

**Town of Mount Pleasant
Board of Commissioners
Regular Meeting
June 28, 2010
7:00 P.M.**

MEMBERS PRESENT: **Scott Barringer, Maura Eberhardt, Del Eudy,
Warren Chapman, Rick Burleyson.**

STAFF PRESENT: **Town Administrator Adrian Cox, Mayor Troy Barnhardt,
Attorney Christy Wilhelm, Planner Vagn Hansen,
Assistant Town Clerk Joy Eudy.**

VISITORS: **Glenn Jones, Tammy Jones, Mark Rowell, Dave Fargo
Samantha Moose, James Parker.**

CALL TO ORDER: **Mayor Barnhardt called the meeting to order.**

INVOCATION: **Mayor Barnhardt opened the meeting with prayer.**

PLEDGE OF ALLEGIANCE: **Mayor Barnhardt led the audience in the Pledge of Allegiance
to the flag.**

PUBLIC FORUM: **Mayor Barnhardt asked if anyone would like to speak in the
Public Forum.**

James Parker stood and said he would like to ask forgiveness for a late charge on his water bill. He said he pays through the credit union and it is automatically taken out of his account and he never looks at his water bill until this last month and he noticed the late charge and it had built up over the last several months. Mr. Parker stated he had set the date back so the payment will get to the office on time.

With no discussion Mayor Barnhardt closed the Public Forum.

I. Mayor Barnhardt entertained a motion to add Mr. James Parker to the agenda under New Business Item 5. Commissioner Barringer made the motion to add Mr. Parker to the agenda and Commissioner Eudy seconded the motion with all members in favor 5-0.

II. APPROVE AGENDA:

Mayor Barnhardt entertained a motion to approve the agenda. Commissioner Eudy made a motion to approve the agenda with Mr. James Parker being added to New Business Item 5. Commissioner Eberhardt seconded the motion with all members in favor 5-0.

III. PUBLIC HEARING: ANNEXATION

Mayor Barnhardt opened the Public Hearing and asked if anyone wanted to speak for or against or just make a comment to the proposed annexation. With no one to speak, Mayor Barnhardt closed the Public Hearing.

IV. CONSENT AGENDA: MINUTES

Mayor Barnhardt entertained a motion to approve the consent agenda consisting of the minutes of the June 7, 2010 meeting. With nothing to add or change on the consent agenda, Commissioner Barringer made a motion to approve the consent agenda as presented. Commissioner Del Eudy seconded the motion with all members in favor 5-0.

V. REPORTS:

Vagn Hansen of Benchmark stated the Planning and Zoning Board was looking into manufactured homes. He said the Planning and Zoning Board were also looking at areas that would be suitable for mobile home parks.

Commissioner Eudy wanted to know if this would require rezoning the property. Vagn Hansen of Benchmark said at some point in time it would.

VI. OLD BUSINESS:

1. BUDGET:

Mayor Barnhardt stated that the 2010 - 2011 budget was ready for adoption. He asked if there was any discussion. With no discussion Mayor Barnhardt entertained a motion to adopt the 2010 - 2011 budget. Commissioner Eudy made a motion to adopt the budget for 2010 - 2011. Commissioner Chapman seconded the motion with all members in favor 5-0.

2. GMST HOLDINGS FOR ANNEXATION:

Mayor Barnhardt stated that Attorney Christy Wilhelm had reviewed all the paper work for the satellite annexation of GMST Holdings and everything was in order. Mayor Barnhardt entertained a motion to satellite annex GMST Holdings into the city limits of Mount Pleasant.

Commissioner Burleyson made a motion satellite annex GMST Holdings into the city limits of Mount Pleasant. Commissioner Eudy seconded the motion with all members in favor 5-0.

Mayor Barnhardt stated there had to be an effective date and he recommended June 30, 2010. Commissioner Barringer made a motion to make the effective date of the satellite annexation of GMST

Holdings June 30, 2010. Commissioner Eudy seconded the motion with all members in favor 5-0.

Mayor Barnhardt stated he needed a motion to allow the mayor to sign a Public Facility contract stating the town would not provide any services, such as water, sewer or trash pick-up to GMST. Commissioner Eudy made the motion to give the Mayor permission to sign the Public Facility contract. Commissioner Chapman seconded the motion with all members in favor 5-0.

3. MCALLISTER FIELD AGREEMENT:

Mayor Barnhardt stated that the McAllister Field Agreement was for information and he was not asking for any decisions now. Mayor Barnhardt asked if there were any questions. Commissioner Eudy asked if we really needed this agreement. He stated we have never had one before and he has always heard if it's not broken, then don't fix it.

There was some general discussion about Cabarrus County Parks & Rec and Mount Pleasant Athletic Association and people using the field and no one knowing who they are. Attorney Wilhelm told the Board " it lies right here, how much control do you want". After hearing this general discussion Mayor Barnhardt stated that he thought the Board wanted to continue forward, but maybe leave it open so others can view the agreement. With that said the Board decided to move forward with the meeting and leave the agreement open for viewing.

4. CODE OF ETHICS:

Mayor Barnhardt stated the next item on the agenda was the Code of Ethics. He stated this had been discussed before and there had not been any changes since the meeting on May 3, 2010. Mayor Barnhardt stated this is a requirement for all Board members.

With no discussion Mayor Barnhardt entertained a motion to adopt the Code of Ethics for the Town of Mount Pleasant. Commissioner Burleyson made a motion to adopt the Code of Ethics for the Town of Mount Pleasant. Commissioner Chapman seconded the motion with all members in favor 5-0.

VII. NEW BUSINESS:

1. COURTESY CALLS:

Mayor Barnhardt stated the first item under new business was courtesy calls and the time that is spent each month making these calls. He said we need some way of eliminating these calls. He said there is half a day or more time tied up in this process.

Town Administrator Adrian Cox stated he had researched records and he could not find when the courtesy calls began. He said I am sure it has grown over the years.

Town Administrator Adrian Cox said we have over 200 calls to make in one month. I think we can eliminate these calls by phasing them out by the end of July. It can be stated with the last courtesy call that there will be no more courtesy calls and it can be posted.

There was general discussion about the courtesy calls, and if they were the same people every month and about different ways to eliminate these calls.

After the discussion Mayor Barnhardt stated he thought we should follow staff's recommendation and phase out the courtesy calls. Mayor Barnhardt asked if there were any more questions or comments.

With no more questions Mayor Barnhardt entertained a motion to follow staff's recommendation and phase out the courtesy calls. Commissioner Eudy made the motion to phase out the courtesy calls. Commissioner Burleyson seconded the motion with all members in favor 5-0.

2. CAPITAL RESERVE FUNDS:

Mayor Barnhardt asked Town Administrator Adrian Cox to explain the Capital Reserve Fund Resolution.

Town Administrator Adrian Cox stated the Resolution to establish a Capital Reserve Fund is a saving mechanism as proposed to a Capital Improvement plan which is a spending mechanism, but the two are tied together. He stated the North Carolina General Statute 159 does not permit Local Government to budget for surplus. It does allow Governments to make a contribution for future funding of Capital and that is the Resolution that is before the Board tonight. This funding would be for items such as the garbage truck, rehabilitation of sewer manholes and extension of sewer lines.

Town Administrator Adrian Cox stated he was recommending to begin the Capital Reserve Fund by transferring some funds from water and sewer and some from general reserves, which in the past is some left over fund balances.

Basically with this Resolution, you are restricting funds and they cannot be spent except by the Board's approval.

There was general discussion about how these funds would increase each year, and if there could be an amendment made to use this money for other water and sewer projects.

After these discussions Mayor Barnhardt entertained a motion to adopt the Capital Reserve Fund Resolution and establish maintenance of funds. Commissioner Barringer made a motion to adopt the Capital Reserve Fund Resolution. Commissioner Eudy seconded the motion with all members in favor 5-0.

3. INTERNET CAFE AND SWEEPSTAKE MACHINES:

Mayor Barnhardt stated before the Town Administrator spoke on Internet Cafes he would like to speak. He said from what he had heard, he believes we should wait and see what the state is going to do. Mayor Barnhardt said it looks like the state is going to make it illegal by the end of the year. He said other towns nearby already have buildings set up for Internet Cafes. He said we have some video machines in businesses in town, but we do not have a building just for these machines.

It was the consensus of the Board to wait and see.

4. BRUSH COLLECTION:

Town Administrator Adrian Cox said he had some updates on the brush collection and he would like

for the Board to see the video he had. He said the piles of brush has continued to grow and staff is working on different ways for a possible solution.

Mayor Barnhardt stated that they are not asking for a vote and the video is just to bring your attention to a growing issue.

After watching the video, there was some discussion about increases caused by wind storms. Town Administrator Adrian Cox stated that what was on the video was not caused by wind storms. Another question asked was what we can do about this issue. Town Administrator Adrian Cox said that maintenance was continuing to experiment with the chipper, maybe charge for larger piles of brush or you could pile it beside the road and let residents have it for fire wood.

Mayor Barnhardt stated if anyone has an idea as to what to do with excess brush, please let us know.

5. MR JAMES PARKER:

Mayor Barnhardt stated as of December 2009, a five dollar late fee was added to Mr. Parker's sewer bill and had not been paid and because his bank was only sending 30.00 dollars a month, Mr. Parker did not pay the late fee. This left a 5.00 balance owing on Mr. Parker's bill. In January 2010 another late fee was added because Mr. Parker did not have a zero balance. In order for a late fee not to be added to your next bill, you have to have a zero balance before the next bill is sent out.

Mayor Barnhardt stated if the Board is going to forgive this late fee charge, then you need to decide how much you are going to forgive.

With much discussion as to how a late fee is accumulated and when the late fee is added and moving the date as to when the water and sewer bill would be due, a motion was made by Commissioner Barringer to forgive Mr. Parker the entire late fee charges. Commissioner Eberhardt seconded the motion with all members in favor 5-0.

VIII. COMMISSIONERS REPORT:

Mayor Barnhardt stated he would like to save his report until the very end.

Commissioner Barringer wanted to thank the maintenance department for such a good job they are doing. Commissioner Eberhardt and Commissioner Eudy had praise for the maintenance crew also.

Commissioner Burleyson stated he would not be in town for the August meeting.

Commissioner Chapman stated he went with the Mayor and Town Administrator to the Town Hall meeting in Raleigh.

Mayor Barnhardt thanked the Board for the support of events at the Independence Day Celebration. He said there was about four thousand dollars raised for the food ministry and the food ministry is used for the Mount Pleasant residents that qualify for their needs.

Mayor Barnhardt stated it is with a sad note I will tender my resignation as mayor of the Town of Mount Pleasant tonight. This is for personal reasons. I hope you would support Mayor Pro-tem to be moved into the position of mayor at your next Board meeting. You will need to talk to the attorney to understand the process of that move. It was not a given that mayor pro-tem would walk into or set in that seat.

I think Commissioner Eudy has been Mayor Pro-tem as long as I have been Mayor. I have enjoyed working with the town and I will continue working with the town until the transition is done smoothly, but I do tender my resignation this evening.

With that said, is there anything else to come before the Board.

Town Attorney Christy Wilhelm stated she would make this as brief as possible. She stated that we have been through this before. Some of you have been of the Board when we have had individuals to resign. When an individual tenders their resignation, before you can take action to accept their resignation at the following meeting you must at that time decide and vote on how to fill the mayor's position and any vacancies on the Board this may create. It may be the Mayor Pro-tem or another Board member.

As I understand it, you will need to fill the highest position first and then the next highest and on down the line until you get things straightened out. If anyone has any questions please give me a call. Christy Wilhelm then thanked the Mayor for the opportunity to work with him and said she had enjoyed it.

Mayor Barnhardt stated he had talked with the League and also with the attorney and actually thought Mayor Pro-tem automatically went into the Mayor's seat, but that is not the way it works. Mayor Pro-tem or whatever Board members you may choose to go into that seat will keep their ability to vote until the Mayor's seat is filled.

Mayor Barnhardt said it has been a pleasure working with you and I will continue to work with you as a Board and the member that is put in this seat to make it an easy transition.

Commissioner Eudy stated he would like for the Board to know that he would like to fill the Mayor's position, but I say that with more butterflies in my stomach than I have ever felt before. I realize it is more than a title change; it is a whole different level of commitment and dedication to the town.

Commissioner Eudy said he has been a commissioner for 8 years and Mayor Pro-tem for 6 years and that he is willing to step up and rededicate himself and fill the mayor's unexpired term.

Commissioner Burleyson stated he would not be in town for the August meeting and wanted to know if there were any special provisions for that or a special called meeting.

Town Attorney Christy Wilhelm stated if the Board agrees, you can call a special called meeting, and if you want to be safe you should request a special called meeting. That will be up to the Board.

Commissioner Burleyson said if the Board would be agreeable he would like for his thoughts to be heard.

Commissioner Barringer stated he requested a special called meeting when he was on vacation the first week in December and was turn down. He said he just wanted to make that point. Attorney Wilhelm

asked if that was before you were sworn in. Commissioner Barringer said it was the day he was suppose to be sworn in.

After some general discussion about a waiting period, it was quoted that the Mayor's position did not have to be filled if there were still 5 board members. It could be left opened until the term expired.

Mayor Barnhardt stated that Public Works Director Dave Fargo has received his certification and we no longer have to contract for an ORC officer. He also stated that the fee change with the outside water rates is working well.

Mayor Barnhardt stated that WSACC has been awarded the Public Sector Star Worksite Award and they have awarded Mount Pleasant with a plaque. He stated WSACC has worked very hard to achieve this award and if you see any member that works there to be sure and congratulate them.

ADJOURNMENT:

Mayor Barnhardt entertained a motion to adjourn. Commissioner Barringer made a motion to adjourn. Commissioner Eudy seconded the motion with all members in favor 5-0.

Mayor Troy W. Barnhardt

Assistant Clerk Joy Eudy

SEAL