MOUNT PLEASANT

EST. 1859

NORTH CAROLINA

Board of Commissioners
Town Board Meeting Minutes
Tuesday, September 9, 2025 at 6:00 P.M.

Attendance: Mayor Tony Lapish
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Chris Carter
Commissioner Steven Dixon
Commissioner William Meadows
Commissioner Justin Simpson
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Erin Burris, Crystal Smith, Ashley Starnes, Ally Schueneman, Rodney Schueneman, Deputy M Arstark, Mike Steiner, Rita Gilmore, Pastor Todd Davis, Duane Miller, and an unknown individual.

CALL TO ORDER
Mayor Tony Lapish called the meeting to order.

INVOCATION
Pastor Todd Davis of St. James Reformed Church led the Board in prayer.

PLEDGE OF ALLEGIANCE
Mayor Lapish led the Pledge of Allegiance.

1. **Public Forum**
   No one spoke.

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)

No one had a conflict of interest.

3. **Approve Agenda**

A motion to approve the Agenda as submitted was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

4. **<u>Consent Agenda</u>**

A. Minutes August 12, 2025
B. Special Called Meeting Minutes August 20, 2025

Commissioner Furr made a motion to approve the Consent Agenda as presented with a second by Commissioner Dixon. All Board Members were in favor. (5-0)

5. **<u>Staff Reports</u>**

A. Town Manager-Randy Holloway
B. Town Asst. Manager- Planning & Economic Development Director -
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

6. **<u>Public Hearing</u>**

A. TA 2025-01 Accessory Uses & Temporary Uses

A motion to open the Public Hearing was made by Commissioner Furr with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

Erin Burris presented the TA 2025-01 Accessory Uses & Temporary Uses packet *(included in the Minute Book)* with additional input from Code Enforcement Officer Jim Sells. Development ordinance amendments were proposed to address organization of the Accessory Structure requirements, options for concealment of inoperable vehicles, the temporary use of shipping containers during moving or renovations, and the issuance of temporary use permits for gravel parking in the CC district. Below is a summary of proposed amendments:

Section 5.2

- Organization and clarification of Accessory Uses & Structures Section
- Consolidate location, setbacks, and height requirements into one subsection to reduce confusion.
- Provide additional standards for the use of shipping/cargo containers and reference permissible temporary uses of containers.
- Remove mounting types for antenna devices/satellite dishes (redundant and contradictory with Location of Device requirements).
- At the recommendation of the Code Enforcement Officer, providing additional options for the storage of junked/inoperable vehicles. (Definition added in Appendix A for definition of fitted automotive cover). This is also reflected in Code of Ordinances Part 8, Chapter 4.

Section 5.10.2

- Clarification of timeframes for temporary uses and section references.
- Add provisions for approval by the Fire Marshal of fireworks stands and promotional/special events.
- Extend the temporary sales of agricultural products from four (4) months to six (6) months.
- Add maximum area requirements for Food Vendors to match Agricultural Products.
- Add provisions for the temporary use of shipping/cargo containers (e.g. PODs) for moving and storage during construction.
- Add provisions for temporary gravel parking in the CC district to allow for construction timeframes and public parking improvements (reference added in Section 8.1.3).

Ms. Burris pointed out that a typo was on page 5-5 where "storming" should be "storing" and it would be corrected in the final copy.

No one spoke during the Public Hearing.

A motion to close the Public Hearing was made by Commissioner Meadows with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A motion was made by Commissioner Simpson of "approve and consistent" to the proposed amendments on MPDO Sections 5.2, 5.10.2, 8.1.3, and Appendix A along with Code of Ordinances Part 8, Chapter 4. A second was made by Commissioner Meadows. (5-0)

7. <u>New Business</u>

A. ANX 2025-02 Byrd Property

Ms. Burris stated Robert L. Byrd, Jr. requested voluntary annexation for the 3.446 acres at 9450 NC Hwy 73 E. The property owner would like to annex with the same zoning designation of Residential Low Density (RL) and connect to the water and sewer system. Ms. Burris asked the Board to set a Public Hearing date for the next Town Board meeting on October 14th. *(A copy of the Annexation 2025-02 Packet is included in the Minute Book.)*

A motion to accept the Town Clerk's Certificate of Sufficiency was made by Commissioner Simpson with a second by Commissioner Carter. All Board Members were in favor. (5-0)

A motion to adopt a Resolution setting a public hearing date for Tuesday, October 14 at 6pm for the annexation public hearing was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

B. Discussion on Christmas Parade and Tree Lighting

Randy Holloway stated that with the Water Line Project there is uncertainty of what condition the roads will be in for the Christmas Parade in December. There should be no issue with the Tree Lighting since people can park and walk to Town Hall. The concern is uneven road surfaces that may cause tripping hazards for the parade participants similar to the ones at the Independence Celebration.

Crystal Smith expressed a need for the Board to decide at the October 14th meeting to communicate with past participants, Cabarrus Health Alliance, Cabarrus County Sheriff's Department and other emergency services, and the public. A few months will be needed to coordinate the Christmas Parade, if the Board makes the decision to move forward with the Christmas Parade.

Mr. Holloway asked the Board to wait on deciding until the next meeting since a project update meeting will be held at the end of September and an updated timeline for the Hwy 73 and South Main St. construction will be communicated by the contractors.

No motion was made.

8. <u>Old Business</u>

A. Receive update on the status of:

Lower Adams Creek Sewer Outfall Project

Erin Burris stated the Lower Adams Creek Sewer Outfall Project continues to move along at a steady pace. Elite Infrastructure has dealt with the large amount of rock by continuing to blast as they move along. All of the budget amount allotted for rock removal has been used, but the large contingency fund will be used to pay for the additional rock removal overage.

Randy Holloway reiterated that the project is moving smoothly, and the contingency fund is healthy and will cover the overage for rock removal. The projected completion is November. When the project is completed, it will remove two problem pump stations: Summer St. Pump Station and Pasture St. Pump Station.

Water Distribution Improvements Project
Erin Burris displayed the map of the Water Distribution Improvements Project that is currently posted on mpncfuture.com website to show the different sections of the project and how traffic along Franklin St. and S Main St. will be either detoured for a hard closure or reduced to one lane with flaggers. State Utility Contractors, Inc crews are currently down to the square on N. Main St. with the new waterline. Issues with NC DOT letting the N. Main St. crew cross Franklin St. while the other two crews are working on West Franklin St. at N. Skyland Dr. and East Franklin St. at Blueberry St. are being addressed to reach a compromise. NC DOT would like the two Franklin St. crews to shut down while the N. Main St. crew crosses Franklin St. to reduce the construction congestion from three crews working within such a short span of roadway. State Utility Contractors and LKC Engineering had an idea for State Utility Contractors to start working on Monday at 7am using flaggers, which will keep one lane on Franklin St. open at all times, to cut the asphalt and dig the trench across Franklin St. (going around the planter which will cause some disruption in that parking lot), lay the waterline, and cover with metal plates within a 24hr time frame. Metal plates will be used to cover the trench and allow traffic to move along one lane until this segment is complete. This plan was sent to NC DOT late yesterday, but the Town has not received a response from NC DOT yet. Most of the restaurants are closed on Mondays and there will be less traffic within the square. The only way to open N. Main St. is to finish the segment of waterline crossing Franklin St., chlorinate it, and test it. Once approval from NC DEQ is received to put that segment of waterline in operation, the road will be patched, and N. Main St. can be reopened. NC DOT did agree to allow State Utility Contractors to work on Franklin St. from 8:30am to 4:30pm instead of the 9:00am to 4:00pm originally required adding another hour of work each day.

Mr. Holloway added once the crew is finished at the square, everything else should move more smoothly. Three crews will be active on Franklin St. The segment between the square and S. Halifax will be closed to traffic for safety concerns for the workers because of the narrowness of the street. The plan is to have a crew working on the West end and the East end of this segment to expedite the completion and reopen the road. Access to the businesses will be limited and the Town Staff will work with the business owners to notify the public of alternative ways to reach the affected businesses. State Utility Contractors is working hard to complete the project by the end of November. Current timeline is that N Main St. will remain closed until October 6th.

Ms. Burris reported that the leak on the old waterline that was patched several weeks ago, has been repaired and the stormwater line reconnected at the corner of Walnut St. and N. Main St. All that remains is to pave over the area.

Water Treatment Plant Renovation Project
Randy Holloway reminded the Board that WesTech was contracted to rehab the Water Treatment Plant to like new status. Staff did not realize the Plant was operating at approximately 25%, which explains why the level of disinfection-by-products was elevated when tested. The water was safe to drink even though the disinfection-by-product levels were higher than normal. WesTech forgot to fabricate enough materials for both basins and has pulled the crew off the project until the materials have been received at the Plant. The crew is expected to return early October. It will be the end of October before both basins at the Plant are finished. Earlier this year the Board also approved contracting with Utility Services to do maintenance on the ground storage tank. No records could be found showing maintenance work being done on the concrete tank since it was built in 1970. It was brought to Mr. Holloways attention when Utility Services was inside the tank working that the pipes looked brittle, and it was questionable if the pipes would standup to the sandblasting needed to clean them. Unfortunately, the pipes disintegrate on the first swipe of sandblasting. One quote has

been received and another expected to replace the pipes and pumps in both the ground storage tank and the clearwell, since those pipes and pumps in the clearwell are in worse condition than the ground storage tank. It is better to fix everything while the plant is currently closed than to have to shut operations down later. The design of the system is poorly engineered, but everything will have to be put back the same way. The two pumps in each tank are turbine pumps that are within pipes designed to be harmonically balanced meaning the pipes and the pumps must be made together. All the piping must be removed and shipped to Georgia to be fabricated from scratch. It will take 8-12 weeks for replacements to be sent back. Thanks to the connection to the City of Concord's water system, the Town can continue to provide water for customers. Concord agreed to sell the water to the Town at the same rate the Town is charging customers, which is a $2.00 per 1,000-gallon discount from Concord's regular rate.

Mr. Holloway presented a chart of all expenses already received and/or expected for the Water Treatment Plant project totaling an estimated $1,659,883.04. The State Grant received for the project is $985,000 which leaves a shortfall of $674,883.04. To keep the project moving while waiting for reimbursements from NC DEQ, Mr. Holloway is asking the Board to approve loaning funds from the General Fund Fund Balance to the Water Treatment Plant project. Currently, loans of $748,000 from the Water Sewer Fund Balance have been made to various water and sewer projects while awaiting reimbursement. A balance of $465,000 is in the Water Sewer Fund. The current Water Sewer Fund Balance and the amount on loan to projects total $1.2 million. Until the loans are returned from other projects to the Water Sewer Fund, the Finance Officer would like to be able to loan funds from the General Fund to the Water Treatment Plant project, if needed, to keep the bills paid to suppliers/contractors. The Board had previously authorized the Finance Officer to move money as needed for the projects. For transparency it would be good for the Board to make a motion to give authorization to the Finance Officer to be able to loan funds from the General Fund to the Water Treatment Plant project.

> § 160A-313. Financing public enterprise:
> *Subject to the restrictions, limitations, procedures, and regulations otherwise provided by law, a city shall have full authority to finance the cost of any public enterprise by levying taxes, borrowing money, and appropriating any other revenues therefor, and by accepting and administering gifts and grants from any source on behalf thereof. (1971, c. 698, s. 1.)*

After the projects are finished, the loan can be repaid all at once or with a scheduled amount each year until paid.

A motion to allow the Finance Officer to loan funds from General Fund to Water Treatment Plant Project as needed to expedite the completion of the project was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

9. <u>Closed Session</u> 143-318.11.(a)(#4) Economic Development *To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.*

A motion to go into Closed Session was made by Commissioner Meadows with a second by Commissioner Carter. All Board Members were in favor. (5-0)

A motion to come out of Closed Session was made by Commissioner Meadows with a second by Commissioner Furr. All Board Members were in favor. (5-0)

10. 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. (5-0)

By our signatures, the following minutes were approved as submitted on Tuesday, October 14, 2025 in the Regular Meeting.

Town Clerk Amy Schueneman

Mayor Tony Lapish

SEAL OF MT. PLEASANT, NC ~ Founded 1848 ~