



**Board of Commissioners
Town Board Meeting Minutes
Monday, May 13, 2024 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, Darrell Layton, April Coble, Deputy C Camille, Deputy T Canaday, ABC Board Members (Lee Kluttz, Steve L McAllister, Gene Sneed, Lisa Atwood, Amy Underwood, and Graciela Martinez), Terrie Reece, Terry & Lisle Crayton, Tim Seagraves, Rev. Nile Sandeen, Rita Gilmore, Matthew Esposito, Fred & Susan Mills, Stacy Helms, and Caleb Smith of Boy Scout Troop #5.

CALL TO ORDER

Mayor Tony Lapish called the meeting to order.

INVOCATION

Pastor Nile Sandeen of Lutheran Church of the Holy Trinity led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Lapish led the Pledge of Allegiance.

Mayor Lapish recognized the Town's new Office Manager April Coble.

1. Public Forum

No one spoke.

Removed
~~Mayor Lapish asked for a motion to excuse Commissioner Carter from the meeting. A motion was made by Commissioner Furr with a second from Commissioner Meadows. All in favor. (4-0, Commissioner Carter excused).~~

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

TOWN OF MOUNT PLEASANT

An equal opportunity provider, employer, and lender.

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

Mayor Lapish stated Closed Session 143-318.11.(a)(#3) Public Nuisances will be removed from the agenda.

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

4. Consent Agenda

- A. Minutes April 8, 2024
- B. Contract for FY23/24 audit by Tony Brewer, CPA, PC
- C. Resolution of Governing Body of Recipient for AIA Grant Project No. AIA-W-ARP-0156

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- Planning & Economic Development Director - Erin Burris
- C. Town Clerk/Finance Officer - Amy Schueneman
- D. Events- Crystal Smith
- E. Code Enforcement/Grant Writer- Jim Sells
- F. Public Works- Daniel Crowell
- G. Cabarrus County Sheriff's Department
- H. Fire Department-Dustin Sneed

6. Public Hearing

A. REZ 2024-01 & SUB 2024-01 Adams Creek Subdivision

Erin Burris presented a slide presentation (*included in the Minute Book*) concerning this proposed subdivision located on Walker Road. She confirmed this subdivision would be the same density as Green Acres (2.3) and Brighton Park (2.05) at two dwelling units per acre. The subdivision meets all the requirements for approval. The Planning & Zoning Board voted 3-2 in support of the development.

Mayor Lapish opened the Public Hearing.

Tim Seagraves stated he is currently working on the Green Acres site and will be the one developing the subdivision. He said this would be a nice community and wants to provide double sidewalks and make it the best that he can. The homes in this neighborhood will be in the half million-dollar range and above.

Matthew Esposito of Walker Road researched where they wanted to live and raise his family nine years ago and Mount Pleasant was it. Working in Charlotte, he is grateful for the clean air and open space. Any density takes away peace of mind because with that many homes his family will not be as safe as they used to be. He understands that it will be developed with 45-60 homes. He is not opposed to development but is the Town

fulfilling its goal for controlling growth with Green Acres and Brighton Park already approved.

Terry Crayton of St. John's Church Road asked the Board, "what is Mount Pleasant to you." It is home. It is not the same as the 1960's but close. He is concerned about traffic, kids walking to school from the subdivision, and overcrowding of schools.

Terrie McDaniel Reese of Cress Rd is proud to be from Mount Pleasant. She is concerned about the redistricting that sends Mount Pleasant kids to Irvin and the long-term effects on children that must change schools because of new developments. She wants to grow slowly so that the infrastructure is there along with emergency services.

Mayor Lapish closed the Public Hearing.

Commissioner Simpson stated that his biggest hesitation is Conditional RM. It is the maximum allowed under low intensity, so more than two homes per acre could not be built. He wanted to have time to decide and not feel rushed to do so.

Commissioner Furr said she could use the time to mull it over.

Commissioner Carter stated he was elected by the citizens, and they don't want it, so he knows where he stands.

Commissioner Meadows said everyone that has talked to him is against it also.

Commissioner Dixon thought it met all the requirements to be built. There are no loopholes trying to be jumped. It will be a tough decision either way and would not want to make a decision in haste.

A motion to table the decision until the June 10th meeting was made by Commissioner Simpson with a second by Commissioner Furr. All in favor. (5-0)

B. SUB 2024-01 Adams Creek Subdivision Wastewater Allocation Request (if REZ 2024-01 is approved)

No discussion. Tabled until the June 10th meeting since it is part of the Adams Creek Subdivision.

7. Old Business

A. Discuss Mount Pleasant ABC Board previous request to reduce Board from five (5) members to three (3) members and set term limits, as well as appointments beginning July 1, 2024.

Amy Schueneman gave a brief history of decisions made by the Town Board concerning the ABC Board. There are four items that the Board will need to make a decision on at this meeting.

1. Does the Town Board want to reduce the ABC Board from five (5) to three (3) members?

Based on conversations held with staff and Town Board members, members of the ABC Board felt that they had no choice but to sign the form agreeing to reduce the number of members and the starting of term limits, because they were under

the impression that it was requested by the Town Board. The Town Board nor the Town Staff requested reducing the number of members or starting term limits. This came from the General Manager of the ABC Store to the Town Staff as what the ABC Board was requesting. The process to reduce the number of members was explained at the February 12th meeting.

Commissioner Furr asked how much it would actually save if the ABC Board is reduced from five to three members and it would be around \$2,000 per year.

Commissioner Carter, liaison to the ABC Board, felt the members of the ABC Board worked well together and seemed to be doing well at the meeting he attended.

Commissioner Simpson asked the ABC Board members in the audience what they would like to do, stay at five or reduce to three and members of the ABC Board in the audience stated they wanted to stay at five.

Randy Holloway stated that the ABC Board was increased to five members in 2019 due to an investigation by the State ABC Board finding many items that were not being done correctly.

General Manager Amy Underwood said it was suggested by the auditor in Raleigh.

A motion to leave the ABC Board at five members was made by Commissioner Furr with a second by Commissioner Simpson. All in favor. (5-0)

2. **Does the Town Board want to set term limits for the ABC Board when there are no term limits on the Planning & Zoning Board or the Town Board?**

Commissioner Simpson did not see the need to impose term limits on the ABC Board since neither the Planning & Zoning Board nor the Town Board has term limits.

A motion to not have term limits for the ABC Board was made by Commissioner Simpson with a second by Commissioner Carter. All in favor. (5-0)

3. **Who can serve on the ABC Board?**

Historically, the Town Board has placed members on the ABC Board that were residents inside the Town Limits. If no one residing in the Town Limits applied for the position, then someone from the ETJ (Extra-Territorial Jurisdiction-one mile boundary around the Town Limits) could be appointed. This has been the practice by the Town Board since the ABC Store is inside Town Limits and previous Town Boards felt town residents should be the ones to make decisions for the Mount Pleasant ABC store. On April 29th, Amy Schueneman reached out to the Legal Department of the NC ABC office and found out, "They are not aware of any residency requirements for ABC Board members in the statutes. It would be up to the Town Board to set and follow its own policy on residency

requirements.” This comes into play since one of the current ABC Board members owns property in the Town Limits but does not reside in Cabarrus County.

Randy Holloway stated that there is an ABC Board member that owns property in Town but does not reside in the Town and the Board may want to think about property owners inside the Town limits being able to serve since member in the ETJ are allowed to serve without paying taxes.

Commissioner Meadows thought that by reducing the number of people that could apply, it would be harder to fill the positions.

A motion for ABC Board members to be either a resident in the Town limits, a property owner in the Town limits, a resident in the ETJ, and/or a property owner in the ETJ was made by Commissioner Dixon with a second by Commissioner Simpson. All in favor. (5-0)

4. Does the Board want the Town Clerk to put the application out on social media and website like previous years?

June is the month the Town Board appoints members to fill expired terms for the new year beginning July 1st. The term of Eric Boulware expires on June 30th.

A motion to promote the current expiring term on social media and the Town website was made by Commissioner Simpson with a second by Commissioner Furr. All in favor. (5-0)

8. New Business

A. Consider approving new contract with Waste Pro for garbage collection the next five (5) years.

The Town recently sent out an RFP for Waste Collection Services to Republic Services, R&F Waste in Rockwell, and Waste Pro. After talking to all three companies, staff feel the best and most economical decision is to stay with Waste Pro. It will lock in the rate increases to only the CPI recommended increase after the first year for the remaining life of the contract.

Several weeks ago, there was an issue with a Waste Pro driver dumping trash and recycling in the same truck. Even with this occasionally occurring due to a shortage of drivers, the overall service is good. Staff have contacts at Waste Pro that are reliable when needed to help our residents.

A motion to approve the new contract with Waste Pro for garbage collection for the next five (5) years was made by Commissioner Furr with a second by Commissioner Simpson. All in favor. (5-0)

B. Consider allowing the Town Clerk to advertise on social media and website to receive applications for a Planning & Zoning Board member for expiring term.

A Planning & Zoning Board member, Rick Burlison, has his term expiring on June 30th. Town Clerk would like to know if the Town Board would like to request applications by

putting on social media and website. The term is for three years and would expire on June 30, 2027.

A motion to promote the current expiring term for the Planning & Zoning Board on social media and the Town website was made by Commissioner Furr with a second by Commissioner Meadows. All in favor. (5-0)

C. Fiscal Year 2024/2025 Budget Presentation by Town Manager Randy Holloway

Mr. Holloway presented the proposed Fiscal Year 2024/2025 Budget to the Board. The overall financial status of the Town is healthy. The proposed General Fund and Water/Sewer Fund budgets for Fiscal Year 2024-2025 total \$4,509,523. Due to growth in tax base, a significant tax rate reduction from \$0.505 per 100 dollars of valuation to \$0.39 per 100 dollars of valuation is proposed. Because of pass-through increases from the Water and Sewer Authority of Cabarrus County (WSACC), the sewer rate is proposed to be increased by \$3 to sewer base rates for customers and flat-rate sewer customers with the introduction of a tiered system for sewer rates. The water rate is proposed to increase by \$0.50 on base rate and \$0.25 per tier level. There will also be an increase in Waste Disposal Fees (formerly called Recycling Fees) from \$3.00 to \$3.25 per month.

Some expenses for FY2024/2025 include adding a fourth position to the Fire Department 24 hours/ 7 days a week, implementing the Pay Study recommendations, purchasing a cutterhead and lawnmower trailer, starting a Capital Reserve Fund for future benefits for full-time positions in the Fire Department, and covering increases by WSACC and Duke Power.

(A copy of the complete details of the Budget Message is included in the Minute Book.)

A motion to set the Public Hearing for the Fiscal Year 2024/2025 budget for the June 10, 2024 Town Board meeting was made by Commissioner Furr with a second by Commissioner Meadows. All in favor. (5-0)

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

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

Closed Session 143-318.11.(a) (#6) Personnel Issue *To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.*

A motion to come out of Closed Session 143-318.11.(a)(#6) was made by Commissioner Dixon with a second by Commissioner Meadows. All were in favor. (5-0)

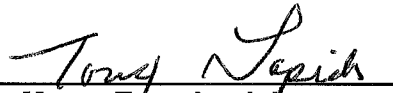
A motion to reclassify a lead Public Works employee to a Public Works Supervisor starting on June 1st was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

10. Adjournment

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

By our signatures, the following minutes were approved as submitted on Monday, June 10, 2024 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor Tony Lapish

