



Town of Archer Lodge

AGENDA

Regular Council Meeting

Monday, February 7, 2022 @ 6:30 PM
Jeffrey D. Barnes Council Chambers

NCGS § 143-318.17. Disruptions of official meetings.

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

Page

1. WELCOME/CALL TO ORDER:

- 1.a. Invocation
- 1.b. Pledge of Allegiance

2. APPROVAL OF AGENDA:

3. VIRTUAL PRESENTATION:

- 3.a. Audit Presentation for Fiscal Year Ending June 30, 2021 ~
Mr. Dale Place of May & Place, PA

4. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed; 3 minutes per person)

5. PRESENTATION:

- 3 5.a. Proclamation - **ALL IN RED MONTH**
[Proclamation - All in RED Heart Health Awareness Feb 2022](#)

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

- 4 - 6 6.a. Discussion and Consideration of a Contract for the Provision of Fire Protection Services between the Town of Archer Lodge and North Side Fire & Rescue, Inc.

(formerly Archer Lodge Volunteer Fire Department, Inc)
[Contract for the Provision of Fire Protection Services 03.01.22 - 02.28.27](#)

7. TOWN ATTORNEY'S REPORT:

8. TOWN ADMINISTRATOR'S REPORT:

9. FINANCIAL/TOWN CLERK'S REPORT:

7 - 11

- 9.a. Interim Financial Reports for December 2021
[DECEMBER 2021 - ALL FUNDS](#)
[DECEMBER 2021 - PARK PROJECT PART FUND 41](#)
[DECEMBER 2021 - ARPA FUND 42](#)
[DECEMBER 2021 W O ARPA - YTD COMP](#)

10. PLANNING/ZONING REPORT:

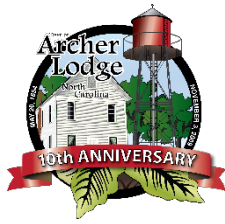
- 10.a. Planning | Zoning | Projects | Updates
10.b. Code Enforcement

11. MAYOR'S REPORT:

12. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

13. ADJOURNMENT:



Proclamation



WHEREAS, the well-being of our community is of paramount importance and maintaining excellent health among our citizens is a top priority, February marks the one month, county-wide heart health awareness campaign entitled **“ALL IN RED”**, presented by Johnston Health and Aramark, and organized by the Johnston Health Foundation; and

WHEREAS, in the United States, North Carolina, Johnston County, and Archer Lodge, heart disease is the leading cause of death among men and women; and

WHEREAS, Heart Disease and Stroke rank among the top five health priorities in Johnston County; per the 2019 Johnston County [Community Health Needs Assessment Implementation Plan](#); and

WHEREAS, per the Center for Disease Control and Prevention (CDC), about 80% of deaths from premature heart disease and stroke could be prevented by changes in physical activity, diet, education and management of common medical conditions; and

WHEREAS, **ALL IN RED** is an opportunity to increase heart health awareness, while addressing the growing needs of local heart patients; and

WHEREAS, the **ALL IN RED** campaign invites all Johnston County residents, business owners and visitors to participate in this initiative by **wearing RED on February 4, 2022, NATIONAL WEAR RED DAY**, and/or **running a RED promo or fundraiser in February**; and

WHEREAS, the financial challenges of a heart patient are enormous; all funds raised within this campaign period will benefit local heart patients through the Johnston Health Foundation's Heart Fund; and

WHEREAS, on this day, we recognize heart disease and stroke survivors, those battling the disease, their families who are their source of love and encouragement, and applaud the efforts of our medical professionals who provide quality care; and

NOW, THEREFORE, LET IT BE PROCLAIMED by the honorable Mayor and the Archer Lodge Town Council, do hereby encourage businesses and citizens in our community to support and participate in this event and proudly proclaim February 2022 as

“ALL IN RED MONTH”

DULY PROCLAIMED THIS 7TH DAY OF FEBRUARY 2022, WHILE IN REGULAR SESSION.

Matthew B. Mulhollem
Mayor

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

CONTRACT FOR THE PROVISION OF FIRE PROTECTION SERVICES

THIS AGREEMENT made and entered into by and between The Town of Archer Lodge, party of the first part, also referred to as "the Town", and North Side Fire & Rescue, Inc., party of the second part, also referred to as the "Fire Department:"

WITNESSETH

WHEREAS, N.C.G.S. § 160A-1 1 provides that the Town may enter into continuing contracts and, pursuant to this authority, the Town may enter into a continuing contract with a volunteer fire department and may make annual appropriations of such funds as may be provided for in this contract; and

WHEREAS, the Town is a North Carolina municipal corporation; and

WHEREAS, the Fire Department provides fire protection services to the North Side Fire District, within which the Town lies.

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained and pursuant to the general power and authority of the Fire Department to furnish fire protection services and the general power and authority of the Town to provide fire protection services for its inhabitants and owners of property within the town limits, the parties hereto agree and contract as follows:

1. The Fire Department will diligently and competently furnish and provide services as enumerated in its corporate charter as amended. The Fire Department will provide the same services to the residents and properties within the Town as it provides to the area of the North Side Fire District outside the Town's limits.
2. The Fire Department shall, at its sole cost and expense, procure and maintain sufficient and adequate equipment, materials, and personnel to provide fire protection services to the Town, in a manner and to a level of service equal to that level of service provided to the area of the Fire District outside the Town's limits.
3. The Fire Department, in providing the said services, shall use its own means and methods which shall not be subject to control, direction, or supervision by the Town. The Town shall not have or exercise any authority with respect to the employment, control, direction, supervision, suspension or discharge of any person employed by or acting on behalf of the Fire Department.
4. The Town will adopt such rules and regulations, by ordinance or otherwise, as may be necessary and proper to prohibit interference with personnel of the Fire Department in the discharge of their duties within the Town, to prohibit damage to and interference with fire-fighting equipment and apparatus of the Fire Department.

5. The Fire Department agrees to comply with the rules and regulations of the North Carolina Insurance Rating Bureau for fire protection standards and procedures.
6. As full compensation for the services to be rendered by the Fire Department, the following terms shall apply:
 - a. Rate Calculation. The amount payable by the Town to the Fire Department will be equal to the Town's ad valorem tax valuation multiplied by the fire tax rate set by Johnston County within the North Side Fire District which is collected by the County. The parties acknowledge that the exact figure cannot be calculated due to such variables as fluctuations in valuations, defaults, foreclosures, and collection rates.
 - b. Collection and Payment. Consistent with state law, the County shall collect the tax and make payment to the Town on a monthly basis as collected in the ordinary course of business. The Town, upon receipt of the funds from the County, will remit the appropriate amount to the Fire Department on a monthly basis. Prior to the Fire Department requesting a change from the County in the fire tax rate, the Fire Department will meet with the Town to discuss the rate.
7. This contract shall extend for a term of five (5) years beginning on March 1, 2022, and ending on February 28, 2027.
8. Upon breach of this contract by either party, the non-breaching party, in addition to any other remedy available to it, may terminate this contract upon one hundred and eighty (180) days' notice, setting out in detail the grounds for termination, unless the breaching party cures such breach within said one hundred and eighty (180) day period.
9. No later than March 1 of each year, each party will separately and independently identify and appoint two (2) members of their respective boards who will meet and engage in a good faith discussion of budgetary issues for the coming fiscal year as soon as practicable after their appointment. At this meeting the Fire Department will present to the Town Council a complete and accurate copy of its budget and of any audit or financial report otherwise provided by the Fire Department to the County.
10. The Fire Department acknowledges that in the event of a breach of this contract, such a breach is likely to result in danger to life and property and that the Town has no legal remedy at law, and as a result the Town may seek and obtain an injunction to enforce the performance of this contract or to enjoin the breach thereof.
11. The parties agree and acknowledge that the relationship between the Town and the Fire Department is contractual and that no agency relationship is created hereby. The Town shall be free from any and all claims and liability for any act, omission, damages, injuries or accidents arising out of the actions or omissions of the Fire Department, whether arising in tort, contract, or otherwise. The Fire Department will indemnify and hold the Town harmless from any and all such claims or liability.

12. It is understood and agreed by the parties hereto that the terms of this contract are separable and that in the event any provision of this contract is determined by a court of competent jurisdiction to be invalid, such determination shall not be deemed to render other provisions hereof invalid and this contract shall otherwise continue in full force and effect. In the event, for reasons beyond the control of either party, this contract becomes unenforceable or ineffective under state or federal law, the parties shall cooperate in good faith and use best efforts to protect the lives, interests, and property of the Town's citizens until such time as appropriate alternative arrangements can be made.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by their appropriate officers, all being so authorized by their governing bodies, as of the day and year first above written. This Agreement has been adopted and approved by the Archer Lodge Town Council and the North Side Fire & Rescue, Inc.

NORTH SIDE FIRE & RESCUE, INC.

By: _____
Mike Medlin, President Brent Parrish, Secretary

Date of Adoption: _____

TOWN OF ARCHER LODGE

ATTEST:

By: _____
Matthew B. Mulhollem, Mayor Kim P. Batten, Town Clerk

Date of Adoption: _____



TOWN OF ARCHER LODGE FINANCIAL SUMMARY REPORT FOR MONTH ENDING DECEMBER 31, 2021

GENERAL FUND 10				
<i>REVENUES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
AD-VALOREM & MOTOR VEHICLE TAXES	862,000.00	431,792.86	644,148.80	74.73%
SALES TAXES	255,800.00	26,074.97	99,985.80	39.09%
FRANCHISE TAXES	146,000.00	39,766.23	39,766.23	27.24%
ALCOHOL BEV TAXES/JO CO ABC DIST	52,500.00	0.00	7,591.93	14.46%
PERMITS AND FEES	6,100.00	100.00	3,200.00	52.46%
FEE IN LIEU OF RECREATION	15,000.00	0.00	0.00	0.00%
AMERICAN RESCUE PLAN ACT GRANT (ARPA)	1,050,427.00	0.00	525,213.38	50.00%
PEG CHANNEL SUPPORT	52,250.00	12,987.02	12,987.02	24.86%
MISCELLANEOUS REVENUES	0.00	0.00	5.27	#DIV/0!
INVESTMENT EARNINGS	4,000.00	379.11	2,172.98	54.32%
TRANSFER IN FROM CAP RES FUND 30	95,000.00	0.00	0.00	0.00%
TRANSFER IN FROM PARK RES FUND 31	62,000.00	0.00	62,000.00	100.00%
TRANSFER IN FROM PUBLIC SAFE RES FUND 32	26,750.00	0.00	0.00	0.00%
FUND BALANCE APPROPRIATION	82,145.00	0.00	0.00	0.00%
TOTALS	2,709,972.00	511,100.19	1,397,071.41	51.55%
<i>EXPENDITURES</i>	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	54,465.00	5,286.57	24,368.48	44.74%
ADMINISTRATION	360,350.00	20,807.61	140,482.41	38.98%
JO CO TAX COLLECTION FEES	25,000.00	10,881.68	16,571.77	66.29%
LEGAL	15,000.00	1,650.00	7,425.00	49.50%
PROPERTY TAXES	100.00	24.97	24.97	24.97%
PUBLIC BUILDINGS	145,400.00	4,095.56	19,560.93	13.45%
PEG MEDIA PARTNERS	52,250.00	12,987.02	12,987.02	24.86%
PUBLIC SAFETY	380,250.00	172,406.02	254,231.91	66.86%
TRANSPORTATION-PUBLIC WORKS	47,600.00	2,650.31	5,891.01	12.38%
PLANNING & ZONING	181,445.00	7,333.03	42,942.22	23.67%
CULTURAL & RECREATION	71,700.00	1,600.00	15,500.00	21.62%
DEBT SERVICES	140,985.00	0.00	100,828.71	71.52%
TRANSFER TO CAP RESERVE	25,000.00	0.00	25,000.00	100.00%
TRANSFER TO PARK RESERVE	135,000.00	57,412.28	85,601.50	63.41%
TRANSFER TO PUBLIC SAFETY RESERVE	25,000.00	0.00	25,000.00	100.00%
TRANSFER TO AM RESCUE PLAN (ARPA)	1,050,427.00	0.00	525,213.38	50.00%
TOTALS	2,709,972.00	297,135.05	1,301,629.31	48.03%
Y-T-D GENERAL FUND INCREASE (DECREASE)		213,965.14	95,442.10	

DECEMBER 31, 2021

CAPITAL RESERVE FUND 30

REVENUES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,800.00	153.98	966.22	53.68%
TRANSFER FROM GEN FUND 10	25,000.00	0.00	25,000.00	100.00%
FUND BALANCE APPROPRIATED	68,200.00	0.00	0.00	0.00%
TOTALS	95,000.00	153.98	25,966.22	27.33%
EXPENDITURES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
TRANSFER TO GEN FUND 10	95,000.00	0.00	0.00	0.00%
TOTALS	95,000.00	0.00	0.00	0.00%
Y-T-D CAP RESERVE FUND INCREASE (DECREASE)		153.98	25,966.22	

PARK RESERVE FUND 31

REVENUES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,200.00	105.17	568.87	47.41%
TRANSFER FROM GEN FUND 10	135,000.00	57,412.28	85,601.50	63.41%
FUND BALANCE APPROPRIATED	0.00	0.00	0.00	#DIV/0!
TOTALS	136,200.00	57,517.45	86,170.37	63.27%
EXPENDITURES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
RECREATION DEVELOPMENT	0.00	0.00	0.00	#DIV/0!
TRANSFER TO GEN FUND 10	62,000.00	0.00	62,000.00	100.00%
TRANSFER TO AL TOWN PRK FND 41	74,200.00	0.00	5,087.50	6.86%
TOTALS	136,200.00	0.00	67,087.50	49.26%
Y-T-D PARK RESERVE FUND INCREASE (DECREASE)		57,517.45	19,082.87	

PUBLIC SAFETY RESERVE FUND 32

REVENUES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
INVESTMENT EARNINGS	1,300.00	106.84	670.46	51.57%
TRANSFER FROM GEN FUND 10	25,000.00	0.00	25,000.00	100.00%
FUND BALANCE APPROPRIATED	450.00	0.00	0.00	0.00%
TOTALS	26,750.00	106.84	25,670.46	95.96%
EXPENDITURES	ADOPTED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
PUBLIC SAFETY DEVELOPMENT	0.00	0.00	0.00	#DIV/0!
TRANSFER TO GEN FUND 10	26,750.00	0.00	0.00	0.00%
TOTALS	26,750.00	0.00	0.00	0.00%
Y-T-D PUB SAFE RES FUND INCREASE (DECREASE)		106.84	25,670.46	


FINANCE OFFICER

Kim P. Batten

Revenue Account Range: 41-0000-0000 to 41-9999-9999**Include Non-Anticipated:** Yes**Expend Account Range:** 41-0000-0000 to 41-9999-9999**Include Non-Budget:** No**Print Zero YTD Activity:** No

2022 As Of: 12/31/21

2021 As Of: 12/31/20

<u>Revenue Account</u>	<u>Description</u>	<u>2022 Budgeted Actual</u>	<u>2021 Budgeted Actual</u>
41-3482-0000	NC PARTF Grant - NCDNCR	\$455,925.00	\$500,000.00
		\$10,175.00	\$23,725.00
41-3900-3931	Transfer from Park Reserve Fund 31	\$396,587.50	\$472,900.00
		\$5,087.50	\$38,665.00
Archer Lodge Town Park Fund Revenue Total		\$852,512.50	\$972,900.00
		\$15,262.50	\$62,390.00

<u>Expend Account</u>	<u>Description</u>	<u>2022 Budgeted Actual</u>	<u>2021 Budgeted Actual</u>
41-6120-3500	Contracted Services-Design/Engineering	\$42,929.50	\$119,242.00
		\$5,087.50	\$38,665.00
41-6120-3550	Contracted Services-Construction	\$813,008.00	\$813,008.00
		\$0.00	\$0.00
41-6120-3600	Contingency	\$40,650.00	\$40,650.00
		\$0.00	\$0.00
6120 Total		\$896,587.50	\$972,900.00
		\$5,087.50	\$38,665.00
Archer Lodge Town Park Fund Expend Total		\$896,587.50	\$972,900.00
		\$5,087.50	\$38,665.00

Archer Lodge Town Park PARTF Project Fund 41

Revenue Account Range: 42-0000-0000 to 42-9999-9999

Include Non-Anticipated: Yes

Expend Account Range: 42-0000-0000 to 42-9999-9999

Include Non-Budget: No

Print Zero YTD Activity: No

2022 As Of: 12/31/21

2021 As Of: 12/31/20

<u>Revenue Account</u>	<u>Description</u>	<u>2022 Budgeted Actual</u>	<u>2021 Budgeted Actual</u>
42-3831-0000	Investment Earnings	\$0.00	\$0.00
		\$276.33	\$0.00
42-3900-3910	Transfer from General Fund 10	\$1,050,427.00	\$0.00
		\$525,213.38	\$0.00
American Rescue Plan Act(ARPA) Gran Revenue Total		\$1,050,427.00	\$0.00
		\$525,489.71	\$0.00

<u>Expend Account</u>	<u>Description</u>	<u>2022 Budgeted Actual</u>	<u>2021 Budgeted Actual</u>
42-4190-0000	Public Buildings:	\$0.00	\$0.00
		\$0.00	\$0.00
42-4190-5100	Capital Outlay	\$1,050,427.00	\$0.00
		\$0.00	\$0.00
4190 Total		\$1,050,427.00	\$0.00
		\$0.00	\$0.00
American Rescue Plan Act(ARPA) Gran Expend Total		\$1,050,427.00	\$0.00
		\$0.00	\$0.00

Archer Lodge ARPA Fund 42



TOWN OF ARCHER LODGE
FINANCIAL SUMMARY REPORT
FISCAL YEAR COMPARISON FOR
PERIOD ENDING DECEMBER 31

GENERAL FUND				
REVENUES		Dec-21	Dec-20	DIFFERENCE
	AD-VAL & MOTOR VEHICLE TAXES	644,148.80	619,462.50	24,686.30
	SALES TAXES	99,985.80	87,744.79	12,241.01
	FRANCHISE TAXES	39,766.23	46,002.15	(6,235.92)
	ALCOHOL BEV TAXES/JO CO ABC DIST	7,591.93	9,761.06	(2,169.13)
	PERMITS AND FEES	3,200.00	835.00	2,365.00
	FEE IN LIEU OF RECREATION	0.00	30,000.00	(30,000.00)
	AMERICAN RESCUE PLAN ACT GRANT (ARPA)	0.00	0.00	0.00
	PEG CHANNEL SUPPORT	12,987.02	13,513.52	(526.50)
	MISCELLANEOUS REVENUES	5.27	165.53	(160.26)
	INVESTMENT EARNINGS	2,172.98	1,982.28	190.70
	TRANSFER IN FROM CAPITAL RES FND 30	0.00	0.00	0.00
	TRANSFER IN FROM PARK RESERVE FND 31	62,000.00	64,000.00	(2,000.00)
	TRANSFER IN FROM PUBLIC SAFE RES FND 32	0.00	0.00	0.00
	TRANSFER IN FROM TOWN HALL EXP FND 40	0.00	1,098.70	(1,098.70)
	TRANSFER IN FROM AL TOWN PARK FND 41	0.00	0.00	0.00
	FUND BALANCE APPROPRIATED	0.00	0.00	0.00
Y-T-D INCREASE (DECREASE)		871,858.03	874,565.53	(2,707.50)
EXPENDITURES		Dec-21	Dec-20	DIFFERENCE
	GOVERNING BODY	24,368.48	23,474.16	894.32
	ADMINISTRATION	140,482.41	120,348.77	20,133.64
	JO CO TAX COLLECTION FEES	16,571.77	15,991.16	580.61
	LEGAL	7,425.00	6,311.25	1,113.75
	PROPERTY TAXES	24.97	37.45	(12.48)
	PUBLIC BUILDINGS	19,560.93	22,523.98	(2,963.05)
	PEG MEDIA PARTNERS	12,987.02	13,513.52	(526.50)
	PUBLIC SAFETY	254,231.91	245,192.01	9,039.90
	TRANSPORTATION-PUBLIC WORKS	5,891.01	12,076.49	(6,185.48)
	PLANNING & ZONING	42,942.22	49,828.01	(6,885.79)
	CULTURAL & RECREATION	15,500.00	21,333.40	(5,833.40)
	DEBT SERVICES	100,828.71	103,771.00	(2,942.29)
	TRANSFER TO CAP RESERVE	25,000.00	0.00	25,000.00
	TRANSFER TO PARK RESERVE	85,601.50	112,313.50	(26,712.00)
	TRANSFER TO PUBLIC SAFETY RESERVE	25,000.00	25,000.00	0.00
	TRANSFER TO AM RESCUE PLAN (ARPA)	0.00	0.00	0.00
Y-T-D INCREASE (DECREASE)		776,415.93	771,714.70	4,701.23
Y-T-D INCREASE (DECREASE)		95,442.10	102,850.83	(7,408.73)