

MOUNT PLEASANT

EST. 1859

NORTH CAROLINA

**Board of Commissioners
Town Board Meeting Minutes
Monday, June 24, 2024 at 6:00 P.M.**

Attendance: Mayor Tony Lapis
Mayor Pro-Tem/Commissioner Lori Furr (absent)
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, April Coble, Deputy T Canaday, Terrie Reece, Terry Crayton, Tim Seagraves, Rita Gilmore, Albert Benshoff, Allen Dobson, Ariel Johnson, Charlie James, Melissa Seagraves, Austin McDonald, Dustin Sneed, Melanie Newton, David Snow, Ally Schueneman, Brian Seagraves, Derek & Erika Linker, Larry G. Pittman, Pastor Matt Hansen, and Phillip Reece.

CALL TO ORDER

Mayor Tony Lapis called the meeting to order.

INVOCATION

Pastor Matt Hansen of St. John's Lutheran Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Lapis led the Pledge of Allegiance.

1. Public Forum

Charlie James endorsed Mr. Seagraves project on Walker Road. Mr. Seagraves is a proven and well-respected developer with a reputation for doing good work. He has met the requirements for development and has spent lots of money on plans and engineering. Because the Town of Mount Pleasant needs tax money and housing, he feels this is a great step in the right direction.

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

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

4. Consent Agenda

A. Minutes May 13, 2024

Town Clerk Amy Schueneman asked to correct the minutes by removing the statement, "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)," since it was from the April meeting.

B. Budget Amendment #21 Awning for Fire Dept.

C. Budget Amendment #22 FD Excess Sales Tax Revenue

D. Budget Amendment #23 Fire Hydrant Ins Claim Hwy 73/Pleasant Dr

E. Budget Amendment #24 ESHPF Grant-DT Stormwater Study

F. Budget Amendment #25 Bookkeeping adjustments

G. ABC Board FY24/25 Budget

H. Resolution to Amend Development and Infrastructure Agreement for Green Acres Subdivision

I. Amendment to Development and Infrastructure Agreement for Green Acres Subdivision

Commissioner Simpson made a motion to approve the Consent Agenda as amended with a second by Commissioner Carter. All Board Members were in favor. (4-0, Commissioner Furr 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. 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

Town Attorney John Scarbrough stated that Commissioner Furr did not have to be excused from the Board meeting since the automatic "yes" vote only applies if she was in attendance and left the meeting without being excused or refused to vote.

6. Public Hearing

A. REZ 2024-01 & SUB 2024-01 Adams Creek Subdivision (TABLED from May 13, 2024)

Erin Burris presented the Adams Creek Subdivision rezoning and subdivision on Walker Road. (Presentation materials are included in the Minute Book.)

Public Hearing was opened by Mayor Lapish.

Allen Dobson of S Main Street is a 40-year resident and has worked the last several years to restore several buildings downtown. He spoke in favor of the subdivision since it will be an asset to the community. It will provide utilities for the Fire Station on Walker Road and save the Town money. He does not agree with all the concern about growth but agrees it does need to be the right type of

growth. He wants the Town to be judicious to keep runaway growth from happening. Growth is necessary to support the tax base and is needed to repair the crumbling infrastructure. If it wasn't for Senator Newton and our legislature we would be behind the eight ball. Smart growth is necessary. The Theater cannot be fixed up without the new waterline for the sprinkler system. Our town is a "welfare" municipality right now but will turn it around. The developer is local and wants to help the Town.

Phillip Reece of Cress Road is a truck driver and purchased his home because of the small school system that would allow his children to stay in Mount Pleasant Schools from kindergarten to graduation. Three developments are trying to come in within a short time and we don't know what that traffic will do on Walker Road. If you add 60 houses or 30 houses to Walker Road, how many students are going to walk to school and cross the street. He drives his truck down that road every day to go home. Grow correctly, not quickly or we will end up like Harrisburg. Make sure the streets are designed correctly to prevent accidents so that they make sense.

Mayor Lapish stated he has gone to Concord, Midland, Locust and all the surrounding towns to look at their subdivisions and most are closer than is being asked for tonight. The development around Mount Pleasant Elementary during school hours Parent Drive has cars backed up to North Drive. The school buses must go through the subdivision to get to the school just like Wolf Meadow Elementary and Rocky River Elementary. If students are walking to school, the parents are with them. This day and time parents are not going to let their children loose.

Melanie Newton of Little Buffalo Creek Road is thankful to be a part of this community. She is the wife of Senator Paul Newton, and he sent her to speak for him since he is currently in Raleigh. Tim Seagrave's project will be a huge asset to the Town of Mount Pleasant. Think about your children and grandchildren and ask yourself where they are going to live. Are they going to have to go to a neighboring county to find a place to live? If we say no to housing development, we are hurting our own. When Senator Newton first ran for office, he wanted enough good jobs for our children and grandchildren that they didn't have to move out of the area. We also want them to have good housing to live in. Encouraging the Board to vote yes to this project for 60 homes versus 49 homes which would be a \$35,000 difference in tax revenue. The Town needs the revenue.

Terrie Reece of Cress Road is not totally against the project since it is already zoned low density. Mr. Seagraves can already put in 45-48 houses. The more houses you put in the less room you have for children to play. Also, you are going to see "cracker box houses" not nice houses like on the slides. She doesn't want the project bringing in the water and sewer lines for the future Fire Department to sway the Board's decision. The money would be spent whether the subdivision is here or not. Don't let it be the determining factor. It is a 30-acre site allowing 2 houses per acre, but once you start taking out the sidewalks, roads, retention ponds, you don't have 30 acres. There is not enough land to put 60 houses. Revenue for the Town is great, but do you want to grow so much that you lose the small-town feel. Kids will have to go outside Mount Pleasant to go to school.

Terry Crayton of St. John's Church Road said of the 30 acres you would only be able to build on 20 acres once you take out greenways, roads, and sidewalks it is down to 15 acres. Then, you want to jam 60 houses on approximately 15 acres or 4 houses per acre. "Cracker box" is a great description. Is that what the Board is wanting for Mount Pleasant? If they want to live in Harrisburg, go to Harrisburg. Trust is also an issue here. Four years ago, they (the developers) showed a plan with 100 houses to make money and it was turned down, then 90, then 75, now 60. This is an example of a boy crying wolf. Why can't he build 45 homes? These will be "tiny homes." He does not believe this is smart growth. There is an issue with safety for children on that road. Traffic is terrible during

school hours. It will put a lot of kids into the school system, but other children will have to be bused to other schools or be in trailers at Mount Pleasant schools.

Mayor Lapish responded that he grew up in a “cracker box” on mill hill with more than two homes per acre. It was a community that worked together and grew Mount Pleasant. This subdivision will be an asset to the Town because we all need to come closer together and find common ground. People are coming to him asking to build in Mount Pleasant or if there are homes for sale. He thanked Mr. Seagraves for being willing to invest in the Town. The Town needs rooftops in top to support the infrastructure and for businesses to come to Town to provide jobs. All the mills and the prison had closed and they were the main economic supporters for the Town.

Fire Chief Dustin Sneed of Sneed Lane was speaking in favor of the neighborhood. The water and sewer lines for the neighborhood will save money for the station on Walker Road. The infrastructure and tax base are important. The fire truck that is used daily cost \$560,000 when purchased years ago and will cost \$1 million or more to replace it in the future.

Assistant Fire Chief Austin McDonald of North Drive is in favor of the development because it will help taxpayers down the road to help pay for items needed like the new station on Walker Road. The second station will help residents on Cress Road by improving their ISO rating and lowering their insurance rates. The Town’s ISO was recently lowered to a 2 and outside the Town is a 4. Since Cress Rd is outside the five-mile district it is a 9 ISO rating and some areas are not covered. The revenue from the development will help build the Walker Road station quicker and save the residents money on their insurance.

Tim Seagraves, the developer, was thankful for the opportunity to speak. There is a need for this development, and he asked the Town for the Conditional Zoning to build 60 homes on the 30 acres on Walker Road. The eleven extra homes will make the homes nicer for the community. The annual tax revenue will go a long way for the Town. Many people have invested in the downtown area and need more growth outside the town to continue being able to invest in the community. The area is off the beaten path of the Town and has been called a bunch of names that are not true. He is a resident of Cabarrus County and went to school here. He has never seen a community with houses in the \$500,000 range be called “cracker boxes” or “tiny homes.” This community will bring in good folks with Eli Lilly and others that have come to work in the county. It is definitely not a “starter home” community. Mr. Seagraves pointed out that the Demographer from Cabarrus County Schools stated development allows the schools to sustain enrollment in Mount Pleasant. Currently, the enrollment for the Mount Pleasant school district is flat. With the aging population the development could actually help sustain enrollment and she does not believe the impact to the schools would be a valid reason to decline the approval of the subdivision. According to NCDOT, Walker Road is a low volume road. While working on Green Acres he has noticed traffic is nonexistent on Walker Road right now. Many people would like to come live in Mount Pleasant just like many of the people here tonight. Other folks deserve the opportunity to do the same thing. He hoped the Board would vote in favor of the development and appreciated their time.

Commissioner Carter asked Mr. Seagraves the square footage of the homes. He replied that the builders are estimating 2,000 sq ft and a \$500,000 price point. The goal is to make this a nice community. Mr. Seagraves gathered signatures from local business owners and residents that were in support of this community. (*They are included in the Minute Book.*)

Al Benshoff of Brough Law Firm is representing Mr. Tim Seagraves. The real issue here is the number of lots. The delta is 10 or 11 lots. Think of the impact of 60 houses and what the impact is of just 10 or 11 houses. That is the difference between what Mr. Seagraves can develop now in RL and

what he is asking for in the RM district. He is asking for the RM district because in order to put 60 houses on this property he needs lots that are a little bit smaller in area than RL lots. The Town's ordinance says that density is based on gross density. It is total area of the lot divided by the number of units. This determines whether it is low, medium, or high intensity. This area is low intensity in RL and RM based on the Comprehensive Plan and this area meets those standards. People make investment decisions based on the information that the Town gives them. People look at the Comprehensive Plan and Development Ordinance when making decisions on investments. In this case this development meets the Comprehensive Plan, with a density of no more than 2 units an acre. If you turn this down, even though Mr. Seagraves has met the requirements of the Town's Comprehensive Plan and Ordinance, the Town is sending a chilling message to future investors that the Town's documents don't really mean what they say. The Board has the power to change any of the documents if the Board doesn't like them. Mr. Seagraves is just following the information he was given. Because this is Conditional Zoning, there are a few things that are upgrades above normal zoning. Ms. Burris did a very good job in explaining the zoning requirements. Mr. Seagraves has offered to have not build "snout" house, garage forward homes. Higher end materials will be used for the fronts and sides. Mr. Benschhoff passed photos to the Board of what will not be used. *(Copies are in the Minute Book.)*

Melissa Seagraves, wife of Tim Seagraves, wanted the Board to know her heart. 60 homes would be 150 people added to the community and it would not be that large of an impact. They were born and raised here, and they do not understand the pushback against them and the project. They have been blessed. The property had been under contract by a church, and the church chose a different direction. If this is not in the Lord's plan, it is fine. The demographics with the property are a no-brainer, but that is the Board's decision, and she hopes they make the right decision.

Allen James of Greenside Drive in Concord owns several properties and is an investor in downtown Mount Pleasant. He is a long-time roots in Mount Pleasant. His education is from Appalachian State University in Real Estate and Urban Analysis. The Town has the opportunity to add 10-15 homes to this project. The Town needs the revenue. We are surviving on the backs of other taxpayers in the state and country because we are not breaking even. We are a "welfare community" as a municipality. A lot of people are passionate about the project but don't live within the town limits. Mr. James can't find a house inside the town limits, or he would move here. The "shut the door behind you mentality" to not allow others inside the Town once you come in is not right. Most of the people here tonight would not live in the Town, if the founders of the Town did that. As far as the number of the homes, the density is not that great. The price point is positive. It is smart growth.

Brian Seagraves of Lower Stone Church Road supports the project his brother is doing. He has no financial interest in the project. He does have an interest in the development of downtown. They have heard the "cracker box" houses comment. They have lived here their whole life and grew up from nothing and grew up in Mount Pleasant. This is our hometown and our county. We are not moving. Mr. Tim Seagraves will make a nice development. Mr. Brian Seagraves has been part of the revitalization of the downtown to bring people in since the mills closed. The downtown was being neglected and part of the problem with getting businesses to come to Mount Pleasant is the lack of rooftops. It is a large investment from them. He asked the Board to support the project.

Mayor Lapish closed the Public Hearing.

Town Attorney John Scarbrough asked Mayor Lapish to address the Board about the guidelines for a Conditional Rezoning. He wanted to summarize the Law that governs the Boards decision because the Board has a menu of choices to select, i.e. "Approve with conditions and consistent & reasonable." The choices come from the General Statutes. The Board's decision tonight is a

legislative decision which means you have discretion. Unlike a quasi-judicial hearing where the Board would have to weigh evidence and apply certain standards, the Board has discretion as a legislative body. But the Board members have to compare what they have heard with the Comprehensive Plan and whether what the Board has been presented with is consistent or not consistent. Take in consideration the Planner's presentation that the question is whether the Conditional Residential Medium Intensity use requested fits in the Low Intensity classification in the Future Land Use Map. The Board also saw in Ordinance Table 4.3-1 which shows that it does as long as the future development is 2 dwelling units per acre or less. The second piece of the Boards' decision is the defining of reasonableness. From the General Statutes defines the statement of reasonableness may consider among other factors: size, physical conditions, other attributes of the area proposed to be rezoned, benefits and detriments to landowners, neighbors, surrounding community, relationship between the current actual and permissible development on the track, why the action taken is in the public's interest, any change conditions warranting the amendment. There is a list there and the reason Mr. Scarbrough brought it up is because there are certain things that the Board cannot consider: cost of homes, size of the homes (square footage). Because then the Board would be getting into territory with the Fair Housing Act and would the Board be discriminating on the basis of size and price point of homes. The Board does have a relatively broad discretion to make their decision as long as their decision is tethered to these zoning concepts.

Commissioner Simpson thanked everyone for stepping up to speak on this subject since it matters to a lot of people. As stated by a citizen during the Public Hearing, the Board does have a responsibility to the Town and the people around us. The Town is facing an aging community, an aging infrastructure, and a lot of needs. He thanked Senator Newton for all he has done to help bridge the gap for what the Town can bring in. There has been significant investment in this community from outside sources and that matters. But there also comes a point where the Board has to look at what they can do to help the situation. For Commissioner Simpson knowing other infrastructure issues that will be coming down the pipe in the future, the Town has to a duty to act to grow the tax base. There is work that must be done and more things the Town has to do. And that is just to maintain. He is a product of the Board making a decision years ago to allow Oldenburg to be built. The 2.0 homes per acre fits within the Conditional Zoning RM and the Low Intensity. It is at the top of the limit but does fit according to the Town's definition. So, he is comfortable moving forward.

Commissioner Dixon agreed with Commissioner Simpson that it would be at the top of the threshold, but it does fit. The Board owes everyone in the community to do their due diligence. It was why they were voted for, to represent their community and they need to take pride in every little thing they do. The Board needs to uphold the community's wishes and the investors' wishes. After reading and researching everything associated with the project, no matter which side the Board goes, someone will feel they were pushed off. Everyone matters and the Board does not take it lightly.

Commissioner Simpson stated that the Board has tried to adhere as close as humanly possible to the Comprehensive Plan drafted in 2017. The Town is in the process of updating it now. One small step for a little bit of growth is not what the Town has seen in other places in the county. He asked if the proposal for the sidewalk on Walker Road is included in part of the conditions.

Ms. Burris stated the sidewalk is included in the list of conditions recommended by the Planning & Zoning Board. The Staff had a list of proposed conditions including:

- All access points must be approved by NCDOT
- No parking on street signs
- Walker Road Type B 15-foot buffer
- Street Lighting
- NCDOT recommends 100-foot left turn lane at northern entrance

- If approved, staff recommends design requirements for houses that developer has agreed to.

In addition to the Staff recommendations, the Planning & Zoning Board recommends:

- 100' turn lane for the Northern access points as suggested by NC DOT
- 5' sidewalk along Walker Road frontage.

It is the Boards decision to make concerning the 5' sidewalk on Walker Road.

John Scarbrough asked the applicant which conditions he is agreeable to before the board makes any decisions.

Mr. Benshoff stated that the applicant and Board has to agree about the conditional zoning. Two things were proposed as conditions: the 100' turn lane for the Northern access points and the 5' sidewalk along Walker Road frontage. The Type B buffer is required on Walker Road and there is an issue about whether the sidewalk is going to be in the buffer or in addition to the buffer and is there room on the plan to put in the sidewalk as the plan is drawn now. So, that is an open question for Mr. Seagraves.

Commissioner Simpson asked if the original list of conditions in the staff report were agreeable to Mr. Seagraves. Commissioner Simpson did not feel comfortable with the 5' sidewalk since it would encourage walking on Walker Road.

Commissioner Dixon stated since the 5' sidewalk on Walker Road would only allow going from one entrance of the development to the other entrance, he did not see the point of adding it. It would not be accessible to individual homes within the development. It would also encourage foot traffic along the road.

Commissioner Simpson said the conditions would include Staff recommendations and Planning & Zoning recommendations without the 5' sidewalk along Walker Road.

Ms. Burris read the complete list of conditions being discussed to make sure the Board knew what they were voting on and what Mr. Seagraves would be agreeing to:

1. Access points to site subject to approval by NCDOT.
2. No parking shall take place on the street, since the cross section is only of sufficient width for circulation and not on-street parking. "No Parking on Street" signs shall be placed at the entrance to all new streets.
3. Street lighting shall be installed by the developer in accordance with Section 11.8.
4. A minimum 15-foot, Type B buffer (in accordance with Section 7.4 of the Town of Mount Pleasant Unified Development Ordinance) with a landscaped berm shall be provided along Walker Road frontage.
5. Building elevations are subject to review for compliance with these design conditions prior to the issuance of Zoning Permits by the Town of Mount Pleasant:
 - a. Exterior wall materials may include brick, stone, stucco and/or wood, wood composite, or vinyl horizontal, board-and-batten, or shake siding. Materials similar in appearance or durability to those listed may also be used. A minimum of two (2) and maximum of three (3) materials shall be mixed on the front facade. Brick, stone or similar heavy materials shall be located below lighter materials such as wood or vinyl. The front wall shall incorporate at least twenty-five percent (25%) of the primary material used on the side walls of the building.
 - b. Visible front and side foundation walls shall be clad in brick, stone, a material similar in appearance and durability.

- c. Roof materials shall be asphalt shingles, standing seam metal, slate, tile, or similar materials. The primary roofs of residential structures shall be pitched and shall have a slope of between 4:12 and 12:12. Roofs have a minimum overhang of seven (7) inches to facilitate proper water run-off and provide visual depth at the transition between the wall and the roof.
- d. Architectural elements such as height variations, gables, dormers, cupolas, towers, and other similar elements shall be incorporated into the roof design at a minimum of every 25 linear feet on the primary/front façade.
- e. Façade articulation in the form of gables, projections, recesses, and/or porches of a minimum of one (1) foot in depth shall be located a minimum of every 25 linear feet along the front and corner side façades.
- f. Front-loaded garage door openings shall not have visual prominence on the front façade and shall not compose more than fifty percent (50%) of the total length of the front elevation. Front-loaded garages and carports shall be flush with or recessed behind the front wall or porch of the principal structure. Attached garages for more than two (2) cars shall not face the primary street. Such garages on corner lots may face the non-fronting street.
- g. Decks and patios shall only be installed on the side or rear of the house. This does not apply to handicap accessible ramps.
- h. Accessory structures shall be constructed of materials and colors that match that of the principal structure.
- i. Any fences shall be white vinyl, neutral composite wood, black wrought iron, or black aluminum.

And the recommended 100' turn lane by the Planning & Zoning Board.

A motion to **approve with conditions, as presented by staff and the condition for the 100-foot left turn lane recommended by the Planning & Zoning Board**, was made by Commissioner Simpson with a second by Commissioner Dixon. The Town Board of Commissioners finds that the proposed CZ RM district and its associated Preliminary Plat (site-specific plan) for a 60-lot single-family residential development are consistent with the Town of Mount Pleasant Comprehensive Plan in that the proposed development density is 2.00 dwelling units per acre and existing utilities are in close proximity. Additionally, the proposed district and uses are reasonable in that the approximately 30-acre site is located in close proximity to two existing schools on a state-maintained road that has signalized intersections on two North Carolina highways. All Board Members were in favor. (4-0, Commissioner Furr absent)

B. SUB 2024-01 Adams Creek Subdivision Wastewater Allocation Request (if REZ 2024-01 is approved) (TABLED from May 13, 2024)

Ms. Burris stated following the rezoning and preliminary plat approval that just took place, the Town's Sewer Allocation Policy requires that the Town Board approve any allocation of over 5,000gpd (gallons per day). The gallons per day for the Adams Creek Subdivision would be 13,500gpd. If the Town did not have allocation available, the Town would have to rank based on priorities listed in the policy. The Town does have available capacity which would take away from 42,994gpd. If the Town had to score this project, there would be 42,994gpd remaining after the Brighton Park Subdivision, Green Acres Subdivision, and the 15,000gpd in strategic reserve. Staff recommends the 13,500gpd be used from the 42,994gpd remaining. The remaining allocation outside the strategic reserve would be 30,619gpd. With the 10,000gpd remaining primary reserve, the total remaining available allocation is 40,619gpd (the equivalent of 180 homes). It could also be used for industrial or commercial use.

This is not part of the Public Hearing; it is an administrative decision of the Board so one is not needed.

A motion to approve the allocation request of 13,500gpd based on the evaluation in Subsection B and recommendation in Subsection C was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Furr absent)

C. Consider approving the proposed budget, budget ordinance, Fees & Charges Schedule and implementation of Pay Study Classification Scale for Fiscal year 2024-2025.

Randy Holloway stated that the FY24/25 Budget presented tonight is essentially the same as discussed at the May 2024 meeting and the Budget Workshop in March 2024. The tax rate was \$.505 per \$100 and with the revaluation revenue neutral is \$.36 per \$100. Town Staff recommends \$.39 per \$100 tax rate to help pay for the increase for the Cabarrus County Sheriff's Department, adding the fourth position to the Fire Department, and the final \$.01 to pay the bills. Other jurisdictions in the area are at \$.03 per \$100 above revenue neutral, so the Town is consistent with other jurisdictions. There is a small increase in water rates and sewer rates. The sewer rate increase is a pass through to go to WSACC for wastewater treatment increase. The Town Clerk sent a revision to the Board by email a few weeks ago to take care of the Public Works Department. Staff have been trying for over a year to fill a position and the Town cannot attract qualified applicants at \$16 per hour. Staff asked the Board to consider increasing Public Works starting pay to \$20 per hour. The Board responded back to the Town Clerk individually with their approval. The Budget reflects the \$20 per hour starting pay and advancing the pay increase to Public Works from October 1st to July 1st to prevent someone starting at a higher rate than current employees are making. The FY 24/25 Budget is balanced with a \$.39 tax rate, the adjustments for water/sewer, and for Public Works pay increases to begin July 1st. Other pay increases will be effective on October 1st. There will be 3 motions. A correction to the second motion needs to be made reflecting the \$.39 tax rate. Also, the Staff is asking for approval of the Pay Study and the Fees & Charges Schedule.

Mayor Lapish opened the Public Hearing.

No one spoke at the Public Hearing.

Mayor Lapish closed the Public Hearing.

3 motions were made:

1. A motion to approve the Pay Classification Scale for July 2024 as recommended by the Pay Study was made by Commissioner Simpson with a second by Commissioner Dixon. All Board Members were in favor. (4-0, Commissioner Furr absent)
2. A motion to approve the presented Budget for FY2024/2025, a tax rate of \$.39, and the Fees & Charges Schedule was made by Commissioner Dixon with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Furr absent)
3. A motion to approve Budget Ordinance for FY2024/2025 was made by Commissioner Simpson with a second by Commissioner Carter. All Board Members were in favor. (4-0, Commissioner Furr absent)

A five-minute break was called at this point in the meeting.

7. Old Business

A. Consider allowing the Town Manager to give an update on the Water Treatment Plant

issues.

Randy Holloway provided an update on the water treatment issues the Town has been dealing with since July 2023. Readings in October 2023 did not improve despite flushing the system multiple times. Then, the Town hired Garver Engineering to look at the water system and they made the recommendation to purchase a carbon filtration system for \$1,000,000. Staff reached out to the State to see if the grant the Town received for South Skyland waterlines could be used for the carbon filtration system and the State agreed. Staff pushed Garver to find a way to use the \$1,000,000 to get back in compliance. Six weeks ago, Garver sent a contract for \$350,000 for engineering fees. They said the contract would be for a \$3.5 million system improvement. The Town does not have the money to do that. The Wooten Company has an engineer that specializes in small town water systems. Two weeks ago one of the company's selected from the RFQ for General Engineering Services had three people from NC DEQ come to visit and they gave some suggestions on some changes the Town could make, and they did not think that a carbon filtration system was needed. A few maintenance items and improvements could be made. Mr. Holloway also spoke to the school system which has been using bottled water, and they wanted to know when they could stop using bottled water. Mr. Holloway informed them that the school system never needed to give out bottled water in the first place. Previously, Mr. Holloway had mentioned to the school system that if things were not corrected soon, the Town could look into opening the water valve from Concord for the benefit of the schools and 40 homes along Hwy 73 until the problem was resolved. However, the representatives from NC DEQ did not recommend doing this since the Town would be creating a new water system for that area and would be required to go through processing and permitting to do so. Then, when the water was back in compliance, the Town would have to go through the process again to reverse it. Mr. Holloway told the school system that the Town would not be able to open the valve from Concord. Wooten Engineering came in last Wednesday and Miles Galloway came up with a possible solution. Once chlorine is added to the water the byproducts start to react with the chlorine and the longer it is sitting in the tanks and waterlines the lower the quality of the water. Mr. Galloway suggested using half of the amount of chlorine normally used at the start of the water treatment process and introducing the remaining amount of chlorine further down the system. The Town would have to go through the permitting process with the State to add an additional chlorination point possibly closer to the North Drive tank. This would help get the Town back in compliance with the State. NC DEQ and The Wooten Company both feel the Town needs to replace in the near future the intake site, pump station, and water treatment facility. This would cost \$25 million in today's dollars. The Town is in talks with the City of Concord about partnering with Concord. The Town make updates to the Water Treatment Plant until a grant, or other options can be utilized for more substantial improvements. The water is perfectly safe to drink. It is just an older system that needs some work. Hopefully at the August meeting, Mr. Holloway will have some news on progress.

Mr. Holloway also reported that the Water and Sewer Capital Projects are progressing. All plans were submitted to the State in January. It has been slow to get through the State's approval process. In the State's defense, \$2.2 billion in American Rescue Plan funds were pushed out with no additional staff added. So, they are dealing with all their normal work plus all the Capital Projects funded by the American Rescue Plan. The Sewer Project is finished and ready to go to bid and the Town just found out that the Water Project is approved and ready to go out to bid also. Both projects will go out together to encourage more people to bid on a larger project versus two smaller ones. They should be going to bid in a few weeks. The fall should be when both projects are started.

Commissioner Meadows asked what the Town was doing at the schools to improve the water. The high school has automatic flushing at the hydrant on the waterline. Also, the new Adams Creek Subdivision the Board just approved will help keep the water turned over on the 12" waterline serving the school since it is at the very end of the waterline. The valve connected to the City of Concord's water system at the corner of Hwy 73/Cold Springs Road is still open, but the Town uses very little of

their water. It is there for fire coverage if it is needed. Occasionally, the valve opens when the schools are having lunches, but not often.

8. New Business

A. Consider allowing the Town Manager to approve Year End Budget Amendments for FY2023-2024 for auditing purposes.

Amy Schueneman asked the Board to allow the Town Manager to approve any last-minute amendments to help with the auditing process. The last few years the Town has had good audits. It is a matter of moving approved funds from one line item to another to balance.

A motion to allow the Town Manager to approve Year End Budget Amendments for FY2023-2024 for auditing purposes was made by Commissioner Meadows with a second by Commissioner Simpson. All Board Members were in favor. (4-0, Commissioner Furr absent)

B. Consider appointing/reappointing a person to fill the ABC Board position with a three-year term that will expire on June 30, 2027.

Amy Schueneman reported three people had applied for ABC Board positions: Eric Boulware, Gordan David Preddy, and Terrie Reece. Guidelines for the position were decided on by the Town Board that the applicants must own property or reside in the ETJ or own property or reside in the Town Limits. This term is for 3 years and will begin on July 1, 2024, and end on June 30, 2027. Letters in support of reappointing Eric Boulware from the four remaining ABC Board members were included in the packet.

A motion to reappoint Eric Boulware to fill the ABC Board position with a three-year term that will expire on June 30, 2027, was made by Commissioner Carter with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Furr absent)

C. Consider appointing/reappointing one position to the Planning & Zoning Board with a term that will expire on June 30, 2027.

Amy Schueneman reported that two people had applied for the Planning & Zoning Board position: Rick Burleson and Roy Keene.

A motion to reappoint Rick Burleson to the Planning & Zoning Board with a three-year term ending on June 30, 2027, was made by Commissioner Simpson with a second by Commissioner Dixon. All Board Members were in favor. (4-0, Commissioner Furr absent)

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

9. REMOVED-Closed Session 143-318.11.(a)(#5) Property Purchase-*To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.*

A motion to come out of Closed Session 143-318.11.(a)(#5) was made by Commissioner Meadows with a second by Commissioner Simpson. All were in favor. (4-0, Commissioner Furr absent)

A motion to make an offer for 1380 Washington St in the amount of \$30,000 and if the offer is not accepted within a reasonable time the Town Attorney can start the process of condemnation was

made by Commissioner Dixon with a second by Commissioner Carter. All Board Members were in favor. (4-0, Commissioner Furr absent)

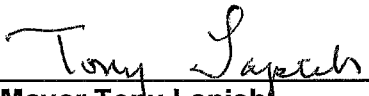
Town Clerk asked Board Members if everyone would be able to attend the meeting scheduled for July 8th. Commissioner Carter was the only one that will be unable to attend.

10. Adjournment

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

By our signatures, the following minutes were approved as submitted on Monday, July 8, 2024 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor Tony Lapish

