



**Board of Commissioners  
Town Board Meeting Minutes  
Monday, January 8, 2024 at 6:00 P.M.**

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

**Also Present:** Erin Burris, Crystal Smith, Rita Gilmore, Jim Sells, Scott O'Loughlin, Dustin Sneed, Scott Barringer, LKC Engineering-Adam Kiker & Zach Bennett, McAdams-Max Grogan, Nick Newman, Kim Baker, Ally Schueneman, Lee & Jannette Klutz, Deputy Tyler Canaday, Deputy C Camille, Deputy J Gatling, and Deputy H. Moss.

**CALL TO ORDER**

Mayor Tony Lapish called the meeting to order.

**INVOCATION**

Pastor Nick Newman of Propel Church led the Board in prayer.

**PLEDGE OF ALLEGIANCE**

Mayor Lapish led the Pledge of Allegiance.

Mayor Lapish asked for a motion to excuse Commissioner Carter and Commissioner Dixon. A motion to excuse Commissioner Carter and Commissioner Dixon was made by Commissioner Furr with a second from Commissioner Simpson. All Board Members were in favor. (3-0, Commissioner Carter and Commissioner Dixon excused)

**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.

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### 3. Approve Agenda

A motion to approve the Agenda as presented was made by Commissioner Furr with a second by Commissioner Meadows. All were in favor. (3-0, Commissioner Carter and Commissioner Dixon excused)

### 4. Consent Agenda

- A. Minutes December 11, 2023
- B. Proclamation for Dr. Martin Luther King, Jr. Day
- C. WSACC Interjurisdictional Pretreatment Agreement

Commissioner Simpson made a motion to approve the Consent Agenda as submitted with a second by Commissioner Furr. All Board Members were in favor. (3-0, Commissioner Carter and Commissioner Dixon excused)

### 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

Ms. Burris presented highlights from her Board Report:

- 70 zoning permits of different types were issued
- 7 new home permits
- 2 years without additional subdivisions
- The 34 Townhome permit has expired
- 3 new businesses were added thanks to new office space at Tuscarora Mills
- State Demographer's office estimates Town population of 1742

- 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. Old Business

#### A. LKC Engineering to discuss Downtown Stormwater Study

Adam Kiker of LKC Engineering introduced co-worker Zach Bennett and Max Grogan of McAdams. They gave a brief rundown of the Downtown Stormwater Project that they have been working on for the last 18 months. A State Historical Preservation Grant funded the project to specifically study the downtown section of Mount Pleasant due to prior flooding. He asked if the Board approved to pass a Resolution to approve the study. The Town also received a grant for a town-wide Stormwater Study.

Zach Bennett presented the PowerPoint (*included in the Minute Book*). Max Grogan from McAdams did the Hydrologic and Hydraulic Analysis portion of the study. The solution to the flooding was divided into 3 sections. The first step is to upsize the Barringer Drive culvert (\$110,000), second West Franklin Stormwater improvements (\$661,000), and finally North Main Street Stormwater improvements (\$526,000). There are several funding sources the Town may be able to secure: USDA loan or grant, Golden LEAF Foundation, and NCDEQ-DWI grants.

There might be a way to tie in some of the projects to the waterline replacements and NC DOT work in downtown to help reduce the cost.

A motion to adopt the Downtown Stormwater Study and the Capital Improvements Plan was made by Commissioner Simpson with a second by Commissioner Meadows. All were in favor. (3-0, Commissioner Carter and Commissioner Dixon excused)

### **B. Update on Assistant Town Manager Position**

Ms. Crystal Smith stated that a position profile was submitted to Piedmont Triangle Regional Council (PTRC) who is leading the search for the Assistant Town Manager's position. It will be posted tomorrow on several portals: PTRC, NC League of Municipalities, LinkedIn, NC Manager's Listserve, International City and County Management Association, NC City and County Manager's Association. The first review of any applicants will be January 31<sup>st</sup>. Hopefully, someone will be in here by middle of March. Ms. Smith's last day before retirement will be March 28<sup>th</sup>. PTRC has been great to work with and the profile is available if anyone would like to look at it. *(A copy is available in the Minute Book.)*

The Town events are currently being coordinated by Ms. Smith and she has agreed to continue doing it until end of 2024 and at that time she will step down.

Commissioner Simpson asked about the process to select a new Assistant Town Manager. Ms. Smith replied that PTRC would do the vetting, check credentials, and background, then it will move to the Town to meet the candidates for assessing their skill and reduce the numbers for interviews.

Information only. No action taken.

## **7. New Business**

### **A. Consider ABC Board request to reduce Board from five (5) members to three (3) members and set term limits.**

Mr. Holloway stated that the Town received a request from the ABC Board to reduce the members of the ABC Board from 5 members to 3. This is not something initiated by the Town, but the ABC Board. The Town did initiate the movement to increase the ABC Board size from 3 members to 5 in January 2019 because restaurants were opening and a lot of demand on the ABC Store.

Attorney John Scarbrough stated that the Town Board is the appointing authority for the ABC Board. They have the power to appoint members, increase the size of the Board like in 2019, and to decrease the size of the Board. If the Board decided to reduce the size from 5 to 3, the State Statute states that, "If a local board has five members and the appointing authority determines a three-member board is preferable, the appointing authority shall not reduce the size of the board except upon the expiration of a member's term and only with the approval of the Commission." It is at his opinion that the Board is not at either of those places since two terms are not expiring. Mr. Scarbrough does not recommend the Board do anything at this meeting.

Amy Schueneman made the Board aware that another issue needs to be addressed. A current ABC Board member does not live in the Town or Cabarrus County at this time. Therefore, he is not supposed to be on the ABC Board.

Attorney Scarbrough said the removal is governed by another section of the Statute and does require a procedure and probably a hearing. He will have to do more research on it.

A motion to table the matter until the February meeting to allow the Town Attorney to gather more information was made by Commissioner Furr with a second by Commissioner Simpson. (3-0, Commissioner Carter and Commissioner Dixon excused)

**B. Water Shortage Response Plan & Brochure**

Jim Sells presented the Water Shortage Response Plan which had not been updated since 2004 under WSACC. The update is required by NC DEQ. The Town's plan needs to be like the rest of Cabarrus County and other municipalities to provide continuity for businesses and residents during a drought. Several other plans are also required by NC DEQ including Water Emergency Plan, and the Dam Emergency Plan. Once the Board approves it, the plan will be sent to the State for approval. He asked the Board to look over the Plan and Brochure, then come back in February with any changes.

Randy Holloway thanked Mr. Sells because these plans may be a check box as part of a grant requirement that will already be completed.

Information only. No action taken.

**C. Receive a report from the Fire Department related to the NCDOT fire rating that was conducted last fall.**

Fire Chief Dustin Sneed presented a slide presentation concerning the ISO rate for the town and rural district. *(A copy of the presentation is included in the Minute Book.)* The Town is currently rated Class 2 from 4 in 2017 and the rural district went from a Class 6 to 4/9E. This will help insurance rates for businesses. Anything under a 4 does not change insurance rates for residents.

Information only. No action taken.

**8. 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. (3-0, Commissioner Carter and Commissioner Dixon excused)

By our signatures, the following minutes were approved as submitted on Monday, February 12, 2024 in the Regular Meeting.

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**Town Clerk Amy Schueneman**

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**Mayor Tony Laphis**