



**Board of Commissioners
Town Board Meeting Minutes
Monday, February 12, 2024 at 6:00 P.M.**

Attendance: Mayor Tony Laphish
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, Brian & Rita Gilmore, Jim Sells, Earl Bradshaw, Kim Baker, Ally Schueneman, Deputy C Camille, David & Heidi Greeson, Derek & Erika Linker, Larry Pittman, Tony Brewer, David Hill, and Darrell Layton.

CALL TO ORDER

Mayor Tony Laphish called the meeting to order.

INVOCATION

Pastor Earl Bradshaw of Mount Pleasant Methodist Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Laphish led the Pledge of Allegiance.

1. Public Forum

David Greeson distributed a handout to the Commissioners (*copy in the Minute Book*), and proceeded to address the Board concerning the lawsuit between the Town and himself over nonconforming use on his property. Town Attorney John Scarbrough informed the Board that since the Town is in litigation with Mr. Greeson they were not obligated to respond. Mr. Greeson was allowed to speak to the Board for longer than three minutes about how he had been wronged by the Town and not allowed to speak prior to tonight, then asked if the Board would be willing to drop the lawsuit. Mr. Scarbrough informed Mr. Greeson that he would have to go through his attorney for a response.

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)

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No one had a conflict.

3. Approve Agenda

ADD-ON under New Business F: Consider approving the purchase of a Ford F-150 for the Fire Department and Budget Amendment #17 FD purchase of 2023 Ford F-150.

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

4. Consent Agenda

A. Minutes January 8, 2024

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

5. Staff Reports

- A. Town Manager-Randy Holloway
- B. Town Asst. Manager-Crystal Smith
- C. Town Clerk/Finance Officer - Amy Schueneman
- D. Planning & Economic Development Director - Erin Burris
- E. Code Enforcement/Grant Writer- Jim Sells
- F. Public Works- Daniel Crowell
- G. Cabarrus Co. Sheriff's Dept. Report
- H. Fire Department-Dustin Sneed

6. Presentations

A. Presentation of the FY22/23 Audit by Tony Brewer of Eddie Carrick, CPA, PC

Tony Brewer presented the FY22/23 audit to the Board. The Town received an Unqualified Opinion or Clean. Total revenue was up \$209,000 and expenses were up \$88,000 in the General Fund. Water & Sewer revenues were up \$264,000 and expenses were up \$520,000. The increase in expenditures was mainly due to Capital Projects and maintenance. For the 2023 year the Town of Mount Pleasant showed no performance indicators of concern or deficiencies so the Town will not have to answer to LGC for any concerns. *(A copy of the Audit presentation and talking points are included in the Minute Book.)*

No action was taken.

B. Presentation of the Pay Study by David Hill of Piedmont Triangle Regional Council (PTRC)

David Hill informed the Board of the results of the Pay Study. The Town would need to reclassify the level of some employees and adopt the new Proposed Pay Plan to bring current employees to salaries paid to others in similar positions in other municipalities of similar size. The total cost to bring salaries to comparable amounts in other jurisdictions is \$58,090. If the Town adopted the plan, Mr. Hill encouraged Cost of Living Adjustments (COLA) to keep salaries competitive in future years.

Randy Holloway let the Board know discussions on the Pay Study would be part of the Budget Workshop in March.

(A copy of the Slideshow is included in the Minute Book.)

No action was taken.

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C. Receive a report from Garver Engineering on the water treatment issues at the Town's water treatment facilities.

Randy Holloway stated that Garver Engineering could not attend the meeting tonight. They are still working on price estimates for repairs/upgrades to the Water Treatment Plant. He reminded the Board of the water issues the Town has been dealing with since July of 2023 with TTHM and HAA5 in the Town's drinking water. Unfortunately, the contaminants did not decrease and the Town is still in violation of acceptable levels of the chemicals. Letters will be going out in the water bills this month. The water is perfectly safe to drink and the example used is if a person drank several gallons of water daily for 70 years, there was MAYBE a one in a million chance of developing cancer.

After doing research, Mr. Holloway found a Calgon Carbon filter system that will completely remove all contaminants in the water before entering the plant to be processed before entering the water system. It has to be done before chlorine is added because the filters would also remove the chlorine if it was after the water left the plant. Chlorine is needed to purify the water. This will improve the water quality tremendously. Calgon Carbon filter system would cost \$800,000 to \$1,000,000. It is not a quick or cheap fix, but it is what Garver Engineering is recommending. NC DEQ is requiring the problem to be fixed by August, however, there is no way that deadline could be met. The carbon has to be recycled based on the contamination level which will cost \$30,000 to \$60,000 a time, usually one to two times a year.

Mr. Holloway asked the Board to consider using the \$1,000,000 granted by the State for the South Skyland area water lines, which serve approximately 40 households, to be used for the Calgon Carbon filter system that would affect 1,100 households. Senator Newton and Representative Crutchfield agreed with the Town requesting to reallocate the funds. The Board needs to approve the reallocation, then the Town will send a letter requesting the change to the legislators to be approved by the State. The Town will ask again for funds to do the South Skyland water lines.

A motion to direct staff to work with our legislative representatives to reallocate the appropriation was made by Commissioner Simpson with a second by Commissioner Carter. All were in favor. (5-0)

7. Old Business

A. Consider ABC Board request to reduce Board from five (5) members to three (3) members and set term limits (*Tabled from January 8, 2024*).

Amy Schueneman reported that both the Town Attorney John Scarbrough and herself reached out to the State ABC Board for clarification on the request. They found out that a Board members term could not be cut short without cause. The person that will be appointed/reappointed in June 2024 would need to be told it will only be for a one-year term. Then in June 2025 when that person and two other members' terms are ending, the Town Board could make the decision to reduce the ABC Board from 5-member to 3 and decide about the term limits. John Scarbrough agreed it was based on State Statute. Concord has 8 stores with only a 3-member Board and the State agreed that a 3-member Board is all the Mount Pleasant ABC Board needs. It would also reduce the stipends they pay to save money for moving to the White Owl.

The Town Board thought it would be good to put another liaison from the Town Board onto the ABC Board in an advisory capacity. Commissioner Carter stated that he would like to do it.

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A motion to put Commissioner Chris Carter on the ABC Board as the Town's liaison was made by Commissioner Furr with a second by Commissioner Simpson. All were in favor. (5-0)

B. Water Shortage Response Plan & Brochure

Jim Sells stated that all the Water Shortage Response Plan & Brochure is to detail how the Town would respond to a drought. It is similar to everyone else's policy in the County. Once the Board approves, it will be sent to the NC DEQ for their approval or revision suggestions.

A motion to approve the Water Shortage Response Plan was made by Commissioner Simpson with a second by Commissioner Meadows. All were in favor. (5-0)

C. Provide an update on the search for a new Assistant Town Manager's position.

Crystal Smith and Randy Holloway reported 43 people applied for the position. PTRC shifted through the applications and produced four really qualified candidates. Interviewing will be first week in March. Commissioner Simpson and Commissioner Dixon were asked to be in on the interviews. Hopefully, one or more will come through the interview process, and a meet and greet will be planned for the entire Board and Town Staff to meet the candidate(s). The goal is for this person to become the Town Manager in two years. All have their master's in public administration and military experience.

No action was taken.

8. New Business

A. Consider naming an appointment to the Cabarrus County Mental Health Advisory Board.

Amy Schueneman reported Lauren Linker from Cabarrus County sent an email to request a representative from the Town Board to replace former Mayor Del Eudy on the Cabarrus County Mental Health Advisory Board. It meets once a quarter alternating meetings from the morning to evening each quarter.

Mayor Tony Lapish volunteered to feel the position.

A motion to appoint Mayor Tony Lapish to the Cabarrus County Mental Health Advisory Board was made by Commissioner Simpson with a second by Commissioner Meadows. All were in favor. (5-0)

B. Comprehensive Plan Update Steering Committee

Erin Burris handed out a schedule for the Steering Committee meetings. The Comprehensive Plan was previously completed in 2017 and an update has been approved and funded for this year. North Carolina General Statute 160D states that one of the roles of an appointed Planning Board is to "prepare, review, maintain, monitor, and periodically update and recommend to the governing board a Comprehensive Plan".

In order to guide the comprehensive planning process, it is requested that the Planning Board be appointed as the steering committee for the Comprehensive Plan, and that the Mayor and not more than two Commissioners serve as liaisons and participate in the process of preparing the draft plan for consideration by the full Town Board. This participation would mostly take place during regularly scheduled Planning Board meeting times on the fourth Monday of the month at 6pm during the duration of the Comprehensive Plan process, but may include alternative meeting times as agreed to by the group and duly noticed by the Town Clerk.

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This update will affect the Town for the next decade.

A motion to appoint Mayor Lapish, Commissioner Simpson, Commissioner Furr, and the Planning & Zoning Board as the Steering Committee for the Comprehensive Plan was made by Commissioner Carter with a second by Commissioner Meadows. All were in favor. (5-0)

C. Resolution of Support for Town of Mount Pleasant Congestion Mitigation and Air Quality (CMAQ) Program Application for Bicycle and Pedestrian Project Acceleration Plan.

Erin Burris reminded the Board the Town received \$2.7 million from the State budget for the construction and improvement of sidewalks. A portion of that will be used to complete the Washington Street sidewalk. Town Staff would like use a portion of this funding for the 20% match to get a CMAQ grant.

A motion to adopt the Resolution of Support for Town of Mount Pleasant Congestion Mitigation and Air Quality (CMAQ) Program Application for Bicycle and Pedestrian Project Acceleration Plan was made by Commissioner Simpson with a second by Commissioner Dixon. All were in favor. (5-0)

D. Consider approving a contract with Volkert Engineering for the North Washington Street improvement project.

Randy Holloway stated that Staff had requested Board approval to contract with Volkert Engineering for the North Washington Street project. The Town received the contract and fee structure last Friday and the fee structure was higher than expected. Staff felt the fee would be 15-20% of the project, but they are at 30% of project cost at \$283,000. If an agreement is not reached, Staff will reach out to one of the firms selected for the on-call engineering to be discussed next.

A motion to allow Town Staff to negotiate the contract with Volkert Engineering for North Washington Street Improvement project contingent upon an acceptable fee structure was made by Commissioner Dixon with a second by Commissioner Simpson. All were in favor. (5-0)

E. Consider approving on-call engineering firm(s) for future Town projects.

Erin Burris stated the Town put out a request for qualifications (RFQ) for on-call engineering services to include one or more of the following focus areas:

- Surveying & GIS
- Streets/Sidewalks
- Stormwater
- Water Distribution Lines
- Sewer Collection Lines
- Water Intake/Treatment
- Downtown Development/Streetscape Design/Parking Design

The Town received nine (9) submittals of qualifications from the following engineering firms:

- Chambers partnered with Concord Engineering & Surveying
- Colliers partnered with Kimley Horn
- Garver
- LaBella
- LJB
- LKC

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- McAdams
- SeamonWhiteside
- Wooten partnered with Volkert

Based on the focus areas and experience of each firm that submitted, the Selection Committee composed of the Town Manager, Assistant Town Manager, Town Clerk, Public Works Director, and Planning Director evaluated each submittal for the firms methodology and approach to the provision of services, related project experience, project staff experience, accessibility of key individuals and knowledge of the Town's systems, and a list of references provided by the firm. After scoring each submittal on these criteria, the selection makes a recommendation to engage the following firms in engineering services as specified, with the surveying and GIS providers (in-house or subconsultant) used by that firm:

LKC

- Water Distribution Lines
- Sewer Collection Lines

Primarily to continue to provide engineering and surveying services for current water line, sewer pump station and lines, AIA, and System Development Fees projects and other closely associated projects that stem from existing projects currently under contract.

Wooten/Volkert

- Streets/Sidewalks
- Water Distribution Lines
- Sewer Collection Lines
- Downtown Development/Streetscape/Parking

McAdams

- Stormwater
- Streets/Sidewalks
- Downtown Development/Streetscape/Parking

Garver

- Water Intake/Treatment

A motion to approve the recommended on-call engineering firms (LKC, Wooten/Volkert, McAdams, and Garver) for future Town projects was made by Commissioner Furr with a second by Commissioner Simpson. All were in favor. (5-0)

ADD-ON F: Consider approving the purchase of a Ford F-150 for the Fire Department and Budget Amendment #17 FD purchase of 2023 Ford F-150.

Randy Holloway informed the Board that the Fire Chief asked to purchase a pickup truck and he agreed because they are currently using their personal trucks to haul items. They found a good deal for a Ford F-150 from Crossroads Ford in Winston Salem. Total cost including the emergency lights is \$53,484.09. There are funds available to purchase the truck in the Capital Reserve-Fire Vehicles account.

A motion to approve the purchase of a Ford F-150 for the Fire Department and Budget Amendment #17 FD purchase of 2023 Ford F-150 was made by Commissioner Furr with a second by Commissioner Meadows. All were in favor. (5-0)

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A motion to go into Closed Session 143-318.11.(a)(#3) was made by Commissioner Meadows with a second by Commissioner Simpson. All were in favor. (5-0)

- 9. Closed Session 143-318.11.(a)(#3)** *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.*

A motion to come out of Closed Session 143-318.11.(a)(#3) was made by Commissioner Meadows with a second by Commissioner Furr. All were in favor. (5-0)

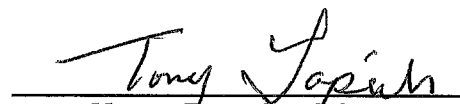
A motion to agree to the settlement in the matter of the Town vs. Greeson's according to the terms offered by the defendant's attorney was made by Commissioner Simpson with a second by Commissioner Meadows. All were in favor. (5-0)

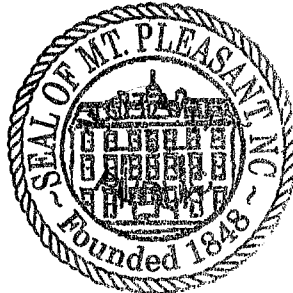
10. Adjournment

With nothing else to come before the Board, Commissioner Meadows made a motion to adjourn. Commissioner Furr seconded the motion. All Board Members were in favor. (5-0)

By our signatures, the following minutes were approved as submitted on Monday, March 11, 2024 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor Tony Lapis



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