotiations with the next most advantageous Contractor if negotiations with the initially chosen Contractor are not successful.

Following selection, City intends to enter into Appendix D - Form of Contract with the successful Proposer. No contract exists until the Contract is fully executed by both parties and pre-audited as required by North Carolina law.

8.3 AWARD

The initial Contract term shall be five (5) years beginning on the Effective Date. City may exercise up to two (2) successive one-year renewal options by written notice at least sixty (60) days before the end of the then-current term. Unit prices and any adjustments shall be governed exclusively by Appendix A and the Contract. Quantities are indefinite and may be more or less than the estimates provided; City does not guarantee a minimum quantity.

City intends to make one aggregate award to a single prime Contractor responsible for the complete scope of services.

City shall review the terms and conditions and confirm performance under this contract has been satisfactory. However, City reserves the right to terminate the Contract or to allow the Contract period to elapse.

The parties agree that the contract for services may be terminated by City upon providing ninety (90) days' written notice.

9 GENERAL CONDITIONS AND REQUIREMENTS

9.1 TERMS AND CONDITIONS

All proposals submitted in response to this request shall become the property of the City and as such, may be subject to public review.

City has the right to reject any or all proposals, to engage in further negotiations with any firm submitting a proposal, and/or to request additional information or clarification. The city is not obligated to accept the lowest cost proposal. The City may accept that proposal that best serves its needs, as determined by City officials in their sole discretion.

9.2 SUB-CONTRACTOR/PARTNER DISCLOSURE

Proposers shall disclose every proposed subcontractor, partner, and third-party service provider, together with the work each will perform. Use of a subcontractor is subject to City's prior written approval, and the successful Proposer will remain solely responsible for all work and compliance.

9.3 MODIFICATION OR WITHDRAWAL OF PROPOSAL

Prior to the scheduled closing time for receiving proposals, any Contractor may withdraw its proposal. Only written requests for the modification or correction of a previously submitted proposal that are addressed in the same manner as proposals and are received by the city prior to the closing time for receiving proposals will be accepted. The proposal will be corrected in accordance with such written requests, provided that any such written request is in a sealed envelope that is plainly marked "Modification of Proposal – "2026-001 Residuals Management Services". Oral, telephone, or fax modifications or corrections will not be recognized or considered.

9.4 EQUAL EMPLOYMENT OPPORTUNITY

All Firms will be required to follow Federal Equal Employment Opportunity (EEO) policies. City of Shelby will affirmatively assure that on any project constructed pursuant to this advertisement, equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age.

9.5 LICENSES

The successful Contractor(s) shall have and maintain a valid and appropriate business license (if applicable), meet all local, state, and federal codes, and have current all required local, state, and federal licenses.

9.6 E-VERIFY

E-Verify is the federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program, used to verify the work authorization of newly hired employees pursuant to federal law. Contractor shall ensure that Contractor and any Subcontractor performing work under this contract: (i) uses E-Verify if required to do so; and (ii) otherwise complies with applicable law.

CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

10 APPENDIX A - PRICING FORM

RFP # 2026-001

Residuals Management Services

Service Description	**Unit**	**Unit Price**
Transportation and Land Application of Liquid Class A Water Treatment Residuals	$/gal	$
Transportation and Land Application of Liquid Class B Biosolids	$/gal	$
Transportation and Land Application of Dewatered Class B Biosolids	$/cubic yard	$
Transportation and Land Application of Dewatered Class A Water Treatment	$/cubic yard	$
Loading of Class B Biosolids and Class A Water Treatment Residuals	$/cubic yard	$
Additional Fees		
Biosolids Analysis TCLP with PCB's and RCI's, and Nutrients and Metals		INCLUDED ABOVE[1]
Soils Analysis with pH adjustment recommendations		INCLUDED ABOVE[1]
Agricultural Lime Application	Cost plus	%
Permitting	$/acre	$

'Land application rates shall include all residual and field analyses required by the applicable land application permit(s).

Pricing Adjustments: Unit prices shall remain firm for the first twelve (12) months of the Contract. Thereafter, Contractor may request one price adjustment per Contract year by providing at least sixty (60) days' written notice and supporting calculations. Any increase may not exceed the lesser of five percent (5%) or the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, not seasonally adjusted, for the most recent twelve-month period published by the U.S. Bureau of Labor Statistics. No fuel surcharge, material-cost increase, or other escalation will apply unless approved in a written, pre-audited amendment. City may reject or negotiate a requested adjustment.

11 APPENDIX B - PROPOSAL SUBMISSION FORM

RFP # 2026-001

Residuals Management Services

This Proposal is submitted by:

Contractor Name: _____

Representative (printed):_____

Representative (**signed**):_____

Address: _____

_____

City/State/Zip:_____

E-Mail Address:_____

Telephone:_____
(Area Code) Telephone Number

(Area Code) Fax Number

It is understood that City reserves the right to reject any and all Proposals, make an award in City's best interest, waive immaterial informalities, and cancel and reissue this RFP. This Proposal is valid for one hundred twenty (120) calendar days from the Proposal due date. If selected, the Proposer agrees to execute Appendix D - Form of Contract, subject only to exceptions disclosed in the Proposal and accepted by City in writing.

The Certificate of Insurance and W-9 must be received before any work is performed.

_____ _____
Contractor Date

_____ _____
Authorized Signature Please type or print name

12 APPENDIX C – ADDENDUM RECEIPT AND ANTI-COLLUSION

RFP # 2026-001

Residuals Management Services

Please acknowledge receipt of all addenda by including this form with your Proposal. Any questions or changes received will be posted as an addendum on www.cityofshelby.com. It is your responsibility to check this information.

ADDENDUM #	DATE ADDENDUM DOWNLOADED

I certify that this proposal is made in good faith and without collusion with any other offeror or officer or employee of the City of Shelby.

(Please Print Name) Date

Authorized Signature

Title

E-Mail Address

Company Name

13 APPENDIX D - FORM OF CONTRACT

The Form of Contract for Residuals Management Services is provided as a separate attachment to this RFP and is incorporated herein by reference. Proposers shall review the Form of Contract and identify any requested exceptions in their proposals.

Failure to identify a requested exception constitutes acceptance of the Form of Contract as issued, including any modifications made by addendum.

EMA Resources, Inc.

September 29, 2026

City of Shelby, NC
George Clay Operations Center
Attn: Brian Wilson, Director of Water Resources
824 West Grover Street
Shelby, NC 28152

RE: Request for Proposal #2026-001
Residuals Management Services

Dear Mr. Wilson:

EMA Resources, Inc. is please to submit the following proposal for the turn-key management of the City of Shelby's residuals land application program.

Your will find all information requested and formatted per your Request for Proposal #2026-001.

Erik Blankenship, President of EMA Resources, Inc. has the authority to sign/bind with a contract with the City of Shelby.

The information contained in this proposal or any part thereof, including any exhibits, schedules, and other documents and instruments delivered or to be delivered to the City, is true, accurate and complete. This proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead City as to any material facts.

The undersigned is authorized to submit this Proposal on behalf of EMA Resources, Inc. in response to RFP #2026-001 and all addenda. The Proposal remains valid for 120 calendar days after the due date. The Proposer accepts Appendix D except for stated exceptions accepted by the City in writing.

If you should have any questions concerning our proposal, you should contact Roy Whitaker at the office number listed below or on mobile 336-909-1718.

EMA Resources, Inc. looks forward to discussing our proposal further and the possibility of continuing our partnership with the City of Shelby.

Respectfully,

EMA Resources, Inc.

Roy L. Whitaker
Director Business Development/Operations

Erik Blankenship
President

Phone 336•751•1441 ~ Fax 336•751•1442
755 Yadkinville Road ~ Mocksville, NC 27028



EXECUTIVE SUMMARY

EMA Resources, Inc. is a Professional Residuals Management Firm headquartered at 755 Yadkinville Road, Mocksville, NC 27028. The office phone number is 336-751-1441 and fax number is 336-751-1442. EMA's official contact with regard to the City of Shelby's Request for Proposals is Roy Whitaker.

EMA Resources, Inc. was founded in May, 2000; by Erik Blankenship and partners. Erik grew up being involved in the residuals management industry, while working with the family business, Environmental Waste Recycling, Inc. (EWR) for over 15 years. In November of 1998, EWR was purchased by a publicly owned company. Soon after, Erik realized that, in a time when the residuals management industry had evolved toward large national providers, there was a real need for a smaller regional company.

EMA Resources, Inc.'s management staff, has over 140+ years of combined experience in every aspect of providing residuals management and land application programs for municipalities and industries throughout the Southeastern United States. The management of EMA Resources, Inc. feels strongly that there is a REAL need for a company dedicated to providing select clients with quality service, personal attention, and particular attention to operating every program within the regulatory compliance standards set by the EPA and NCDENR. It is EMA Resources' mission to remain a regional company, which is flexible, responsive, and committed to providing our select clients with the highest quality service they expect and deserve. Our industry knowledge and hands-on approach will allow us to provide innovative and cost-effective solutions to any of our clients' residuals management needs.

This vision has proven successful for EMA Resources, Inc. and our select clients. EMA Resources, Inc. has remained steadfast in our philosophy of managed growth. EMA Resources Inc. does not desire to be the biggest residuals management company; it is our desire to be the foremost residuals management service provider.

EMA Resources, Inc.

EMA Resources, Inc. provides a wide range of services in providing our municipal and industrial clients with "Turn-key" Residuals Management Programs. The following is a list of services EMA Resources, Inc. provides:

- Liquid Residuals Transportation & Land Application
- Dewatered Residuals Transportation & Land Application
- Marketing & Distribution
- All Monitoring and Reporting
- Sampling & Analysis
- Permitting Services
- Alkaline Stabilization and Certification Services
- Mobile Mechanical Dewatering Services
- Lagoon Dredging and Closure Services
- Digester Cleaning Services
- Nutrient Management Planning

EMA Resources, Inc. is planning to manage all aspects of the City of Shelby's residuals land application program internally. EMA Resources, Inc. is proposing the land application of the City of Shelby's residuals under the conditions set forth in existing permit and RFP scope of work. Operations will be similar to Durham, Asheboro and Salisbury cake land application programs.

Based upon information provided in our preproposal meeting EMA Resources, Inc. would anticipate mobilizing 4 times per year for land application operations. The storage pads at the First Broad WWTP and Shelby WTP are sufficient to accommodate this scheduling. If the City of Shelby's WWTP or WTP staff needs additional mobilizations due to unforeseen circumstances, EMA Resources, Inc. will make every effort to oblige. The key to any program's success is communication and EMA Resources, Inc. prides itself on customer service. We want every client to be a raving fan and not just another source of revenue.

Phone 336•751•1441 ~ Fax 336•751•1442
755 Yadkinville Road ~ Mocksville, NC 27028

EMA Resources, Inc.

PROPOSER EXPERIENCE

EMA Resources, Inc. has been providing turn-key residuals management services since May of 2000 to a variety of clients throughout the Carolinas. Prior to May of 2000, EMA's management staff worked for two local regional companies (AMSCO and EWR) that were purchased by a large public company. The experience obtained by the management staff prior to May of 2000 along with our current venture amount to over 140+ years of combined experience with residuals management.

EMA Resources' Roy Whitaker has over 36 years of direct experience with some of the largest cake operations in the Southeast. Those include City of Durham, NC (30,000 cubic yards/year), ADM Southport, NC (80,000 wet tons/year), City of Wilmington, NC (20,000 cubic yards/year), City of Charlotte, NC (100,000 wet tons/year), Knoxville Utilities Board (35,000 cubic yards/year), City of Asheboro, NC (10,000 cubic yards/year and including City of Salisbury, NC (10,000 cubic yards/year).

EMA Resources, Inc. has been managing the Smithfield Packing Co.- Tarheel Facility residuals since August of 2006. The programs land applies 6-8 million gallons years of anaerobically digested residuals along with managing 20,000 wet tons of DAF/WAS cake residuals through land application and the Blake Creek Energy Recovery Facility. Additionally, EMA Resources, Inc. provides residuals management services since 2008 at the Smithfield Packing Co.- Clinton Facility. EMA began 24/7 mobile dewatering operations in 2012 with delivery to a compost facility or the energy recovery facility.

EMA Resources, Inc. has been managing the City of Asheboro's 8000 cubic yards per year cake land application program since January 2015 and the City of Salisbury's 10,000 cubic yards per year since September 2018 and City of Durham's 30,000 cubic yards per year since January 2022. Additionally, EMA land applies 1500 cubic yards of WTP ferric cake residuals from Davidson Water, Inc. EMA Resources, Inc. is pleased to provide the following clients list of some our current contracts.

Phone 336•751•1441 ~ Fax 336•751•1442
755 Yadkinville Road ~ Mocksville, NC 27028

EMA Resources, Inc.

Client References

City of Gastonia, NC
25MG gal/yr., Mobile Dewatering
2,971.1 acres permitted
Stephanie Scheringer, Director
704-866-6726
Start Date: May 2003

City of Washington, NC
2,500,000 gal/yr.
1388.9 acres permitted
Hope Woolard, Director Utility
252-927-9374
Start Date: September 2006

City of Union, SC
4,000,000 gallons annually
847.5 acres permitted
Daniel Robertson, Superintendent
864-429-6349
Start Date: March 2009

Smithfield Packing Co.-Clinton
12,000 wet tons/yr.,
Landfill Energy Recovery
Austin Smith, Environmental Mgr.
910-990-0791
Start Date: March 2008

City of Asheboro, NC
8,000 cu. yds./yr. Land Application
920 acres permitted
Michael Rhoney, Dir. Water Resources
336-626-1201 Ext. 258
Start Date: January 2015

Unifi, Inc
3,000,000 gal/yr.
Class A Residuals
Lisa Haynes, Environmental Mgr.
336-348-6516
Start Date: February 2013

Johnston County, NC
6K Wet Tons/yr.. Mobile Dewatering
Transportation/Composting/Landfill
Dan Wall, Asst. Utilities Director.
919-795-1889
Start Date: May 2021

Smithfield Packing Co.-Tar Heel
8,000,000 gal/yr., 25,000 wet tons/yr.
1,412.4 acres permitted
Jacob Davis, ORC
910-987-0577
Start Date: July 2006

City of Reidsville, NC
12,MG gal/yr., Mobile Dewatering
1,016.8 acres permitted
Josh Beck, Utilities Director
336-349-1073
Start Date: January 2005

Davidson Water, Inc.
1.5 MG/yr. 1,500 cuds/ yr.
D&M Permit, Land Application
Craig Koontz, Residuals Mgr.
336-764-2534
Start Date: April 2007

City of Salisbury, NC
10,000 cu. yds./yr.
1000 acres permitted
Jason Wilson, Utilities Director
704-216-7553
Start Date: September 2018

Town of Yanceyville
2,000,000 gallons per event
252.8 acres permitted
Kamara Barnett, Town Manager
336-694-5431
Start Date: November 2019

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City of Shelby, NC
Cake Land Application
5,000 Cubic Yards/Year
Brad Green, Asst. Director
980-295-9614
Start Date: January 2020

City of Durham, NC
30,000 Cubic Yards/Year
Land Application
Charles Cocker, Plant Superintendent
919-560-4386
Start Date: January 2022

Davie County, NC
750,000 gal/yr.
533.0 acres permitted
Johnny Lambert, PU Director
336-909-3942
Start Date: January 2008

Town of Bennettsville, SC
1,000,000 gal/yr.
Land Application
Rick Huckabee, Plant Superintendent
843-479-3011
Start Date: June 2017

Brunswick County, NC
6MG/Yr. Land Application
Mobile Dewatering
Matt Henry, Superintendent
910-612-7463
Start Date: September 2018

Guilford Performance Textiles
Mobile Dewatering
D&M Permit
George Yankay, WWTP ORC
910-296-5201
Start Date: September 2013

City of Danville, VA / Inframark
4,000,000 gal/yr.
Land Application
Ryan Deitterick, Project Manager
434-203-4168
Start Date: March 2013

Town of Mocksville, NC
1MG/yr., Mobile Dewatering
100 acres permitted
Brian Moore Utilities Director
336-909-1241
Start Date: May 2010

Town of Weaverville, NC
100 WT/Yr. Mobile Dewatering
Randall Wilson, WTP Supervisor
828-682-2193
Start Date: July 2023

WS-Forsyth Utilities
50K+ WT Mobile Dewatering
Dredging/Lagoon Closure
Heath Petree, Senior Supervisor
336-601-8933
Start Date: November 2024

You will note the highlighted client references, these are cake operations.

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KEY PERSONNEL

Erik Blankenship, President

A 1994 graduate of Western Carolina University, majoring in Business Administration; Erik has over 35 years' experience in every aspect of the residuals management industry. Erik's family owned and operated Environmental Waste Recycling, Inc., which was incorporated in 1978 and based in Advance, NC. Throughout the years, Erik has worked in all facets of the industry including equipment operator, technical services, sales and marketing. In 1998, EWR was acquired by a national company, where Erik took the position of Regional Business Development Manager. As President of EMA Resources, Inc., Erik is responsible for the overall business activities, contract negotiations, public relations, as well as management of growth. Erik is a Certified Land Application Operator by the NCDENR, and a member of the NC AWWA and WEF.
Erik will be serving as the corporate/administrative support overseeing billing, insurance and bonding.

Mike Collins, Vice President of Operations

A 1988 graduate of Davie County High School; Mike has over 25 years of experience in the technical and operations areas of the residuals management industry. While working for EWR; Mike worked extensively in the mobile mechanical dewatering, technical services, and operations. Mike joined Erik as a partner in founding EMA Resources, Inc. in May, 2000. As Vice President of Operations of EMA Resources, Inc., Mike is responsible for overall operational logistics and equipment maintenance. Mike is a Certified Land Application Operator by the NCDENR, and a member of the NC AWWA and WEF.
Mike will support operations and mobilizations.

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Roy Whitaker, Director- Business Development/Operations

A 1982 Graduate of NC State University majoring in Agriculture. Roy was a private agricultural consultant in Eastern North Carolina for eight years. It was in 1990 that Roy began his current career in the residuals management industry when he joined AMSCO, Inc. Roy has 3+ years of experience working with cake and liquid land application programs in the Southeast United States. Roy has served in all aspects of the industry, including technical services, operations, to Senior Management of a regional and national company. Roy has developed and received two patents for a process for the treatment of sludge (February 18, 1997, Patent Number 5,603,842) and apparatus for the treatment of sludge (February 10, 1998, Patent Number 5,716,518). Roy joined EMA Resources, Inc. in March, 2006 with responsibilities for strategic business development and operations management. Roy currently serves as an instructor at the North Carolina and South Carolina Land Application Certification Schools. He is a current member of the Residuals & Groundwater committees in NC, SC, GA, & TN.

David O'Brien, Director of EHS&T

Dave is a 1989 Graduate of Northwest Missouri State University. Dave has worked in and around the residuals management industry with EWR since 1985 while working his way through school. His experience includes technical services, operations and sales. Dave joined EMA Resources Inc. as a partner in May 2004 and is currently responsible for the EHS&T program and policies, OSHA requirements, equipment maintenance & records and new hire training. Dave is a Certified Land Application Operator by the NCDENR, and has completed the OSHA 10 training through the Safety and Health Council of NC. Dave will oversee all EHS&T and employee training on the project.

Brent Collins, Director of Technical Services

Brent joined EMA Resources Inc. June, 2001 as an Environmental Tech & Operator responsible for technical compliance and equipment operations. Brent became a Project Manager in June 2002 with responsibility for multiple projects operations including, Scheduling, Equipment Repair and Maintenance, Biosolids and Soils Sampling, Client and Farmer Communications and Project Personnel Supervision and Training. After four years of cross training in Technical Services and Operations, Brent assumed the role of Director of Technical Services in June, 2005. His current responsibilities include, monitoring and reporting technical data for clients, mapping and permitting land application sites, assures Federal and State regulatory compliance, training new employees on company policies on reporting and technical operations, compiling and submitting annual reports to EPA and State Agencies. Brent is a Certified Land Application Operator by the NCDENR.

Brent will oversee all technical aspects including permitting, sampling and analysis and reporting.

Sam Collins, Project Manager

Sam joined our team full-time in 2022 after working part-time in the summers for two years learning about our industry. Sam will be coordinating with farmers on timing of land application needs and the facilities production. Sam is a Graduate of Davie High School and has worked in all aspects of the companies' operations. Sam assumed the Project Manager position of the Cake Road Crew in 2026. The Cake Road Crew consist of three equipment operators and 4-6 CDL Drivers. Sam has attended the Land Application School and is a Certified Land Application Operator.

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EMA Resources, Inc.

The following list is the EMA Resources, Inc. employees that are Certified Land Applications Operators and their respective LA #.

Roy Whitaker	LA# 13283	Brent Collins	LA# 27651
Mike Collins	LA# 24990	Dave O'Brien	LA# 987507
Brandon Shaffer	LA# 1012065	Darren Brittain	LA# 21043
Eric Helmer	LA# 1011843	Jeff Thompson	LA# 989270
Sam Collins	LA# 1017462		

EMA Resources, Inc. currently has 41 full-time employees and 4 independent motor carriers.

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EMA Resources, Inc.

Equipment (Management and Operations Plan)

EMA Resources, Inc. goal is to provide the City of Shelby with a professional, environmentally sound and cost-effective beneficial reuse option form managing the WWTPs' and WTP's residuals. Our philosophy of providing the highest level of customer service to the City of Shelby will be our mission. The ability to respond quickly and be flexible to our client needs will assure the City of Shelby a confidence level in the program.

Upon being selected for managing the City of Shelby's residuals land application program and the issuance of the pending permit application, EMA Resources, Inc. would schedule an orientation meeting with WWTP & WTP personnel to get an understanding of their operational needs and desires. EMA Resources, Inc. would send an introductory letter in conjunction with the City of Shelby announcing the selection of EMA Resources, Inc. as the program contractor This would allow for the introduction of EMA Resources, Inc. staff to the farmers.

The City of Shelby's residuals land application program will be under the direction of Roy Whitaker. The project manager will be Sam Collins, responsible for overseeing actual plant and field operations. Each land application event will be staffed by the project manager; two field equipment operators and 3-4 CDL operators will provide the transportation of the residuals to the receiver sites.

A typical operational day will remove and land applies approximately 400-500 cubic yards of residuals. The loader operator at the plant will generate a daily loading log for tracking loads leaving the WWTPs. The loading log designates the Project and Source (WWTP) and records Vehicle Number, Driver, Quantity and Time. Each End Dump Trailer will maintain a daily transportation log which records Project, Vehicle Number,

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Driver, Source (WWTP), Quantity, Time Out, Time at Field, Landowner, Site Number and Field Number. The field operations staff will generate a daily application log which will record the Project, Site Conditions, Weather Conditions, Temperature, Vehicle Number, Quantity, Source (WWTP), Landowner, Site Number, Field Number, Acres, Crop, Application Method and Time. The three-log system allows for a check and balance and assures accurate reporting.

The project manager collects all logs at the end of each day to reconcile the day's operations. Weekly or on an event basis the project manager supplies the client with a yellow copy of all operational logs. The project manager delivers the white copies of all operational logs along with a Project Summary Checklist to the office in Mocksville, NC. The logs are reconciled again to assure accurate billing and input into the technical reporting forms required by NCDENR.

After reviewing acreage describe in the RFP the City of Shelby's permit will have a sufficient land base (538.67 acres) for managing the residuals program. Based upon annual production of 4,450 cu.yds. (750 dry tons) and average application rate of 40 cubic yards per acre, the programs will utilize approximately 111 acres per year. The permit has 538.67 acres which is approximately a five-fold surplus of the annual requirement. A good standard for managing land application programs is to maintain three to four times your annual requirement to assure access due to cropping patterns.

The marketing efforts will be mainly accomplished through farmer education and appreciation annual dinners. Biosolids literature and nutrient management brochures will be supplied to participating farmers and perspective landowners.

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The public acceptance program hinges on having a residual that is well digested which will have low odor and professional field operations. Assuring that transportation routes are selected to minimize any potential problems and making sure that no biosolids are tracked on the road leaving the WWTPs or the receiver sites. Biosolids literature brochures will be available to hand out to any concerned citizen. Being responsive to any odor or nuisance complaints is critical. EMA Resources, Inc. will be proactive in managing the residuals program to minimize potential problems by selecting operation sites based upon climate conditions, public exposure and cropping patterns.

As discuss earlier EMA Resources, Inc. will utilize a three-log system to create a check and balance for assuring accurate billing and data input for technical reporting. A yellow copy of all operational paperwork will be provided to the City of Shelby on a weekly or an operational event basis. The system will use volumetric basis for accounting of residuals loaded into transportation vehicles. Each transportation vehicle will have an assigned volume which will be agreed upon by the City of Shelby. Monthly or on an operation event basis EMA Resources, Inc. will generate an invoice by multiplying the cubic yards hauled by the unit cost per ($/cubic yard).

Schedules

EMA Resources, Inc., would continue to communicate with the WWTP & WTP staff as to desire hauling events. Project Manager Sam Collins would coordinate with the participating farmers to ensure access on the permitted sites.

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Equipment (Field & Transport)

EMA Resources, Inc. will be utilizing road tractors with end dump trailers (26-28'). The end dump trailers are company owned and haul 39 cubic yards. The company drivers will be driving various road tractors with wet line kits.

EMA Resources, Inc. will be utilizing a new Kuhn Knight side discharge spreaders model SLC 132. The side discharge spreaders will be towed by John Deere 190hp MFWD tractors. Two JCB telehandlers equipped with a bucket (2.5 cubic yard) will be utilized for plant & field loading of the residuals. All field equipment is company owned.

Spill and Emergency Response Program

All EMA Resources, Inc. project managers, transportation vehicles and operations staff maintain a copy of a project spill control plan within their equipment. The spill control plans instruct what to actions should take place in the event of a spill. Those actions include; Halting the source of the spill, Containing the spill, Clean-up procedures and Final Clean-up procedures. The plan includes notification procedures and contact numbers for the Project Client, Regional NCDENR Office, County Emergency Management, County Sheriff Office, EMA Main Office Number, Project Manager Number and Operation Director Number. Sample Spill Control Plan Follows:

Odor Management

Odor management begins with well digested residuals which meets the vector attraction reduction requirement of the 503 regs. By reducing the volatile solids content of the residuals through adequate digestion the potential for odor is reduced significantly. Generally, a biosolids will have an earthy odor and this odor normally dissipates after a couple of days from application. Sometimes polymers utilized for dewatering can create

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an odor with certain residuals. This potential odor can be resolve via bench scale testing of the polymers.

If a client's residuals tend to be odorous, then site selection and timing of an application become a tool that can be utilized to minimize the odor impact. High profile receiver sites should not be utilized with a potential odorous residual. If a program has row crop land that is not in a no till program then incorporation through disking is an option. Odor masking agents can be utilized to reduce odor, these agents can range from potassium permanganate to citric acid-based agents.

If an odor compliant is reported, the project manager will immediately contact the clients and coordinate responding to the complainant. Being responsive and sensitive to a complainant's issues can assist with resolving the odor concern. Educating the complainant to the benefits of land application can sometimes assist with touchy emotions.

Surface Water Protection

The City of Shelby's permit will have buffer requirements from surface waters and drainage feature within the permitted fields. This buffer requirement provides for adequate protect in most situations. The fact the City of Shelby's program is a cake residual actually reduces the risk of potential runoff versus a liquid residuals program. Proactive management with regard to operational scheduling can reduce potential runoff from heavy rainfall event. If heavy rainfall is forecast increasing buffer zone can reduce the risk of runoff or in the case of an approaching hurricane, delaying operations is the best approach. In cases of unexpected heavy thunderstorms, straw bales or silt fencing can be utilized in drainage features to stop the movement of residuals.

Groundwater Protection

The City of Shelby's permit will have buffer requirement for wells and rock outcrops to minimize the potential for movement of residuals into groundwater. Additionally, each site based upon its soil type and crop has a designated application rate for nitrogen uptake. Assuring that application rates to a receiver site are not exceeded minimizes the potential for nitrates migrating through the soil profile into groundwater.
It is a good policy to utilize a program entire land base by rotating applications on an annual basis. This will reduce the risk of potential buildup of nitrates in the soil.

Crop Management

The City of Shelby's permit should have a good blend of pasture/hay land along with row crops. The pasture/hay land is mostly comprised of cool season fescue. The pasture/hay land is more accessible due to be sodded. This allows for more flexibility in timing operations. The row crop sites have limited access due to planting and growing seasons. The application to row crop is generally limited to prior to planting. This window to access the site is limited and sometime restricts operational scheduling.

The pasture/hay land in the program cannot be utilized for incorporation due to the destruction of the crop. The row crop field can be utilized for incorporation if the farmer is not participating in a no till program or minimum tillage program.

Public Acceptance of Proposer, Site and Product

The City of Shelby cake land application program will be new to the surrounding community, Operations of the WWTPs processes assuring proper digestion to minimize odor will be key to the success of the program.
During the permitting process selecting sites that are lower profile with regard to the public traffic reduces the potential for odor complaints.

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Project Managers keep Biosolids education literature in the trucks for distribution to adjoining landowner and general public. Open communication with the surrounding community is paramount to the success of any land application program. Ignoring a concerned citizen can grow into a local community outrage. The success of good open communication and public education are best illustrated by signing that concerned neighbor up for participating in the land application program.

REGULATORY COMPLIANCE

EMA Resources, Inc. will manage the City of Shelby's biosolids land application program in compliance with all applicable local, state and federal regulations. This includes the City of Shelby's permit and in accordance with the EPA 503 Regulations. Annual reports will be submitted to the EPA office prior to February 18 of each calendar year for the previous calendar years operations. Annuals reports will be submitted to NCDENR prior to March 1 of each calendar year for the previous calendar years operations.

Annually, each WWTPs residual will be sampled and submitted for a full TCLP analysis to document that the residuals are non-hazardous.

EMA Resources, Inc. staff will work in conjunction with WWTPs staff in documenting compliance with the Vector Attraction Reduction requirement through Volatile Solids Reduction (38%). Additionally, EMA will sample the WWTPs residuals at a frequency in compliance with the Federal and State regulations. The Pathogens Reduction requirement will be achieved by the City of Shelby collecting a set of seven samples for fecal coliform density analysis. The geometric mean of the seven sample analytical results cannot exceed 2 million MPN or CFU per gram of solids dependent on the method utilized.

A representative sample of the WWTPs & WTP residuals will be collected on the required frequency per the regulations and tested for nutrients and metals as prescribed by the City of Shelby's permit. The results of these analyses will be used to determined regulatory compliance with metals limits and also for calculating Plant Available Nitrogen to determine application rates.

PROPOSED EQUIPMENT FOR PROJECT

Cake Operations

3-4 End Dump Trailers (26'-28')

3-4 Road Tractors with Wet Line Kits

2-Kuhn Knight Model SLC 132 Side Discharge Spreaders

2-John Deere 190 hp Tractors with MFWD

2-JCB Telehandlers Plant & Field Loader (2.5 cud.)

3-Ford F-150 Project Support Pickup Trucks

Liquid Operations

2-3 Tankers (6500 load)

2-3 Road Tractors

1-Tractor/ Pull Tank Spreader

1-Houle PTO Slurry Mixer/Pump

1-Tractor MFWD 135hp (pump tractor)

1-Portable Loading Stand

1-Six-Inch Dri Prime Pump

Backup Equipment: EMA Resources, Inc. has an equipment yard at our corporate headquarter located in Mocksville along with operations throughout the Carolinas and if necessary, additional transportation and land application equipment could be mobilized for an emergency basis.

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10 APPENDIX A - PRICING FORM 1

RFP # 2026-001

Residuals Management Services

Service Description	Unit	Unit Price
Transportation and Land Application of Liquid Class A Water Treatment Residuals	$/gal	$ 0.0695
Transportation and Land Application of Liquid Class B Biosolids	$/gal	$ 0.0695
Transportation and Land Application of Dewatered Class B Biosolids	$/cubic yard	$ 23.95
Transportation and Land Application of Dewatered Class A Water Treatment	$/cubic yard	$ 23.95
Loading of Class B Biosolids and Class A Water Treatment Residuals	$/cubic yard	$ 3.50
Additional Fees		
Biosolids Analysis TCLP with PCB's and RCI's, Fecal MPN and Nutrients/Metals		INCLUDED ABOVE[1]
Soils Analysis with pH adjustment recommendations		INCLUDED ABOVE[1]
Agricultural Lime Application	Cost plus	% 15
Permitting	$/acre	$ 34.00

[1]Land application rates shall include all residual and field analyses required by the applicable land application permit(s).

***Pricing Adjustments:** Unit prices shall remain firm for the first twelve (12) months of the Contract. Thereafter, Contractor may request one price adjustment per Contract year by providing at least sixty (60) days' written notice and supporting calculations. Any increase may not exceed the lesser of five percent (5%) or the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, not seasonally adjusted, for the most recent twelve-month period published by the U.S. Bureau of Labor Statistics. No fuel surcharge, material-cost increase, or other escalation will apply unless approved in a written, pre-audited amendment. City may reject or negotiate a requested adjustment.*

11 APPENDIX B - PROPOSAL SUBMISSION FORM

RFP # 2026-001

Residuals Management Services

This Proposal is submitted by:

Contractor Name: EMA Resources, Inc.

Representative (printed): Erik Blankenship

Representative (signed): Erik Blankenship

Address: 755 Yadkinville Rd

City/State/Zip: Mocksville, NC 27028

E-Mail Address: erik.blankenship@emaresourcesinc.com

Telephone: 336-751-1441
(Area Code) Telephone Number

(Area Code) Fax Number

It is understood that City reserves the right to reject any and all Proposals, make an award in City's best interest, waive immaterial informalities, and cancel and reissue this RFP. This Proposal is valid for one hundred twenty (120) calendar days from the Proposal due date. If selected, the Proposer agrees to execute Appendix D - Form of Contract, subject only to exceptions disclosed in the Proposal and accepted by City in writing.

The Certificate of Insurance and W-9 must be received before any work is performed.

EMA Resources, Inc.
Contractor

9/24/26
Date

Erik Blankenship
Authorized Signature

Erik Blankenship
Please type or print name

12 APPENDIX C – ADDENDUM RECEIPT AND ANTI-COLLUSION

RFP # 2026-001

Residuals Management Services

Please acknowledge receipt of all addenda by including this form with your Proposal. Any questions or changes received will be posted as an addendum on www.cityofshelby.com. It is your responsibility to check this information.

ADDENDUM #	DATE ADDENDUM DOWNLOADED
#1	9/22/2026

I certify that this proposal is made in good faith and without collusion with any other offeror or officer or employee of the City of Shelby.

Erik Blankenship
(Please Print Name)

Date 9/22/26

Erik Blankenship
Authorized Signature

President
Title

erik.blankenship@emaresourcesinc.com
E-Mail Address

EMA Resources, Inc.
Company Name

EMA Resources, Inc.

Stated Exceptions to Appendix D City Contract

Cities Responsibilities:

Provide a residual which is non-toxic, non-hazardous and suitable for land application in accordance with Federal Environmental Protection Agency (EPA) and North Carolina Department of Environmental Quality (NCDEQ), and all applicable local, state, and federal environmental laws and requirements.

Provide documentation, through certified sampling and analysis, compliance with all parameters in the City's Land Application Permit, including pathogen reduction and vector attraction reduction requirements of the 40CFR 503 Regulations.

Indemnification, (a) Standard Indemnification Provision. This section shall be applied to the maximum extent allowed by law, but it shall be construed and limited as necessary to comply with 22B-1 of the North Carolina General Statutes ("NCGS"). The City shall defend, indemnify, and hold harmless indemnities from and against all Charges that arise in any manner from, in connection with, or out of this contract as a result of acts or omissions of the City or its Derivative Parties. In performing its duties under this subsection, the City shall at its sole expense defend indemnities with legal counsel reasonably acceptable to the Contractor. "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, and expenses. Included without limitation within "Charges" are (1) interest and reasonable attorney's fees assessed as part of any such item, and (2) amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules or orders—including but not limited to any such alleged violation that arises out of the treatment of, and composition of the "Residuals" provided to Contractor for handling, transportation, deposit, or delivery that are subject to this contract.

LIMITATION OF LIABILITY. Except for the exclusions below, neither Party is liable to the other for special, indirect, incidental, exemplary, consequential, or punitive damages. This limitation does not apply to Contractor's or City's indemnification obligation, spill response, pollution, environmental remediation, or regulatory penalties caused by Contractor or it subcontractors; damage to City property; amounts recoverable under required insurance; fraud; gross negligence; or willful misconduct.

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435 Williams Court, Suite 100
Baltimore, MD 21220
www.synagro.com

SYNAGRO

SEPTEMBER 25, 2026

City of Shelby
Attn: Brian Wilson, Director of Water Resources
George Clay Operations Center
824 West Grover Street
Shelby, NC 28152

Re: Request for Proposal #2026-001
Residuals Management Services

Dear Mr. Wilson:

Thank you for your Request for Proposals for Residuals Management Services. Synagro Central, LLC regrets that we must return a "No Bid" at this time.

Having been in business for over 45 years, Synagro is one of the largest residuals management companies in the country with over 650 municipal and industrial customers and operations in 33 states. Please visit our website at www.synagro.com for information on our company's capabilities and the various services and solutions we provide our customers.

I can be reached at gpizer@synagro.com or 443-470-2266 or contact our Area Director, Todd Larson, at tlarson@synagro.com or 704-309-7426. Thank you.

Please keep us on your bidders list for future projects.

Warm regards,

Greg Pizer

Greg Pizer
Area Sales Representative

GP:sh

RESOLUTION NO. 93-2026

A RESOLUTION AWARDING THE RESIDUALS MANAGEMENT SERVICES CONTRACT TO EMA RESOURCES, INC. FOR THE CITY OF SHELBY WATER AND WASTEWATER TREATMENT PLANTS

WHEREAS, the City of Shelby operates water and wastewater treatment plants that generate residuals subject to state and federal management requirements; and,

WHEREAS, the City issued a Request for Proposals for residuals handling, removal, transportation, beneficial reuse or disposal, and regulatory reporting at both treatment plants; and,

WHEREAS, three (3) companies expressed interest in the solicitation, but only EMA Resources, Inc. submitted a proposal, and Synagro formally declined to bid; and,

WHEREAS, City staff reviewed the proposal submitted by EMA Resources, Inc. and determined that it met all requirements outlined in the Request for Proposals; and,

WHEREAS, EMA Resources, Inc. has provided these services to the City with satisfactory performance and a strong working relationship, and City staff recommends the contract award.

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

Section 1. The City Council hereby awards the Residuals Management Services Contract for both the water and wastewater treatment plants to EMA Resources, Inc.

Section 2. The City Manager is hereby authorized to enter into an agreement with EMA Resources, Inc. to carry out the action as described in Section 1.

Section 3. The City Manager or his designee may finalize the scope, fees, and other terms consistent with the City's Request for Proposals and EMA's proposal.

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

Adopted and Approved this the 2nd day of November 2026.

_____

O. Stanhope Anthony III
Mayor

ATTEST:

_____

Carol Williams
City Clerk

Agenda Item: C-6

6) Special Event application:

    a) Atrium Health Holiday Celebration, requested date: December 8, 2026

    b) Lighting the Way, Courtsquare luminaries, requested date: December 11, 2026

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum(s) dated October 23, 2026, from Carol Williams, City Clerk to Justin Merritt, City Manager
- Special Event Application(s)

City Manager's Recommendation / Comments

These events are in keeping with special event practices of the City. It is my recommendation that this item be approved by City Council at this time via the Consent Agenda.

OFFICE OF THE CITY CLERK SHELBY, NC

Memo

To: Justin Merritt, City Manager

From: Carol Williams, City Clerk

Date: October 23, 2026

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Atrium Health Holiday Celebration requested date: December 8, 2026

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of November 2, 2026 for Council's review and approval.

ATTACHMENT:

A. Special Event Permit Application packet received October 1, 2026

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.

CITY OF SHELBY
SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of $20.00 will be due upon submission of the application form.

1. EVENT NAME:

Atrium Health Cleveland & Kings Mountain Teammate Holiday Celebration

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

Providing food from Atrium Health Dietary Services. Offering carriage rides to teammates.
Santa and Company will be onsite for the teammates & children

3. LOCATION OF EVENT (ATTACH MAP):

Farmers' Market Pavilion (Bobby Bell Pavilion) in Uptown Shelby. Map Location [TEMP EP]

4. PLEASE INDICATE:

Approximately how many people will attend the event? 500+

Approximately how many vehicles will be present? 6 Carriages

Approximately how many animals will be present? 6 Horses

If the event is a parade, please indicate the amount of street that will be needed:

Single lane For carriage rides to go around the Court Square. Carriages will integrate with traffic.

All lanes in travel direction _____

Whole street _____

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: Atrium Health Cleveland & Kings Mountain/Adam Taylor Nestlerode

Address: 201 E. Grover St. Shelby, NC 28150

Phones: (980) 487-3471 (704)692-4809
(Daytime) (Evening)

adam.nestlerode@advocatehealth.org
E-mail address

Name: _____

Address: N/A

Phones: _____
(Daytime) (Evening)

_____
E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) 1 Evening/Tuesday, December 8th, 2026
Alternate day(s) and date(s) _____
Requested hours of operation, from 4:30 PM AM/PM to 8:30 PM AM/PM

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT: If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? NO

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? YES

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: Police/First Responders will be onsite based on contract with Shelby City Park
Address: _____
Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: 911
DOCTOR (S): 911
PARAMEDICS: 911

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Shelby City Park Rental Agreement for Farmers' Market' Pavilion.
(Bobby Bell Pavilion)

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: N/A

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is $15.00 per day per event panel.

Stage panel (STG PAN) cost is $110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:
_____ x $15.00 x Number of Days ____ = $_____

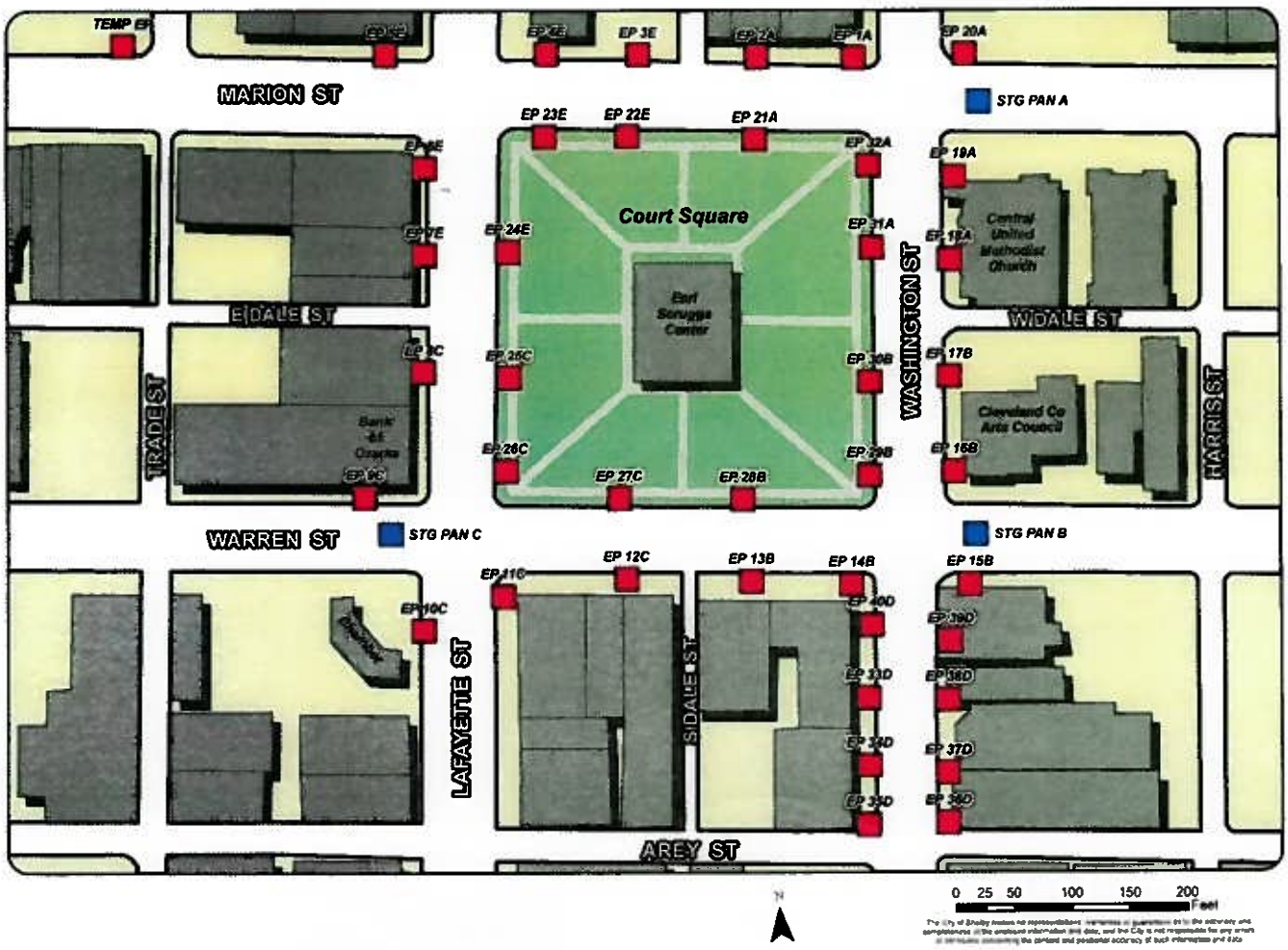
N/A

Total Number of Stage Panels:
_____ x $110.00 x Number of Days ____ = $_____

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

City of Shelby Uptown Event Panels



Shelby
NORTH CAROLINA

Legend

Event Panel

Stage Panel

12. ANY ADDITIONAL COMMENTS:

Atrium Health Dietary Services Dept will be catering the event. We will have Santa & Mrs. Claus present.
There will also a a DJ at the event playing Christmas Music. To elaborate on carriage rides, rides will start @ the Pavilion, make their way up Marion St. to the court square, circle the court square, come down N. Lafayette, cross Marion St., and turn left down 1st alley back to the Pavilion.

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

SIGNATURE

Adam Taylor Nestlerode/Atrium Health Cleveland & KMH — 980-487-3471 or 704-692-4809

APPLICANT — PHONE

201 E. Grover St., Shelby, NC 28150

PHYSICAL ADDRESS

adam.nestlerode@advocatehealth.org

E-MAIL ADDRESS

10/1/2026

DATE

OFFICE OF THE CITY CLERK SHELBY, NC

Memo

To: Justin Merritt, City Manager

From: Carol Williams, City Clerk

Date: October 28, 2026

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Lighting the Way luminaries, requested date: December 11, 2026

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of November 2, 2026 for Council's review and approval.

ATTACHMENT:

A. Special Event Permit Application packet received October 27, 2026

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.



CITY OF SHELBY
SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of $20.00 will be due upon submission of the application form.

1. EVENT NAME:
Lighting the Way

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:
Fundraiser for VIA Health Partners, formally Hospice Cleveland County. Plastic luminaries with battery operated tea lights inside placed on the side walk edges, stakes and signage.

3. LOCATION OF EVENT (ATTACH MAP):
Marion street side and a portion of Lafayette Street on the Court Square. See attached map.

4. PLEASE INDICATE:

Approximately how many people will attend the event? 50+ drop-in event

Approximately how many vehicles will be present? Ø

Approximately how many animals will be present? Ø

If the event is a parade, please indicate the amount of street that will be needed:

Single lane Ø

All lanes in travel direction Ø

Whole street _____

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: VIA Health Partners - Pam Sharts

Address: 951 Wendover Hts; Shelby, NC 28150

Phones: 980-408-2359 (Daytime) 704-472-9383 (Evening)

ShartsP@VIAhp.org
E-mail address

Name: VIA Health Partners - Barb Robertson

Address: 951 Wendover Hts; Shelby, NC 28150

Phones: 980-408-2360 (Daytime) 704-477-2201 (Evening)

robertsonb@hpccr.org
E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) December 11th, 2026
Alternate day(s) and date(s) December 18th, 2026
Requested hours of operation, from 3:00 AM/(PM) to 11:00 AM/(PM)

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT: If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: Uptown Shelby Association
Address: _____
Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: _____
DOCTOR (S): _____
PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

6-9pm Lights dimmed or turned off, spot lights and side walk lights on Marion St. side so luminaries are visable. One electric outlet requested from the Earl Scruggs Center. "See attached map."

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: _____

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is $15.00 per day per event panel.

Stage panel (STG PAN) cost is $110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:
_____ x $15.00 x Number of Days _____ = $_____

Total Number of Stage Panels:
_____ x $110.00 x Number of Days _____ = $_____

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

12. ANY ADDITIONAL COMMENTS:

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

Pam Sharts
SIGNATURE

Pam Sharts — 980-408-2359
APPLICANT — PHONE

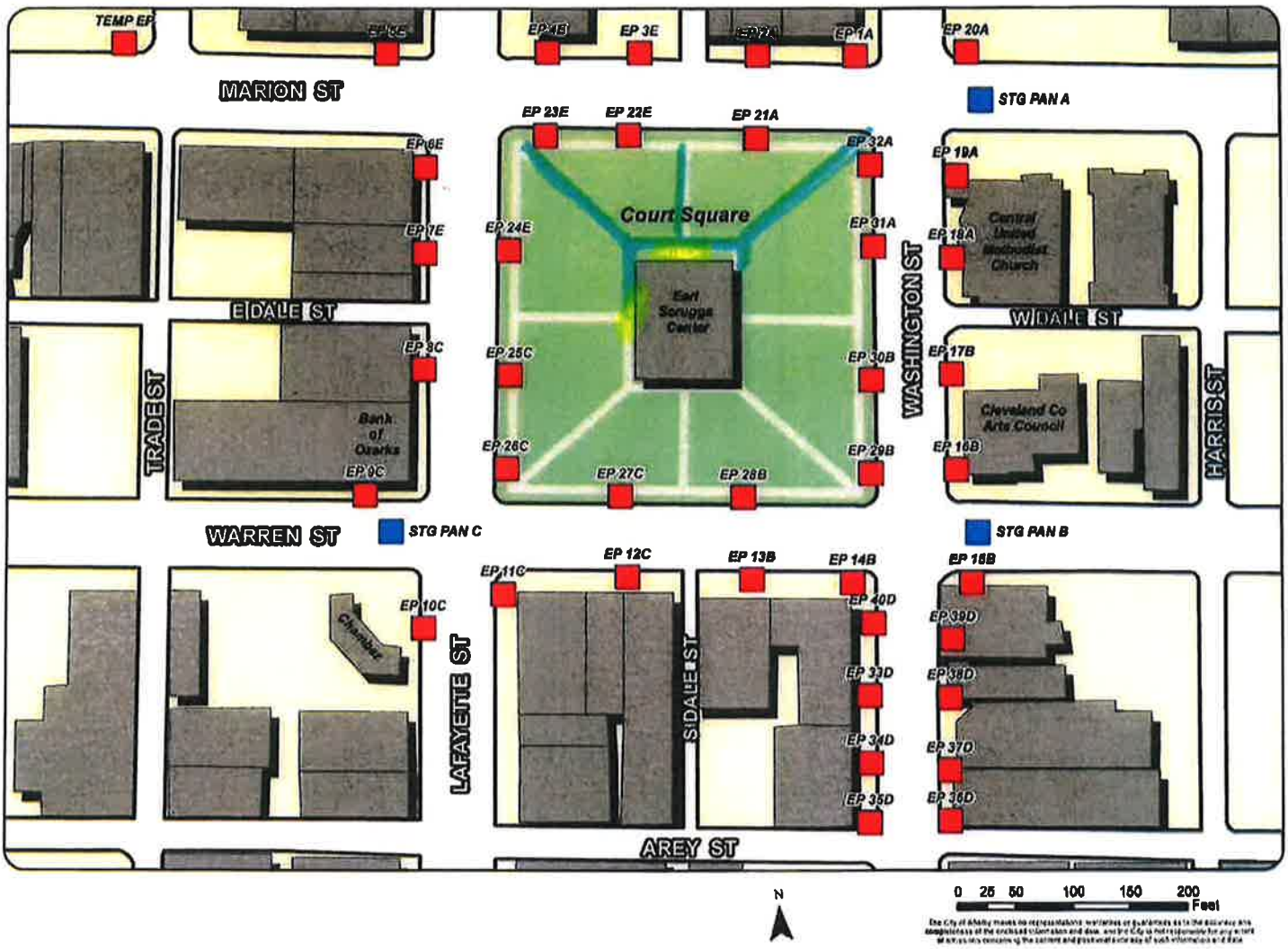
951 Wendover Hts. Dr.; Shelby, NC 28150
PHYSICAL ADDRESS

ShartsP@viahp.org
E-MAIL ADDRESS

10/13/26
DATE

- Please lower or turn off spot lights or sidewalk lights so luminaries are visible between 5pm and 9pm.
- Power needed.

City of Shelby Uptown Event Panels



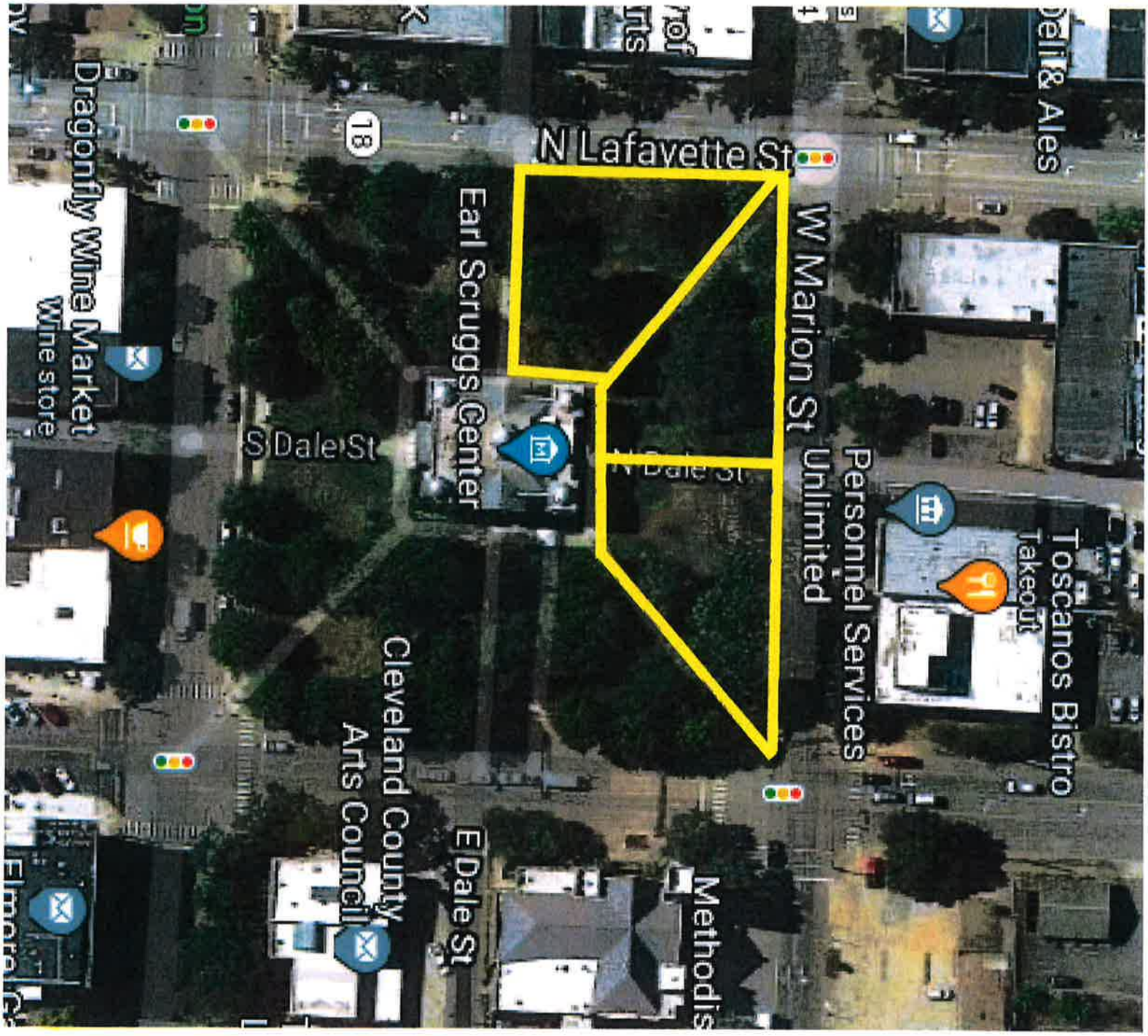
Shelby
NORTH CAROLINA

Legend

Event Panel

Stage Panel

- Luminaries will be placed on edge of sidewalk in blue area above.
- Tables for programs and brochures.



- Luminaries will be located in the highlighted area on the Marion and Lafayette Street sides of the Court Square.
- Table and banners will be in front of the steps at Earl Scruggs Center on the Marion Street side.
- Please lower or turn off spot lights or sidewalk lights between 6pm and 9pm.

Agenda Item: C-7

7) Management Report:

    a) Finance Quarterly Report ended September 30, 2026

Consent Agenda Item: (Justin Merritt, City Manager)

Summary of Available Information:

- Quarterly Financial Report ending September 2026

City Manager's Recommendation / Comments

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

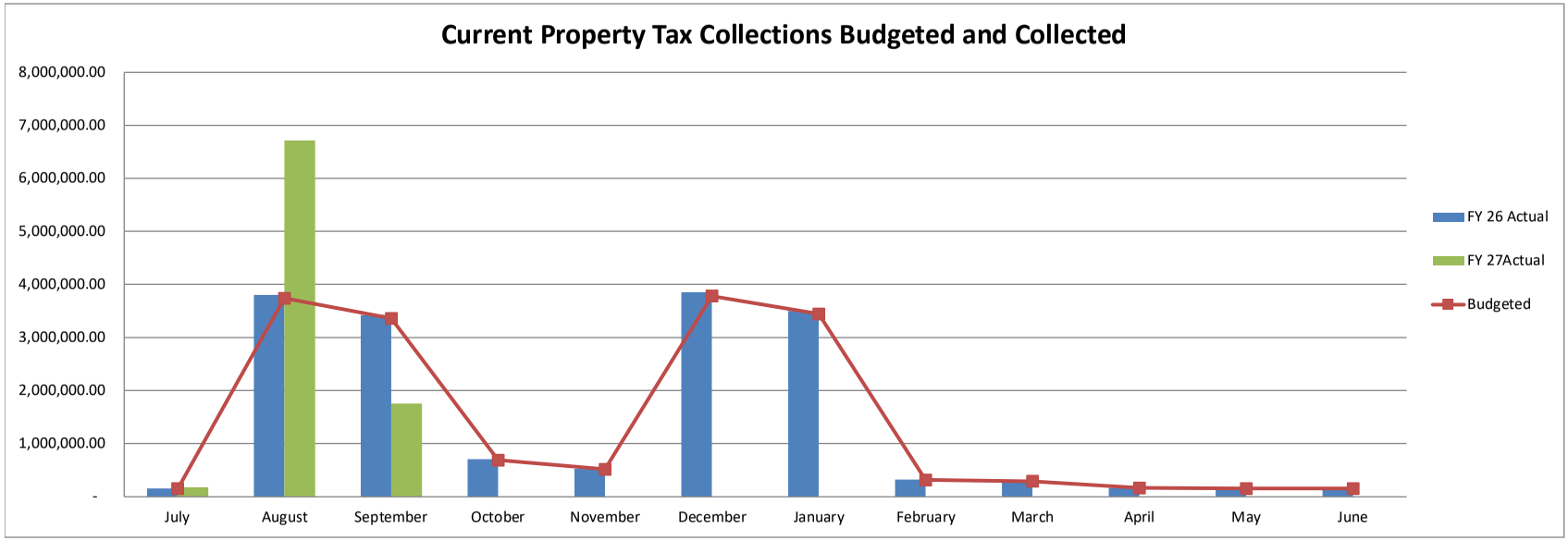
Shelby
NORTH CAROLINA



Financial Summary
Quarter Ended 9/30/26

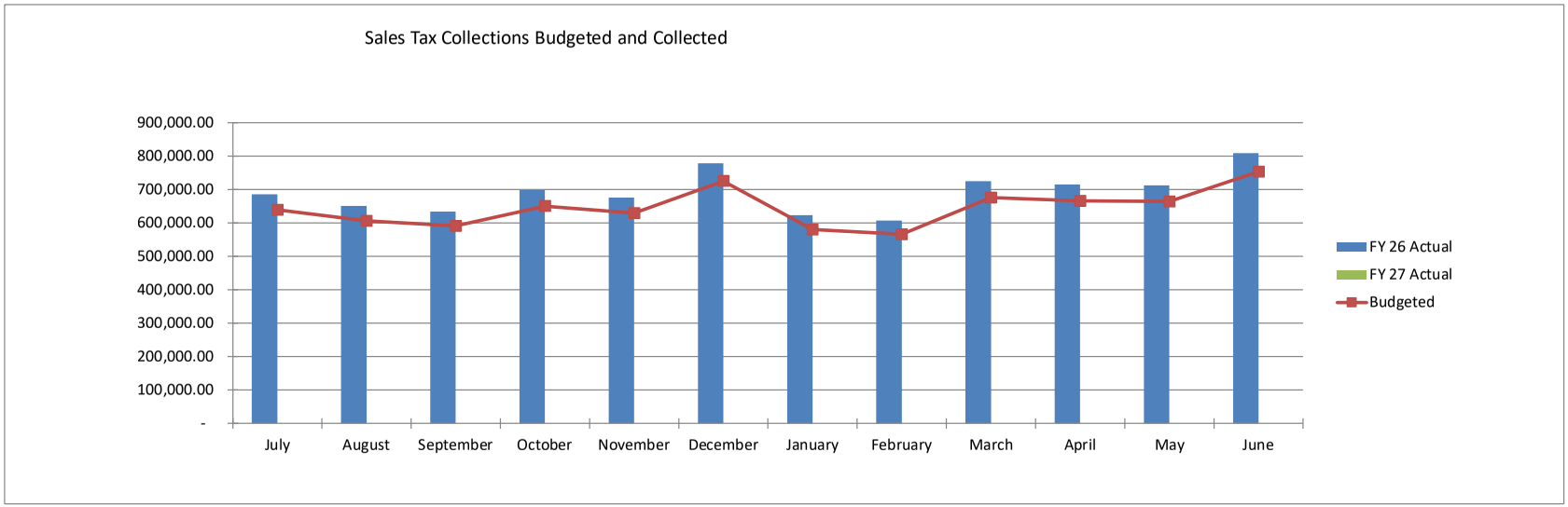
City of Shelby
Current Property Tax Collections
FY 2027
11001000-31001

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	149,674.49	3,737,390.78	3,362,532.64	690,254.17	513,765.01	3,783,377.14	3,442,189.53	312,662.04	288,600.09	162,355.72	152,838.08	154,360.31	16,750,000.00
FY 2026	152,288.11	3,802,653.19	3,421,249.27	702,307.40	522,736.39	3,849,442.56	3,502,297.13	318,121.75	293,639.63	165,190.78	155,506.94	157,055.75	17,042,488.90
FY 2027	175,575.92	6,716,307.94	1,755,510.77	-	-	-	-	-	-	-	-	-	8,647,394.63
% of Budget	1.05%	40.10%	10.48%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	51.63%
Variance	25,901.43	2,978,917.16	(1,607,021.87)	(690,254.17)	(513,765.01)	(3,783,377.14)	(3,442,189.53)	(312,662.04)	(288,600.09)	(162,355.72)	(152,838.08)	(154,360.31)	(8,102,605.37)



City of Shelby
Sales Tax Collections
FY 2027
GL #11001000-32101

	July (Oct)	August (Nov)	September (Dec)	October (Jan)	November (Feb)	December (Mar)	January (Apr)	February (May)	March (June)	April (July)	May (August)	June (September)	Totals
Budget	639,519.86	606,406.30	591,238.32	650,638.15	629,730.89	725,503.58	580,608.54	566,091.12	675,672.30	666,481.08	664,336.73	753,773.13	7,750,000.00
FY 2026	686,327.50	650,790.30	634,512.15	698,259.56	675,822.06	778,604.53	623,104.36	607,524.38	725,126.01	715,262.07	712,960.77	808,943.18	8,317,236.87
FY 2027	-	-	-	-	-	-	-	-	-	-	-	-	-
% of Budget	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Variance	(639,519.86)	(606,406.30)	(591,238.32)	(650,638.15)	(629,730.89)	(725,503.58)	(580,608.54)	(566,091.12)	(675,672.30)	(666,481.08)	(664,336.73)	(753,773.13)	(7,750,000.00)



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/salesdistribution_articles.pdf

City of Shelby
Utility Sales Tax Distribution (Formerly Utility Franchise Tax)
Last Three Years
GL #11001000-33101

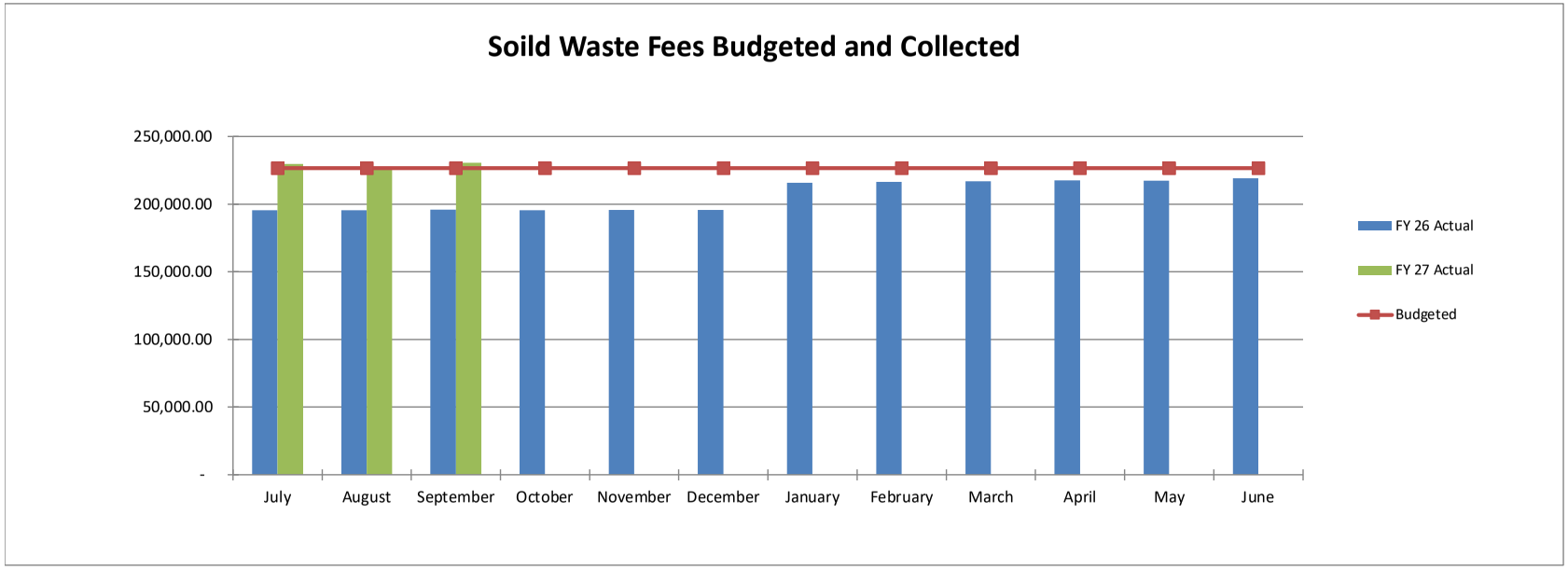
	Third Quarter	Fourth Quarter	First Quarter	Second Quarter	Totals
Collection Period:	(July-Sept.)	(Oct.-Dec.)	(Jan.-Mar.)	(Apr.-June)	
Received in:	December	March	June	September	
FY 25	642,248.85	487,409.61	588,889.85	478,128.64	2,196,676.95
FY 26	595,464.33	477,178.67	597,032.30	487,810.00	2,157,485.30
FY 27	-	-	-	-	-
Budget	514,196.77	449,892.13	499,995.14	453,354.97	1,917,439.00
% 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.

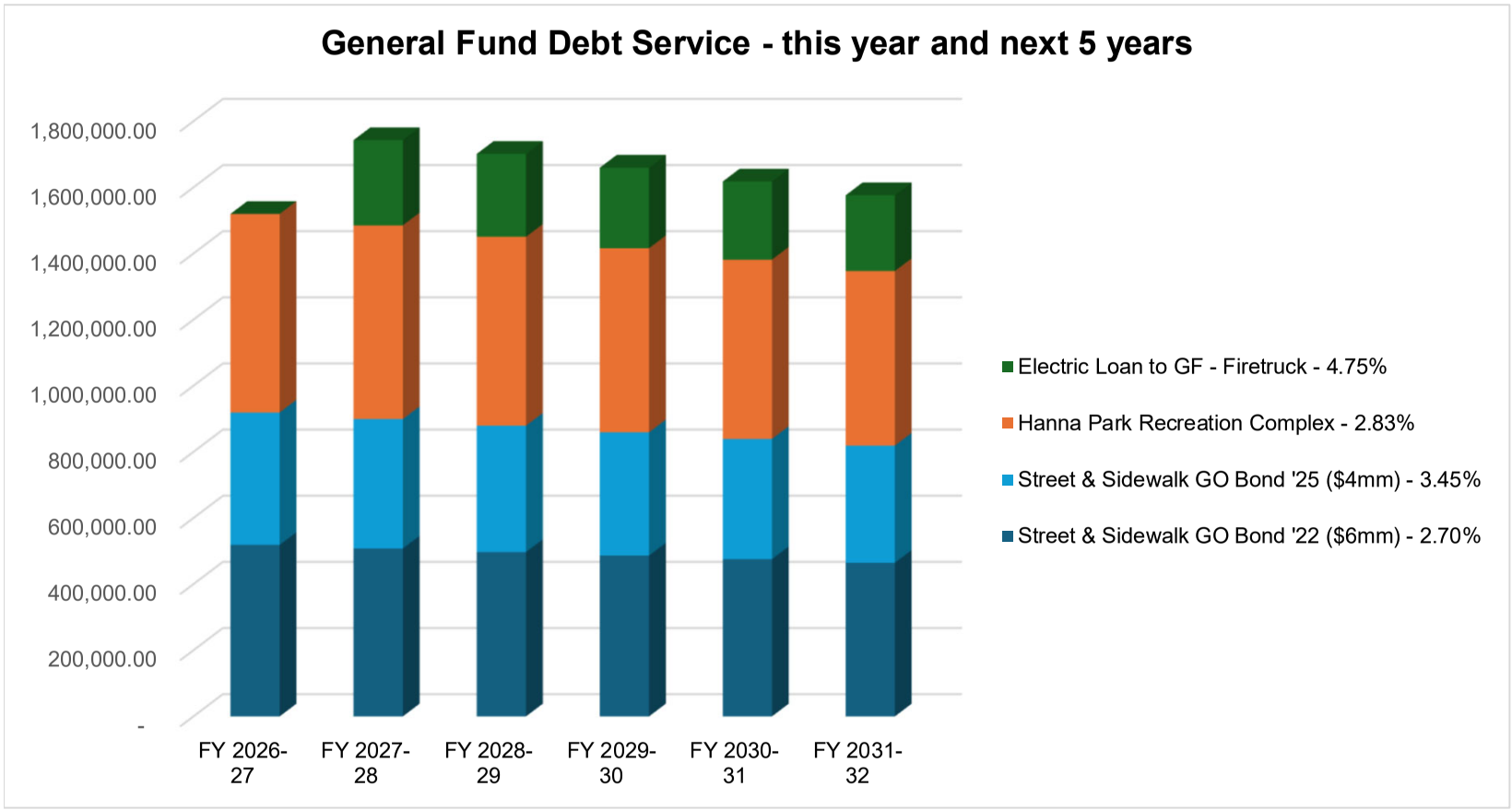
City of Shelby
Solid Waste Fees
FY 2027
GL #11007000-36101

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	226,666.67	2,720,000.00
FY 2026	195,522.25	195,548.47	195,931.48	195,553.05	195,622.92	195,715.00	215,804.84	216,451.42	217,002.98	217,515.72	217,306.66	219,031.06	2,477,005.85
FY 2027	229,820.00	227,613.00	230,591.00	-	-	-	-	-	-	-	-	-	688,024.00
% of Budget	8.45%	8.37%	8.48%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.30%
Variance	3,153.33	946.33	3,924.33	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(226,666.67)	(2,031,976.00)
Res. Accts:	8,175	8,126	8,225										
Comm. Accts:	695	694	694										



DEBT SERVICE - GENERAL FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
General Obligation Bonds						
Street & Sidewalk GO Bond '22 ($6mm) - 2.70%						
Principal	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00
2.70% Interest	118,800.00	108,000.00	97,200.00	86,400.00	75,600.00	64,800.00
Debt Retired in 2037	518,800.00	508,000.00	497,200.00	486,400.00	475,600.00	464,800.00
Street & Sidewalk GO Bond '25 ($4mm) - 3.45%						
Principal	267,000.00	267,000.00	267,000.00	267,000.00	267,000.00	267,000.00
3.45% Interest	133,394.25	124,182.75	114,971.25	105,759.75	96,548.25	87,337.00
Debt Retired in 2041	400,394.25	391,182.75	381,971.25	372,759.75	363,548.25	354,337.00
TOTAL GO BONDS	919,194.25	899,182.75	879,171.25	859,159.75	839,148.25	819,137.00
Installment Purchase Contracts						
Hanna Park Recreation Complex - 2.83%	600,497.33	585,970.00	571,442.66	556,915.33	542,388.00	527,861.00
2.83% Debt Retired in 2032						
Electric Loan to GF - Firetruck - 4.75%						
4.75% Debt Retired in 15 years	-	257,871.11	250,718.48	243,565.85	236,413.22	229,260.59
FY 22 Installment Purchase	313,080.27	-	-	-	-	-
Debt Retired in 2027						
FY 23 Installment Purchase - Radios	274,873.35	274,873.35	-	-	-	-
Debt Retired in 2028						
FY 23 Installment Purchase	184,988.00	91,718.00	-	-	-	-
Debt Retired in 2028						
FY 24 Installment Purchase	202,319.05	202,319.05	202,319.05	-	-	-
Debt Retired in 2029						

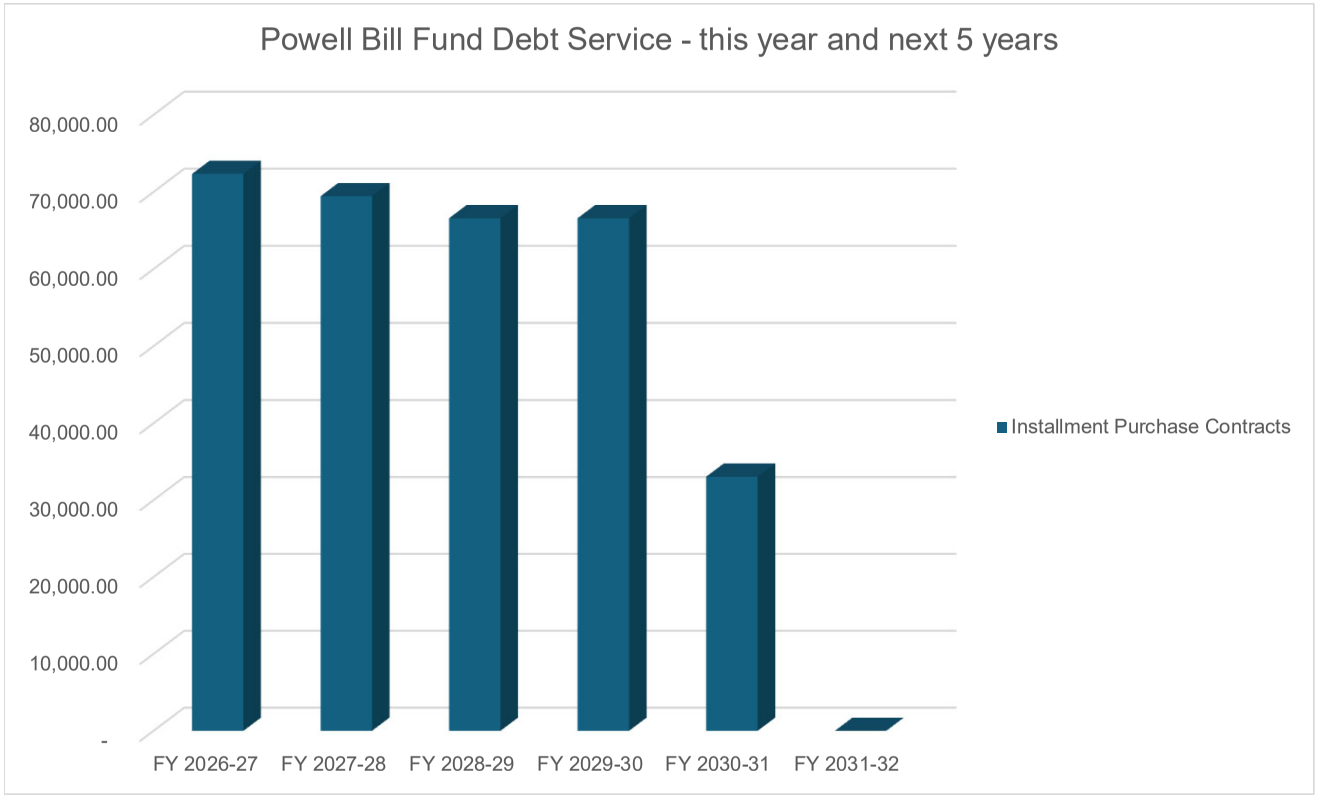
DEBT SERVICE - GENERAL FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
FY 25 Installment Purchase Debt Retired in 2030	239,824.82	239,824.83	239,824.82	239,824.83	-	-
FY 26Installment Purchase Debt Retired in 2031	143,388.41	143,388.41	143,388.41	143,388.41	143,388.41	-
Total Debt Service - General Fund	2,878,165.48	2,695,147.50	2,286,864.67	2,042,854.17	1,761,337.88	1,576,258.59



City of Shelby
YTD Budget Report
For 9/30/2026 25% of Fiscal Year)

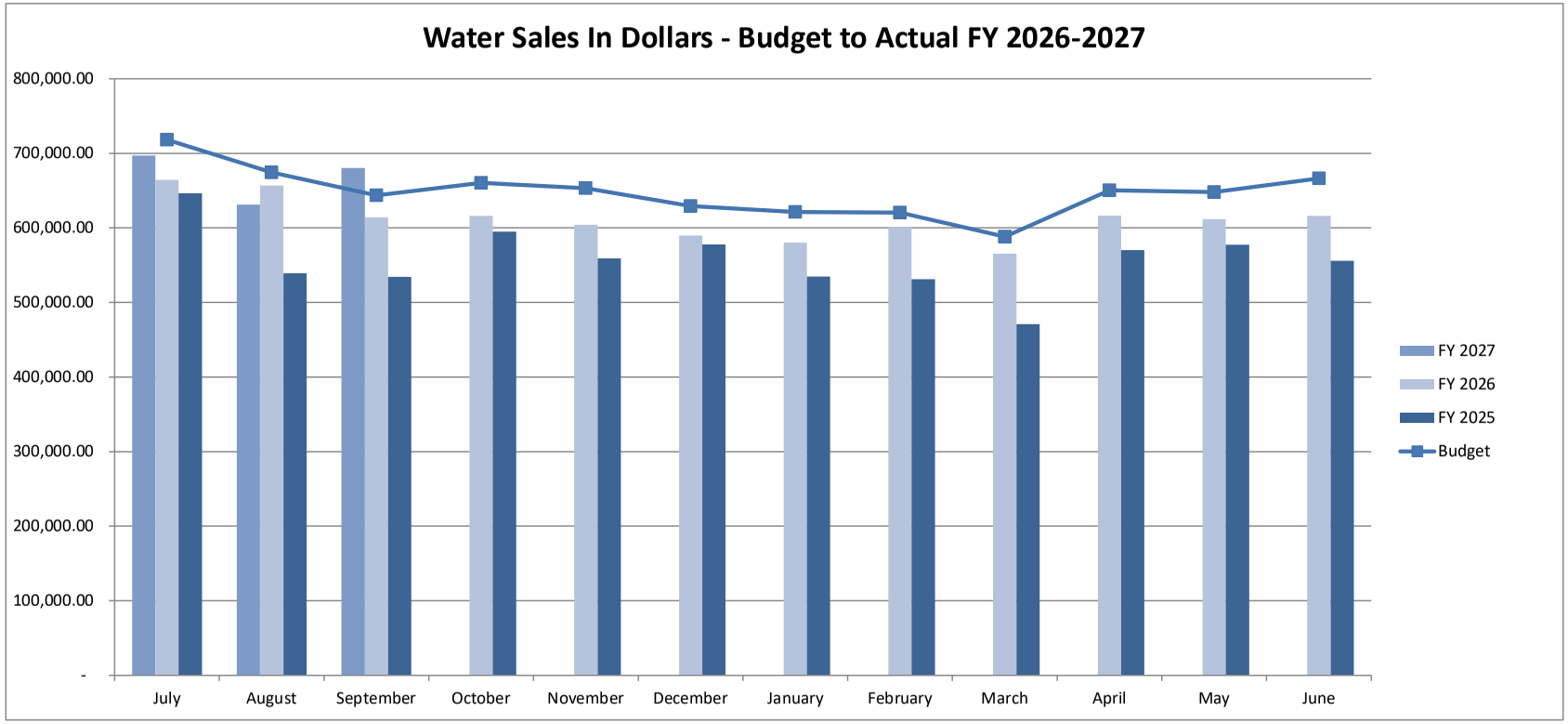
ACCOUNT DESCRIPTION	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
110411 GOVERNING BOARD	133,119	133,119	35,623.27	110.63	97,385	26.80
110412 ADMINISTRATION	955,612	955,612	241,121.91	-1,211.56	715,702	25.10
110413 FINANCE	1,067,782	1,067,782	282,829.11	22,078.56	762,874	28.60
110414 PURCHASING	119,329	119,329	16,808.20	186.25	102,335	14.20
110415 LEGAL	57,194	57,194	-8,653.14	0.00	65,847	-15.10
110416 HUMAN RESOURCES	550,896	550,896	102,985.54	16,703.81	431,207	21.70
110419 CUSTOMER SERVICE	125,194	125,194	32,247.12	86,951.93	5,995	95.20
110420 INFORMATION SERVICES	1,056,483	1,056,483	278,996.84	-13,642.01	791,128	25.10
110421 METER SERVICE	35,495	35,495	33,291.61	83,248.35	-81,045	328.30
110425 GARAGE	1,003,918	1,003,918	208,072.19	511.86	795,334	20.80
110427 CITY HALL	143,813	143,813	37,663.13	32,060.12	74,090	48.50
110428 CITY HALL ANNEX	79,995	79,995	22,700.81	18,675.00	38,619	51.70
110431 POLICE	10,755,080	10,755,080	2,797,684.30	-35,260.87	7,992,657	25.70
110433 COMMUNICATION	1,173,821	1,173,821	210,014.05	0.00	963,807	17.90
110434 FIRE	6,603,147	6,603,147	1,765,390.58	84,096.02	4,753,660	28.00
110435 BUILDING INSPECTIONS	690,203	690,203	124,633.57	264.41	565,305	18.10
110451 STREETS	1,469,803	1,469,803	375,667.14	35,730.21	1,058,406	28.00
110453 AIRPORT	869,698	869,698	279,300.09	64,150.11	526,248	39.50
110471 SOLID WASTE	2,418,169	2,418,169	485,541.15	5,431.88	1,927,196	20.30
110491 GIS	234,286	234,286	24,621.15	33,639.60	176,025	24.90
110493 PLANNING SERVICES	910,910	910,910	226,846.13	-1,655.36	685,719	24.70
110495 SPECIAL APPROPRIATIONS	3,641,774	3,651,424	118,834.67	0.00	3,532,589	3.30
110612 PARKS & RECREATION	2,056,106	2,171,854	638,598.77	57,204.04	1,476,051	32.00
110613 MAINTENANCE GROUNDS & C	2,241,505	2,241,505	445,561.00	92,753.51	1,703,190	24.00
Total	38,393,332	38,518,730	8,776,379.19	582,026.49	29,160,324	24.30

DEBT SERVICE - POWELL BILL FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Installment Purchase Contracts						
FY 23 Installment Purchase						
Debt Retired in 2028	5,748.09	2,849.93	-	-	-	-
FY 25 Installment Purchase						
Debt Retired in 2030	33,541.34	33,541.33	33,541.34	33,541.34	-	-
FY 25 Installment Purchase						
Debt Retired in 2031	33,055.65	33,055.65	33,055.65	33,055.65	33,055.65	-
Total Debt Service - Powell Bill Fund	72,345.08	69,446.91	66,596.99	66,596.99	33,055.65	-



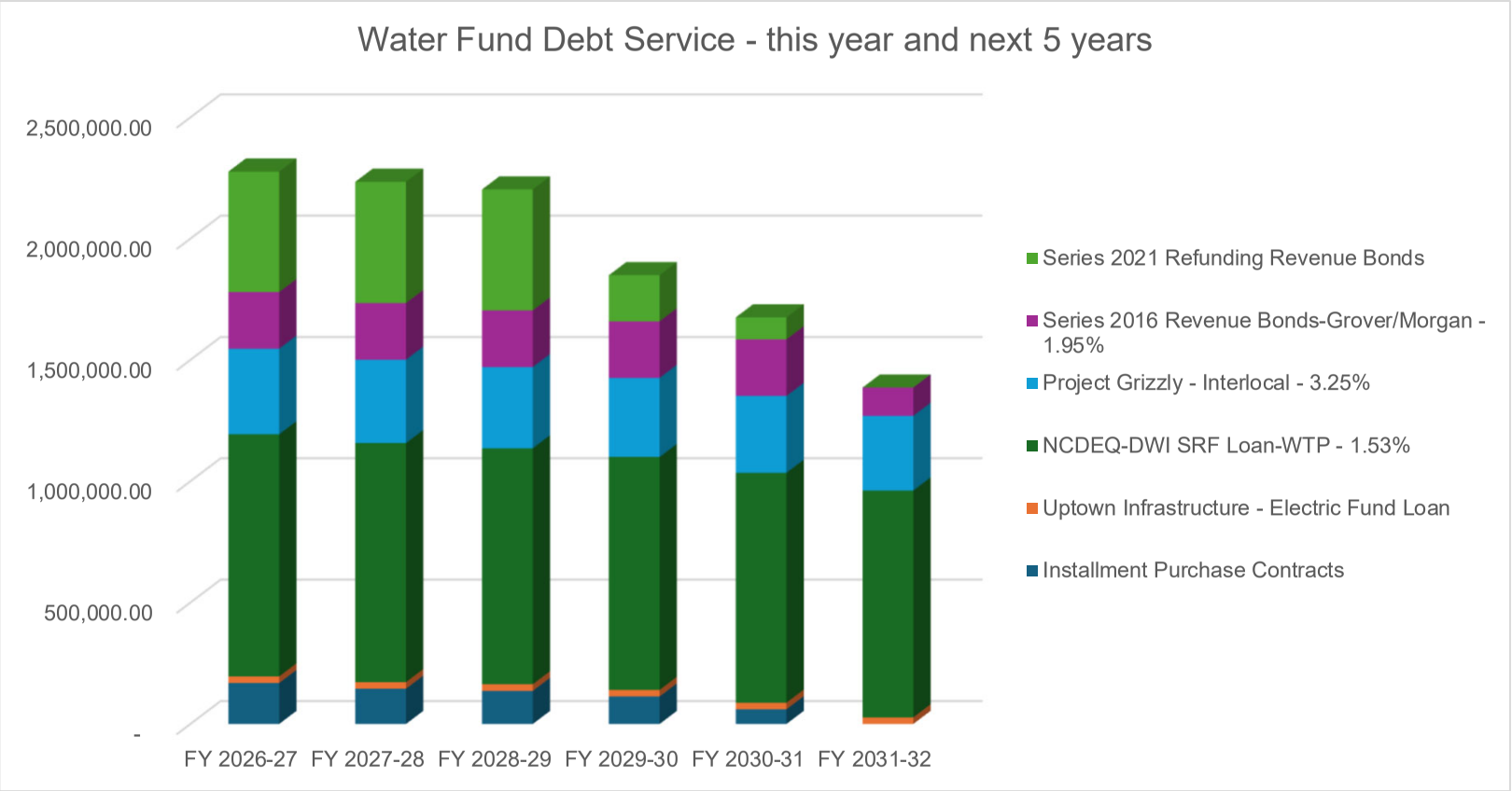
City of Shelby
Water Revenue Budget to Actual
FY 2027

	July	August	September	October	November	December	January	February	March	April	May	June	Total
FY 2027 Budget													
Inside Water													
Useage	154,183	133,933	122,435	131,663	128,436	127,135	122,261	122,862	111,528	133,333	131,203	135,241	1,554,212
Dollars	646,507.50	601,689.43	567,685.88	589,367.50	583,022.40	570,080.79	557,967.58	558,819.04	529,132.02	582,586.62	582,102.58	594,925.43	6,963,886.76
Outside Water													
Useage	14,414	14,785	15,626	14,419	14,215	11,183	12,378	11,924	11,157	13,618	12,987	14,546	161,253
Dollars	71,761.80	72,493.70	76,104.72	71,090.33	70,278.98	59,112.14	63,450.24	61,575.31	59,067.03	67,933.55	65,877.17	71,529.39	810,274.36
Totals													
Useage	168,596	148,718	138,062	146,083	142,651	138,318	134,639	134,786	122,685	146,951	144,190	149,787	1,715,465
Dollars	718,269.30	674,183.14	643,790.60	660,457.83	653,301.38	629,192.93	621,417.82	620,394.35	588,199.05	650,520.17	647,979.76	666,454.82	7,484,343.00
FY 2027 Actual													
Inside Water													
Useage	153,929	133,534	144,761	-	-	-	-	-	-	-	-	-	432,224
Dollars	628,077	571,080	610,816	-	-	-	-	-	-	-	-	-	1,809,972.17
Outside Water													
Useage	14,922	12,830	15,355	-	-	-	-	-	-	-	-	-	43,107
Dollars	68,810	60,361	69,630	-	-	-	-	-	-	-	-	-	198,800
Totals													
Useage	168,851	146,364	160,116	-	-	-	-	-	-	-	-	-	475,331
Dollars	696,886	631,440	680,446	-	-	-	-	-	-	-	-	-	2,008,772.09
Variance													
Inside Water													
Useage	(254)	(399)	22,326	(131,663)	(128,436)	(127,135)	(122,261)	(122,862)	(111,528)	(133,333)	(131,203)	(135,241)	(1,121,988)
Dollars	(18,430.88)	(30,609.63)	43,129.87	(589,367.50)	(583,022.40)	(570,080.79)	(557,967.58)	(558,819.04)	(529,132.02)	(582,586.62)	(582,102.58)	(594,925.43)	(5,153,914.59)
Outside Water													
Useage	508	(1,955)	(271)	(14,419)	(14,215)	(11,183)	(12,378)	(11,924)	(11,157)	(13,618)	(12,987)	(14,546)	(118,146)
Dollars	(2,952.20)	(12,133.18)	(6,474.92)	(71,090.33)	(70,278.98)	(59,112.14)	(63,450.24)	(61,575.31)	(59,067.03)	(67,933.55)	(65,877.17)	(71,529.39)	(611,474)
Totals													
Useage	255	(2,354)	22,054	(146,083)	(142,651)	(138,318)	(134,639)	(134,786)	(122,685)	(146,951)	(144,190)	(149,787)	(1,240,134)
Dollars	(21,383.08)	(42,742.82)	36,654.95	(660,457.83)	(653,301.38)	(629,192.93)	(621,417.82)	(620,394.35)	(588,199.05)	(650,520.17)	(647,979.76)	(666,454.82)	(5,765,389.03)


Water Sales In Dollars - Budget to Actual FY 2026-2027
800,000.00
700,000.00
600,000.00
500,000.00
400,000.00
300,000.00
200,000.00
100,000.00
-
July
August
September
October
November
December
January
February
March
April
May
June
FY 2027
FY 2026
FY 2025
Budget

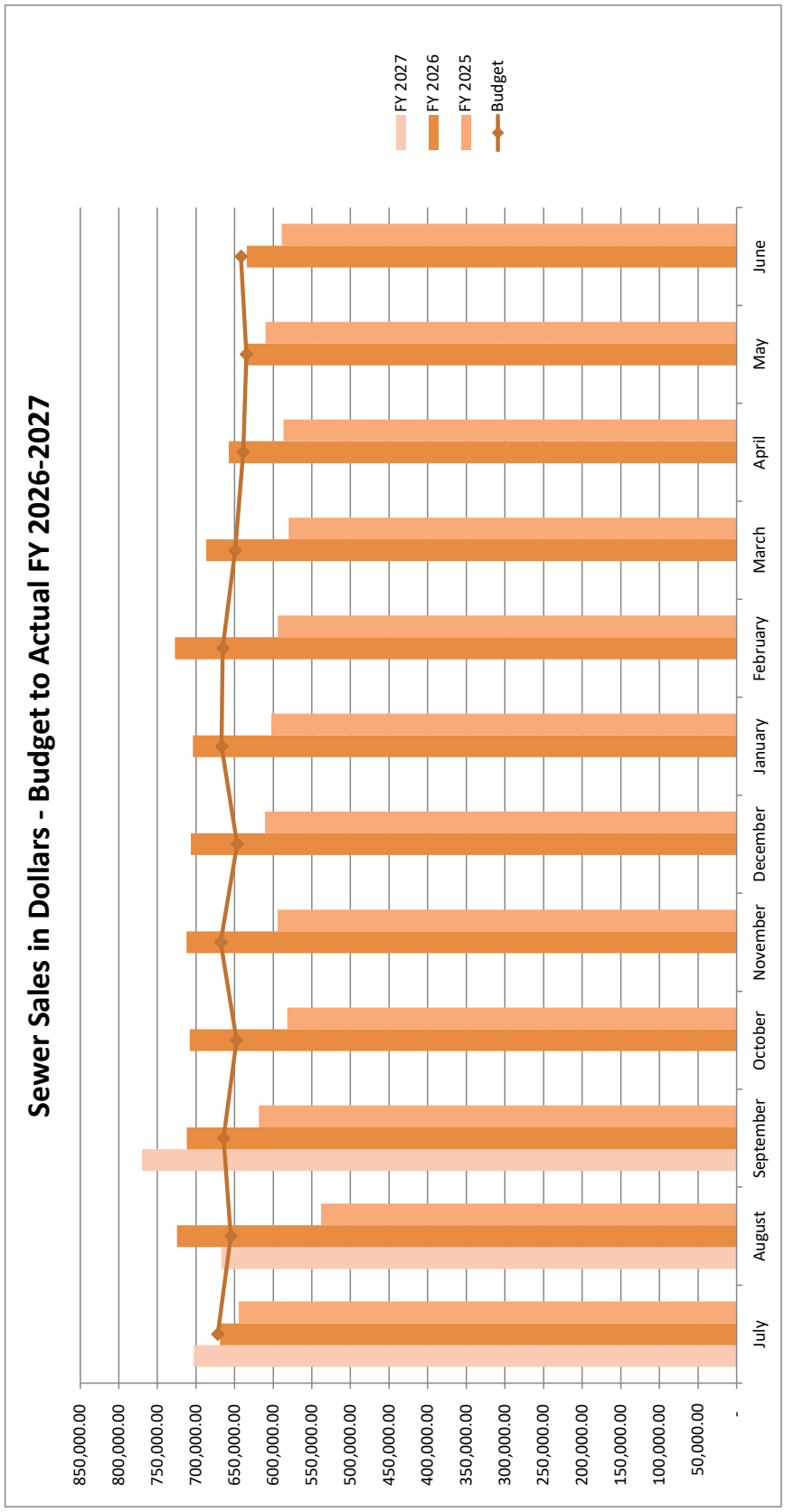
DEBT SERVICE - WATER FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Revenue Bonds						
Series 2021 Refunding Revenue Bonds						
Principal	474,598.56	484,259.94	490,006.96	187,000.00	90,000.00	-
Interest	22,504.52	15,822.83	9,024.53	3,220.00	630.00	-
Debt Retired in 2031	497,103.08	500,082.77	499,031.49	190,220.00	90,630.00	-
Series 2016 Revenue Bonds-Grover/Morgan - 1.95%						
Principal	210,795.85	214,836.41	219,137.91	223,431.93	227,810.00	115,528.00
1.95% Interest	22,604.15	18,473.59	14,262.09	9,968.07	5,590.00	1,126.00
Debt Retired in 2032	233,400.00	233,310.00	233,400.00	233,400.00	233,400.00	116,654.00
NCDEQ-DWI SRF Loan-WTP - 1.53%	*Water Treatment Plant*					
Principal	821,392.50	821,392.50	821,392.50	821,392.50	821,392.50	821,392.50
1.53% Interest	175,942.28	163,374.96	150,807.66	138,240.36	125,673.06	113,106.00
Debt Retired in 2040	997,334.78	984,767.46	972,200.16	959,632.86	947,065.56	934,498.50
Project Grizzly - Interlocal - 3.25%						
Principal	298,570.05	298,570.05	298,570.05	298,570.05	298,570.05	298,580.00
3.25% Interest	54,339.73	45,283.11	36,226.49	27,169.86	18,113.24	9,057.00
Debt Retired in 2032	352,909.78	343,853.16	334,796.54	325,739.92	316,683.29	307,637.00

Installment Purchase Contracts	**FY 2026-27**	**FY 2027-28**	**FY 2028-29**	**FY 2029-30**	**FY 2030-31**	**FY 2031-32**
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 22 Installment Purchase						
Debt Retired in 2027	14,628.58	-	-	-	-	-
FY 23 Installment Purchase						
Debt Retired in 2028	17,676.21	8,763.96	-	-	-	-
FY 24 Installment Purchase						
Debt Retired in 2029	23,217.59	23,217.59	23,217.59	-	-	-
FY 25 Installment Purchase						
Debt Retired in 2030	52,771.71	52,771.71	52,771.71	52,771.70	-	-
FY 26 Installment Purchase	60,407.89	60,407.89	60,407.89	60,407.89	60,407.89	-
Debt Retired in 2031						
Total Installment Debt	168,701.98	145,161.15	136,397.19	113,179.59	60,407.89	-
Total Debt Service - Water Fund	2,276,699.62	2,234,424.54	2,203,075.38	1,849,422.37	1,675,436.75	1,386,039.50


Water Fund Debt Service - this year and next 5 years
2,500,000.00
2,000,000.00
1,500,000.00
1,000,000.00
500,000.00
-
FY 2026-27
FY 2027-28
FY 2028-29
FY 2029-30
FY 2030-31
FY 2031-32
Series 2021 Refunding Revenue Bonds
Series 2016 Revenue Bonds-Grover/Morgan - 1.95%
Project Grizzly - Interlocal - 3.25%
NCDEQ-DWI SRF Loan-WTP - 1.53%
Uptown Infrastructure - Electric Fund Loan
Installment Purchase Contracts

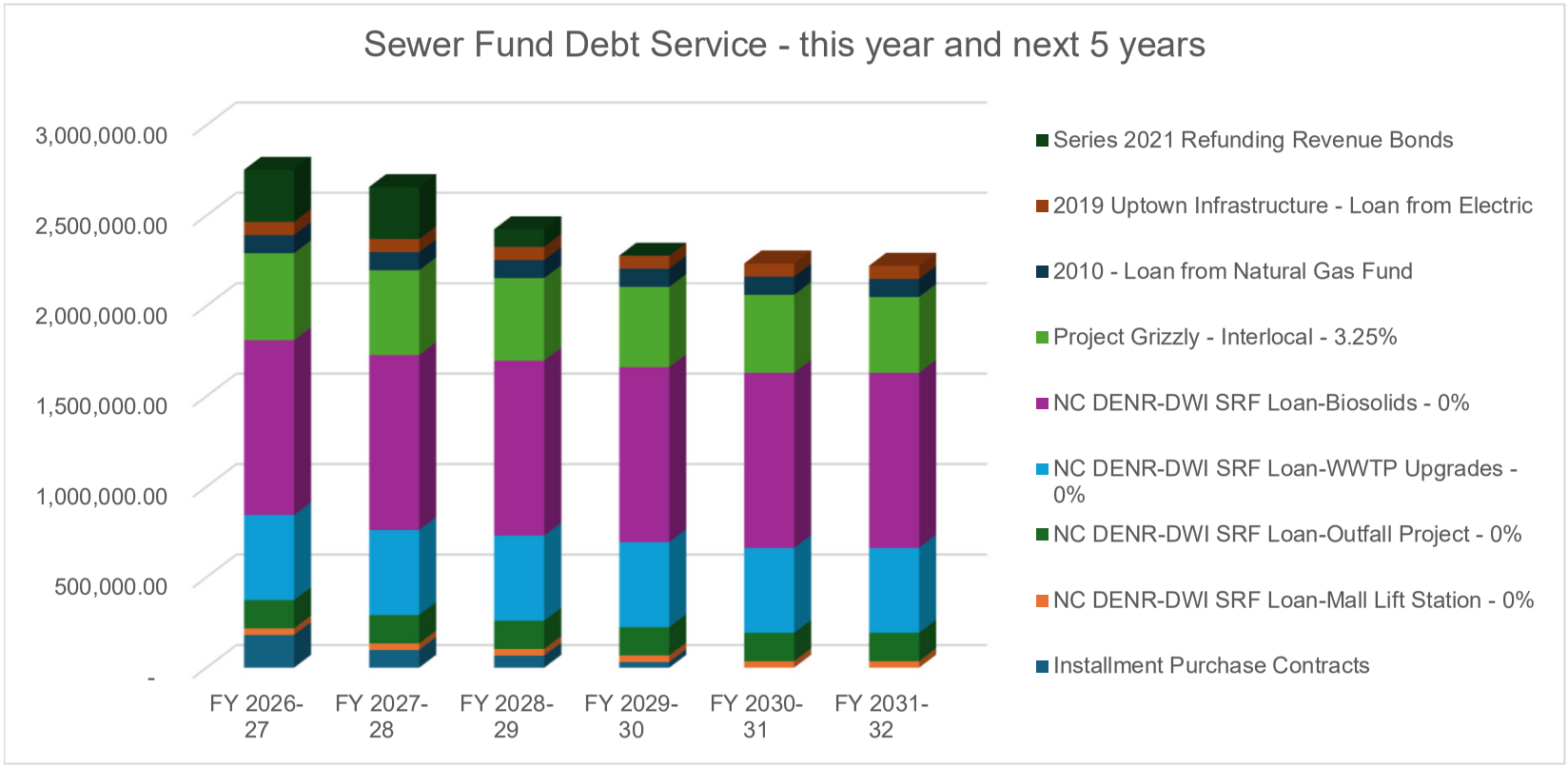
City of Shelby
Sewer Revenue Budget to Actual
FY 2027

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY 2027 Budget													
Inside Sewer													
Useage	82,336	81,843	53,846	76,389	81,578	79,522	82,010	83,356	78,568	72,682	72,975	74,617	919,722
Dollars	620,094.46	603,554.42	599,059.12	585,190.87	608,138.53	588,617.59	608,730.45	607,765.53	590,772.21	582,412.96	580,428.13	588,539.40	7,163,303.67
Outside Sewer													
Useage	3,313	3,247	4,956	4,617	3,593	4,083	4,135	4,037	4,145	3,852	3,613	3,489	47,080
Dollars	51,703.00	51,192.54	65,273.27	62,392.83	59,744.29	57,959.72	58,133.56	57,556.02	58,562.13	56,467.35	54,516.42	53,195.21	686,696.33
Totals													
Useage	85,649	85,091	58,802	81,006	85,171	83,605	86,145	87,392	82,713	76,534	76,588	78,106	966,802
Dollars	671,797.45	654,746.96	664,332.39	647,583.70	667,882.81	646,577.31	666,864.01	665,321.55	649,334.34	638,880.32	634,944.55	641,734.60	7,850,000.00
FY 2027 Actual													
Inside Sewer													
Useage	80,950	72,777	92,291	-	-	-	-	-	-	-	-	-	246,018
Dollars	652,492	618,346	711,741	-	-	-	-	-	-	-	-	-	1,982,578.59
Outside Sewer													
Useage	2,830	2,649	3,748	-	-	-	-	-	-	-	-	-	9,227
Dollars	50,398	48,943	58,225	-	-	-	-	-	-	-	-	-	157,565.75
Totals													
Useage	83,780	75,426	96,039	-	-	-	-	-	-	-	-	-	255,245
Dollars	702,889.47	667,289.07	769,965.80	-	-	-	-	-	-	-	-	-	2,140,144.34
Variance													
Inside Sewer													
Useage	(1,386)	(9,066)	38,445	(76,389)	(81,578)	(79,522)	(82,010)	(83,356)	(78,568)	(72,682)	(72,975)	(74,617)	(673,704.33)
Dollars	32,397.26	14,791.80	112,681.53	(585,190.87)	(608,138.53)	(588,617.59)	(608,730.45)	(607,765.53)	(590,772.21)	(582,412.96)	(580,428.13)	(588,539.40)	(5,180,725.08)
Outside Sewer													
Useage	(483)	(598)	(1,208)	(4,617)	(3,593)	(4,083)	(4,135)	(4,037)	(4,145)	(3,852)	(3,613)	(3,489)	(37,852.67)
Dollars	(1,305.25)	(2,249.69)	(7,048.12)	(62,392.83)	(59,744.29)	(57,959.72)	(58,133.56)	(57,556.02)	(58,562.13)	(56,467.35)	(54,516.42)	(53,195.21)	(529,130.58)
Totals													
Useage	(1,869)	(9,665)	37,237	(81,006)	(85,171)	(83,605)	(86,145)	(87,392)	(82,713)	(76,534)	(76,588)	(78,106)	(711,557.00)
Dollars	31,092.02	12,542.11	105,633.41	(647,583.70)	(667,882.81)	(646,577.31)	(666,864.01)	(665,321.55)	(649,334.34)	(638,880.32)	(634,944.55)	(641,734.60)	(5,709,855.66)


Sewer Sales in Dollars - Budget to Actual FY 2026-2027
FY 2027
FY 2026
FY 2025
Budget
850,000.00
800,000.00
750,000.00
700,000.00
650,000.00
600,000.00
550,000.00
500,000.00
450,000.00
400,000.00
350,000.00
300,000.00
250,000.00
200,000.00
150,000.00
100,000.00
50,000.00
-
July
August
September
October
November
December
January
February
March
April
May
June

DEBT SERVICE - SEWER FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Revenue Bonds						
Series 2021 Refunding Revenue Bonds						
Principal	279,862.62	283,510.18	96,815.67	-	-	-
Interest	8,263.12	4,332.28	1,017.03	-	-	-
Debt Retired in 2031	288,125.74	287,842.46	97,832.70	-	-	-
NC DENR-DWI SRF Loan-Mall Lift Station - 0%	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10
0% Debt Retired in 2034						
NC DENR-DWI SRF Loan-Outfall Project - 0%	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90
0% Debt Retired in 2035						
NC DENR-DWI SRF Loan-WWTP Upgrades - 0%	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90
0% Debt Retired in 2036						
NC DENR-DWI SRF Loan-Biosolids - 0%	967,046.85	967,046.85	967,046.85	967,046.85	967,046.85	967,046.85
0% Debt Retired in 2041						
Project Grizzly - Interlocal - 3.25%						
Principal	407,155.35	407,155.35	407,155.35	407,155.35	407,155.35	407,119.00
3.25% Interest	74,102.25	61,751.87	49,401.50	37,051.12	24,700.75	12,348.00
Debt Retired in 2032	481,257.59	468,907.22	456,556.84	444,206.47	431,856.10	419,467.00

DEBT SERVICE - SEWER FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Installment Purchase Contracts						
2010 - Loan from Natural Gas Fund	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
0% **Debt Retired in 2033**						
2019 Uptown Infrastructure - Loan from Electric	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00
0% **Debt Retired in 2038**						
FY 22 Installment Purchase						
Debt Retired in 2027	50,913.19	-	-	-	-	-
FY 23 Installment Purchase						
Debt Retired in 2028	62,697.37	31,085.68	-	-	-	
FY 24 Installment Purchase						
Debt Retired in 2029	35,939.56	35,939.56	35,939.56	-		-
FY 25 Installment Purchase						
Debt Retired in 2030	31,305.25	31,305.25	31,305.25	31,305.25	-	-
FY 26 Installment Purchase						
Debt Retired in 2031	73,501.62	73,501.62	73,501.62	73,501.62	73,501.62	-
Total Installment Debt	180,855.37	98,330.49	67,244.81	31,305.25	-	
Total Debt Service - Sewer Fund	2,752,690.45	2,657,531.92	2,424,086.10	2,277,963.47	2,234,307.85	2,221,918.75


Sewer Fund Debt Service - this year and next 5 years
3,000,000.00
2,500,000.00
2,000,000.00
1,500,000.00
1,000,000.00
500,000.00
-
FY 2026-27
FY 2027-28
FY 2028-29
FY 2029-30
FY 2030-31
FY 2031-32
Series 2021 Refunding Revenue Bonds
2019 Uptown Infrastructure - Loan from Electric
2010 - Loan from Natural Gas Fund
Project Grizzly - Interlocal - 3.25%
NC DENR-DWI SRF Loan-Biosolids - 0%
NC DENR-DWI SRF Loan-WWTP Upgrades - 0%
NC DENR-DWI SRF Loan-Outfall Project - 0%
NC DENR-DWI SRF Loan-Mall Lift Station - 0%
Installment Purchase Contracts

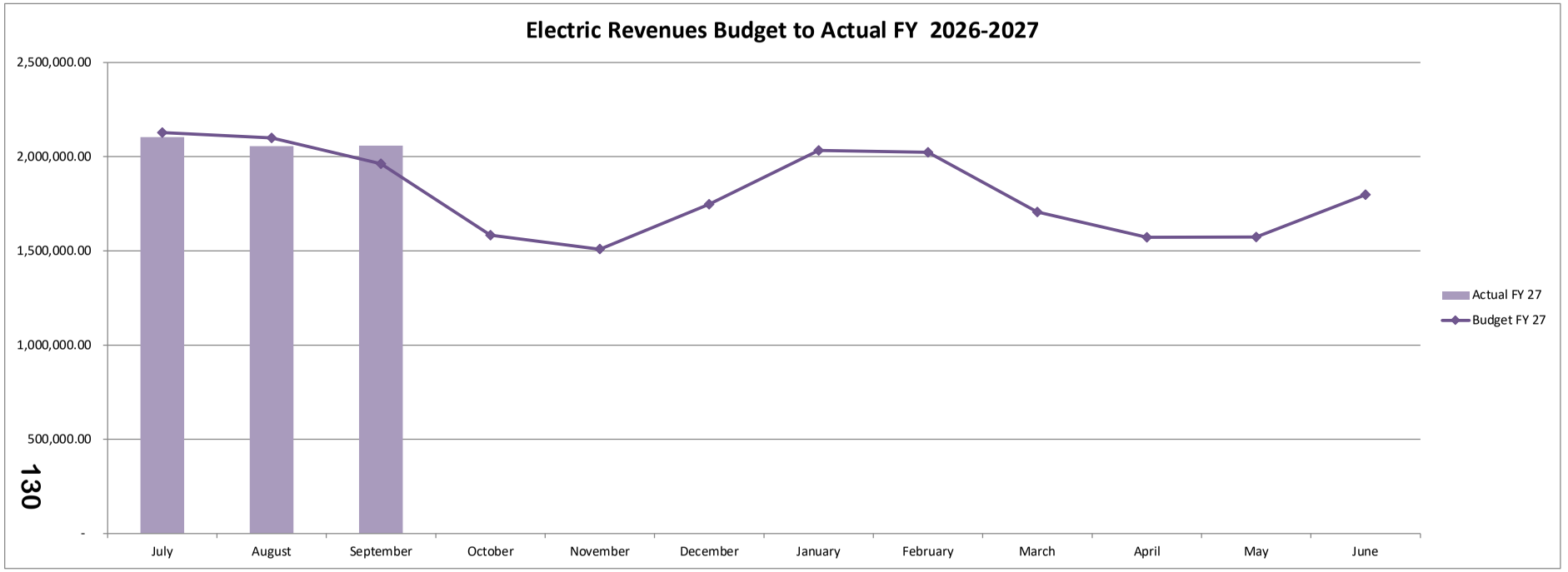
City of Shelby
Electric Revenues Budget to Actual
FY 2027

Revenues

Budget FY 27	**July**	**August**	**September**	**October**	**November**	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**Totals**
Residential	944,042.60	902,443.88	810,821.94	618,701.42	617,743.99	837,105.29	1,070,009.44	1,046,001.84	804,613.00	681,927.22	648,658.62	764,550.70	9,746,619.96
Commercial/Industrial	1,183,992.63	1,197,727.03	1,152,057.28	965,237.47	891,424.32	910,172.97	963,472.66	976,847.03	901,507.97	889,867.47	924,667.75	1,033,211.46	11,990,186.04
Totals	2,128,035.23	2,100,170.91	1,962,879.23	1,583,938.89	1,509,168.31	1,747,278.26	2,033,482.10	2,022,848.87	1,706,120.97	1,571,794.69	1,573,326.37	1,797,762.16	21,736,806.00

Actual FY 27	**July**	**August**	**September**	**October**	**November**	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**Totals**
Residential	966,047.33	909,475.70	904,238.05										2,779,761.08
Commercial/Industrial	1,137,869.06	1,146,126.95	1,154,435.13										3,438,431.14
Totals	2,103,916.39	2,055,602.65	2,058,673.18	-	-	-	-	-	-	-	-	-	6,218,192.22

Revenue Variance	**July**	**August**	**September**	**October**	**November**	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**Totals**
Residential	22,004.73	7,031.82	93,416.11	(618,701.42)	(617,743.99)	(837,105.29)	(1,070,009.44)	(1,046,001.84)	(804,613.00)	(681,927.22)	(648,658.62)	(764,550.70)	(6,966,858.88)
Commercial/Industrial	(46,123.57)	(51,600.08)	2,377.85	(965,237.47)	(891,424.32)	(910,172.97)	(963,472.66)	(976,847.03)	(901,507.97)	(889,867.47)	(924,667.75)	(1,033,211.46)	(8,551,754.90)
	(24,118.84)	(44,568.26)	95,793.95	(1,583,938.89)	(1,509,168.31)	(1,747,278.26)	(2,033,482.10)	(2,022,848.87)	(1,706,120.97)	(1,571,794.69)	(1,573,326.37)	(1,797,762.16)	(15,518,613.78)

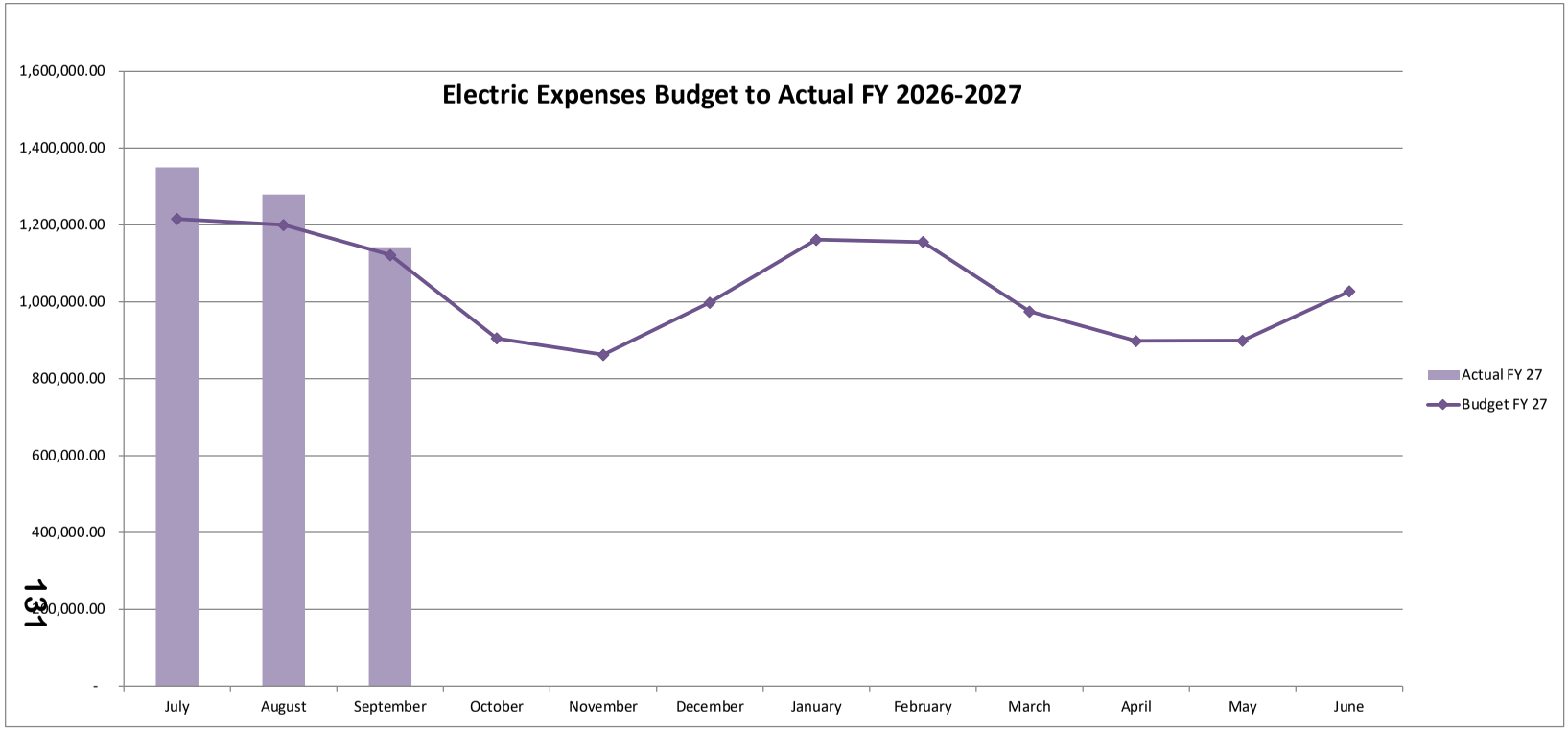


Expenses

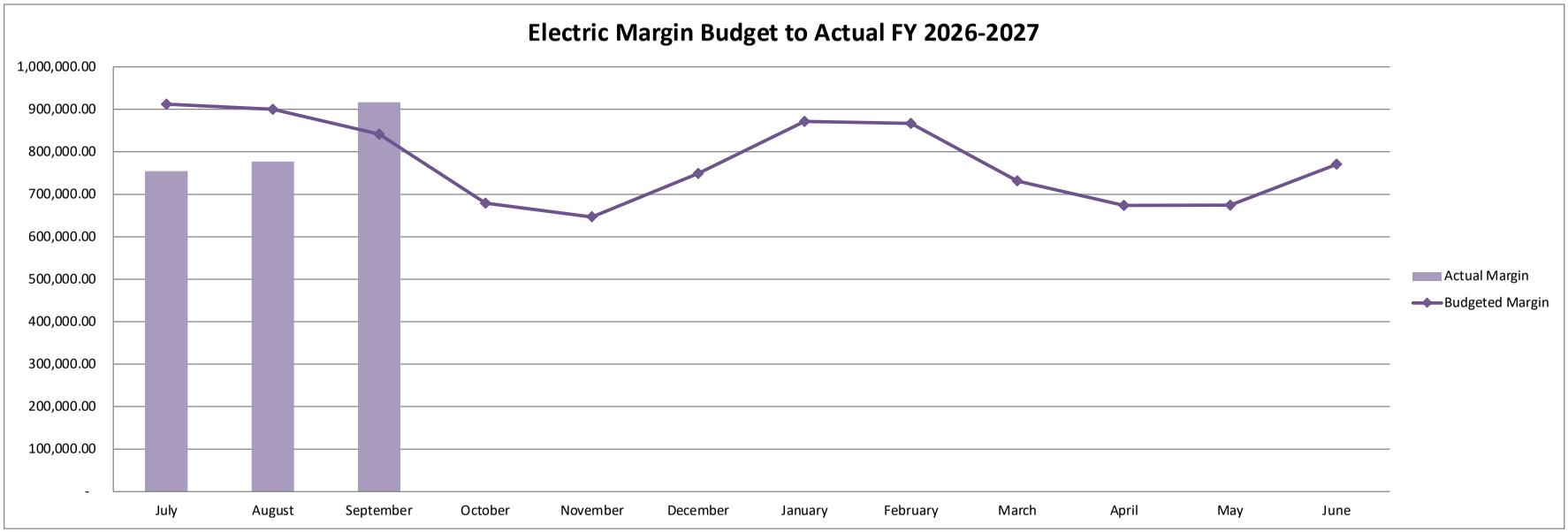
Budget FY 27	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,173,822.06	1,158,452.13	1,082,722.18	873,699.08	832,455.70	963,796.91	1,121,666.65	1,115,801.37	941,094.59	867,000.35	867,845.22	991,643.77	11,990,000.00
													-
SEPA	42,097.04	41,545.82	38,829.90	31,333.66	29,854.54	34,564.86	40,226.58	40,016.23	33,750.68	31,093.42	31,123.72	35,563.54	430,000.00
Totals	1,215,919.10	1,199,997.95	1,121,552.08	905,032.74	862,310.24	998,361.77	1,161,893.23	1,155,817.60	974,845.27	898,093.77	898,968.94	1,027,207.31	12,420,000.00

Actual FY 27	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,304,320.35	1,234,517.97	1,093,080.84										3,631,919.16
wholesale power 1st demand	$21.65/kW	$21.65/kW	$21.65/kW										
energy charges 1st block	$.0371/kWh	$.0371/kWh	$.0371/kWh										
SEPA	45,400.11	44,414.15	49,087.37										138,901.63
capacity rate	4.16/kW	4.16/kW	4.16/kW										
avg energy cost	.093/kWh	.103/kWh	.118/kWh										
Totals	1,349,720.46	1,278,932.12	1,142,168.21	-	-	-	-	-	-	-	-	-	3,770,820.79

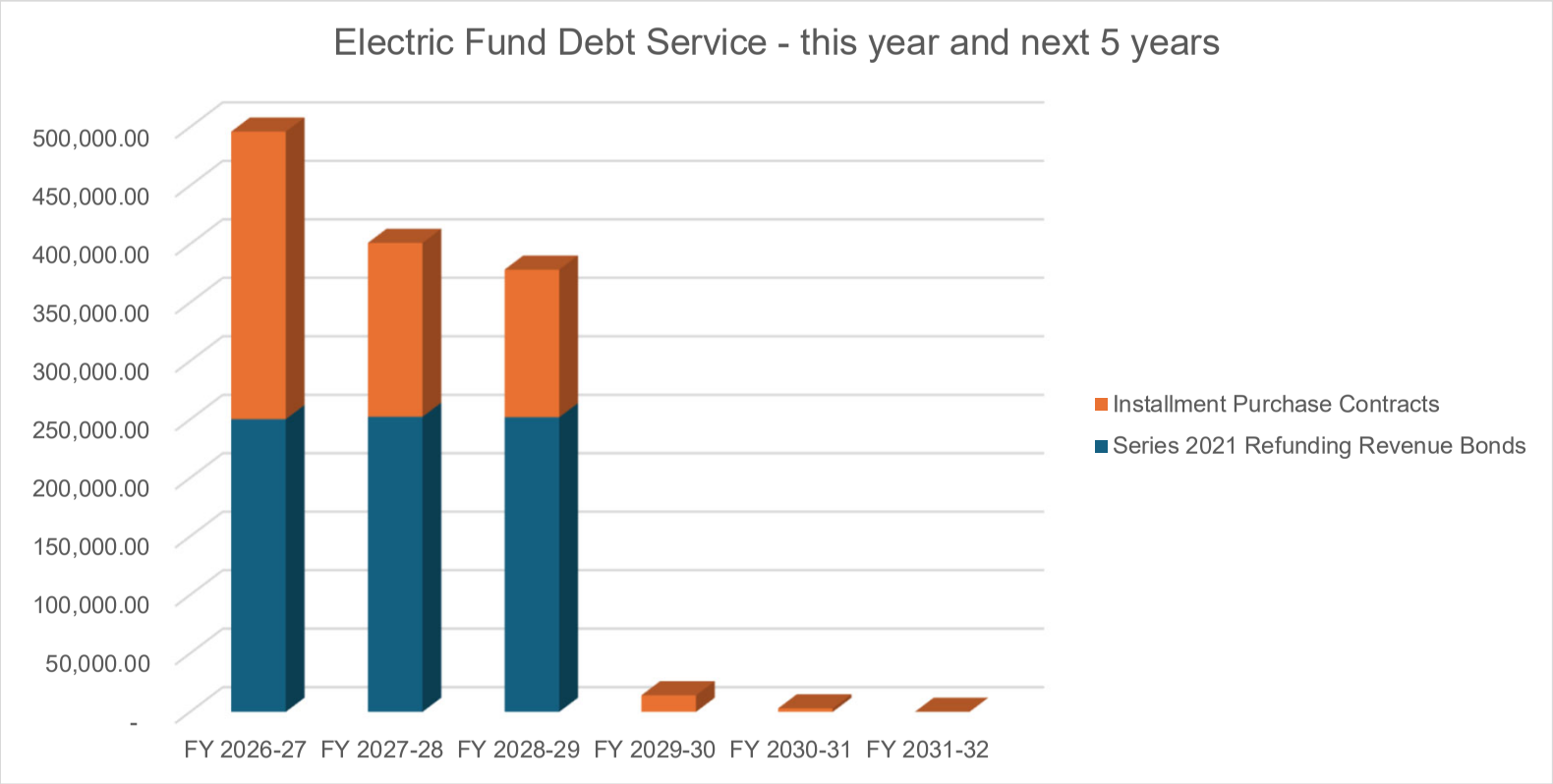
Expense Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	(130,498.29)	(76,065.84)	(10,358.66)	873,699.08	832,455.70	963,796.91	1,121,666.65	1,115,801.37	941,094.59	867,000.35	867,845.22	991,643.77	8,358,080.84
SEPA	(3,303.07)	(2,868.33)	(10,257.47)	31,333.66	29,854.54	34,564.86	40,226.58	40,016.23	33,750.68	31,093.42	31,123.72	35,563.54	291,098.37
Totals	(133,801.36)	(78,934.17)	(20,616.13)	905,032.74	862,310.24	998,361.77	1,161,893.23	1,155,817.60	974,845.27	898,093.77	898,968.94	1,027,207.31	8,649,179.21



Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	2,128,035.23	2,100,170.91	1,962,879.23	1,583,938.89	1,509,168.31	1,747,278.26	2,033,482.10	2,022,848.87	1,706,120.97	1,571,794.69	1,573,326.37	1,797,762.16	21,736,806.00
Budgeted Expenses	(1,215,919.10)	(1,199,997.95)	(1,121,552.08)	(905,032.74)	(862,310.24)	(998,361.77)	(1,161,893.23)	(1,155,817.60)	(974,845.27)	(898,093.77)	(898,968.94)	(1,027,207.31)	(12,420,000.00)
Budgeted Margin	912,116.13	900,172.96	841,327.15	678,906.15	646,858.07	748,916.50	871,588.87	867,031.27	731,275.70	673,700.92	674,357.43	770,554.85	9,316,806.00
Actual Revenues	2,103,916.39	2,055,602.65	2,058,673.18	-	-	-	-	-	-	-	-	-	6,218,192.22
Actual Expenses	(1,349,720.46)	(1,278,932.12)	(1,142,168.21)	-	-	-	-	-	-	-	-	-	(3,770,820.79)
Actual Margin	754,195.93	776,670.53	916,504.97	-	-	-	-	-	-	-	-	-	2,447,371.43
Margin Variance	(157,920.20)	(123,502.43)	75,177.82	(678,906.15)	(646,858.07)	(748,916.50)	(871,588.87)	(867,031.27)	(731,275.70)	(673,700.92)	(674,357.43)	(770,554.85)	(6,869,434.57)



DEBT SERVICE - ELECTRIC FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Revenue Bonds						
Series 2021 Refunding Revenue Bonds						
Principal	240,834.84	246,262.10	249,314.94	-	-	-
Interest	9,466.84	6,076.16	2,618.99	-	-	-
Debt Retired in 2029	250,301.68	252,338.26	251,933.93	-	-	-
Installment Purchase Contracts						
FY 22 Installment Purchase						
Debt Retired in 2027	74,290.23	-	-	-	-	-
FY 23 Installment Purchase						
Debt Retired in 2028	45,253.74	22,437.05	-	-	-	-
FY 24 Installment Purchase						
Debt Retired in 2029	112,072.59	112,072.59	112,072.59	-	-	-
FY 25 Installment Purchase						
Debt Retired in 2030	11,180.44	11,180.44	11,180.45	11,180.45	-	-
FY 26 Installment Purchase						
Debt Retired in 2031	2,972.20	2,972.20	2,972.20	2,972.20	2,972.20	-
Total Installment Debt	245,769.19	148,662.27	126,225.23	14,152.65	2,972.20	-
Total Debt Service - Electric Fund	496,070.87	401,000.53	378,159.16	14,152.65	2,972.20	-


Electric Fund Debt Service - this year and next 5 years
500,000.00
450,000.00
400,000.00
350,000.00
300,000.00
250,000.00
200,000.00
150,000.00
100,000.00
50,000.00
-
FY 2026-27
FY 2027-28
FY 2028-29
FY 2029-30
FY 2030-31
FY 2031-32
Installment Purchase Contracts
Series 2021 Refunding Revenue Bonds

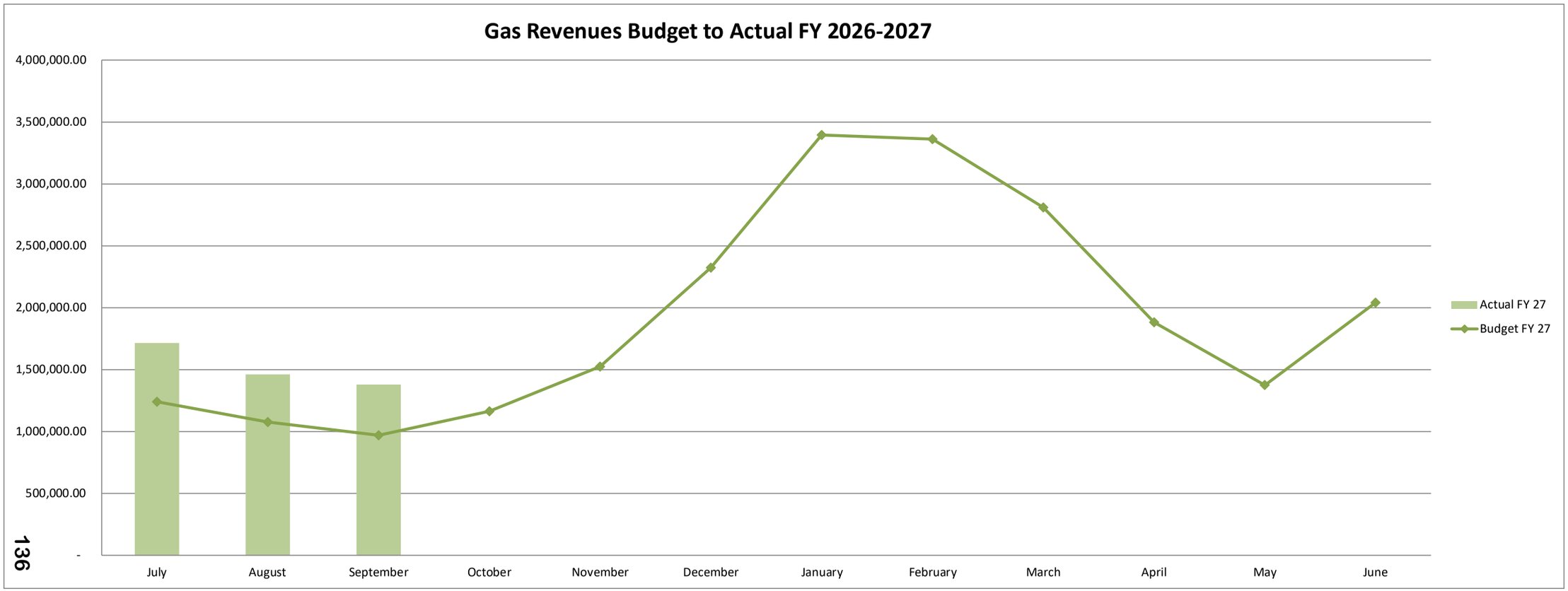
City of Shelby
Gas Revenues Budget to Actual
FY 2027

Revenues

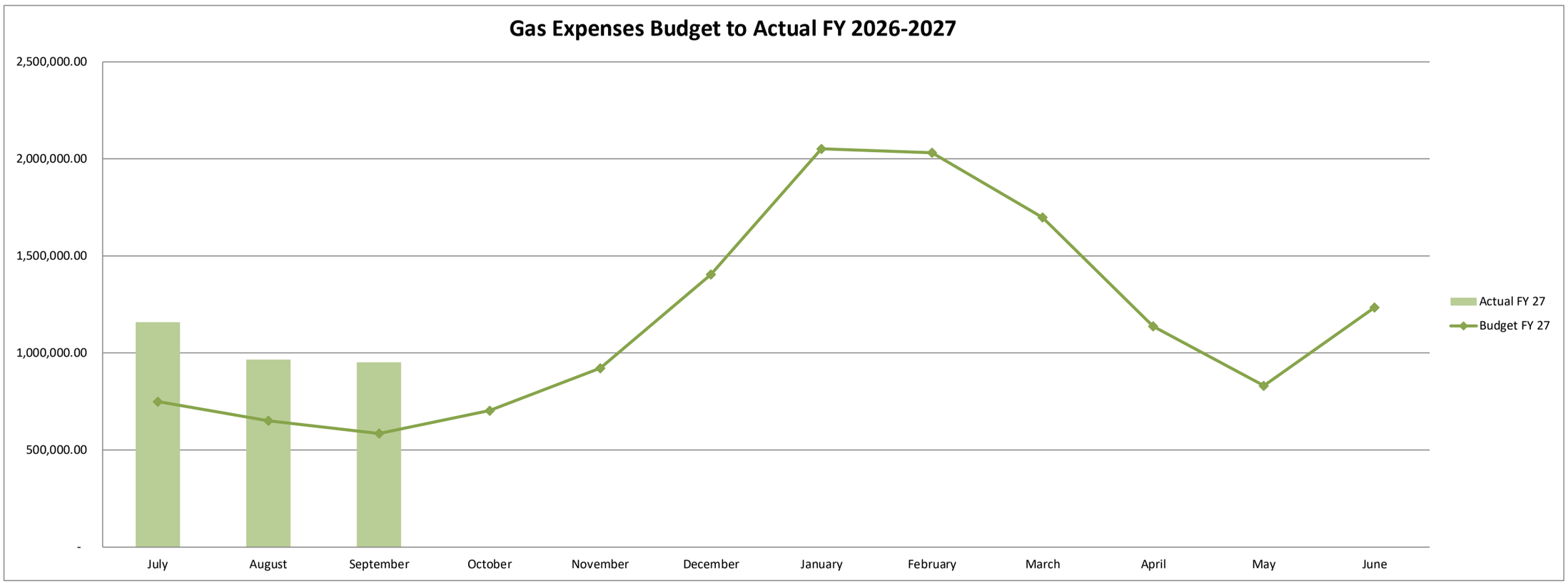
Budget FY 27	**July**	**August**	**September**	**October**	**November**	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**Totals**
Residential	134,903.31	127,090.80	136,231.59	158,312.85	242,858.65	641,174.24	1,047,226.57	1,057,781.89	707,053.21	323,332.96	197,318.41	844,230.78	5,617,515.26
Commercial	165,377.05	151,717.41	150,134.41	162,706.13	259,626.35	608,457.24	958,719.20	979,161.53	680,793.12	339,024.75	246,452.69	196,185.12	4,898,354.98
High Load Factor	16,653.20	15,550.43	14,153.24	15,427.37	16,830.29	28,588.57	29,570.26	29,345.06	26,090.80	22,684.63	24,347.30	26,504.50	265,745.64
Interruptibles	74,941.29	58,985.61	61,847.07	60,639.97	70,323.96	84,523.26	103,633.52	113,536.23	88,337.96	93,080.11	78,549.56	70,860.31	959,258.85
Special Ind Class	848,145.09	723,629.35	606,817.39	765,952.48	935,095.95	961,399.81	1,256,322.48	1,182,140.06	1,307,573.69	1,103,832.04	828,513.07	904,227.85	11,423,649.27
Totals	1,240,019.94	1,076,973.59	969,183.69	1,163,038.81	1,524,735.20	2,324,143.12	3,395,472.03	3,361,964.76	2,809,848.78	1,881,954.49	1,375,181.04	2,042,008.55	23,164,524.00

Actual FY 27	**July**	**August**	**September**	**October**	**November**	**December**	**January**	**February**	**March**	**April**	**May**	**June**	**Totals**
Residential	147,972.99	139,478.62	139,360.57										426,812.18
Commercial	180,893.43	170,223.58	176,231.71										527,348.72
High Load Factor	21,649.47	19,323.53	17,332.49										58,305.49
Interruptibles	75,245.20	70,333.74	63,137.09										208,716.03
Special Ind Class	1,289,388.98	1,061,420.66	983,771.74										3,334,581.38
Totals	1,715,150.07	1,460,780.13	1,379,833.60	-	-	-	-	-	-	-	-	-	4,555,763.80

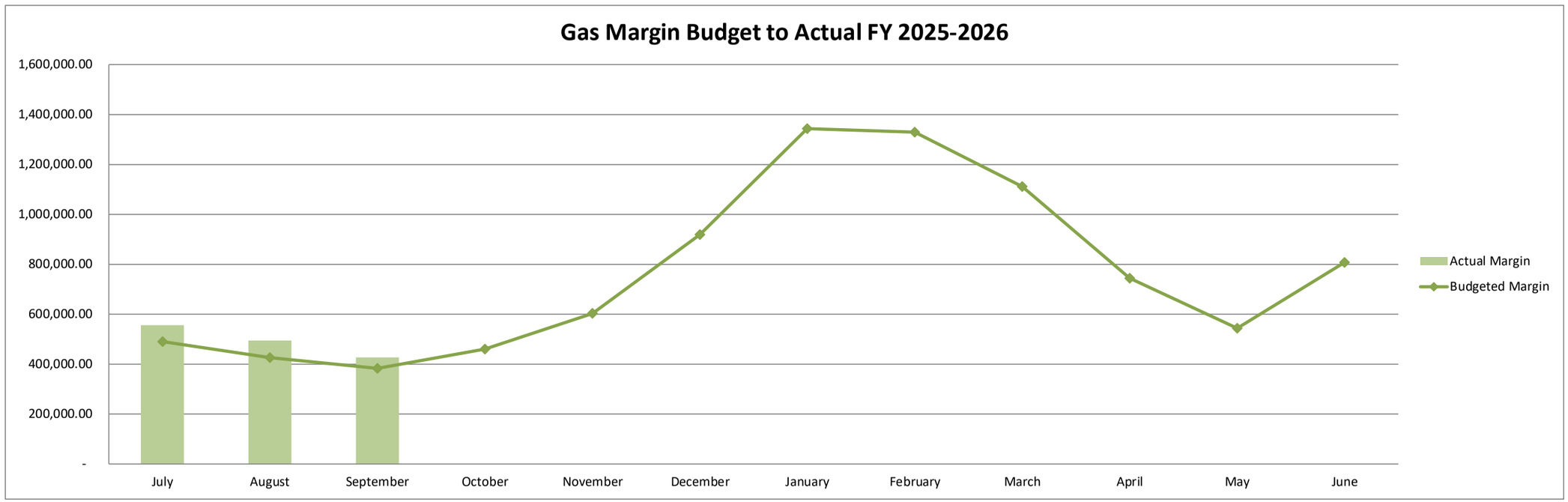
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	13,069.68	12,387.82	3,128.98	(158,312.85)	(242,858.65)	(641,174.24)	(1,047,226.57)	(1,057,781.89)	(707,053.21)	(323,332.96)	(197,318.41)	(844,230.78)	(5,190,703.08)
Commercial	15,516.38	18,506.17	26,097.30	(162,706.13)	(259,626.35)	(608,457.24)	(958,719.20)	(979,161.53)	(680,793.12)	(339,024.75)	(246,452.69)	(196,185.12)	(4,371,006.26)
High Load Factor	4,996.27	3,773.10	3,179.25	(15,427.37)	(16,830.29)	(28,588.57)	(29,570.26)	(29,345.06)	(26,090.80)	(22,684.63)	(24,347.30)	(26,504.50)	(207,440.15)
Interruptibles	303.91	11,348.13	1,290.02	(60,639.97)	(70,323.96)	(84,523.26)	(103,633.52)	(113,536.23)	(88,337.96)	(93,080.11)	(78,549.56)	(70,860.31)	(750,542.82)
Special Ind Class	441,243.89	337,791.31	376,954.35	(765,952.48)	(935,095.95)	(961,399.81)	(1,256,322.48)	(1,182,140.06)	(1,307,573.69)	(1,103,832.04)	(828,513.07)	(904,227.85)	(8,089,067.89)
Totals	475,130.13	383,806.54	410,649.91	(1,163,038.81)	(1,524,735.20)	(2,324,143.12)	(3,395,472.03)	(3,361,964.76)	(2,809,848.78)	(1,881,954.49)	(1,375,181.04)	(2,042,008.55)	(18,608,760.20)



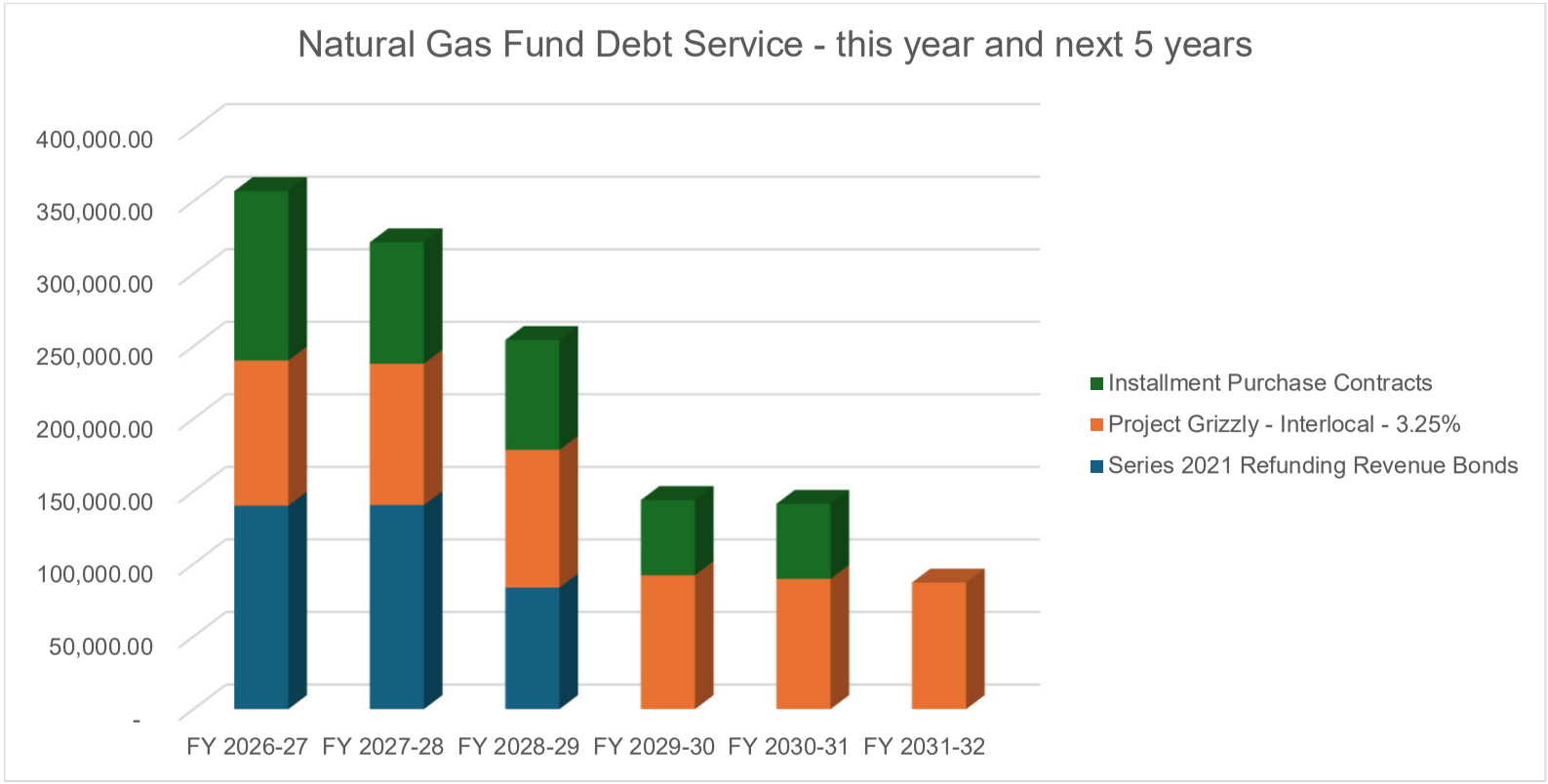
Cost of Gas Expenses	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget FY 27	749,433.88	650,893.16	585,747.92	702,908.61	921,507.94	1,404,648.06	2,052,129.73	2,031,878.86	1,698,195.18	1,137,401.43	831,121.53	1,234,133.70	14,000,000.00
Actual FY 27	1,158,704.82	965,610.62	952,424.16										3,076,739.60
Cycle 1 WAGOG	4.6353	3.5360	3.6671										
Cycle 2 WACOG	4.0857	3.6016	3.7127										
Cycle 3 WAGOG	3.5360	3.6671	3.7582										
Expense Variance	(409,270.94)	(314,717.46)	(366,676.24)	702,908.61	921,507.94	1,404,648.06	2,052,129.73	2,031,878.86	1,698,195.18	1,137,401.43	831,121.53	1,234,133.70	10,923,260.40



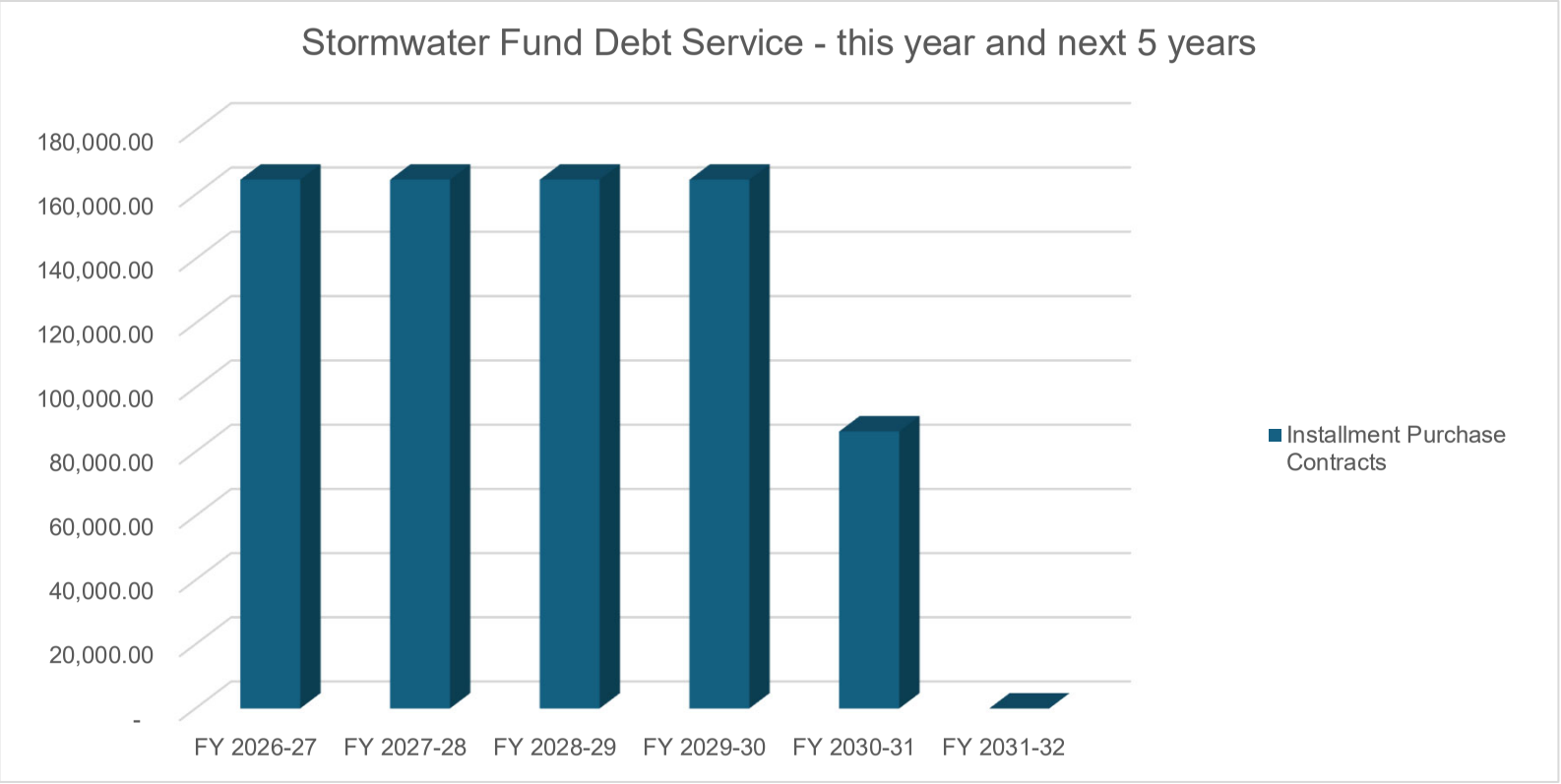
Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	1,240,019.94	1,076,973.59	969,183.69	1,163,038.81	1,524,735.20	2,324,143.12	3,395,472.03	3,361,964.76	2,809,848.78	1,881,954.49	1,375,181.04	2,042,008.55	23,164,524.00
Budgeted Expenses	749,433.88	650,893.16	585,747.92	702,908.61	921,507.94	1,404,648.06	2,052,129.73	2,031,878.86	1,698,195.18	1,137,401.43	831,121.53	1,234,133.70	14,000,000.00
Budgeted Margin	490,586.06	426,080.43	383,435.78	460,130.20	603,227.26	919,495.06	1,343,342.30	1,330,085.90	1,111,653.60	744,553.05	544,059.51	807,874.85	9,164,524.00
Actual Revenues	1,715,150.07	1,460,780.13	1,379,833.60	-	-	-	-	-	-	-	-	-	4,555,763.80
Actual Expenses	1,158,704.82	965,610.62	952,424.16	-	-	-	-	-	-	-	-	-	3,076,739.60
Actual Margin	556,445.25	495,169.51	427,409.44	-	-	-	-	-	-	-	-	-	1,479,024.20
Margin Variance	65,859.19	69,089.08	43,973.66	(460,130.20)	(603,227.26)	(919,495.06)	(1,343,342.30)	(1,330,085.90)	(1,111,653.60)	(744,553.05)	(544,059.51)	(807,874.85)	(7,685,499.80)



DEBT SERVICE - GAS FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Revenue Bonds						
Series 2021 Refunding Revenue Bonds						
Principal	135,703.98	137,967.78	82,862.43	-	-	-
Interest	4,516.52	2,608.73	870.45	-	-	-
Debt Retired in 2029	140,220.50	140,576.51	83,732.88	-	-	-
Project Grizzly - Interlocal - 3.25%						
Principal	84,560.60	84,560.60	84,560.60	84,560.60	84,560.60	84,587.00
3.25% Interest	15,390.02	12,825.02	10,260.02	7,695.01	5,130.01	2,567.00
Debt Retired in 2032	99,950.62	97,385.62	94,820.62	92,255.61	89,690.61	87,154.00
Installment Purchase Contracts						
FY 22 Installment Purchase						
Debt Retired in 2027	25,145.86	-		-	-	-
FY 23 Installment Purchase						
Debt Retired in 2028	15,882.00	7,874.38	-	-	-	-
FY 24 Installment Purchase						
Debt Retired in 2029	24,012.71	24,012.71	24,012.71	-	-	-
FY 25 Installment Purchase						
Debt Retired in 2030	49,752.98	49,752.98	49,752.98	49,753.00	49,753.00	-
FY 26 Insallment Purchase						
Debt Retired in 2031	1,968.08	1,968.08	1,968.08	1,968.08	1,968.08	-
Total Installment Purchase Contracts	116,761.63	83,608.15	75,733.77	51,721.08	51,721.08	-
Total Debt Service - Gas Fund	356,932.75	321,570.28	254,287.27	143,976.69	141,411.68	87,154.00


Natural Gas Fund Debt Service - this year and next 5 years
400,000.00
350,000.00
300,000.00
250,000.00
200,000.00
150,000.00
100,000.00
50,000.00
-
FY 2026-27
FY 2027-28
FY 2028-29
FY 2029-30
FY 2030-31
FY 2031-32
Installment Purchase Contracts
Project Grizzly - Interlocal - 3.25%
Series 2021 Refunding Revenue Bonds

DEBT SERVICE - STORMWATER FUND	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	FY 2030-31	FY 2031-32
Installment Purchase Contracts						
FY25 Installment Purchase Debt Retired in 2030	78,263.13	78,263.13	78,263.13	78,263.13	-	-
FY26 Installment Purchase Debt Retired in 2031	86,354.37	86,354.37	86,354.37	86,354.37	86,354.37	-
Total Debt Service - Stormwater Fund	164,617.50	164,617.50	164,617.50	164,617.50	86,354.37	-



City of Shelby
YTD Budget Report
For 9/30/2026 (25% of Fiscal Year)

ACCOUNT DESCRIPTION	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
610711 WATER ADMINSTRATION	3,687,365	3,687,365	349,275	16,174	3,321,916	9.90
610713 WATER LINES OPERATIONS	2,143,098	2,143,098	335,306	375,930	1,431,862	33.20
610714 WATER PLANT OPERATIONS	2,875,625	2,875,625	617,088	204,822	2,053,716	28.60
610 WATER FUND	8,706,088	8,706,088	1,301,669	596,925	6,807,494	21.81

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
620721 SEWER ADMINISTRATION	3,832,868	3,832,868	396,602	15,580	3,420,686	10.80
620723 SEWER LINES OPERATIONS	1,927,173	1,927,173	335,699	51,412	1,540,063	20.10
620724 SEWER PLANT OPERATIONS	3,144,524	3,144,524	665,821	260,795	2,217,909	29.50
620 SEWER FUND	8,904,565	8,904,565	1,398,121	327,786	7,178,657	19.38

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
630731 ELECTRIC ADMINISTRATION	3,735,292	3,735,292	708,412	27,317	2,999,563	19.70
630732 ELECTRIC PURCHASE	13,780,000	13,780,000	4,131,223	-	9,648,777	30.00
630733 ELECTRIC LINES	4,685,384	4,685,384	1,150,498	183,377	3,351,509	28.50
630734 ECONOMIC DEVELOPMENT	355,430	355,430	1,000	-	354,430	0.30
630 ELECTRIC FUND	22,556,106	22,556,106	5,991,132	210,694	16,354,280	27.50

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
640741 NATURAL GAS ADMINISTRAT	4,962,355	4,962,355	1,098,404	20,133	3,843,818	22.50
640742 NATUTRAL GAS PURCHASE	14,850,000	14,850,000	2,209,798	-	12,640,202	14.90
640743 NATURAL GAS LINES	3,943,259	3,943,259	838,687	283,510	2,821,062	28.50
640 NATURAL GAS FUND	23,755,614	23,755,614	4,146,889	303,643	19,305,082	18.73

	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
650751 STORMWATER ADMINISTRATI	1,409,487	1,409,487	213,122	117,107	1,079,258	23.40
650 STORMWATER FUND	1,409,487	1,409,487	213,122	117,107	1,079,258	23.40

City of Shelby
Weather Variances
Fiscal Year to Date at June 30, 2027

Month	Average Rain*	Actual Rain	Variance	Average CDD**	Actual CDD	Variance	Average HDD**	Actual HDD	Variance
July	4.47	5.50	1.03	436	479	43	0	0	0
August	4.27	3.80	(0.47)	377	430	53	0	0	0
September	3.07	2.70	(0.37)	231	307	76	14	16	2
October	3.88	0.00	(3.88)	52	0	-52	171	0	-171
November	4.43	0.00	(4.43)	3	0	-3	486	0	-486
December	5.21	0.00	(5.21)	0	0	0	628	0	-628
January	4.36	0.00	(4.36)	0	0	0	765	0	-765
February	4.08	0.00	(4.08)	2	0	-2	575	0	-575
March	3.85	0.00	(3.85)	4	0	-4	459	0	-459
April	5.23	0.00	(5.23)	25	0	-25	217	0	-217
May	4.29	0.00	(4.29)	136	0	-136	61	0	-61
June	3.57	0.00	(3.57)	306	0	-306	1	0	-1
Totals	50.71	12.00	(38.71)	1,572	1,216	(356)	3,377	16	(3,361)

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

Climate (weather.gov)

Data for 2024 was pulled using Location: Shelby 2 Nne, NC; Product: Monthly Summarized Data; Year Range 2013 - 2023.

** Source www.climate.fizber.com

D. Unfinished Business:

Agenda Item: D-1

1) Electric Circuit 8-4 Project: (Ben Yarboro, presenting)

    a) Adoption of a budget ordinance amendment for the City of Shelby's Substation 8 Circuit Addition Project: Ordinance No. 44-2026

    b) Approval of a resolution awarding the contract for the construction of the new Electric Circuit 8-4 Project from Substation 8 to Huss Boring, LLC: Resolution No. 94-2026

New Business Agenda Item: (Presenting: Ben Yarboro, Assistant City Manager)

Summary of Available Information:

- Memorandum dated October 26, 2026, from Ben Yarboro, Assistant City Manager to Justin Merritt, City Manager
- Memorandum dated October 21, 2026, from Ronnie Davis, Energy Services Operations Manager to Ben Yarboro, Assistant City Manager
- Ordinance No. 2-2020
- Engineer's Recommendation of Award
- Bid Tabulation
- Progressive Engineering – Cost Estimate for Construction Oversight
- Ordinance No. 44-2026
- Resolution No. 94-2026

City Manager's Recommendation / Comments

Circuit 8-4 Construction was funded in the FY 2027 budget and was identified in a previously completed Electric System Planning Study as a necessity. This project adds an additional circuit to the eastern and southern geographic region of our electric system. This additional circuit will reduce outages due to overloading, address future growth needs and allow for redundancy in this area of our system.

The materials for this project were ordered in September 2026 and have started arriving. Accordingly, the construction component was bid in October 2026, which resulted in the City receiving 5 bids, with the lowest responsive and responsible bid being submitted by Huss Boring, LLC. This bid was within budget and met all engineering requirements.

Ordinance 44-2026, if approved, will move funding from the Electric Fund Operating Budget to the Capital Project Budget for Circuit 8-4. Resolution 94-2026, if approved, will award the construction contract to Huss Boring, LLC.

It is my recommendation that Ordinance 44-2026 and Resolution No. 94-2026 be adopted and approved by City Council via the Consent Agenda.

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: **Justin Merritt, City Manager**

From: **Ben Yarboro, Assistant City Manager**

CC: **Chris Costner, Director of Finance**

RE: **New Electric Circuit 8-4 Project Budget Ordinance Amendment and Construction Contract Award**

Date: **October 26, 2026**

Background

As noted in the memo by Ronnie Davis, Energy Services Operations Manager, a 2016 Electric System Planning Study identified the need of an additional overhead electric circuit to support the steady growth on the eastern side of the City's electric system in the vicinity of Earl Rd. and Pinnacle Classical Academy. The proposed Circuit is referred to as Circuit 8-4 and once constructed will transfer some of the existing load to a new circuit which will reduce outages that have been experienced in the past due to overloading of existing lines and equipment.

This project was previously designed, and materials were ordered in September 2026 and are beginning to arrive. Funding for construction of this project was included in the approved FY2026-27 budget, and the proposed Project Budget Amendment would transfer the necessary funds from the existing electric operating budget into the Project Budget associated with this project.

At the public bid opening in October 2026, the City received 5 bids with a low bid amount of $178,538.65 by Huss Boring, LLC of Shelby, NC. A tabulation of the bids received is shown in the table below:

Company Name	Submitted Bid
Huss Boring, LLC	$178,538.65
ElectriCom, LLC	$227,468.97
Williams Electric Company	$331,987.15
River City Construction, Inc.	$413,494.69
Sumter Utilities, Inc.	$726,964.61

A summary of the funding that is needed from the existing electric operating budget to fund the construction contract and the associated construction administration and inspection is shown in the table below:

Account	Description	Amount Needed
631736-42004-63876 (Engineering)	Construction Administration and Oversight for Progressive Engineering Consultants, Inc.	$28,500
631736-53000-63876 (Construction)	Construction contract for Huss Boring, LLC	$126,100
	Total	**$154,600**

If approved, construction on this project is anticipated to begin in early Spring 2027 and be completed in the Fall of 2027.

Recommendation

City Staff recommend that the Shelby City Council approve the proposed Project Budget Ordinance Amendment to transfer $154,600 from the FY 2026-27 Electric Line Budget to the Capital Project Budget as stated above for this project.

City staff also recommend City Council approve the resolution awarding the contract for the New Electric Circuit 8-4 Construction Project for the lowest bid to Huss Boring, LLC in the amount of $178,538.65.

Please advise if you have any questions or need additional information.

Attachments:

- Memo from Ronnie Davis, Operations Manager
- Ordinance 2-2020
- Engineer's Recommendation of Award
- Bid Tabulation
- Progressive Engineering – Cost Estimate for Construction Oversight

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: **Ben Yarboro, Assistant City Manager**

From: **Ronnie Davis, Energy Services Operations Manager**

CC: **Marcus Kennedy, Electric Superintendent**

RE: **New Electric Circuit 8-4 Project Construction Contract Award and Project Budget Ordinance Amendment**

Date: **October 21, 2026**

Background

In 2016, Progressive Engineering Consultants, Inc. completed an Electric System Planning Study of the City of Shelby's Electrical Distribution System. In this system study, Progressive Engineering Consultants, Inc. recommended an additional circuit from Substation 8, to be named Circuit 8-4, to be installed because Circuit 8-2 was overloaded. Circuit 8-2 was deemed to be overloaded due to not having a direct tie in at another substation if Substation 8 was ever rendered out of service. The addition of Electric Circuit 8-4 would split the load of Circuit 8-2 up and allow Circuit 8-4 to have a direct tie in to another substation, which would reduce outages on Circuit 8-2.

In January 2020, Shelby City Council approved Ordinance 2-2020 establishing a Capital Project Ordinance and budget for the City of Shelby's Substation 8 Circuit Addition Project. In February 2020, the City of Shelby contracted with Progressive Engineering Consultants, Inc. to complete the design of the New Electric Circuit 8-4 Project. This project was put on hold during Covid and picked back up steam in 2021 when the City ordered four (4) – 15 kV Vacuum Circuit Breakers and three (3) 7.62 kV Voltage Regulators for this project. Lead times were lengthy due to shortages during that time, so the project was delayed even further. Due to the continued growth around the Pinnacle Classical Academy area, the need for this project has grown even more since this time. The remainder of the funds needed for this project was budgeted within the FY 2026-27 budget and are available for transfer to the Capital Project Budget.

On August 31, 2026, City staff and Progressive Engineering Consultants, Inc. advertised a bid opening for materials for the Electric Circuit 8-4 Project that was to

be held on September 21, 2026. The lowest bidder for the materials for this project was Wesco Distribution in the amount of $166,959.92. These materials have been ordered and have started to arrive.

Review

On September 7, 2026, City staff advertised the bid for the construction of the New Electric Circuit 8-4 Project on the City of Shelby website, and bid packages were sent out to prospective bidders. At the bid opening on October 21, 2026, there were five (5) complete bids received. The bid tabulation for the public bid opening is attached to this memorandum, along with an Engineer's Recommendation of Award, and depicts the bids and the unit prices that were received. The lowest responsive bidder was Huss Boring, LLC.

Company Name	Submitted Bid
Huss Boring, LLC	$178,538.65
ElectriCom, LLC	$227,468.97
Williams Electric Company	$331,987.15
River City Construction, Inc.	$413,494.69
Sumter Utilities, Inc.	$726,964.61

This project is scheduled to begin construction in March 2027 and finish by September 2027. Progressive Engineering Consultants, Inc. will be providing Construction Administration and Oversight for this project for a cost of $28,500. A Project Budget Ordinance Amendment is now needed to transfer $154,600 from 630733-56000 (System Improvements) of the FY 2026-27 Electric Line Budget to the following accounts within the Capital Project Budget:

Account	Description	Amount Needed
631736-42004-63876 (Engineering)	Construction Administration and Oversight for Progressive Engineering Consultants, Inc.	$28,500
631736-53000-63876 (Construction)	Construction contract for Huss Boring, LLC	$126,100
	Total	**$154,600**

Recommendation

City Staff recommend that the Shelby City Council approve the Project Budget Ordinance Amendment of $154,600 from the FY 2026-27 Electric Line Budget to the Capital Project Budget as stated above for this project. City staff also recommend City Council approve the resolution awarding the contract for the New Electric Circuit 8-4 Construction Project for the lowest bid to Huss Boring, LLC in the amount of $178,538.65.

Please advise if you have any questions or need additional information.

Attachments:

- Ordinance 2-2020
- Engineer's Recommendation of Award
- Bid Tabulation
- Progressive Engineering – Cost Estimate for Construction Oversight

ORDINANCE NO. 2-2020

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S SUBSTATION 8 CIRCUIT ADDITION PROJECT

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 establish a capital project ordinance and budgets for the City of Shelby's Substation 8 Circuit Addition Project; and

WHEREAS, it is necessary for the City to establish a budget for this capital project and appropriate applicable funds needed for the administration and construction of this project in order to comply with applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and,

WHEREAS, G.S. 159-13.2 provides that a City may undertake the construction of a capital asset such as electric utility infrastructure, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to construct an additional circuit at Substation 8 in order to better serve its customers. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Fund Balance:

Fund Balance Appropriated	63006000-39900	$414,000
Transfer to Electric Capital Projects	630731-39631	$414,000

Section 2. The following revenues are available and amounts are hereby appropriated:

Revenues:		
Transferred from Electric Fund	63106000-39630-63876	$414,000
Appropriation:		
Engineering	631736-42004-63876	$ 69,000
Construction	631736-53000-63876	$345,000

Section 3. The provisions of this capital project ordinance shall be entered in the minutes of the Shelby City Council and copies filed with the City Manager as Budget Officer, the Finance Director, and the City Clerk for their direction and guidance in receiving revenues and expending the monies due thereunder.

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

Adopted and approved this the 6th day of January 2020.

O. Stanhope Anthony III
Mayor

ATTEST:

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

APPROVED AS TO FORM:

Robert W. Yelton
City Attorney

Progressive Engineering Consultants, Inc.

P.O. Box 690638, Charlotte, NC 28227-7011
Telephone : (704) 545-7327
progress@pecinc.net

October 22, 2026

City of Shelby
P.O. Box 207
Shelby, NC 28151-0207
Attn: Marcus Kennedy

Subject: Award Recommendation
Circuit 8-4 Distribution Line Improvements

Dear Marcus,

Request for Proposals were distributed to ten (10) electrical contractors on September 23, 2026, for the above subject project. Sealed bids were received, publicly opened, and read on Wednesday, October 21, 2026.

As shown by the attached bid tabulation of five (5) bids received, Huss Utilities of Shelby, North Carolina, submitted the most attractive cost proposal in the amount of $178,538.65.

We have reviewed the proposal and find it to be in compliance with the specifications and therefore recommend the City accept this proposal as submitted.

Please notify us of your decision so we prepare the necessary contract documents for execution. If you have any questions or comments, please feel free to call.

Best regards,

PROGRESSIVE ENGINEERING CONSULTANTS, INC.

Michael A. Dawson

Michael A. Dawson

Enclosures

City of Shelby, North Carolina

Circuit 8-4 Distribution Line Improvements — **Bid Date: October 21, 2026**

Bidder	Huss Utilities	ElectriCom	Williams Electric	River City Electric	Sumter Utilities
Bid Bond	5%	5%	5%	5%	5%
Installation Units					
Pole Units	$ 20,370.00	$ 17,170.00	$ 32,444.50	$ 43,402.75	$ 104,223.74
Pole Top Units	$ 18,042.00	$ 29,317.00	$ 38,768.66	$ 69,930.90	$ 130,796.21
Conductor Units	$ 28,983.55	$ 49,355.91	$ 46,853.00	$ 70,772.68	$ 87,889.23
Transformer Units	$ 9,775.00	$ 5,504.00	$ 11,220.00	$ 30,593.90	$ 42,456.64
Miscellaneous Units	$ 22,724.50	$ 26,974.56	$ 48,735.50	$ 68,399.12	$ 83,512.72
Guy & Anchoring Assembly Units	$ 21,640.00	$ 19,304.00	$ 27,857.50	$ 5,807.42	$ 60,189.72
Underground Conductor & Splice Units	$ 75.00	$ 152.50	$ 96.25	$ 521.25	$ 59.06
Underground Primary & Secondary Miscellaneous	$ 3,820.00	$ 4,105.00	$ 11,806.00	$ 11,745.50	$ 4,517.74
Underground Trenching	$ 400.00	$ 435.00	$ 376.75	$ 451.75	$ 649.61
Total Installation Units	$ 125,830.05	$ 152,317.97	$ 218,158.16	$ 301,625.27	$ 514,294.67
Removal Units					
Pole Units	$ 5,700.00	$ 3,000.00	$ 11,313.50	$ 11,537.00	$ 34,002.38
Pole Top Units	$ 20,078.00	$ 35,445.00	$ 58,349.50	$ 46,765.16	$ 87,540.19
Conductor Units	$ 11,890.60	$ 22,174.00	$ 22,693.99	$ 21,235.86	$ 33,201.93
Overhead Transformer Units	$ 5,700.00	$ 3,382.00	$ 7,012.50	$ 7,575.50	$ 35,845.79
Miscellaneous Units	$ 2,900.00	$ 6,090.00	$ 4,053.50	$ 4,163.05	$ 6,487.26
Guy & Anchoring Assembly Units	$ 3,560.00	$ 2,020.00	$ 3,520.00	$ 5,977.00	$ 13,217.96
Underground Miscellaneous Units	$ 1,380.00	$ 2,742.00	$ 5,676.00	$ 12,947.85	$ 1,862.67
Underground Transformer	$ 1,500.00	$ 298.00	$ 1,210.00	$ 1,668.00	$ 511.76
Total Removal Units	$ 52,708.60	$ 75,151.00	$ 113,828.99	$ 111,869.42	$ 212,669.94
TOTAL UNITS	$ 178,538.65	$ 227,468.97	$ 331,987.15	$ 413,494.69	$ 726,964.61
Completion Time	290 Days	85 Days	270 Days	270	60 Days
Experience Rate Modifier	0.96	0.79	0.059	0.46	0.71

No Bids
Lee Electrical
Service Electric

Progressive Engineering Consultants, Inc.

P.O. Box 690638, Charlotte, NC 28227-7011

Telephone: (704) 545-7327 Fax: (704) 545-2315

progress@pecinc.net

October 26, 2026

City of Shelby
PO Box 207
Shelby, NC 28151
Attn: Mr. Marcus Kennedy

Subject: Cost Estimate
Circuit 8-4 Construction Oversite

Mr. Kennedy,

Per your request we are providing a cost estimate for the oversite of construction associated with Circuit 8-4, complete with a pre-construction meeting, staking, site visits, inventory, billing, and as-built drawings. The estimated cost to complete this portion of the project is $28,500.

If you have any questions, please do not hesitate to call.

Best regards,

Michael A. Dawson

Michael A. Dawson

CC: Ronnie Davis

ORDINANCE NO. 44-2026
BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S SUBSTATION 8 CIRCUIT ADDITION PROJECT

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 capital project ordinance and budgets for the City of Shelby's Substation 8 Circuit Addition Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 2-2020, the City's Substation 8 Circuit Addition Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

The following line items are amended:

Electric Fund Accounts				
Decrease	630733-56000	System Improvements	$	154,600
Increase	630731-39631-63876	Transfer to Electric Capital Projects	$	154,600
Electric Project Fund Accounts				
Increase	63106000-39630-63876	Transfer From Electric Fund	$	154,600
Increase	631736-42004-63876	Engineering	$	28,500
Increase	631736-53000-63876	Construction	$	126,100

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

	Current Budget	Amendment #1	Amended Budget
Revenues			
Transfer From Electric Fund	$414,000	$154,600	$568,600
	$414,000	$154,600	$568,600
Expenditures			
Engineering	$69,000	$28,500	$97,500
Construction	$345,000	$126,100	$471,100
	$414,000	$154,600	$568,600

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 2nd day of November A. D. 2026.

_____
O. Stanhope Anthony, III
Mayor

ATTEST:

_____
Carol Williams
City Clerk

APPROVED AS TO FORM:

_____
Jason Lunsford
City Attorney

RESOLUTION NO. 94 – 2026

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE NEW ELECTRIC CIRCUIT 8-4 PROJECT FROM SUBSTATION 8 TO HUSS BORING, LLC

WHEREAS, Progressive Engineering Consultants, Inc. completed an Electric System Planning Study of the City of Shelby Electrical Distribution System in 2016; and,

WHEREAS, it was then recommended through the 2016 Electric System Planning Study that a new electric circuit (Circuit 8-4) be installed from Substation 8 to prevent the overloading of Circuit 8-2; and,

WHEREAS, Shelby City Council approved Ordinance 2-2020 to establish a Capital Project Ordinance in January 2020; and,

WHEREAS, Progressive Engineering Consultants, Inc. completed the design of the New Electric Circuit 8-4 Project and City staff have ordered all materials necessary for the project; and,

WHEREAS, City Staff and Progressive Engineering Consultants advertised the bid opening for the construction of the New Electric Circuit 8-4 Project on September 7, 2026 with a bid opening scheduled for October 21, 2026; and,

WHEREAS, at the bid opening on October 21, 2026, there were five (5) complete bids received, with the lowest responsive bidder being Huss Boring, LLC in the amount of $178,548.65; and,

WHEREAS, City staff now desire to award the contract of the New Electric Circuit 8-4 Project from Substation 8 to Huss Boring, LLC in the amount of $178,548.65.

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

Section 1. The contract for the construction of the New Electric Circuit 8-4 Project from Substation 8 to as outlined in the bid specifications for this offering, is hereby awarded to Huss Boring, LLC for $178,548.65 as stated in their official proposals for this bidding, and in accordance with the City's official bid specifications for this project.

Section 2. The City Manager of the City of Shelby or his designee is hereby authorized and directed to execute the applicable contracts and any change orders as specified in Section 1 of this resolution.

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

Adopted and Approved this the 2nd day of November, 2026.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: D-2

2) Electric Circuit 11-2 Project: (Ben Yarboro, presenting)

    a) Adoption of a budget ordinance amendment for the City of Shelby's Electric Substation 11 Circuit 11-2 Project: Ordinance No. 45-2026

    b) Approval of a resolution awarding the contract for the construction of the City of Shelby's Electric Substation 11 Circuit 11-2 Project to Huss Boring, LLC: Resolution No. 95-2026

New Business Agenda Item: (Presenting: Ben Yarboro, Assistant City Manager)

Summary of Available Information:

- Memorandum dated October 28, 2026, from Ben Yarboro, Assistant City Manager to Justin Merritt, City Manager
- Ordinance No. 45-2025
- Ordinance No. 30-2026
- Bid Tabulation
- Engineer's Recommendation of Award
- Progressive Engineering – Cost Estimate for Construction Oversight
- Ordinance No. 45-2026
- Resolution No. 95-2026

City Manager's Recommendation / Comments

The Circuit 11-2 construction is a planned project that is necessary to support the large electrical demand required to support PPG Aerospace. This project includes construction of approximately 2.3 miles of overhead electric lines and necessary appurtenances. City Council has previously appropriated funding in the amount of $874,000 to support the purchase of materials to be installed.

After materials were ordered, City staff prepared the bid documents for the labor associated with construction of the circuit. Bids were received on September 7, 2026, and five (5) bids were received. Huss Boring provided the lowest responsive and responsible bid, in an amount of $427,941.

If approved, Ordinance 45-2026 would appropriate Electric Fund reserves in the amount of $348,150 and adjust line items within the existing project budget ordinance, to fund the construction contract with Huss Boring and the construction oversight and administration contract with Progressive Engineering Consultants, Inc. Additionally, Resolution 95-2026, if approved, will award the construction contract, in the amount of $427,941 to Huss Boring.

It is my recommendation that Ordinance 45-2026 and Resolution No. 95-2026 be adopted and approved by City Council via the Consent Agenda.

Shelby
NORTH CAROLINA
Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: **Justin Merritt, City Manager**

From: **Ben Yarboro, Assistant City Manager**

CC: **Chris Costner, Director of Finance**

RE: **New Electric Circuit 11-2 from Substation 11 to PPG Industries, Inc. on Randolph Road in Shelby – Project Budget Ordinance Amendment and Construction Contract Award**

Date: **October 28, 2026**

Background

In May 2025, a major economic development announcement was made when PPG Industries, Inc. purchased the Job Ready Shell Building #4 on Randolph Road from the City of Shelby. Shortly after the sell was finalized, City staff were informed of the plans for the expansion of the original 108,500 square foot facility. PPG's plans for this facility result in a large electric demand, which necessitates the construction of a new overhead electric circuit (referred to as Circuit 11-2) from Substation 11 to the site. This 2.3 mile overhead construction project will provide the capacity necessary for PPG's operations and will also allow the existing circuit in this area to provide opportunities for future growth in electric load for the Foothills Commerce Center.

Progressive Engineering Consultants, Inc. was contracted by the City of Shelby to complete the design of the new circuit and compile a list of materials required for the project. In August 2025, Shelby City Council approved Ordinance 49-2025 to establish a Project Budget Ordinance of $174,000 for the Substation 11 Circuit 11-2 Project. This PBO was established to purchase circuit breakers and voltage regulators for Substation 11 to make Circuit 11-2 possible. In June 2026, Shelby City Council approved Ordinance 30-2026 to add $700,000 to the project budget for the remainder of the materials needed to build Circuit 11-2.

Review

On September 7, 2026, a public bid opening was advertised to provide the labor necessary to construct Circuit 11-2. On October 21, 2026, at the public bid opening, bids were opened and read aloud at the Utilities Operation Center. Five (5) responsive, responsible bids were received at this bid opening. The bid tabulation for the bid opening is attached to this memorandum and depicts the bids and unit prices

that were received. The lowest responsive bidder was Huss Boring, LLC in the amount of $427,941.

Company Name	Submitted Bid
Huss Boring, LLC	$427,941.00
ElectriCom LLC	$572,481.00
Williams Electric Company	$771,589.85
Sumter Utilities, Inc.	$806,919.24
River City Construction, Inc.	$920,224.90

This project is scheduled to begin construction in January 2027 (pending receipt of previously ordered materials) and is anticipated to be completed in Fall 2027.

Progressive Engineering Consultants, Inc. will be providing Construction Administration and Oversight for this project for a cost of $29,000. A budget transfer of $108,798.70 is needed to transfer funds from 631736-41511-63884 (Materials) to 631736-53000-63884 (Construction) within the Capital Project Budget.

A Project Budget Ordinance Amendment is also needed to transfer $348,150 from Electric Fund Balance to the following accounts within the existing Circuit 11-2 Capital Project Budget:

Account	Description	Amount Needed
631736-42004-63884 (Engineering)	Construction Administration and Oversight for Progressive Engineering Consultants, Inc.	$29,000
631736-53000-63884 (Construction)	Construction contract for Huss Boring, LLC	$319,150
	Total	**$348,150**

Recommendation

City staff recommend that the Shelby City Council approve a Project Budget Ordinance Amendment to transfer $348,150 from the Electric Fund Balance to the City of Shelby's Electric Substation 11 Circuit 11-2 Project as outlined above.

City staff also recommend that the Shelby City Council approve the resolution awarding the contract for the construction of the City of Shelby's Electric Substation 11 Circuit 11-2 Project to Huss Boring, LLC in the amount of $427,941.

Please advise if you have any questions or need additional information.

Attachments:

- Ordinance 49-2025
- Ordinance 30-2026
- Bid Tab
- Engineer's Recommendation of Award
- Progressive Engineering – Cost Estimate for Construction Oversight

ORDINANCE NO. 49-2025
AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S SUBSTATION 11 CIRCUIT 11-2 PROJECT

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 establish a capital project ordinance and budgets for the City of Shelby's Electric Substation 11 Circuit 11-2 Project; and

WHEREAS, it is necessary for the City to establish a budget for this capital project and appropriate applicable funds needed for the administration and construction of this project in order to comply with applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and,

WHEREAS, G.S. 159-13.2 provides that a City may undertake the construction of a capital asset such as electric utility infrastructure, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to construct improvements to certain electric system infrastructure to adequately serve a local industry expansion project. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Fund Balance:

Fund Balance Appropriated	63006000-39900	$174,000
Transfer to Electric Capital Projects	630731-49631	$174,000

Section 2. The following revenues are available and amounts are hereby appropriated:

Revenues:		
Transferred from Electric Fund	63106000-39630-63884	$174,000
Appropriation:		
Materials	631736-41511-63884	$174,000

Section 3. The provisions of this capital project ordinance shall be entered in the minutes of the Shelby City Council and copies filed with the City Manager as Budget Officer, the Finance Director, and the City Clerk for their direction and guidance in receiving revenues and expending the monies due thereunder.

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

Adopted and Approved this the 18th day of August A.D. 2025.

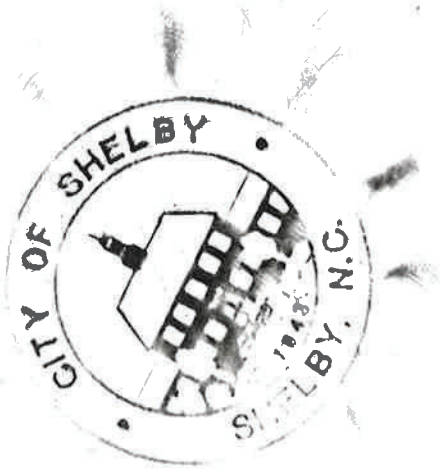
David White
Mayor Pro Tem

ATTEST:

Breanna Jones
City Deputy Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney



ORDINANCE NO. 30-2026
BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S
ELECTRIC SUBSTATION 11 CIRCUIT 11-2 PROJECT

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 capital project ordinance and budgets for the City of Shelby's Electric Substation 11 Circuit 11-2 Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 49-2025, the City's Electric Substation 11 Circuit 11-2 Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

Appropriating Fund Balance:

Fund Balance Appropriated	63006000-39900	$ 700,000
Transfer to Electric Capital Projects	630731-49631	$ 700,000

The following revenues are available and appropriated amounts are hereby amended:

Electric Substation 11 Circuit 11-2 Project

Transferred from Electric Fund	63106000-39630-63884	$ 700,000
Materials	631736-41511-63884	$ 700,000

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

Electric Substation 11 Circuit 11-2 Project

	Current Budget	Amendment No. 1
Revenues		
Transfer from Water Fund	$ 174,000	$ 874,000
Expenditures		
Materials	$ 174,000	$ 874,000

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 15th day of June, 2026.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

City of Shelby, North Carolina

Circuit 11-2 Distribution Line Improvements — **Bid Date: Wednesday, October 21, 2026**

Bidder	Huss	ElectriCom	Williams Electric	Sumter Utilities	River City
Bid Bond	5%	5%	5%	5%	5%
Installation Units					
Pole Units	$ 44,559.00	$ 42,045.00	$ 64,773.50	$ 108,934.30	$ 124,950.00
Pole Top Units	$ 65,177.00	$ 91,363.00	$ 113,707.00	$ 170,962.02	$ 203,150.00
Conductor Units	$ 78,471.00	$ 178,305.00	$ 143,913.55	$ 131,867.72	$ 224,947.40
Transformer Units	$ 8,000.00	$ 3,283.00	$ 6,875.00	$ 9,055.78	$ 11,700.00
Miscellaneous Units	$ 46,481.50	$ 68,001.00	$ 76,417.00	$ 91,686.44	$ 109,140.00
Guy & Anchoring Assembly Units	$ 37,225.00	$ 27,766.50	$ 62,271.00	$ 56,018.84	$ 32,317.00
Underground Conductor & Splice Units	$ 3,915.00	$ 6,210.00	$ 8,910.00	$ 3,314.12	$ 4,725.00
Underground Primary & Secondary Miscellaneous	$ 12,545.00	$ 14,711.50	$ 36,278.00	$ 30,071.80	$ 44,000.00
Underground Trenching	$ 320.00	$ 348.00	$ 286.00	$ 223.17	$ 180.00
Underground Directional Boring Addendum No. 1	$ 17,100.00	$ 14,440.00	$ 22,252.80	$ 19,805.60	$ 19,000.00
Total Installation Units	$ 313,793.50	$ 446,473.00	$ 535,683.85	$ 621,939.79	$ 774,109.40
Removal Units					
Pole Units	$ 17,096.00	$ 8,150.00	$ 30,541.50	$ 27,118.21	$ 27,200.00
Pole Top Units	$ 51,086.00	$ 64,450.00	$ 139,315.00	$ 99,338.74	$ 69,702.00
Conductor Units	$ 10,342.25	$ 22,620.00	$ 27,896.00	$ 12,261.02	$ 14,994.50
Overhead Transformer Units	$ 6,600.00	$ 1,958.00	$ 3,712.50	$ 5,665.55	$ 2,350.00
Miscellaneous Units	$ 10,920.00	$ 17,831.00	$ 12,930.50	$ 13,998.10	$ 9,920.00
Guy & Anchoring Assembly Units	$ 17,153.25	$ 10,163.00	$ 17,803.50	$ 24,782.63	$ 21,104.00
Underground Miscellaneous Units	$ 950.00	$ 836.00	$ 3,707.00	$ 1,815.20	$ 845.00
Total Removal Units	$ 114,147.50	$ 126,008.00	$ 235,906.00	$ 184,979.45	$ 146,115.50
TOTAL UNITS	$ 427,941.00	$ 572,481.00	$ 771,589.85	$ 806,919.24	$ 920,224.90
Completion Time	290 Days	154 Days	270 Days	155 Days	270 Days
Experience Rate Modifier	0.96	0.79	0.059	0.71	0.46

No Bids
Lee Electrical
Service Electric

Progressive Engineering Consultants, Inc.

P.O. Box 690638, Charlotte, NC 28227-7011
Telephone : (704) 545-7327
progress@pecinc.net

October 22, 2026

City of Shelby
P.O. Box 207
Shelby, NC 28151-0207
Attn: Marcus Kennedy

Subject: Award Recommendation
Circuit 11-2 Distribution Line Improvements

Dear Marcus,

Request for Proposals were distributed to ten (10) electrical contractors on September 17, 2026, for the above subject project. Sealed bids were received, publicly opened, and read on Wednesday, October 21, 2026.

As shown by the attached bid tabulation of five (5) bids received, Huss Utilities of Shelby, North Carolina submitted the most attractive cost proposal in the amount of $427,941.00.

We have reviewed the proposal and find it to be in compliance with the specifications and therefore recommend the City accept this proposal as submitted.

Please notify us of your decision so we prepare the necessary contract documents for execution. If you have any questions or comments, please feel free to call.

Best regards,

PROGRESSIVE ENGINEERING CONSULTANTS, INC.

Michael A. Dawson

Michael A. Dawson

Attachment

Progressive Engineering Consultants, Inc.

P.O. Box 690638, Charlotte, NC 28227-7011

Telephone: (704) 545-7327 Fax: (704) 545-2315

progress@pecinc.net

October 26, 2026

City of Shelby
PO Box 207
Shelby, NC 28151
Attn: Mr. Marcus Kennedy

Subject: Cost Estimate
Circuit 11-2 Construction Oversite

Mr. Kennedy,

Per your request we are providing a cost estimate for the oversite of construction associated with Circuit 11-2, complete with a pre-construction meeting, staking, site visits, inventory, billing, and as-built drawings. The estimated cost to complete this portion of the project is $29,000.

If you have any questions, please do not hesitate to call.

Best regards,

Michael A. Dawson

Michael A. Dawson

CC: Ronnie Davis

ORDINANCE NO. 45-2026
BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S
ELECTRIC SUBSTATION 11 CIRCUIT 11-2 PROJECT

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 capital project ordinance and budgets for the City of Shelby's Electric Substation 11 Circuit 11-2 Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 49-2025, the City's Substation 11 Circuit 11-2 Project, is hereby amended as follows to provide for Budget Amendment No. 2 for said project:

The following line items are amended:

Electric Fund Accounts				
Increase	63006000-39000	Electric Fund-Appropriated Fund Balance	$	348,150
Increase	630731-39631-63884	Transfer to Electric Capital Projects	$	348,150
Electric Project Fund Accounts				
Increase	63106000-39630-63884	Transfer From Electric Fund	$	348,150
Increase	631736-42004-63884	Engineering	$	29,000
Decrease	631736-41511-63884	Materials	$	(108,799)
Increase	631736-53000-63884	Construction	$	427,949

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

	Current Budget	Amendment #2	Amended Budget
Revenues			
Transfer From Electric Fund	$874,000	$348,150	$1,222,150
	$874,000	$348,150	$1,222,150
Expenditures			
Engineering	$0	$29,000	$29,000
Materials	$874,000	-$108,799	$765,201
Construction	$0	$427,949	$427,949
	$874,000	$348,150	$1,222,150

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 2nd day of November A. D. 2026.

_____
O. Stanhope Anthony, III
Mayor

ATTEST:

_____
Carol Williams
City Clerk

APPROVED AS TO FORM:

_____
Jason Lunsford
City Attorney

RESOLUTION NO. 95 – 2026

A RESOLUTION AWARDING THE CONTRACT FOR THE CONSTRUCTION OF THE CITY OF SHELBY'S ELECTRIC SUBSTATION 11 CIRCUIT 11-2 PROJECT TO HUSS BORING, LLC

WHEREAS, in May 2025, the City of Shelby sold Job Ready Shell Building #4 on Randolph Road to PPG Industries, Inc.; and

WHEREAS, City Staff and Progressive Engineering Consultants worked with PPG Industries, Inc. to determine their required load for the current building on Randolph Road plus the proposed expansion of the current facility; and,

WHEREAS, the City of Shelby contracted with Progressive Engineering Consultants to design an additional circuit from Substation 11 to provide the necessary electrical power for PPG Industries, Inc. at the Randolph Road site; and

WHEREAS, City staff and Progressive Engineering Consultants worked together to purchase the materials needed for the New Electric Circuit 11-2 Project from Substation 11 to PPG Industries, Inc., located on Randolph Road in Shelby and are now ready for the construction of the project; and

WHEREAS, the construction of the New Electric Circuit 11-2 Project from Substation 11 to PPG Industries, Inc., located on Randolph Road in Shelby, was advertised for bids on September 7, 2026, with a bid opening scheduled for October 21, 2026; and

WHEREAS, at the public bid opening held on October 21, 2026, five (5) bids were received and Huss Boring, LLC was the lowest responsive bidder in the amount of $427,941; and,

WHEREAS, City Staff now desire to award the contract for the construction of the New Electric Circuit 11-2 Project from Substation 11 to PPG Industries, Inc., located on Randolph Road in Shelby, to Huss Boring, LLC in the amount of $427,941.

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

Section 1. The contract for the construction of the New Electric Circuit 11-2 Project from Substation 11 to PPG Industries, Inc., located on Randolph Road in Shelby, as outlined in the bid specifications for this offering, is hereby awarded to Huss Boring, LLC for $427,941 as stated in their official proposals for this bidding, and in accordance with the City's official bid specifications for this project.

Section 2. The City Manager of the City of Shelby or his designee is hereby authorized and directed to execute the applicable contracts and any change orders as specified in Section 1 of this resolution.

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

Adopted and Approved this the 2nd day of November 2026.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: E

E. New Business

None

Agenda Item: F

City Manager's Report

I will report to Mayor and Council about ongoing projects and issues. The projects and issues reported upon are intended to be for your information and do not require action by Council.

Agenda Item: G

Council Announcements and Remarks

H. 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