

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting Minutes
Monday, June 14, 2021 at 6:00 P.M.**

Attendance: Mayor Del Eudy
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Steve Ashby
Commissioner Justin Simpson
Commissioner William Meadows
Commissioner Jim Sells
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Erin Burris, Crystal Smith, Nick Newman, Deputy Stephen Wagoner, Captain Laura Higgins, Captain Tessa Burchett, Deputy Chief James Bailey, Kay Beckett, Deputy William Sellers, Deputy Barry Bunch, Lenora & Kenneth Barnhardt, and Mike & Susan Mills.

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Mayor Eudy led the Pledge of Allegiance.

1. Public Forum

Captain Laura Higgins of the Cabarrus County Sheriff's Dept. announced to the Board that she would be retiring in August with 30 years in law enforcement. She stated she was honored to serve as Captain of the Mount Pleasant district. Captain Higgins thanked the Board for all they have done to help the people of Mount Pleasant.

Mayor Eudy led a standing ovation for Captain Higgins' service to our county and wished her well.

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, 160A-381(d), or 160A-388(e)(2). NC State Statute 160A-75)

No one had a conflict.

8590 Park Drive : P.O. Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704.436.9803 : fax 704.436.2921

3. Approve Agenda

ADDED:

Consent Agenda L. -ABC Board Budget FY2021/2022

New Business C- Noise Ordinance added by Commissioner Furr

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

4. Consent Agenda

- A. Minutes May 17, 2021
- B. Minutes Budget Workshop #2 May 24, 2021
- C. Budget Amendment #15 Account Clean Up CORRECTION
- D. Budget Amendment #16 Gov Deals sales to FD equipment
- E. Consider allowing the Town Manager to approve Year End Budget Amendments for FY2020-2021 for auditing purposes.
- F. Consider reappointing Rick Lambert to the ABC Board effective July 1, 2021.
- G. Direct Deposit Bi-weekly Payroll dates for July 2021-June 2022
- H. Items Sold on Gov Deals May 2021
- I. Consider reappointing Rick Burleyson to the Planning & Zoning Board with a term that expires on June 30, 2024.
- J. Resolution Granting the Opening of a New Bank Account and the Authorized Signers for American Recovery Plan (ARP) funds
- K. Contract with Benchmark for FY21/22
- L. **ADDED-** ABC Board Budget FY2021/2022

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

5. Reports

- A. Town Manager-Randy Holloway
 - B. Asst. Town Manager-Crystal Smith
 - C. Town Clerk/Finance Officer - Amy Schueneman
 - D. Planning & Economic Development Director - Erin Burris
- Ms. Burris informed the Board there will be a Downtown Open House on June 26th after the Independence parade to fill the gap left between the Parade and Fireworks since Town is not having a band or vendors this year. Café Lentz may have live music. An old photo in front of what use to be Barringer Motor Co. was shown to the Board to see what the mural will look like when completed on the Barringer building by June 26th when the ribbon cutting is scheduled for 7pm. This will hopefully be the first mural in the Layers of History series within the Town. *(Copy of photo is in Minute Book)*

Also, the Town did submit the application for the Buffalo Creek Preservation parking lot expansion. The applicant had to be switched at the last minute since the Town could not apply even though we had to be the lessee. A non-profit has to be the applicant which Carolina Thread Trail agreed to be. However, the Town is still committed to making the 50% match available. She will be doing a presentation on June 17th to the Cabarrus Parks and Rec Commission meeting regarding the grant.

The Metropolitan Planning Organization (MPO) will be changing structure and Ms. Burris will get with Commissioner Furr and Commissioner Simpson concerning their thoughts since they are the representatives for the TAC. This has been discussed at the Technical Coordinating Committee (TCC) comprised mainly of staff members in the county. Currently the service is contracted out to Mobility Solutions. Based on what is currently being paid for the services MPO receives and how other MPO's function across the state, they are the only one that pays an outside service. All others in the state have their own staff. The City of Concord would be the host to allow for 4 employees for the price of 2 under the current contract. It will be better for small towns.

E. Code Enforcement- Jeff Watts

F. Public Works- Justin Stallings

G. Cabarrus Co. Sheriff's Dept Report -Deputy Stephen Wagoner

Deputy Wagoner told the Board that they were having the 2nd annual National Night Out at the Cabarrus Arena on August 3rd from 5-7pm. It will be a drive-thru event like before. People will be able to drop old medicine, school supplies, food drive, and car seat check. A list of items needed for donation was given to Town Clerk to put on Facebook. (*Copy of info is in Minute Book.*)

6. Public Hearings

Proposed Budget for FY2021/2022

No one spoke at the Public Hearing.

Once the Mayor closed the Public Hearing, Randy Holloway mentioned that the Budget Sessions went well with the Board and that several clerical corrections and wording to line items were made to the Budget. However, the budget remained the same at \$3,804,110. The Board thanked Staff for the hard work and made the following motions:

1. A motion to approve the presented Budget for Fiscal Year 2021-2022 at a tax rate of 50.5 cents per one hundred dollars and \$1.25 increase to water base rates and flat rate sewer rates with the tiered system for water rates over 2,000 gallons as shown in the Fees & Charges Schedule was made by Commissioner Simpson with a second by Commissioner Ashby.

All Board Members were in favor. (5-0)

2. A motion to approve the Budget Ordinance for Fiscal Year 2021-2022 was made by Commissioner Ashby with a second by Commissioner Simpson.

All Board Members were in favor. (5-0)

Copies of the Budget, Budget Ordinance, and Fees & Charges Schedule are included in the Minute Book.

7. Old Business

A. Consider appointing a person to fill the ABC Board position vacated by Brian Pope on June 30, 2021.

At the May 17th meeting, the Board chose to open the application process to the Town and see who may apply to replace Brian Pope on the ABC Board; then decide at the June 14th Town Board Meeting.

There was only applicant for the position, Eric Boulware, and the ABC Board approves of this applicant.

A motion to appoint Eric Boulware to fill the ABC Board position vacated by Brian Pope for a three year term ending June 30, 2024 was made by Commissioner Simpson with a second by Commissioner Furr.

All Board Members were in favor. (5-0)

8. New Business

A. Information requested by Board concerning Golf Carts on Town streets

During Budget Workshop #2 the Board asked to get a breakdown of what the Town policy is at this time concerning golf carts, ATV's, and 4 wheelers on Town streets. Staff reached out to Town Attorney John Scarbrough for a clarification.

John Scarbrough said, "in General Statutes Chapter 160A has a provision for regulation of golf carts on streets, roads, and highways by cities. And states that a city may by ordinance regulate the operation of golf carts as defined on any public street, road, or highway where the speed limit is 35mph or less within the municipal limits or on any property owned or leased by the city. It goes on to provide that by ordinance the city can require registration of golf carts, registration with fees, specified who is authorized to operate golf carts, equipment, load limits, etc. Without an ordinance, the default under the Statutes would be that golf carts would not be allowed because the DMV does not register or issue certificates of title for golf carts or utility vehicles. So that is an exception in the statutes that requires the Town, if they would like to permit golf carts in Town Limits, to enact an ordinance. ...As part of the agenda packet you have an example from Harrisburg. Their golf cart ordinance, which is very thorough and detailed, is actually based on the NC DOT standard template for golf carts."

Mayor Eudy asked for the Town Clerk to give them an example of Harrisburg's.

Commissioner Ashby asked that since golf carts are not currently allowed should the Town put that information out because more and more are being used within town limits. 4-wheelers, ATV's, and gators are not allowed.

Mr. Scarbrough read the definition of a golf cart, "A golf cart is defined as a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and is not capable of exceeding speeds of 20 miles per hour."

Commissioner Furr said several people had approached her about golf carts being allowed in Town since they saw it on the agenda.

People can not ride on NC DOT roads, but they can cross them. Clearer definitions of what qualifies as a golf cart was requested. John Scarbrough stated he will do the research. If it can't be registered with the DMV then it cannot be on the road.

Commissioner Ashby asked if gators were an exception if a farmer with the orange triangle on it.

Deputy Chief Bailey suggested that the Board consider a time limit or curfew for them. ATV's can be load going up and down the road.

A motion to proceed with drafting an ordinance to make restrictions of use for golf carts on Town streets was made by Commissioner Sells with a second by Commissioner Furr. All Board Members were in favor. (5-0)

B. Receive an update from Cabarrus County Sheriff's Department.

Deputy Chief Bailey addressed the Board and introduced Tessa Burchett as the new Captain that will replace Captain Higgins upon her retirement for our area. She is the Captain over Field Operations, patrols, CID, Crime Scene, and anything out in the field except serving papers.

Since Sheriff Shaw took over there are now 400 employees (245 sworn deputies and 155 detention officers). The County Commissioners have been good to the dept. A new courthouse is being constructed and the County has listened to their concerns about staffing and are slowly adding additional Deputies to have them fully trained for when the courthouse opens as bailiffs.

There are 15 Divisions of the Sheriff's Dept: Courts, Detention Center, Patrols, Animal Control, Animal Shelter, School Resource, Civil Process, and Specialty Divisions: Hazardous Device Unit, Regional Bomb Team, Motor Unit, Crisis Negotiation team, Special Vehicle Response Team (SVRT), Traffic Enforcement Education Team, Professional Standards, and Civil Emergency Response Team.

Just bought a mobile speed enforcement sign that attaches to a tow hitch for speed enforcement.

Policy changes that have been made:

- Duty to intervene- Rookie officer was paired with experienced officer. Rookie officer may notice something that did not look right to them. Now as part of policy they have a duty to say, "don't do that anymore" without fear of reprisal.
- Restriction of Chokeholds- Chokeholds are not allowed unless the use of deadly force is necessary. Now staying away from head and neck unless deadly force.
- Governor's Highway Safety Program- contract was renewed and County calls it the Traffic Enforcement Education Team. This team goes out to problem areas. They are doing heavy enforcement. Part of that enforcement is handling wrecks and traffic reconstruction and using the education components to fund it. The more Governor's Highway Safety points they get, the more money from the state they receive. They are in the process of renewing the grant. This unit will be deployed to the Town to enforce the speed limit. After they depart it will be the duty of the regular officer on duty to enforce.
- Professional Standards Division- This is a new division that was needed. A new Captain's position was approved by the County. This Captain will get complaints and review the evidence related to the complaint to see if this is a training issue or something else. This will help hold our Deputies to higher standard than maybe we have had in the past.
- Civil Emergency Response Team has been implemented. It is a 70-man team to handle civil unrest within the county. Available to the Town if it is ever needed.
- Body Worn Camera program started in March. It is a \$2.4 million investment over the next 5 years for this program. Cabarrus County was the largest agency in the state without a body camera program. When the officer turns on the blue lights, not only does the car dash camera start recording, but the Bluetooth automatically activates the Deputies body camera. If the officer is outside the car and the situation starts to escalate, the officer can turn on their body camera and other officers' cameras will turn on within 30ft. When a taser is turned on it will

also cause body cameras to activate. This helps to alleviate issues of what may of happened.

- Crime Reduction Unit (formerly Community Police Division) has a prevention and enforcement side. Any issues in Town, the team can be dispatched to those areas.
- Communication with public knowing what is happening in their area. The Dept. is working on implementing a Sheriff's app for your phone. It is the best way to reach people. It can be downloaded on Google and Apple. Push notices about accidents, fugitives, etc. can be sent on the app to quickly reach people.
- During 2020 Mt. Pleasant Deputies made 404 traffic stops, 8,340 security checks, 42 arrests, wrote 151 citations, and 58 crash reports. They are active and busy. People notice more because people are in the downtown area after 5pm. They will be more proactive.

Mayor Eudy requested on the monthly report to single out speeding tickets. Deputy Chief Bailey stated that could be done. Also, the Board was concerned with security checks at the Thread Trail. The Deputies will have a GEO check to confirm that they have been at Thread Trail. Commissioner Furr said she was stopped 3 times over the weekend with residents saying they have seen an increase in visibility of officers.

Commissioner Simpson thanked the dept for helping him twice recently. He also asked if Deputies could watch for fireworks being shot off in Oldenburg on July 4th since several residents had voiced a concern over the fire hazard. They will do their best to patrol but sometimes it is hard to track them down.

The Town and Sheriff's Dept. are planning to meet once a quarter for a discussion. If more than 2 members of the Board attend the meeting, it will have to be advertised because a quorum would be in attendance.

C. ADDED – Noise Ordinance

The Board received an email this week concerning a complaint from a Town resident of a young man riding his 4-wheeler on his property starting at 7pm and not stopping until 11:30pm. The current noise ordinance was sent to the Board. It was last modified in 1927 and needs to be redone.

Deputy Chief Bailey said Midland did not have a noise ordinance, so they used the one in effect by the county which enforces after 11pm.

A motion to have staff rework/reimagine the Noise Ordinance was made by Commissioner Furr with a second by Commissioner Sells. All Board Members were in favor. (5-0)

Comments:

Mrs. Lenora Barnhardt at 1101 N. Main St. thanked law enforcement for their presence in Town. In December 2019 NC Highway Patrol wrote in excess of 70 speeding tickets in front of her house. A few were for excess of 70mph on N. Main St.

Mayor Eudy said the Town wants to be known for speeding tickets if a person speeds through Town. He asked for staff to put out on social media that we are cracking down on speeders.

Ms. Kay Beckett at 1431 N. Main St. and Mr. Mike Mills at 1345 N. Main St. agreed with the excessive speed and the affect of a patrol car being seen on the street slows people down.

Jake braking on logging trucks is also an issue so deputies will enforce it since it is posted not to in Town.

People are using Cook St. to miss the traffic light at the square and a way to get ahead of slower traffic.

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

9. 143-318.11.(a)(#) Closed session – To Discuss Property Acquisition for Utility Lines

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 end Closed Session was made by Commissioner Furr with a second by Commissioner Ashby. All Board Members were in favor. (5-0)

Upon returning from Closed Session:

A motion to explore the purchase of property for sewer easements 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 Simpson seconded the motion.

All Board Members were in favor. (5-0)

By our signatures, the following minutes were approved as submitted and amended on Monday, July 12, 2021 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor W. Del Eudy

