



MOUNT PLEASANT

EST. 1859

NORTH CAROLINA

**Board of Commissioners
Town Board Meeting Minutes
Tuesday, September 8, 2026, at 6:00 P.M.**

Attendance: Mayor Tony Lapis
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Steven Dixon
Commissioner Liz Poole
Commissioner Mike Steiner (absent)
Commissioner Justin Simpson
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Crystal Smith, Erin Burris, Jim Sells, Todd Davis, Allen Kindley, Deena Bost, Sadie Bost, Oliver Grimes, Ally Schueneman, Michael Gaddis, Stacy Berry, and CJ Berry.

CALL TO ORDER

Mayor Tony Lapis called the meeting to order.

INVOCATION

Pastor Todd Davis from St. James Anglican Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Lapis led the Pledge of Allegiance.

A printed flyer inviting the Board to the Uwharrie Bank Ribbon Cutting at their new location at 8320 W Franklin St. was placed at each member's seat.

1. Public Forum

Allen Kindley, property owner of 2401 Cold Springs Rd., stated that this property is adjacent to the proposed Pleasant Springs neighborhood at Hwy 49 & Cold Springs. His property has a 4-acre pond which is close to the back property line of the Pleasant Springs neighborhood. He requested the Town to ask the developer of this future neighborhood to install perimeter fencing as a safety precaution around the entire neighborhood. A 6ft chain link fence is around the property currently. Mr. Kindley provided an aerial photo of the property to the Board members.

2. Conflict of Interest

The Mayor and Commissioners are asked at this time to reveal if they have a Conflict of Interest with any item on the Agenda in order to be recused for that item.

(No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234 or 160D-109(a). NC State Statute 160A-75 and no public official shall knowingly participate in making or administering a contract, including the award of money in the form of a grant, loan, or other appropriation, with any nonprofit with which that public official is associated. NC State Statute 14-234.3)

TOWN OF MOUNT PLEASANT

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No one had a conflict of interest.

3. Approve Agenda

**REMOVE #6 Introduction to John Eller Cabarrus County Manager
ADD Old Business D. Mount Pleasant Dixie Youth Baseball use of
McAllister Field**

A motion to approve the Amended Agenda was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (4-0, Commissioner Steiner absent)

4. Consent Agenda

- A. Minutes for August 11, 2026
- B. Proclamation for 25th Anniversary of September 11, 2001
- C. PFAS Class Action Settlement Payment
- D. McAdams Engineering contract Change Order #1 for Town Parking Lot
- E. NC General Warranty Deed from CBS Development Group LLC for Green Acres Sewer Line extension/connection pending Title Search

Commissioner Furr made a motion to approve the Consent Agenda with a second by Commissioner Dixon. All Board Members were in favor. (4-0, Commissioner Steiner absent)

5. Staff Reports

- A. Town Manager- Randy Holloway
- B. Town Asst. Manager- Planning & Economic Development Director – Erin Burris
- C. Town Clerk/Finance Officer – Amy Schueneman
- D. Human Resources/Events- Crystal Smith
- E. Code Enforcement/Grant Writer- Jim Sells
- F. Public Works- Daniel Crowell
- G. Fire Department-Dustin Sneed
- H. Cabarrus County Sheriff's Department
- I. Questions from the Board – *none were asked*
- J. Request for future agenda items – *none were requested*

6. REMOVED Introduction to John Eller Cabarrus County Manager

7. Old Business

A. Receive update on the status of:

Lower Adams Creek Sewer Outfall Project

Erin Burris stated this project is completely done. The Town is working with LKC Engineering firm to use the remaining funds in the project budget to pave Hillside Drive since the construction left the road in poor condition. The quote from Elite Infrastructure is for \$39,760. There is \$22,091.82 remaining in Sewer ARP Grant Funds to help cover the expenses. The Town will need to pay the remainder, \$17,668.18, out of this year's Powell bill funds.

A motion to use the remaining State Grant Funds in the Lower Adams Creek Sewer Outfall Project Fund \$22,091.82 and approve using Powell Bill Funds, \$17,668.18, to pave Hillside Drive was made by Commissioner Simpson with a second by Commissioner Poole. All Board Members were in favor. (4-0, Commissioner Steiner absent)

Water Distribution Improvements Project

Ms. Burris stated that State Utility Contractors is making good progress on the Jackson St./Hwy 49 waterline. The restoration process is currently being done to Jackson St. to put everything back to original condition. Some damage was done to the asphalt on Jackson St. which was paved just a few years ago. Staff will work with the contractors for an acceptable repair. LKC

Engineering's estimate to install a new waterline on Allman Road Extension & Seneca Dr. was \$534,000 to complete all the work needed. The engineers did try to value-engineer the project by removing some sections which reduced the cost to \$307,000, but would leave existing on-going issues for Public Works to deal with. Because the Town is still uncertain of the amount of remaining funds, it would be better to use the remaining funds to engineer out the entire project for that area. Having the engineering completed will make it a "shovel ready" project and will make it easier to find additional funding from another grant.

Randy Holloway reported that State Utility Contractors had to do some add-ons on the Jackson Street waterline which will reduce the \$80,000 in contingency funds available. A valve will be installed near the water treatment plant to make the connection. The valve and waterline will be pressure tested, chlorinated, and accepted by the State within the next week to ten days. Once that is done, the Town will be given notice by the contractors to give the water treatment plant time to completely fill the North Drive Tank. When the waterline is cut, the water treatment plant will not be able to send water out into the system until it is reconnected, which should be less than a day's work.

State Utility Contractors has completed the punch list items except for one remaining area near Cantina 73 on E. Franklin St. and it has been subcontracted out to NJR who is also contracted by NCDOT to pave Main St. and Franklin St. All information received by the Town states paving will begin at the end of September. Staff meet with NC DOT on June 24th and provided them with a Main Street Striping Plan to delineate parking spaces. This plan would show where parking along the street is and is not permissible. Although NC DOT is willing to do the striping after paving Main St., it is not in the NC DOT budget to do so, and the Town would be responsible for the \$8,000-\$10,000 cost for striping. The striping would cover the area from 609 North Main Street to South Main Street at Lee Street.

NC DOT is very open to transfer North Main Street over to the Town. There are many things to consider before doing so and it will be discussed at a future meeting.

A motion to approve up to \$10,000 for striping Main Street as indicated on the maps to come from General Fund was made by Commissioner Poole with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Steiner absent)

Water Treatment Plant Renovation Project

Randy Holloway informed the Board an email from NC DEQ asking for more information in order to process the well permit at the lagoon for the PAC system was received on Thursday and has delayed the approval again. Responses from the Town were requested in the email for six items that included the rule numbers. Staff is already working on it. Garver Engineering is coming on Monday to help Town Staff with the responses. The last water test for the well showed iron at 5 times the normal limit. The culprit is believed to be due to water sitting in the 315' of 2" galvanized pipe attached to the well pump since it has not been used. Another sample will be taken tomorrow after running the well pump long enough to pull fresh water into the pipe. If the iron level remains high, it could possibly cause the carbon from the PAC system to attach to the iron which may clog the filter system within the plant. To correct this issue more curtains may need to be installed in the lagoon to slow the process down and allow the carbon to settle to the bottom of the lagoon. Once again, Garver Engineering is coming to help analyze the whole water treatment process before doing anything else to the system.

Amy Schueneman asked the Board to approve an updated Grant Project Ordinance for the Water Treatment Plant Renovation Project. The State awarded the Town \$985,000 and to date the Town has spent \$2,100,000. The excess funds were paid for by the Water/Sewer Fund Balance. By amending the original Grant Project Ordinance, it will simplify the project records prior to the annual audit.

A motion to approve the amended Grant Project Ordinance for the Water Treatment Plant was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (4-0, Commissioner Steiner absent)

B. Amendments to Code of Ordinances Part 7

Erin Burris presented the following changes made to Code of Ordinances Part 7:

Part 7 of the Code of Ordinance was updated in September of 2022 and last amended April 8, 2025. All speed limits in the Town limits are 35mph unless otherwise posted and outside the Town limits are 55pmh unless otherwise posted. The following amendments are proposed, as requested by the Town Board of Commissioners, to encourage NCDOT to change speed limits on specified road segments:

- Add "downtown district" to 20mph zone for clarification.
- Clarify that the 45mph zone on Highway 49 is between the western end and eastern end of North Drive.
- Adding a 45mph zone on NC Highway 73 from Green Acres Circle to the NC Highway 49 interchange between satellite corporate limits
- Adding a 45mph zoned on NC Highway 73 from Blueberry Street to Dutch Road between satellite corporate limits
- Adding Walker Road to the 45mph list due to satellite corporate limits. Walker Road is already a marked 45mph zone.

A motion to approve amendments to Code of Ordinances Part 7 amendments as presented was made by Commissioner Poole with a second by Commissioner Simpson. All Board Members were in favor. (4-0, Commissioner Steiner absent)

C. Consider declaring 1075 Circle Drive a Public Nuisance

Jim Sells updated the Board on locating the owner of 1075 Circle Dr. Once the Town receives an updated address from Florida Department of Transportation and the Town Board approves the Declaration of Public Nuisance, Mr. Sells will send another certified letter to the owner's current address asking them to remediate the items with the property. The poison oak, weeds and overgrowth of grass are the issues, not the condition of the home or the pond behind the house since those items will be treated as a separate case.

John Scarbrough presented the legal background. The general statutes are unclear. The Town has a nuisance ordinance in Chapter 8 of the Code of Ordinances that applies within the Town limits and is fairly broad. This property is within a mile but outside of Town limits and the Town is unable to enforce the ordinance at that location. N.C.G.S. § 160A-193 authorizes a municipality to remove, abate, or remedy conditions within the municipal limits or within one mile thereof that are dangerous or prejudicial to public health or public safety, and authorizes recovery of the reasonable expense of abatement as provided by law. The statute authorizes municipalities to summarily remove and abate nuisances. Summarily meaning without notice. The question is what constitutes dangerous or prejudicial to public health. Does this case fall under that terminology? Case law that was found by the Court of Appeals has interpreted the statue to mean that a municipality can summarily and without notice abate nuisances where there is a genuine emergency. In this situation, Mr. Sells is doing everything he can to notify the property owner. N.C.G.S. § 160A-193 case law is aimed towards structures. The question to the Board is whether this is an imminent danger to public health or safety. Providing notice to the property owner is a good thing and shows the Town is taking all the necessary steps. N.C.G.S. § 160A-193 does not give the Town the same broad authority as in the Town Ordinances. Statute does state owners would be responsible for the cost.

The Board discussed the issue and the potential cost. The property owner could argue that they were not personally liable for the cost of remediation, but a lien would go against the property not

property owner. This cleanup would be beyond the Public Works ability to remediate and would need to be contracted out since it is outside Town limits. \$5,000 is in the annual budget for situations like this. The alternative is to do nothing, and it would get increasingly worse.

Town tax dollars are being used to pay for something outside the Town in the ETJ. Cabarrus County is unable to do anything either.

Mr. Sells stated that the structure itself is not what is being addressed even though the roof is covered in tarps and is probably leaking into the interior of the house. Since no one is living there, an Administrative Order would be required before someone can enter the structure to check on the condition inside.

If Mr. Sells has attempted all available options to find the property owner after declaring the property a Public Health Nuisance, it would obligate the Town to abate the property.

A motion to declare the condition of 1075 Circle Drive Mt. Pleasant, NC 28124 a Public Health Nuisance and authorize the notice and abatement process was made by Commissioner Simpson with a second by Commissioner Dixon. All Board Members were in favor. (4-0, Commissioner Steiner absent)

D. ADD ON: Mount Pleasant Dixie Youth Baseball use of McAllister Field

Erin Burris informed the Board that drafts with changes were made to the agreement based on discussion by the Board at the August meeting and were presented to Mount Pleasant Dixie Youth Baseball. MPDYB did have some concerns about locking the field so the field does not get misused or damaged in some way.

Michael Gaddis from MPDYB stated that once the field gets wet it makes the field completely unusable for playing. Bike tracks were made in the dirt after the last time it rained leaving 3-4" indentions in the dirt. Mr. Gaddis asked that the Board allow MPDYB to lock the gates for up to 48hrs after it rains to preserve the integrity of the field. Cabarrus County allows MPDYB to lock the gates at the Virginia Foil Park due to rain for the preservation of the ballfields. Mr. Gaddis was willing to provide the Town with a key to the gates for Public Works to have access to mow and MPDYB volunteered to be responsible for opening and locking the gates as necessary.

The official request by Michael Gaddis to the Board was *"to give us (MPDYB) carte blanche on a 48-hour lock down of it (McAllister Ballfield) that as soon as a rain event happens we (MPDYB) would lock it down for 48 hours max without giving notice to the Town. If it were over 48 hours, we (MPDYB) would ask the Town for permission to extend the time."*

Board consensus was that this was a reasonable request and would be included in the Town Facility Use License Agreement-McAllister Field.

A motion to go into Closed Session was made by Commissioner Simpson with a second by Commissioner Poole. All Board Members were in favor. (4-0, Commissioner Steiner absent)

8. Closed Session 143-318.11.(a)(#3) Consult with Town Attorney

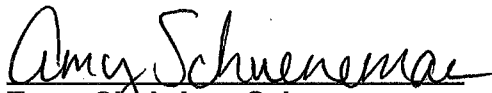
To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

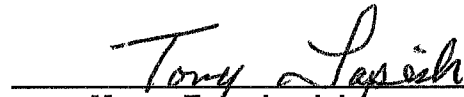
A motion to come out of Closed Session was made by Commissioner Poole with a second by Commissioner Dixon. All Board Members were in favor. (4-0, Commissioner Steiner absent)

9. Adjournment

With nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Simpson seconded the motion. All Board Members were in favor. (4-0, Commissioner Steiner absent)

By our signatures, the following minutes were approved as submitted on Tuesday, October 13, 2026 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor Tony Lapish

