

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Regular Board Meeting
Monday, July 11, 2022
6:00 PM- Town Hall Commissioners Room**

Call to Order- Mayor Del Eudy
Invocation- Pastor Nick Newman of Propel Church
Pledge of Allegiance- Mayor Del Eudy

1. Public Forum

(Please limit comments to 3 minutes or less)

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)

3. Approve Agenda (Pages 1-2)

4. Consent Agenda (Pages 3-23)

- A. Minutes June 13, 2022 (pages 3-8)
- B. Minutes Special Called Meeting June 30, 2022 (pages 9-13)
- C. Closed Session Minutes #2 November 8, 2021 (pages 14-15)
- D. Closed Session Minutes #3 November 8, 2021 (page 16)
- E. Closed Session Minutes #2 February 14, 2022 (page 17)
- F. Closed Session Minutes #2 March 14, 2022 (page 18)
- G. Closed Session Minutes #4 March 14, 2022 (page 19)
- H. Closed Session Minutes April 11, 2022 (page 20)
- I. AMENDED from 5/9/2022 Grant Project Ordinance for the Town of Mount Pleasant American Fund Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds. (pages 21-22)
- J. Budget Amendment #23 7% Broker Fee for Tanker 1 Sale (page 23)

5. Staff Reports (Pages 24-36)

- A. Town Manager-Randy Holloway (page 24)
- B. Town Clerk/Finance Officer - Amy Schueneman (pages 25-26)
- C. Planning & Economic Development Director - Erin Burris (pages 27-30)
- D. Public Works- Daniel Crowell (page 31)
- E. Cabarrus Co. Sheriff's Dept Report (pages 32-36)

6. Proclamation Remembering Arthur Lee Kluttz (pages 37-38)

7. Public Hearings

A. Code of Ordinances Part 7: Traffic & Vehicles (*Continued from June 13, 2022 meeting*) (separate attachment)

8. Old Business (Page 39)

A. Receive an update from the Town Manager on the status of the project to repair the raw water intake dam on Dutch Buffalo Creek. (page 39)

9. New Business (Pages 40-75)

A. ANX 2022-02 Hwy. 73 – Charles James Property-Voluntary Contiguous Annexation (pages 40-46)

B. ANX 2022-01 Hwy. 49 – Eric Smith Property-Voluntary Non-Contiguous Annexation (pages 47-55)

C. Project Description and Contract Mount Pleasant Architectural Survey and National Register Update (pages 56-68)

D. Agreement to Furnish Professional Engineering Services
Town of Mount Pleasant, North Carolina Downtown Drainage Study and Stormwater System Assessment (pages 69-75)

10. Adjournment

*All agenda items and attachments are considered public record.
If you would like to obtain or view copies of the attachments or minutes from the Board's meetings, please contact Town Hall Monday-Friday 8:00am-4:30pm.*

Hard copies are \$.10 per page.

Closed Session minutes are unavailable until released by the Board and/or the Town Attorney.

Mount Pleasant

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**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting Minutes
Monday, June 13, 2022 at 6:00 P.M.**

Attendance: Mayor Del Eudy
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Chris Carter (by phone)
Commissioner William Meadows
Commissioner Jim Sells
Commissioner Justin Simpson
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Erin Burris, Crystal Smith, Captain Tessa Burchett, Ally Schueneman, CA "Andy" Clement, Pastor Earl Bradshaw, Deputy C Camille, Deputy Tyler Canaday, Kay Beckett, and Rodney Schueneman.

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Pastor Earl Bradshaw of Mount Pleasant United Methodist Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led the Pledge of Allegiance.

Mayor Eudy informed the Board that Commissioner Carter would attend by phone.

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.

3. Approve Agenda

Mayor Eudy informed the Board and audience that when Code of Ordinances Part 7: Vehicles and Traffic came up on the agenda under Public Hearings, it would be held open until the next meeting since Board members wanted more time to go over all the changes.

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

4. Consent Agenda

- A. Minutes May 9, 2022
- B. Budget Amendment #21 LKC System Development Fee Study
- C. Budget Amendment #22 Granite Sky- Infrastructure Communications Contract
- D. Payroll Dates for FY22/23
- E. Granite Sky Logo/Branding contract starting July 1, 2022
- F. Granite Sky Infrastructure Communications contract
- G. Economic Development Public Investor Agreement

Commissioner Furr made a motion to approve the Consent Agenda as listed with a second by Commissioner Meadows. 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
- E. Code Enforcement-Jeff Watts
- F. Public Works- Lane Bost
- G. Cabarrus Co. Sheriff's Dept Report - Deputy Claudette Tarte
- H. Fire Department-Dustin Sneed

6. Public Hearings

A. Revised Development Agreement for REZ 2017-01/SUB 2017-01 Green Acres

(Continued from March 14, 2022 meeting)

Public Hearing was reopened by Mayor Eudy.

No one spoke.

A motion to continue the Public Hearing for the revised Green Acres Development Agreement was made by Commissioner Sells with a second by Commissioner Furr. All Board Members were in favor. (5-0)

B. Budget for FY2022/23

Town Manager Randy Holloway informed the Board there had only been one change to the FY22/23 Budget since the May meeting. Since the Board voted in May to hire Granite Sky for the Logo/Branding Project, it increased the budget by \$30,215 by using Fund Balance. Otherwise, everything is the same. The General Fund Budget will be \$2,224,443 and the Water/Sewer Budget will be \$1,366,000 for a total combined budget of \$3,590,443. The tax rate remains \$0.505/\$100. The water base rate will go up \$1.25 to help with the USDA payments.

Mayor Eudy opened the Public Hearing.

No one spoke.

Commissioner Simpson thanked Staff for their hard work in putting the Budget together.

A motion to approve the presented Budget for FY22/23, the tax rate of \$0.505/\$100 along with the Fees & Charges Schedule was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A motion to approve the Budget Ordinance for FY22/23 was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A copy of the FY22/23 Budget, Budget Ordinance, and Fees & Charges Schedule is included in the Minute Book.

C. Code of Ordinances Part 7: Vehicles and Traffic

Erin Burris reviewed Part 7 of the Code of Ordinances. She stated that she did not intend for the Board to vote on it tonight. She did warn the Board a whole lot of signs would have to be ordered when it is approved. Ms. Burris also asked that the effective date be January 1, 2023 to give time to spread the word about the changes.

Chapter 1 is all the definitions of words and phrases that are applicable for this section of the Ordinance.

Chapter 2 deals with enforcement. It establishes the fact that Cabarrus County Sheriff's Department is designated to police and enforce this section. It previously said Police Department and the Town contracts with Cabarrus County Sheriff's Department, so it is clarified. Parking violations will be \$25 while other traffic violations will be \$100.

Chapter 3 deals with traffic control devices and signs. A lot of this was removed because most are State standards.

Chapter 4 Vehicle Operation has Horse drawn vehicles for hire if the Board would like to have it. Low speed vehicles, mini trucks, and golf carts which was taken straight from State Statutes and the model ordinance provided by DOT for golf carts. If the Board chooses to allow golf carts, they are treated differently than Low Speed Vehicles because of the speed limit difference because golf carts stay under 20 MPH. The model ordinance provided by DOT said that they would need to be registered through the Town. It would be an added administrative burden that would have to be covered. The Town could charge a registration fee to help cover the administrative costs which would need to be figured out.

Chapter 5 Motor Vehicle Speed and Movement Regulations-Park Dr., E Walnut St., and Enchanted Lane are so narrow and need to be 10 MPH. The 20 MPH section of Main St. and Franklin St can be extended out a little further without DOT approval. All residential streets are 25MPH and new streets in a residential subdivision would be 25 MPH also. Hwy 49 is 45 MPH and controlled by the State. No-Through Traffic Streets will be E Walnut St. and Park Dr. One-Way Streets will be Broad St., Kluttz St., and S Washington St.

Chapter 7 Method of Parking- No person shall park a car on any street that has less than twenty (20) feet of pavement width. All such streets shall display a "no parking this street" sign at the beginning of the street. No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than twelve (12) ten (10) feet of the width of the roadway for free movement of vehicular traffic and emergency vehicles.

Mayor Eudy opened the Public Hearing.

CA Clement of 8551 Walnut St. had 3 pages of signatures of people concerned about traffic due to the new park. He would like a local traffic only designation or wide speed bumps to slow traffic coming through Walnut to Washington St. He would like to cut the impact down on his street.

With no one else wishing to speak, Mayor Eudy asked for a motion from the Board to hold the Public Hearing open until the July meeting. This will give the Board time to review the information and ask questions if needed.

A motion to hold the Public Hearing open for Code of Ordinances Part 7: Vehicles and Traffic was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

7. Old Business

A. . Discuss construction bids received for the Municipal Complex & Park Improvements.

Randy Holloway stated he is combining Item A & B. No one on staff has ever dealt with NC Local Government Commission (LGC). Anytime a Town borrows money to finance projects, the LGC must give approval. Staff found out Friday that what we were supposed to do tonight was to be done in a Public Hearing. The Town opened the bids today for the Municipal Complex & Park Improvement project and they were under budget. Timing wise the Town needs this on the August 2nd LGC agenda. To do this we will need to have a Special Called Meeting either June 28 or 30.

There will be a Mandatory Pre-Bid meeting for the Fire Department Renovation & Addition project on June 15th. If there are at least 3 companies attending (per Statute requirements), the Special Called Meeting will need to be June 30th to have everything ready to submit the application packet to the LGC by July 5th to be added to the August 2nd LGC agenda.

B. Consider the RFP's for Bank Loans received to fund the Fire Department Renovation and Municipal Complex & Park Improvements.

See above.

C. Consider approving two Resolutions for State Funded Water and Sewer projects.

Randy Holloway reminded the Board of the \$8 million received from the State for water/sewer infrastructure. To continue moving forward the Board needs to approve the Resolution of the Governing Body of Recipient for both the water and sewer projects since they are separate projects.

The Adams Creek Sewer Project is estimated at \$5,475,000 and the Cook Street, Skyland Drive, and Franklin Street waterline Project is estimated at \$2,525,000.

As the project continues there will be many forms to sign. Within the Resolution it states that the Town Manager and Mayor will be able to sign documents as needed by the Division of Water Infrastructure.

LKC Engineering is ready to start drawings for both projects.

A motion to approve the two Resolutions for State Funded Water and Sewer projects was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

8. New Business

A. Consider allowing the Town Manager to approve Year End Budget Amendments for FY2020-2021 for auditing purposes.

Amy Schueneman asked for the Board to give the Town Manager the authority to sign any year-end Budget Amendments to help with the audit process for FY21/22. Rick Driscoll, former auditor that helps the Town with the books, will be here June 29th to answer any questions we have.

Randy Holloway reminded the Board it has worked well the past two years and the Town has had very favorable audits.

A motion to allow the Town Manager to approve Year End Budget Amendments for FY2020-2021 for auditing purposes was made by Commissioner Sells with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

B. Consider appointing a representative to the Water & Sewer Authority of Cabarrus County (WSACC) Board.

Mayor Eudy said he had asked Commissioner Sells if he would like to remain as the Town Representative to the WSACC Board and he was agreeable to staying on.

A motion to appoint Commissioner Jim Sells as representative to the Water & Sewer Authority of Cabarrus County (WSACC) Board for a term ending June 30, 2025 was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

C. Consider appointing the alternate member position to the Planning & Zoning Board with a term that expires on June 30, 2025.

Commissioner Simpson thanked everyone that applied for the position.

A motion to appoint Jonathan Helms as alternate to Planning & Zoning Board with a 3-year term ending June 30, 2025, was made by Commissioner Simpson with a second by Commissioner Sells. All Board Members were in favor. (5-0)

D. Discuss American Legion building HVAC repair issues.

Amy Schueneman reported that Terry Bowers came to Town Hall to let the town know that the HVAC was out at the American Legion. According to the lease agreement, the American Legion is responsible for the maintenance of the building including the HVAC. According to Mr. Bowers there are only 5 active members and if they pay the \$5,800 to replace the HVAC, it will wipe them out financially. They have previously been renting the building out to a church to help pay the utilities.

A motion for Town Staff to continue discussions with the American Legion and come back in July to the Board was made by Commissioner Sells with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

E. Discuss Wastewater Allocation Policy for the Town

Erin Burris stated that Harrisburg, Kannapolis, and Concord have an allocation policy to manage who is in line next for development. The Town only has 65,000 gallons a day to work with. It would be good moving forward to have something to follow. It establishes priorities: 1. Projects with prior Town Commitments- like Green Acres and Brighton Park. 2. Strategic reserve-taking 10,000 of what we have and setting it aside for future projects. 3. Previously Approved Projects- for the old MPMS and the 16 townhomes behind the bank that has expired. 4. Waiting list-Anything else that comes up. Anything below 5,000 could be used by Town Staff to determine approval for the usage and above the Board would make the decision based on a scoring system.

The Wastewater Allocation Policy would be used until January 1, 2025 or completion of the WSACC expansion.

A motion to approve the Wastewater Allocation Policy was made by Commissioner Sells with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

F. Consider contracting LKC Engineering for the Downtown Stormwater Study.

The Town received a Stormwater Study grant from Emergency Supplemental Historic Preservation Fund under the 2020 Hurricane Florence National Parks Service subgrant for the amount of \$94,252. This grant also covers the \$25,000 for the National Historic Study for the Town. Therefore, \$69,252 would be available for the Stormwater Study.

An RFQ for Engineering was sent out and only 2 firms replied originally, and it was advertised a second time with no additional responses. The 2 firms responding were LKC Engineering and Meade Gunnell. After reviewing the submittals, Town Staff would like to contract with LKC Engineering for the Stormwater Study.

A motion to enter into contract negotiations with LKC Engineering for the Downtown Stormwater Study was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

9. 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 11, 2022 in the Regular Meeting.

Town Clerk Amy Schueneman

SEAL

Mayor W. Del Eudy

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Special Called Meeting Minutes
Thursday, June 30, 2022
5:00 PM- Town Hall Commissioners Room**

Attendance: Mayor Del Eudy
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Chris Carter (by phone)
Commissioner William Meadows
Commissioner Justin Simpson (arrived at 5:08pm)
Commissioner Jim Sells
Town Administrator Randy Holloway
Town Attorney Jim Scarbrough
Town Clerk Amy Schueneman

Also Present: Crystal Smith, Erin Burris, PJ Tamaus, Tom & Cathy Parrella, Fire Chief Dustin Sneed, Deputy Chief Jeff Watts, and Roy Keene.

Mayor Eudy opened the meeting and turned it over to Town Staff.

1. Municipal Complex Project

Randy Holloway and Amy Schueneman explained the scope of the Municipal Complex & Park Improvement Project to the Board which includes demolition of the current restroom/concession stand facility, storage building for equipment, ADA sidewalks and parking, 25 additional parking spaces, and concrete stage pad. A site plan was shown on the screen. The bids came under budget at \$955,137 but the Town is still going to secure the loan for \$1.2 million in case of any unexpected changes. Staff decided not to do the alternate items in the bid for upgrades. Even though the Board approves the project and funding, the Local Government Commission (LGC) must approve the project and the loan before it can happen.

Mayor Eudy opened the Public Hearing.

Roy Keene from the Oldenburg Subdivision asked if the Town felt this was a necessity and did the citizens vote to do this.

Amy Schueneman replied that during the Comprehensive Plan from 2017 the number one request of the residents was for more recreational facilities. The condition of the restroom/concession stand has been lacking for many years and currently there is no viable septic tank for use of the facility. The new building will be hooked up to the Town sewer system.

With no one else wishing to speak Public Hearing was closed.

The Board had no questions.

A motion to select **Shiel Section Company** as the contractor for the Municipal Complex & Park Improvement Project in the amount of \$955,137 and allow the Town Manager to complete any
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associated documents on the condition that the project is approved by the LGC was made by Commissioner Sells with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Simpson had not arrived yet)

Amy Schueneman presented the 3 bids for the loan package from First Bank, Truist, and Uwharrie Bank. Uwharrie Bank had the best interest rate but a lot of fees while First Bank had a slightly higher interest rate but a limit of \$5,000 in fees but only if we use their attorney for closing. Town Staff felt overall the best deal was First Bank. Randy Holloway agreed because of the open-ended fees of Uwharrie Bank, Staff was more comfortable with the proposal by First Bank since the plan is to pay off the loan before maturity since it came well under the expected cost.

A motion to approve **First Bank** as the financial institution for the Municipal Complex & Park Improvement Project loan in the amount not to exceed \$1.2 million at 3.08% for 20 years and allow the Town Manager to complete any associated documents on the condition that the project is approved by the LGC was made by Commissioner Furr with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Simpson had not arrived yet)

Commissioner Simpson arrived at 5:08pm.

Town Staff completed the application package today to submit to the LGC. It will cost \$1,250 for each application submitted.

Randy Holloway informed the Board and audience that in North Carolina Cities and Counties cannot borrow money without the Local Government Commission (LGC) approval. They ensure that Cities and Counties cannot borrow money if they cannot pay it back. The Town can afford to borrow this, but the LGC makes the Town prove we can do this with the 26-page application. LGC is making sure we do not put the Town in financial jeopardy.

A motion to approve the Resolution of the Town of Mount Pleasant Mayor and Board of Commissioners Approving Financing Terms for the Municipal Complex & Park Improvement Project was made by Commissioner Furr with a second by Commissioner Sells. All Board Members were in favor. (5-0)

Copies of the site map, bank proposals, Bid Tab Sheet, and Resolution are included in the Minute Book.

2. Fire Department Renovation/Addition Project

Amy Schueneman stated the bid opening for the Fire Department was this afternoon. Four companies bid on the project. Scope of the project includes additions to the back and front of the building, renovating the current living space, updating the bay floor, and replacing current bay doors. The building is 50 years old. It has never had a major update and is needed to bring up to current codes. The firefighters are currently sleeping in a room the size of a large storage room without a window.

Randy Holloway stated that this conversation has been going on for the last 20 years and is way past due. He is recommending accepting the base bid and all alternates by Liles Construction Company to bring everything up to where it needs to be. As far as the cost the Town would secure a loan of \$2.5 million and the Fire Department has \$200,000 in a Capital Project account to cover the \$2,634,543 cost which includes a \$100,000 contingency.

Mayor Eudy opened the Public Hearing.

No one spoke at the Public Hearing.

Commissioner Sells wanted to clarify that Alternate A-1 Remove & Replace Apparatus Floor Slab was the bay floor for the vehicles. Liles Construction was also the one that replaced the outside slab several years ago.

A motion to select **Liles Construction Co, Inc.** as the contractor for the Fire Department Renovation & Addition Project in the amount of \$2,634,543 and allow the Town Manager to complete any associated documents on the condition that the project is approved by the LGC was made by Commissioner Sells with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

Amy Schueneman stated the Town would borrow \$2.5 million from First Bank at the same terms as the Municipal Complex & Park Improvement Project with the condition that it is all approved by the LGC.

A motion to approve **First Bank** as the financial institution for the Fire Department Renovation & Addition Project loan in the amount not to exceed \$2.5 million at 3.08% for 20 years and allow the Town Manager to complete any associated documents on the condition that the project is approved by the LGC was made by Commissioner Furr with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

Ms. Schueneman also asked the Boards approval of the Resolution to submit the application package to LGC with the loan terms.

A motion to approve the Resolution of the Town of Mount Pleasant Mayor and Board of Commissioners Approving Financing Terms for the Fire Department Renovation & Addition Project was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

Copies of the elevations, bank proposals, Bid Tab Sheet, and Resolution are included in the Minute Book.

3. Municipal Park Lighting/ Sewer/Paving Project (SCIF Funds)

Amy Schueneman reminded the Board the State of NC gave the Town \$300,000 out of the State budget to use on any Capital Project the Town chooses. It does not have to be a water/sewer project. With the Municipal Complex & Park Improvement Project Town Staff expected the cost to exceed the \$1.2 million loan amount and Staff had previously submitted a Scope of Work to the State stating the \$300,000 would be used to complete the project. However, the bid was much lower than expected and would allow the Town to complete more needed items around Town Hall and the ballfield area including: ballfield lights with any engineering cost, run the sewer line from the restroom/ concession stand to the Town's sewer system, replace two HVAC units at Town Hall, move two power poles (one at concession stand and the other behind home plate), remodel Town Hall restrooms, pave around Town Hall and the gravel lot near the Food Ministry, netting for the ballfield and batting cages. Board approval is needed to change the Scope of Work with the State.

A motion to approve the North Carolina State Capital and Infrastructure Fund (SCIF) Directed Grants Capital Project Ordinance for Part 2 of the Municipal Complex & Park Improvement Project and allow the Finance Officer to complete any associated documents with the understanding funds will not be spent until new Scope of Work is approved by the State was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A motion to repeal/replace the Scope of Work previously submitted to the State for the SCIF grant with items from the approved Capital Project Ordinance was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A copy of the North Carolina State Capital and Infrastructure Fund (SCIF) Directed Grants Capital Project Ordinance for Part 2 of the Municipal Complex & Park Improvement Project is included in the Minute Book.

4. Public Hearing Green Acres Development Agreement

Erin Burris reminded the Board they were given the Green Acres Development Agreement back in March 2022. The Public Hearing had to be held open until the property closed which happened last week. The final version of the agreement has highlighted areas with changes to dates to reflect the delay in closing and a few wording changes for clarity.

Mayor Eudy opened the Public Hearing.

Roy Keene from the Oldenburg Subdivision asked why the Town would approve another subdivision when they could not repave the current ones they have.

Randy Holloway responded that the Town did chip seal Oldenburg Dr. 2-3 years ago costing around \$110,000. The Town receives approximately \$50,000 from the State by Powell bill each year for street repairs. The developer of the new subdivision is responsible for the initial paving of development streets to comply with Town standards.

Erin Burris informed the Board the Green Acres Development was initially approved 14 years ago and it is just now reaching fruition. The previous owners contributed towards WSACC Pump Station #3 on the condition sewer space would be available for the subdivision when it was built.

Town Attorney Jim Scarbrough asked if there was still enough capacity from WSACC for the subdivision and Ms. Burris replied there was.

With no one else wishing to speak the Public Hearing was closed.

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

A copy of the Green Acres Development Agreement is included in the Minute Book.

Adjournment

With nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Sells 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 11, 2022 in the Regular Meeting.

Town Clerk Amy Schueneman

Mayor Del Eudy

Seal

Mount Pleasant

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Town of Mt. Pleasant
Board of Commissioners
Monday, November 8, 2021 at 6:00 P.M.
CLOSED SESSION #2

9. Closed Session 143-318.11.(a)(#5) Acquisition and disposition of property

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.

Attending: Mayor Eudy, Commissioner Ashby, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, Crystal Smith, and Erin Burris.

Chris Pinto purchased 8625 NC Hwy 49 next to the Water Treatment Plant on Foil St. After he had a survey done to subdivide the property it showed that part of the WTP driveway encroachment and 6'ft fence encroachment is on his property. Town Staff will have the fence moved back to our side of the property which is currently on Mr. Pinto's property by 7 feet.

Town Staff is asking the Board to authorize an encroachment agreement for the driveway that Town Attorney John Scarbrough has started on. This will be easier than having to install another driveway on the backside of the property because it is hard for delivery trucks to come in that way. The back driveway was abandoned years ago for that reason.

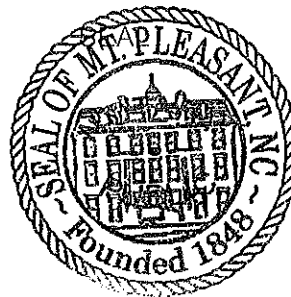
It will help both the Town and the property owner to use it as a shared driveway.

A motion to authorize the Town Attorney to request the property owner to grant an encroachment easement for a driveway on Foil Street will be made in Open Session.

A motion to end Closed Session was made by Commissioner Meadows with a second by Commissioner Sells.

All Board Members were in favor. (4-0, Commissioner Furr absent)


Amy Schueneman, Town Clerk CMC, NCCMC



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**Town of Mt. Pleasant
Board of Commissioners
Monday, November 8, 2021 at 6:00 P.M.
CLOSED SESSION #3**

9. Closed Session 143-318.11.(a)(#5) Acquisition and disposition of property
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.

Attending: Mayor Eudy, Commissioner Ashby, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, Crystal Smith, and Erin Burris.

Since the Town has approved accepting the CMAQ grant for Washington St., there are 2 properties that are affected. The Helms property at 8563 East Franklin St needs to be purchased at a fair market value after completing an appraisal. Money for the purchase is already budgeted. The Town does not want to lose the home so it would be good to offer the house up for purchase for individuals within 2,000 feet of the property. It is a mill home that is associated with Tuscarora Mill so we would like to keep it near the mill it was associated with. Ms. Freeman is still wanting a house to put on her property at 1380 N. Washington St.

Ms. Freeman has asked in exchange for the purchase of the right of way needed across her property for the Town to install her taps and a driveway pipe. There would not be any exchange of money for the right of way from the Town, just taps and driveway pipe. When calculated on tax value it will be about the same value. The Board seemed okay with this agreement.

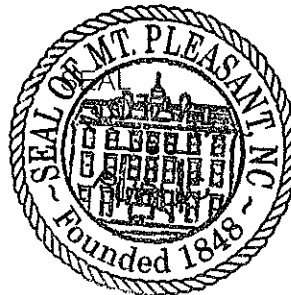
It will be at least a year before the house will need to be moved.

No motion will need to be made at this time. It was an update of current situation.

A motion to end Closed Session was made by Commissioner Meadows with a second by Commissioner Sells.

All Board Members were in favor. (4-0, Commissioner Furr absent)


Amy Schueneman, Town Clerk CMC, NCCMC



Mount Pleasant

North Carolina

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Town of Mt. Pleasant
Board of Commissioners
Monday, February 14, 2022 at 6:00 P.M.
CLOSED SESSION #2

Property Acquisition-Helms Property at 8563 Franklin St. E

Closed Session 143-318.11.(a)(#5) Acquisition and disposition of property

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.

Attending: Mayor Del Eudy, Mayor Pro Tem Lori Furr, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, Crystal Smith, and Erin Burris. (Commissioner Carter excused)

Randy Holloway stated as part of the N Washington Dr improvements the Town needs to acquire the Helms property located at 8563 E Franklin St. Erin Burris had an appraisal done on the property resulting in a value of \$210,000. This is more than we expected. It is a 2 bedroom/1 bath home. The Town must have the property to do the project. Funds are currently in the budget to cover the cost. This is in connection with the CMAQ grant for road expansion and sidewalk.

Town would make offer for the property and allow the Helms family 12 months to move out. They would get either a higher price for the home and pay rent or a lower price for the home and \$1 a month rent.

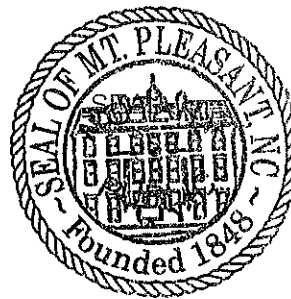
Board consensus was to have staff make an offer for the home to negotiate the price. Then, it will be brought back to the Town for a motion to purchase. The Helms house will be put up as surplus property to recoup some of the cost.

CMAQ project will need to be done in the next 2-3 years.

No motion was made on this item. Information only.

A motion to come out of Closed Session was made by Commissioner Meadows with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Carter excused)


Amy Schueneman, Town Clerk CMC, NCCMC



Mount Pleasant

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**Town of Mt. Pleasant
Board of Commissioners
Monday, March 14, 2022 at 6:00 P.M.
CLOSED SESSION #2**

Jonathan & Aurelia Helms Property Purchase-8563 E Franklin St.

Closed Session 143-318.11.(a)(#5) Acquisition and disposition of property

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.

Attending: Mayor Del Eudy, Mayor Pro Tem Lori Furr, Commissioner Carter, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, Crystal Smith, and Erin Burris.

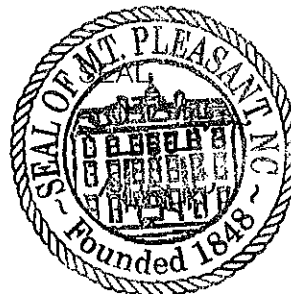
Randy Holloway reminded the Board of the appraisal of \$210,000 for the home on 8563 E. Franklin St. which the Town needs to purchase for the N. Washington St project. After discussing with Town Attorney John Scarbrough, the Town should make the offer of \$210,000 since it was the appraised value. Then, require them (Helms) to pay the Town rent at \$1,000 per month for up to 12 months. They are getting ready to build a house. If at the end of 12 months they are still there, Mr. Scarbrough said they would have to renegotiate the agreement to extend the time at \$1,000 per month. The agreement could not be for an unlimited time.

Erin Burris stated the DOT Project Manager advised the Town before we enter into the agreement for the grant, the Town needs to close on the property. It is better to own it before starting the project.

When the Board comes out of Closed Session, someone needs to make a motion to allow Town Manager Randy Holloway to make the offer of \$210,000 and the \$1,000 per month rent for up to twelve months and authorize the Town Manager to sign the contracts.

The Board continued the Closed Session for the next item.


Amy Schueneman, Town Clerk CMC, NCCMC



Mount Pleasant

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**Town of Mt. Pleasant
Board of Commissioners
Monday, March 14, 2022 at 6:00 P.M.
CLOSED SESSION #4**

Town Manager Compensation

Closed Session 143-318.11.(a)(#6) 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...

Attending: Mayor Del Eudy, Mayor Pro Tem Lori Furr, Commissioner Carter, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, and Amy Schueneman.

Randy Holloway stated he has been working for the Town almost nine years. He has never asked for a pay increase or received one. He thought the Board was under the impression that when Town Staff received a raise, he did also. However, that is not the case since he is a contract employee. He is unable to give himself a raise.

Amy Schueneman informed the Board that he took a pay decrease a few years ago to balance the budget.

Mr. Holloway asked to stay 2 more years before retiring to see the \$16 million water/sewer projects, \$2 million Fire Dept expansion, and \$1 million Municipal Complex Improvements through. In fairness, he has been making \$30 per hour for 9 years and would like \$40 per hour. He functions as a full-time manager even though he is part-time.

When the Board returns to Open Session a motion needs to be made to increase the Town Managers salary to \$40 starting July 1st.

A motion to come out of Closed Session was made by Commissioner Furr with a second by Commissioner Carter. All Board Members were in favor. (5-0)


Amy Schueneman, Town Clerk CMC, NCCMC



Mount Pleasant

North Carolina

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Town of Mt. Pleasant
Board of Commissioners
Monday, April 11, 2022 at 6:00 P.M.
CLOSED SESSION

Jonathan & Aurelia Helms Property Purchase-8563 E Franklin St.

Closed Session 143-318.11.(a)(#5) Acquisition and disposition of property

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.

Attending: Mayor Del Eudy, Mayor Pro Tem Lori Furr, Commissioner Carter, Commissioner William Meadows, Commissioner Jim Sells, Commissioner Justin Simpson, Randy Holloway, John Scarbrough, Amy Schueneman, Crystal Smith, and Erin Burris.

Randy Holloway asked the Board to recall at a previous meeting the Board authorizing to make an offer to the Helms family at the corner of Franklin and N. Washington for the appraised value of \$210,000. John Scarbrough drew up a lease agreement for them to pay \$1,000 a month for rent. Erin Burris sent them the offer and they called her back. They were very pleased with the \$210,000 offer, but they do not want to pay the \$1,000 a month for rent. They own the house and don't have any monthly payments. The alternate offer Randy and John made to Jonathan and Aurelia Helms of \$200,000 and \$1 rent per month. They turned it down because they thought the house was worth \$210,000. They don't expect to live there free; they would pay \$100 a month. The Town can't move forward with the project until the house is purchased.

Erin Burris stated DOT advised the Town to purchase the house to avoid having to pay for relocation costs and other items that the Town does not want to do. Once we are under contract with DOT the Town will have to follow federal regulations. Hopefully, the Town may get more money to add a turn lane off Washington from CMAQ because it furthers the purpose of congestion mitigation. It would have to be at a later time.

They have already signed their construction agreement and loan agreement. It would have shown they did not have a monthly house payment. It is more important for the Town to get the property now. Is it worth the Town having to move the family to a temporary home and pay the cost?

As far as the future contract, it states that the Town is not responsible for any repairs to the home while they are in there. They would have to pay for any HVAC repairs, etc. The Helms family has submitted their plans for a construction permit to build on S. Main Street.

Since the Town is still in negotiations, no motion will be made in open session until a contract is ready to sign.

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


Amy Schueneman, Town Clerk CMC, NCCMC



8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : fax 704-436-2921

Website: www.mtpleasantnc.org Email: townhall@mtpleasantnc.us

Mount Pleasant

North Carolina

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Grant Project Ordinance for the Town of Mount Pleasant American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds

This Grant Project Ordinance amends the original Ordinance approved May 9, 2022 by the Town Board.

BE IT ORDAINED by the Town Board of the Town of Mount Pleasant, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Mount Pleasant (Town) has received the first tranche in the amount of \$354,072.86 of CSLFRF funds. The total allocation is \$708,145.72, with the remainder to be distributed to the Town within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Water/Sewer- Admin for period March 3, 2021 through June 30, 2021	6.1	Salaries	\$123,630.44
			Benefits	\$42,550.07
002	Water/Sewer- Water for period March 3, 2021 through June 30, 2021	6.1	Salaries	\$51,848.23
			Benefits	\$25,817.34
003	Water/Sewer- Sewer for period March 3, 2021 through June 30, 2021	6.1	Salaries	\$51,125.60
			Benefits	\$25,509.88
004	Water/Sewer- Water Treatment Plant for period March 3, 2021 through June 30, 2021	6.1	Salaries	\$119,942.52
			Benefits	\$25,057.22
	Unassigned			\$242,664.42
TOTAL				\$708,145.72

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$708,145.72
Appropriation of Funds:	-\$465,481.30
Remaining Funds:	\$242,664.42

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Finance Officer and to the Clerk to Town Council. Town Finance Officer has authority to move the amount of \$174,904.32 from the ARP Checking account to the Water/Sewer Checking account to cover the supplanted salaries and benefits.

Section 8: This grant project ordinance is effective as of March 3, 2021, and expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Approved on July 11, 2022.

Mayor Del Eudy

Amy Schueneman, Town Clerk

TOWN OF MOUNT PLEASANT

#23 7% broker fee for Tanker 1 sale					
Revenue Adjustments					
Account Number	Account Description	Current Budget	Decrease - Debit	Increase - Credit	Revised Amount
11-3091-921	Transfer In- Capital Reserve	\$ 223,300.00	\$ -	\$ 3,150.00	226,450.00
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
Expenditure Adjustments					
Account Number	Account Description	Current Budget	Increase - Debit	Decrease - Credit	Revised Amount
11-4022-800	FD-Miscellaneous	\$ 2,500.00	\$ 3,150.00	\$ -	5,650.00
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
		\$ -	\$ -	\$ -	-
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Totals		\$225,800.00	\$3,150.00	\$3,150.00	\$232,100.00
#23 7% broker fee for Tanker 1 sale					
Prepared by: Amy Schueneman Date: 6/27/2022 Approved by: <i>T.R. Jollowy</i>					
Posted by: <i>Amy Schueneman</i> Date: <i>6-27-22</i>					

Yr End Adj - FY 21/22

MEMORANDUM

To: Mayor and Town Board
From: Randy Holloway, Town Manager
Date: July 11, 2022
RE: Manager's report for June 2022

Please find listed below an update / overview for the month of June 2022

- Continued worked with Staff on preparing the budget for Fiscal year 22/23.
- Closed on the Helms property at the corner of North Washington and East Franklin.
- Participated in bid opening for the municipal park project at Town Hall. Made recommendations for staff to share with the Town Board.
- Participated in a meeting with Granite Sky to work out details of the communications project related to the various projects getting ready to start around Town.
- Worked with Staff and participated in helping coordinate the Independence Day events.
- Participated in a pre bid meeting for the Fire Station project and participated in the bid opening on June 3^{0th}.
- Continued working with Staff and the Town Engineer to replace the sewer pump station that serves the Senior Center. The new pump station will serve both the Senior Center and new restroom facility being constructed later this year. The pump station will have a new 2" force main that will run behind the Lion's Club building and tie into a new sewer manhole at the entrance to the rear of the fire department parking lot. A new gravity line will be installed from Town Hall to a new manhole that will be installed in the center of parking lot behind the Fire Station. This new manhole will serve the Town Hall complex along with the new addition to the Fire Station. We received a bid from Richard Suggs Construction and we are reviewing the bid to make sure everything is covered.
- Participated in a meeting with the Town Engineer, LKC Engineering and Grimes Engineering to re-evaluate the repairs to the water intake site on Dutch Buffalo Creek. JT Grimes recommended that we scrape the recommendations that had been made by AWCK Engineering and make a modified repair that should cost half as much as the original repair project. Mr. Grimes also made a recommendation for the Town to consider starting the process of replacing the dam. I will give the Board a full report at the July 11, 2022 meeting.
- Worked with Staff to prepare the packets for the municipal park and fire station projects that must be submitted to the NC Local Government Commission.
- Participated in the special called meeting on June 30th to approve the municipal park and fire station project and the associated documents.
- Continued to participate every other Monday in Covid-19 Task Force meetings with local managers and Elected Officials.
- Participated in the monthly Cabarrus Economic Development meeting.

**FINANCIAL REPORT
as of June 30, 2022**

	Cash Balances				
	General Fund	Powell Bill Bank Account	GF-Capital Reserve	Water/Sewer Fund	Capital Project Fire Station Add
First Bank-Checking	186,238.83	59,220.69		237,528.72	201,419.97
First Bank-Payroll Checking	94,624.57				
First Bank-General Fund Money Market	1,355,438.98				
First Bank- Retiree Insurance Money Market	20,409.46				
First Bank-W/S Money Market				944,993.31	
First Bank- USDA Capital Project Checking	85,720.30			69,612.96	
First Bank- Summer St Pump Station Capital Proj	12,886.12			39,795.60	
First Bank- ARP Special Reserve Fund	6,303.56				
First Bank-Façade Grant					
First Bank-Savings (Sidwalk Escrow)			56,634.05		
First Bank- Capital Reserve- Police Vehicles			98,038.60		
First Bank- Capital Reserve- FD Vehicles					
First Bank-FD Radio Capital Reserve	10,758.00			93,620.04	
First Bank-USDA Payment Reserve (formerly Manhole Repairs)					
First Bank- 42% Reserve	865,306.60				
First Bank- Infrastructure & Streets Cap Reserve	20,000.70				
First Bank- SCIF Funds from State	291,157.40				
Uwharrie Bank Savings (Park Dev)	77,649.38			30,962.34	
Uwharrie Bank-Dredging (Savings)				1,313.23	
NC Capital Mgmt Trust-Debt Setoff Acct					
Total Cash Balances	3,026,553.90	59,220.69	154,672.65	1,417,826.20	201,419.97

	General Fund				Water Sewer Fund				
	MONTH		YEAR		MONTH		YEAR		
	APPROVED	TO DATE	TO DATE	REMAINING	PERCENT	APPROVED	TO DATE	REMAINING	PERCENT
	2021-2022	(Encumbered)							
Revenues	3,338,077.00		3,124,689.10	\$213,387.90	94%				
Expenditures	3,338,077.00	215,028.92	3,061,389.43	\$61,658.65	98%				
Revenues	1,264,351.00		1,630,158.83	-\$365,807.83	129%				
Expenditures	1,264,351.00	107,329.80	1,113,569.58	\$43,451.62	97%				

**TOWN OF MOUNT PLEASANT
COMPARISON BUDGET VS ACTUAL -June 2022**

	<u>CURRENT BUDGET</u>	<u>YTD ACTUAL</u>	<u>DIFFERENCE</u>
GENERAL GOVERNMENT			
Town Hall	265,485.00	272,044.63	(6,559.63)
Governing Body	40,399.00	31,898.45	8,500.55
Admin	640,632.00	436,376.25	204,255.75
Planning & Zoning	177,940.00	115,633.60	62,306.40
	1,124,456.00	855,952.93	268,503.07
PUBLIC SAFETY			
Law Enforcement	161,693.00	157,949.36	3,743.64
Fire Department	1,045,253.00	820,253.92	224,999.08
	1,206,946.00	978,203.28	228,742.72
PUBLIC WORKS			
Operations Center	43,450.00	39,931.37	3,518.63
Streets	480,238.00	192,841.03	287,396.97
Sanitation	138,500.00	120,705.50	17,794.50
Buildings & Grounds	73,582.00	63,062.00	10,520.00
	735,770.00	416,539.90	319,230.10
CULTURE/REC	147,641.00	80,655.46 136,080.45	66,985.54
DEBT SERVICE			
Debt Service Principal	85,466.00	84,005.38	1,460.62
Debt Service Interest	18,485.00	19,941.84	(1,456.84)
	103,951.00	103,947.22	3.78
TOTAL	3,318,764.00	2,435,298.79	883,465.21
WATER/SEWER			
Admin	283,918.00	212,555.43	71,362.57
Operations Center	28,900.00	18,124.24	10,775.76
Water	155,929.00	153,742.91	2,186.09
Sewer	415,418.00	287,066.18	128,351.82
Water Treatment Plant	561,988.00	274,813.56	287,174.44
	1,446,153.00	946,302.32	499,850.68
DEBT SERVICE			
Debt Service Principal	157,392.00	155,389.83	2,002.17
Debt Service Interest	14,879.00	11,877.43	3,001.57
	172,271.00	167,267.26	5,003.74
TOTAL	1,790,695.00	1,280,836.84	509,858.16
COMBINED	5,109,459.00	3,716,135.63	1,393,323.37

Mount Pleasant

North Carolina

Founded in 1848

Planning and Economic Development July 11, 2022

Planning & Zoning Cases

REZ 2022-04 Propel Church and ANX 2022-02

Description: The applicant requests annexation and O-I district to construct a new church facility.

Applicant: Propel Church

Property Owner: Charles James

Area: 6.886 acres

Location: 7801 NC Highway 73 E

Cabarrus County Parcel Number: 5660-96-0186 & 5660-86-9211

Current Status: Request to set public hearing scheduled for July 11. Neighborhood meeting scheduled for July 19. Planning & Zoning Board review scheduled for July 25. Annexation and Rezoning public hearings anticipated on August 8.

REZ 2022-03 Highway 49 Mini Storage and ANX 2022-01

Description: The applicant requests annexation and Conditional Zoning I-1 district to construct a mini-storage facility.

Applicant: Thomas Moss

Property Owner: Eric

Area: 11.279 acres (mini-storage area less than 10 acres)

Location: 8830 NC Highway 49 N

Cabarrus County Parcel Number: 5670-47-4622

Current Status: Request to set public hearing scheduled for July 11. Neighborhood meeting scheduled for July 19. Planning & Zoning Board review scheduled for July 25. Annexation and Rezoning public hearings anticipated on August 8.

SUP 2022-01 North Carolina Masonry Contractors Association Office

Description: The applicant requests a Special Use Permit from the Board of Adjustment to open an office in the RL Residential Low Density zoning district under the "civic, social, and fraternal organization" category of the Permitted Uses Table. The property has previously been used as a residence.

Applicant: Ryan Shaver

Property Owner: Thyra Eagle Dry

Area: 0.61 acres

Location: 8030 NC Highway 49 N

Cabarrus County Parcel Number: 5670-07-4558

Current Status: Board of Adjustment voted to approve the Special Use Permit, citing that the proposed use did not constitute a "substantial change of use" and would not be subject to the requirements for paved driveway, bufferyard, and street yard.

TA 2021-03 Infrastructure Text Amendments

Description: Update infrastructure standards in the Development Ordinance to incorporate best practices and move specifications and details into a separate Standards and Specifications Manual.

Current Status: Planning & Zoning Board will continue to review proposed amendments. Final review and recommendation anticipated at July or August meeting.

Development Agreement for SUB 2017-01 Green Acres

Description: Subject to NCGS Chapter 160D, Article 10, the Town Board opened a public hearing to enter into a revised development agreement with the developer for the approximately 14.88-acre property, which was approved for 37 single-family residential lots in 2017. The proposed agreement sets forth responsibilities for the installation of utilities to the site and a development schedule. Location: NC Highway 73 E at Green Acres Circle. Cabarrus County Parcel Number: 5651-70-6355. Zoning: CZ RM Conditional Zoning Residential Medium Density. This request does not change the approved zoning, subdivision preliminary plat, or number of dwelling units. The proposed agreement sets forth responsibilities and expectations for the installation of utilities, provision of utilities, and development schedule. The original development agreement was approved in 2009. This revision reflects the 2017 approved plan and current standards for infrastructure installation.

Current Status: Town Board approved at June 30 Special Meeting

SUB 2020-03 Brighton Park Preliminary Plat

Description: 178 single family lots with community clubhouse and pool. The proposed number of lots was reduced by one lot due to constraints determined during preparation of Construction Plans.

Applicant: Niblock Homes

Location: Southwest corner of NC Highway 73 and NC Highway 49

Cabarrus County Parcel Number: 5660-56-4096, 6785, 8647, & 9681

Area: approx. 86.77 acres

Proposed Density: 2.05 dwelling units per acre

Zoning: RM Residential Medium Density

Current Status: Construction Plans have been revised and are under review.

Code of Ordinances

Proposed amendments will be presented as they are completed.

Part 7: Motor Vehicles & Traffic

Staff is working on draft amendments to limit on-street parking on Town streets and one-way streets due to narrow street width. Speed on town streets is also being examined. This section would also include provisions for low-speed vehicles. The Town cannot control speed limits on State-maintained streets. Town Board opened and continued public hearing at the June 13 meeting and will resume at July 11 meeting.

Part 8: Offenses (Nuisances)

Staff has been researching noise ordinances in other jurisdictions. Additional updates to nuisance regulations are also being looked at. Staff hopes to present draft amendments at the August Town Board meeting.

Utilities

- The Town has 65,430 gpd to allocate between now and 2024 when the Phase 1 Rocky River Regional Waste Water Treatment is completed. The Town Board approved a sewer allocation policy at the June 13 meeting.
- LKC is currently working on engineering documents for water and sewer improvements to be completed with USDA loan funds. Additional water and sewer projects have been identified that could potentially be completed with the \$8 million state earmark. The Board approved a working Capital Improvements List at the April 11 meeting. An additional \$4.8 million earmark for water and sewer projects is in the proposed 2022 state budget.
- Staff has applied for a \$950,000 Rural Transformation Downtown Revitalization Grant through the NC Department of Commerce to apply towards utility duct bank installation during the waterline project. Duke Energy prepared the study for the for utility line burial/relocation in the square downtown and reached out to Spectrum and Windstream to coordinate. Spectrum visited the Town the last week of March to verify field conditions and will work with Duke to locate. Spectrum also reached out to help identify potential funding for their portion of the project. NCDOT is also coordinating to make stormwater improvements during construction.

Comprehensive Plan Implementation

- Cabarrus County is working on plans for a new Mount Pleasant Library/Senior Center and Park. The site was rezoned in February to OI to facilitate the project. The site is currently under design with an anticipated opening in 2024.
- McGill and Associates has completed plans for the next phase of the Municipal Complex Improvements, which focus on amenities at McAllister Field. Two bids for construction were received and both were under budget. Construction is expected to begin in August after LGC approval of financing.
- The Town has been awarded the Carolina Thread Trail Implementation Grant for trailhead expansion at the Buffalo Creek Preserve. Trailhead expansion and picnic shelter installation are complete. Signage and miscellaneous site amenities (trash receptacles, portable toilet, security cameras) are being installed.
- The contract for the \$94,250 federal grant for the National Register Historic District Survey Update, Study Form Update, and Downtown Stormwater Study has been executed. HMW Preservation has been selected to complete the Survey and Nomination Form update. LKC was selected for the Downtown Stormwater study. The contract will be presented to the Town Board for approval in July. The National Register update work will begin in October.

Transportation

- CMAQ funding for sidewalks, curb & gutter, and widening to accommodate bike sharrows on N. Washington Street was approved. Property acquisition of corner property is complete. Staff is currently working on the project contract.

Permits

June and July (to date) report attached.

June and July 2022 Zoning Permits (to date)

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2022-20	6/1/2022	5579-57-1842	8871	8871 Erbach Lane	Accessory	Swimming Pool	Quality Pools, Inc.	
Z-2022-21	6/2/2022	5579-35-6630	7911	Malibu	New	Trailhead Picnic Shelter	Town of Mount Pleasant	CoC
Z-2022-22	6/6/2022	5670-23-8628	8600	Park Dr.	New/Accessory	Park Restroom/Concession & Storage	Town of Mount Pleasant	CoC
Z-2022-23	6/9/2022	5671-81-2299	9597	Foil Rd.	Accessory	Swimming Pool	Jeremy Jalowitz	
Z-2022-24	6/14/2022	5670-37-3881	8660	Foil St.	New	Single-family residential home	Pinto Holdings LLC	
Z-2022-25	6/14/2022	5670-37-4863	8670	Foil St.	New	Single-family residential home	M. Kirk Hanson	
Z-2022-26	6/14/2022	5670-37-5845	8690	Foil St.	New	Single-family residential home	Pinto Holdings LLC	
Z-2022-27	6/15/2022	5670-27-4730	8425	NC Hwy. 49	Sign	Ground sign alt., Canopy sign replace	Branded Image Group	
Z-2022-28	6/20/2022	5670-23-8628	1415	N. Main St.	Addition/Upfit	MP Fire Station	Town of Mount Pleasant	CoC
Z-2022-29	6/21/2022	5660-95-4402	932	S. Skyland	New	Single-family residential home	Prespro	
Z-2022-30	6/21/2022	5671-40-1803	8754	Fisher Rd.	New	Single-family residential home	Niblock Homes	
Z-2022-31	6/21/2022	5670-35-3381	940	N. Washington St.	Accessory	Swimming Pool-above ground	Henry Kuusinen	

12 Zoning Permits

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2022-32	7/5/2022	5670-22-0169	1576	S. Main St.	New	Single-family residential home	Quicksilver Custom Builders	

1 Zoning Permits

MEMORANDUM

To: Mayor and Town Board

From: Daniel Crowell, Public Works

Date: July 11, 2022

RE: Please find listed below an update / overview for the month of June 2022

New:

- Completed monthly meter reads
- Water Cut-Offs
- Responded to 3 pump station alarm calls
- Responded to 3 customer calls
- Picked up 26 dump truck loads of brush which equals 312 cubic yards of brush
- Completed 42 work orders for various issues
- Repaired water leak at 8320 Hwy.49
- Repaired water leak at 1100 Allman Ext
- Repaired water leak on A St
- Trimmed trees and cleaned up at raw water intake

On going:

- Public works mows and maintains approximately 18 acres each week to biweekly depending on conditions as well as ground maintenance at all 8 of our sewer pump stations
- 8 pump stations are checked once a week which included a visit to each station checking dialer status and recording run times. Alarm floats are pulled and checked and stations cleaned monthly in accordance to NC DWQ standards
- Weekly Chlorine monitoring is done on Mondays or Fridays depending on schedule of work and consists of pulling samples from 5 different sites which change every other week
- Due to the volume of brush/yard debris collection typically takes 1 to 1.5 days of the week especially during leaf season

Cabarrus County Sheriff's Office

Law Calls for Service

253 / Mt Pleasant

04/01/2022 - 06/30/2022

OFFICER-INITIATED	Apr-22	May-22	Jun-22
Total	821	1,194	1,569
ALL ANIMAL CONTROL CALLS	0	0	1
ANIMAL CONTROL FOLLOW UP	0	0	1
ASSAULT	0	1	0
BURGLAR ALARM	1	0	0
CIVIL PROCESS	9	8	11
DIRECT TRAFFIC	4	4	2
DRUG INVESTIGATION	0	1	0
FIGHT	0	0	1
FOLLOW UP	1	5	3
IMPROPERLY PARKED VEH	1	2	0
INFORMATION	0	1	0
INVESTIGATION	0	0	1
SECURITY CHECK	715	1,020	1,421
SERVICE CALL LAW	0	1	0
SRO ASSIST ADMIN	7	16	1
SRO DRUG INVESTIGATION	0	1	0
SRO FIGHT/ASSAULT	1	0	1
SRO INVESTIGATION	1	3	0
SRO LOCKDOWN	0	0	1
SRO MENTOR/COUNSEL	4	9	4
SRO PARENT MEETING	1	4	4
SRO SAFETY CHECK	14	27	14
SRO THREAT	1	2	0
STRANDED MOTORIST	1	1	1
SUSPICIOUS SUBJECT	1	4	1
SUSPICIOUS VEHICLE	1	2	4
TRAFFIC ACC PROPERTY DAMAGE	1	0	0
TRAFFIC STOP	56	79	96

	Apr-22	May-22	Jun-22
WARRANT	1	3	1

DISPATCHED

	Apr-22	May-22	Jun-22
Total	56	60	63
ADDRESS CHECK	1	1	0
ALL ANIMAL CONTROL CALLS	0	2	3
ASSAULT	0	1	0
ASSAULT VICTIM	0	0	1
ASSIST COUNTY FIRE DEPARTMENT	0	1	0
ASSIST DSS	1	0	0
ASSIST EMS	4	1	1
ATTEMPT TO LOCATE	0	2	2
BANK ALARM	1	0	0
BREAKING AND ENTERING OF BUSN	1	0	0
BREAKING ENTER OF VEHICLE	1	0	0
BURGLAR ALARM	7	7	8
CARELESS RECKLESS DRIVING	0	2	3
CELL PHONE 911 HANGUP	0	1	0
COMMITMENT PAPERS	0	1	1
COMMUNICATING THREATS	0	0	1
DEATH	0	0	1
DISCHARGE FIREARMS	0	1	0
DISPUTE (ANYONE)	5	5	6
DOMESTIC DISTURBANCE	0	0	2
DRUG INVESTIGATION	1	1	1
ESCORT	2	1	2
FIGHT	1	0	0
FIREWORKS	0	0	1
FOLLOW UP	3	0	0
FRAUD / FORGERY	1	0	0
IMPROPERLY PARKED VEH	1	1	1
INFORMATION	0	1	1

	Apr-22	May-22	Jun-22
INTOXICATED DRIVER	0	0	2
LARCENY	1	2	0
LIVESTOCK	1	0	0
LOUD (ANYTHING DESC IN NARR)	1	1	4
OPEN DOOR	1	1	0
OVERDOSE / POISONING	0	1	0
PROPERTY DAMAGE	1	0	0
PROWLER	1	1	0
RAPE	1	0	0
ROAD HAZARD	0	3	0
SECURITY CHECK	0	0	1
SERVICE CALL LAW	1	0	2
SRO INVESTIGATION	0	1	0
SRO THREAT	0	1	0
STOLEN VEHICLE	1	0	0
STRANDED MOTORIST	0	1	0
STRUCTURE FIRE	0	0	2
SUSPICIOUS SUBJECT	4	9	6
SUSPICIOUS VEHICLE	1	2	2
THREATENING SUICIDE	2	0	1
TRAFFIC ACC PROPERTY DAMAGE	3	3	1
TRAFFIC ACCIDENT PI	1	1	0
TRESPASSING	2	0	1
VEHICLE FIRE	1	0	0
WARRANT	0	0	1
WELFARE CHECK (PERSON)	3	4	5

Total Disp. CFS: 63

Event #	Date / Time	Street	Case #	Call Source
ALL ANIMAL CONTROL CALLS			3	
22-106734	06/04 14:14	WOOD ST	22-0604-0007	PHONE
22-111691	06/10 20:20	ENCHANTED LN		PHONE
22-115157	06/15 09:22	REID ST		PHONE
ASSAULT VICTIM			1	
22-108478	06/07 06:45	SHORT ST	22-0607-0003	PHONE
ASSIST EMS			1	
22-123632	06/26 18:33	W FRANKLIN ST	22-0626-0004	PHONE
ATTEMPT TO LOCATE			2	
22-110023	06/09 00:40	B ST		XFER
22-121744	06/23 20:19	SHORT ST		PHONE
BURGLAR ALARM			8	
22-105670	06/03 08:52	COOK ST		PHONE
22-106517	06/04 08:52	COOK ST		PHONE
22-107579	06/06 00:07	NC HWY 49 N		PHONE
22-118234	06/18 23:57	NC HWY 49 N		PHONE
22-118798	06/20 03:06	NC HWY 49 N		PHONE
22-121798	06/23 22:59	NC HWY 49 N		PHONE
22-123353	06/26 08:03	NC HWY 49 N		PHONE
22-126322	06/29 22:49	NC HWY 49 N		PHONE
CARELESS RECKLESS DRIVING			3	
22-105508	06/03 00:24	NC HWY 49 N		PHONE
22-114657	06/14 16:09	E FRANKLIN ST		PHONE
22-125295	06/28 18:36	W FRANKLIN ST		PHONE
COMMITMENT PAPERS			1	
22-105041	06/02 14:22	SUMMER ST		PHONE
COMMUNICATING THREATS			1	
22-124778	06/28 09:06	COOK ST	22-0628-0004	PHONE
DEATH			1	
22-121420	06/23 10:42	ENCHANTED LN	22-0623-0009	PHONE
DISPUTE (ANYONE)			6	
22-104368	06/01 19:09	ROSS CIR		PHONE
22-105393	06/02 21:34	HILLSIDE DR		PHONE
22-114568	06/14 14:32	ROSS CIR		PHONE
22-120117	06/21 17:39	HILLSIDE DR		PHONE
22-123587	06/26 16:52	NC HWY 49 N		PHONE
22-123780	06/27 00:39	MALIBU RD		PHONE
DOMESTIC DISTURBANCE			2	
22-119413	06/20 20:38	BARRINGER ST		PHONE
22-119568	06/21 03:09	WADE ST	22-0621-0002	PHONE
DRUG INVESTIGATION			1	
22-109242	06/08 00:18	NC HWY 49 N		PHONE
ESCORT			2	
22-117081	06/17 10:31	COOK ST		PHONE
22-124877	06/28 10:10	COOK ST		PHONE
FIREWORKS			1	
22-123148	06/25 21:45	N COLLEGE ST/HISTORIC HILL DR		PHONE
IMPROPERLY PARKED VEH			1	
22-109888	06/08 18:46	NC HWY 49 N		PHONE

253 / Mt Pleasant

INFORMATION				1	
22-108577	06/07	09:39	E FRANKLIN ST		PHONE
INTOXICATED DRIVER				2	
22-110659	06/09	17:06	W FRANKLIN ST/N MAIN ST		PHONE
22-126143	06/29	17:38	NC HWY 49 N		PHONE
LOUD (ANYTHING DESC IN NARR)				4	
22-107542	06/05	23:03	N SKYLAND DR		PHONE
22-107549	06/05	23:17	W FRANKLIN ST		PHONE
22-110813	06/09	21:34	W FRANKLIN ST		PHONE
22-121860	06/24	02:49	N MAIN ST		PHONE
SECURITY CHECK				1	
22-115693	06/15	20:42	ROSS CIR		PHONE
SERVICE CALL LAW				2	
22-122275	06/24	15:23	ALISH TR	22-0624-0017	PHONE
22-123718	06/26	21:35	MALIBU RD		PHONE
STRUCTURE FIRE				2	
22-116415	06/16	16:11	MALIBU RD		PHONE
22-127128	06/30	20:38	N MAIN ST		PHONE
SUSPICIOUS SUBJECT				6	
22-103969	06/01	11:50	MALIBU RD		PHONE
22-108271	06/06	20:14	NC HWY 49 N		PHONE
22-112081	06/11	09:50	W FRANKLIN ST		PHONE
22-117474	06/17	22:06	NC HWY 49 N		PHONE
22-121025	06/22	20:54	NC HWY 49 N		PHONE
22-121840	06/24	01:11	ROSS CIR		W911
SUSPICIOUS VEHICLE				2	
22-108642	06/07	11:03	NC HWY 49 N		PHONE
22-117093	06/17	10:47	PAGE ST		PHONE
THREATENING SUICIDE				1	
22-115670	06/15	20:04	OLDENBURG DR		PHONE
TRAFFIC ACC PROPERTY DAMAGE				1	
22-108277	06/06	20:22	NC HWY 73 E		PHONE
TRESPASSING				1	
22-123300	06/26	05:31	SHORT ST		PHONE
WARRANT				1	
22-110125	06/09	05:38	SHORT ST		PHONE
WELFARE CHECK (PERSON)				5	
22-106207	06/03	19:05	N WASHINGTON ST		PHONE
22-113812	06/13	15:42	VALLEY ST		PHONE
22-116528	06/16	17:42	ROSS CIR		PHONE
22-116702	06/16	22:07	NC HWY 49 N		PHONE
22-118658	06/19	18:50	E FRANKLIN ST/N MAIN ST		PHONE

Mount Pleasant

North Carolina

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Proclamation Remembering Arthur Lee Kluttz

WHEREAS, Arthur Lee Kluttz, was born in Mt. Pleasant, NC to Moses Dwight "M.D." Kluttz and Georgia Barringer Kluttz on April 14, 1924 as the oldest of three children; and

WHEREAS, Arthur Lee Kluttz married Bertha Boger in 1948 and had one child, Lee Allen; and

WHEREAS, Arthur Lee Kluttz was owner and operator of Miller Lumber Company since 1940; and

WHEREAS, Arthur Lee Kluttz served his country from 1943-1946 during World War II in the United States Army 581st Anti-Aircraft Artillery Battalion in the European Theater of Operations; and

WHEREAS, Arthur Lee Kluttz joined Mt. Pleasant Fire Department in 1941. He served as Mt. Pleasant's Fire Chief from 1963-1991. During his time as Chief he led the effort to build the current fire station in 1974, he helped organize the 50th Anniversary Celebration with parade and county competition in 1987, he gathered support for the Eastern Cabarrus Ambulance Station in 1988; and

WHEREAS, Arthur Lee Kluttz was selected as Cabarrus County Fire Fighter of the Year in 1971 and 1982, Mt. Pleasant Fire Fighter of the Year in 1982 and 1992, St. John's Grange 2014 Fireman of the Year, and the North Carolina State Grange 2014 Fire Fighter of the Year; and

WHEREAS, Arthur Lee Kluttz was elected to the Mount Pleasant Town Board of Commissioners from 1957 to 2005. He won every time he ran for office. During this time he was Mayor Pro-Tem on several occasions; and

WHEREAS, Arthur Lee Kluttz worked to improve the Town as a Commissioner with the Black Run Creek Reservoir project. Improving the water supply for the Town was his priority. Arthur Lee also served as a representative of the Town on the League of Municipalities. He was also the Town liaison with the Water & Sewer Authority of Cabarrus County; and

WHEREAS, Arthur Lee Kluttz received The Governor's Medallion Award in 2016, which is North Carolina's highest honor for volunteerism, from the United Way; and

WHEREAS, Arthur Lee Kluttz received the most prestigious award "The Order of the Long Leaf Pine" which is conferred by the Governor of North Carolina in 2017. It is awarded to persons for exemplary service to the State of North Carolina and their communities that is above and beyond the call of duty and which has made a significant impact and strengthened North Carolina; and

WHEREAS, during a long and productive lifetime, Arthur Lee Kluttz demonstrated an abiding faith in God, an inspiring dedication to St. James Reformed Church, a loving concern for the welfare of others, and a deep love for his community; and

WHEREAS, Arthur Lee Kluttz left this world on June 24, 2022 completing his service here on earth.

NOW, THEREFORE BE IT RESOLVED, by the virtue of the authority vested to the Town of Mount Pleasant Board of Commissioners, I, W. Del Eudy do hereby deem it an honor and pleasure to present this Proclamation in memory of Arthur Lee Kluttz for his lifelong commitment to the betterment of the Town of Mount Pleasant.

This the 11th day of July, 2022.

W. Del Eudy, Mayor

Attest: _____
Amy Schueneman, Town Clerk

Mount Pleasant

North Carolina

Founded in 1848

AGENDA ITEM:

Receive an update from the Town Manager on the status of the project to repair the raw water intake dam on Dutch Buffalo Creek.

NARRATIVE:

A meeting was held on June 22nd to discuss the status of the repairs to the raw water intake dam on Dutch Buffalo Creek. The Board will recall that the dam was damaged by Hurricane Florence in the fall of 2018. Town Staff has been working with FEMA and AWCK Engineering for several years to get the dam repaired. The original estimate to repair the dam was \$230,000. This estimate came from AWCK Engineering that happened to be the Town's engineering firm at the time the damage occurred. Town Staff submitted that estimate to FEMA and received approval. During the time this process was taking place the lead engineer at AWCK retired and a different engineer was assigned to the project. This engineer experienced some health issues and the project was sidelined for a number of months.

The new engineer recommended a change in scope for the project and that change was submitted to FEMA for approval and was approved after a long period of time. Also, during the period of time we experienced the pandemic which dramatically impacted this project. The new scope of work was sent out to bid last year and the bids came in at \$429,621. This bid was \$337,514 more than the funds that we had available for the FEMA funded repairs. Staff submitted a request for additional funding to FEMA and that request was denied. We made several more attempts all to be denied.

Over the next six months or so the low bidder continued to increase their bid while Town Staff was trying to come up with funding to pay the difference between the available FEMA funding and the actual bid estimate. The low bidder increased their bid by \$112,659 based on material increases and supply chain issues. That increase would cost the Town \$382,280 beyond the available FEMA funding.

Town Staff did not feel comfortable moving forward with these repairs and located an engineer that specialized in dam repairs. This engineering firm is Grimes Engineering and Mr. JT Grimes attended a meeting with Town Staff and LKC Engineering on June 22. Mr. Grimes reviewed the bid documents for the proposed dam repairs and we made a site visit. Mr. Grimes recommended that we basically scrape the proposed repairs for a much cheaper repair option. That repair project is out for bid at this time and the Town Engineer estimates those repairs to be less than \$150,000 well within the FEMA funding availability.

During his site visit, Mr. Grimes also recommended that the Town begin plans to replace the dam within the next 10 years. LKC Engineering and the Town Engineer both agreed with Mr. Grimes and LKC is preparing a proposal to begin a Dam Feasibility Study that will give the Town much more information to work with as we move forward. We hope to have that proposal to present to the Board at the August 8th meeting.

RECOMMENDATION:

Open

8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704-436-9800

Town Board of Commissioners Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

To: Mayor Eudy and Board of Commissioners
From: Erin S. Burris, AICP
Date: July 11, 2022
Subject: ANX 2022-02 Hwy. 73 – Charles James Property
Voluntary Contiguous Annexation

A. BACKGROUND

Applicant(s): Charles A. James Properties, LLC
PO Box 68
Mount Pleasant, NC 28124

Location: 7801 NC Highway 73 E

PIN(s): 5660-86-9211 & 5660-96-0186

Property Size: 6.886 +/- acres

Current Zoning: RL Residential Low Density

B. PROPOSED ANNEXATION EVALUATION

The property owner has submitted a petition for voluntary contiguous annexation for the subject property. The property is located across Highway 73 from the current town limits. Water service is located directly in front of the property on Highway 73. Sewer service is located within approximately 350 feet of the site at the intersection of Highway 73 and N. Skyland Drive. An engineering assessment would need to be completed to see if connection at this location would be possible through a gravity line. The property is currently located in the Town's extraterritorial jurisdiction (ETJ) and is zoned Residential Low Density (RL). The property owner, through under contract applicant Propel Church, has also filed a rezoning application to rezone to the property to O-I Office & Institutional.

The annexation assessment criteria are listed below and the applicable degree of favorability is **highlighted in red** for each of the criteria.

A. Contiguity

- **Contiguous to primary corporate limits – Most Favorable**

- Noncontiguous within ETJ but contiguous with other satellite area – More Favorable
- Noncontiguous but within ETJ – Favorable (within 265 feet)
- Noncontiguous outside of ETJ – Least Favorable

B. Size of Proposed Area

- Very large area (greater than 100 acres) – Most Favorable
- Large area (50 – 100 acres) – More Favorable
- Medium area (25 – 50 acres) – Favorable
- Smaller area (10 – 25 acres) – Less Favorable
- **Small area (less than 10 acres) – Least Favorable**

C. Utility Service

- Current water and sewer customer – Most Favorable
- **Access to existing water and sewer service (within 1,000 feet) – More Favorable**
- Access to existing sewer service only (within 1,000 feet) –Favorable
- Access to existing water service only (within 1,000 feet) – Favorable
- Access to planned water and sewer service (current project) – Favorable
- In serviceable sewer basin but no planned project – Less Favorable
- Outside serviceable sewer basin or outside of utility service agreement area – Least Favorable

D. Fire District

- **Inside of Mt. Pleasant Fire District – Most Favorable**
- Outside of Mt. Pleasant Fire District – Least Favorable

E. Development Status

- Developed property in conformance with Town ordinances (in ETJ) – Most Favorable
- Vacant property with planned development and proper zoning (in ETJ) – Most Favorable
- **Vacant property with planned development and requires rezoning (in ETJ)– More Favorable**
- Vacant property with planned development and requires rezoning (outside of ETJ, inside Planning Area)– Favorable
- Vacant property with no planned development (inside ETJ) – Favorable
- Developed property not in conformance with Town ordinances (in ETJ) – Less Favorable
- Vacant property with planned development (outside ETJ, outside of Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, inside Planning Area) – Less Favorable
- Vacant property with no planned development (outside ETJ, inside Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, outside Planning Area) – Least Favorable
- Vacant property with no planned development (outside ETJ, outside Planning Area) – Least Favorable

Based on the evaluation criteria, the proposed annexation has two (2) instances of being *Most Favorable*, two (2) instances of being *More Favorable*, and one (1) instance of being of being *Least Favorable*. Staff considers this annexation to be **More Favorable**.

C. ACTION REQUESTED

Hold a public hearing on August 8 and vote to approve or deny the petition for voluntary contiguous annexation. This annexation request is associated with rezoning request REZ 2022-04.

D. ATTACHMENTS

1. Annexation Petition (waiting on Legal Description and Survey)
2. Annexation Map
3. Certificate of Sufficiency
4. Resolution to Set Hearing

Mount Pleasant

North Carolina

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VOLUNTARY CONTIGUOUS ANNEXATION PETITION

Date of Petition: 6-27-22

To the Town of Mount Pleasant Board of Commissioners:

1. We the undersigned owners of the real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Mount Pleasant.
2. The area to be annexed is contiguous to the Town of Mount Pleasant and the boundaries of such territory are as such:

Property Address 7801 NC Hwy 73E Property PIN 5660-86-9211 + 5660-96-0166

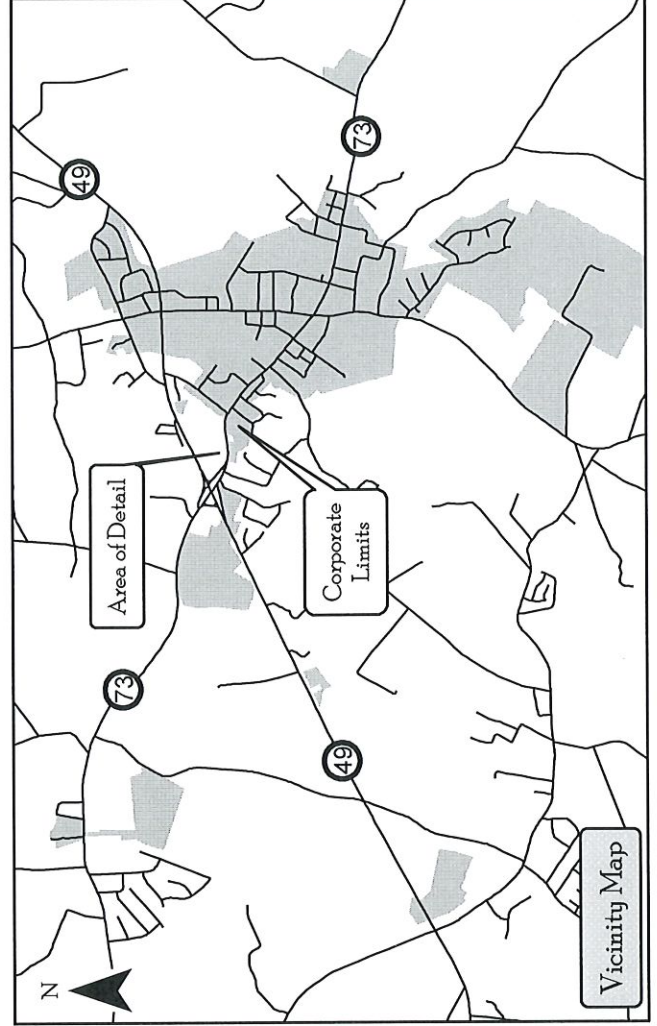
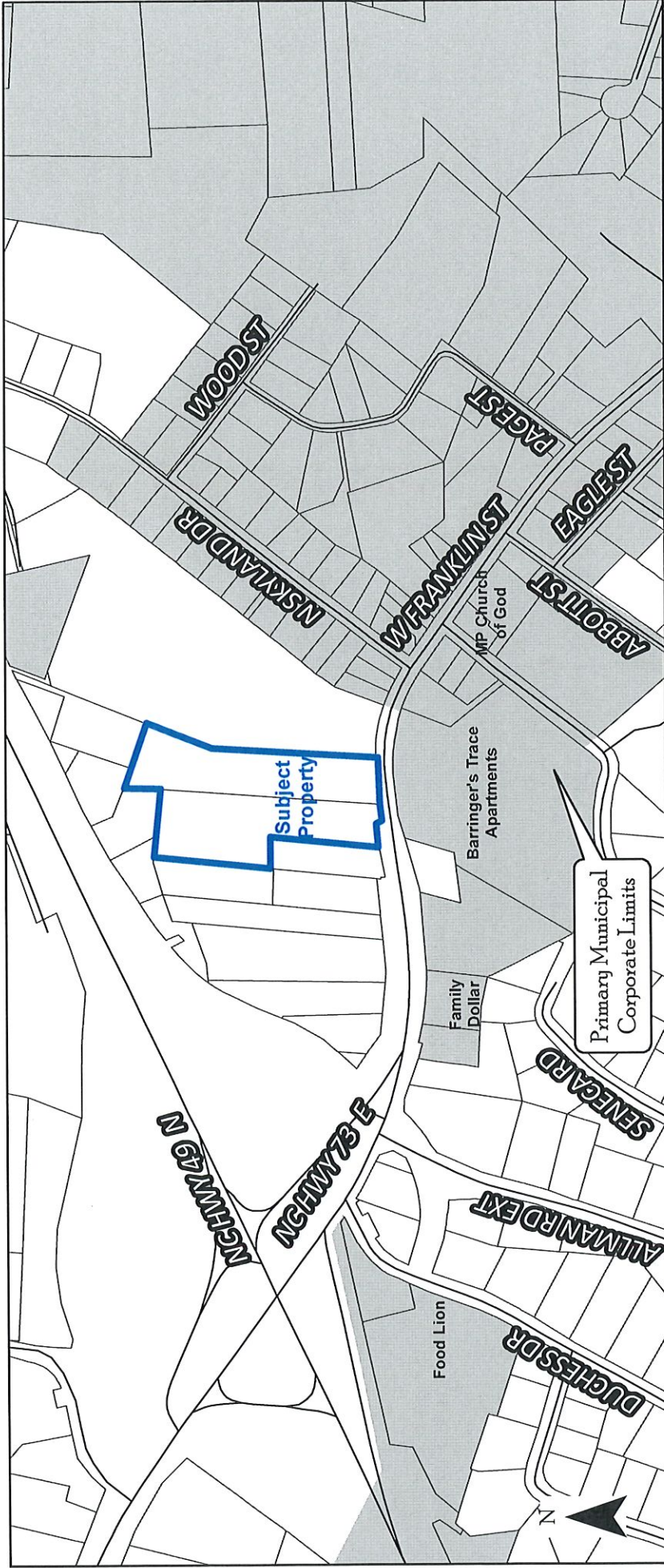
(Attach metes and bounds description and survey)

3. We acknowledge that any zoning vested rights acquired pursuant to NCGS 160D-108 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof).
4. The property is currently served by Town of Mount Pleasant
 Water Sewer Available

We acknowledge that if the property is not currently served by one or both utilities, then the Town is not responsible for the cost of the extension of utilities to the property.

5. We acknowledge that, if annexed, the property would be subject to the current Town of Mount Pleasant tax rate and subsequent changes to the tax rate.

Owner Names	Mailing Address	Do you declare vested rights? (Yes or No)	Signature
1. Charles A. James Prop	PO Box 68 Mt Pleasant NC 28124	NO	Charles A. James
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____



0 0.05 0.1 0.2 0.3 0.4 Miles

**Town of Mount Pleasant
Annexation Map
Ordinance 2022-02**

Effective Date: _____

Parcels: 5660-86-9211 & 5660-96-0186
Acres: 6.886 +/-

Mount Pleasant

North Carolina

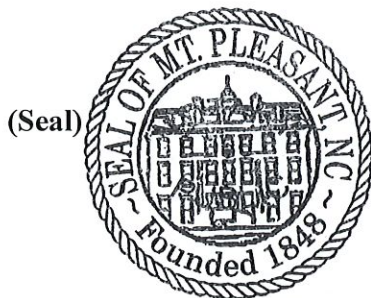
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CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Mount Pleasant, North Carolina:

I, Amy Schueneman, Town Clerk, do hereby certify that I have investigated the petition (ANX 2022-02) attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with standards for contiguous annexation set forth in North Carolina G. S. 160A-31.

In witness whereof, I have hereto set my hand and affixed the seal of the Town of Mount Pleasant, this 11th day of July, 2022.



Amy Schueneman
Amy Schueneman, Town Clerk

Mount Pleasant

North Carolina

Founded in 1848

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
CONTIGUOUS ANNEXATION PURSUANT TO G. S. 160A-31**

WHEREAS, a petition (ANX 2022-02) requesting annexation of the area described as attached has been received; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Mount Pleasant, North Carolina that;

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Mount Pleasant Town Hall at 6:00 pm on August 8, 2022.

Section 2. The area proposed for annexation is shown on the attached map and described as Cabarrus County Parcel Numbers 5660-86-9211 and 5660-96-0186.

Section 3. Notice of the public hearing shall be published in the Independent Tribune newspaper having general circulation in the Town of Mount Pleasant, at least ten (10) day prior to the date of the public hearing.

W. Del Eudy, Mayor

Attest:

Amy Schueneman, Town Clerk

Town Board of Commissioners Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

To: Mayor Eudy and Board of Commissioners
From: Erin S. Burris, AICP
Date: July 11, 2022
Subject: ANX 2022-01 Hwy. 49 – Eric Smith Property
Voluntary Non-Contiguous Annexation

A. BACKGROUND

Applicant(s): Eric E. Smith
718 N Lentz Harness Shop Road
Mount Pleasant, NC 28124

Location: 8830 NC Highway 49 N

PIN(s): 5670-47-4622

Property Size: 11.279 acres

Current Zoning: RL Residential Low Density

B. PROPOSED ANNEXATION EVALUATION

The property owner has submitted a petition for voluntary non-contiguous annexation for the subject property. The property is located approximately 225 feet from the current town limits. Both water and sewer service are located in front of the property along Highway 49. The property is currently located in the Town's extraterritorial jurisdiction (ETJ) and is zoned Residential Low Density (RL). The applicant has also filed a rezoning application to rezone to the property to Conditional Zoning Light Industrial (CZ I-1).

The annexation assessment criteria are listed below and the applicable degree of favorability is **highlighted in red** for each of the criteria.

A. Contiguity

- Contiguous to primary corporate limits – Most Favorable
- Noncontiguous within ETJ but contiguous with other satellite area – More Favorable
- **Noncontiguous but within ETJ – Favorable (within 265 feet)**
- Noncontiguous outside of ETJ – Least Favorable

B. Size of Proposed Area

- Very large area (greater than 100 acres) – Most Favorable
- Large area (50 – 100 acres) – More Favorable
- Medium area (25 – 50 acres) – Favorable
- **Smaller area (10 – 25 acres) – Less Favorable**
- Small area (less than 10 acres) – Least Favorable

C. Utility Service

- Current water and sewer customer – Most Favorable
- **Access to existing water and sewer service (within 1,000 feet) – More Favorable**
- Access to existing sewer service only (within 1,000 feet) –Favorable
- Access to existing water service only (within 1,000 feet) – Favorable
- Access to planned water and sewer service (current project) – Favorable
- In serviceable sewer basin but no planned project – Less Favorable
- Outside serviceable sewer basin or outside of utility service agreement area – Least Favorable

D. Fire District

- **Inside of Mt. Pleasant Fire District – Most Favorable**
- Outside of Mt. Pleasant Fire District – Least Favorable

E. Development Status

- Developed property in conformance with Town ordinances (in ETJ) – Most Favorable
- Vacant property with planned development and proper zoning (in ETJ) – Most Favorable
- **Vacant property with planned development and requires rezoning (in ETJ)– More Favorable**
- Vacant property with planned development and requires rezoning (outside of ETJ, inside Planning Area)– Favorable
- Vacant property with no planned development (inside ETJ) – Favorable
- Developed property not in conformance with Town ordinances (in ETJ) – Less Favorable
- Vacant property with planned development (outside ETJ, outside of Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, inside Planning Area) – Less Favorable
- Vacant property with no planned development (outside ETJ, inside Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, outside Planning Area) – Least Favorable
- Vacant property with no planned development (outside ETJ, outside Planning Area) – Least Favorable

Based on the evaluation criteria, the proposed annexation has one (1) instance of being *Most Favorable*, two (2) instances of being *More Favorable*, one (1) instance of being *Favorable*, and one (1) instance of being of being *Less Favorable*. Staff considers this annexation to be **More Favorable.**

C. ACTION REQUESTED

Hold a public hearing on August 8 and vote to approve or deny the petition for voluntary non-contiguous annexation. This annexation request is associated with Conditional Zoning district request REZ 2022-03 and its corresponding site-specific plan.

D. ATTACHMENTS

1. Annexation Petition, Legal Description, and Survey
2. Annexation Map
3. Certificate of Sufficiency
4. Resolution to Set Hearing

Mount Pleasant

North Carolina

Founded in 1848

VOLUNTARY NON-CONTIGUOUS ANNEXATION PETITION

Date of Petition: June 22, 022

To the Town of Mount Pleasant Board of Commissioners:

1. We the undersigned owners of the real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Mount Pleasant.
2. The area to be annexed is non-contiguous to the Town of Mount Pleasant and the boundaries of such territory are as such:

Property Address 8830 NC HWY 49 N, Mt Pleasant, NC 2824 Property PIN 5670 - 47 - 4622

(Attach metes and bounds description and map)

3. We acknowledge that any zoning vested rights acquired pursuant to NCGS 160D-108 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof).
4. The property is currently served by Town of Mount Pleasant
 Water Sewer

We acknowledge that if the property is not currently served by one or both utilities that the Town is not responsible for the cost of the extension of utilities to the property.

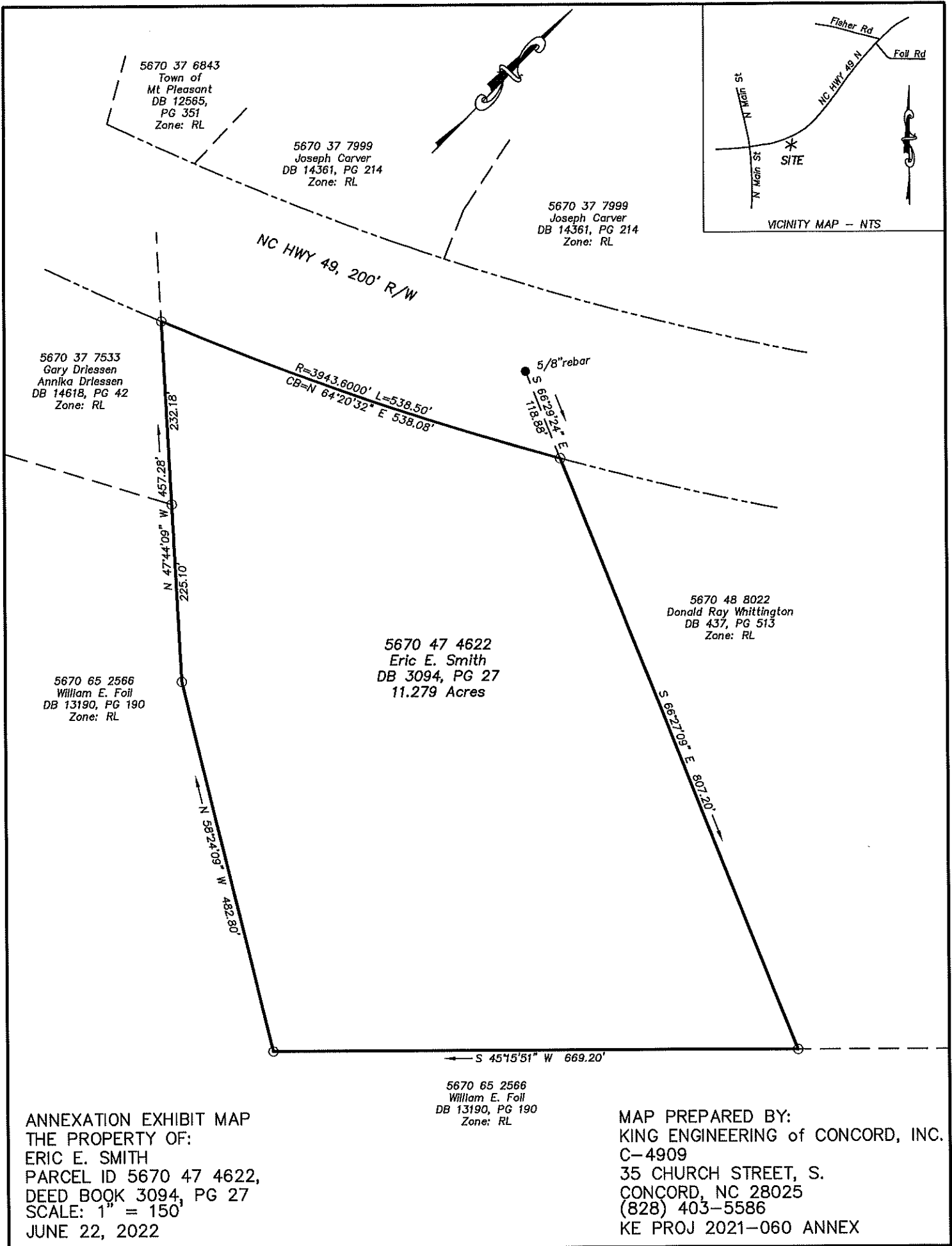
5. We acknowledge that, if annexed, the property would be subject to the current Town of Mount Pleasant tax rate and subsequent changes to the tax rate.

Owner Names	Mailing Address	<u>Do you declare vested rights? (Yes or No)</u>	Signature
1. <u>Eric E. Smith</u>	<u>718 Lentz Harness Shop Rd Mt Pleasant, NC 28124</u>	<u>NO</u>	<u><i>Eric E. Smith</i></u>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____

8830 NC HWY 49 N - Description

Being an 11.279 acres tract, and being Tax Parcel 5670-47-4622, recorded in Deed Book 3094, Page 27, the property of Eric E. Smith, Cabarrus County, North Carolina and described as follows:

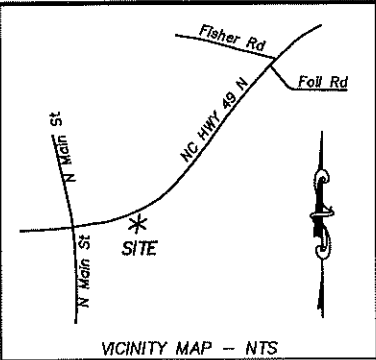
Beginning at a point in the southern right of way of NC HWY 49 and in the line of Donald Ray Whittington, Deed Book 437, Page 513, said point being S 66°29'24" E, 118.88 feet from an existing 5/8" rebar; thence with the line of Whittington S 66°27'09" E, 807.20 feet to a point in the line of William E. Foil, Deed Book 13190, Page 190; thence with the line of Foil, the following three (3) courses and distances; 1) S 45°15'51" W, 669.20 to a point; 2) N 58°24'09" W, 482.80 feet to a point; 3) N 47°44'09" W, 225.10 to a point in the line of Gary and Annika Driessen, Deed Book 14618, Page 42; thence with the line of Driessen N 47°44'09" W, 232.18 feet to a point in the southern right of way of NC HWY 49; thence with said right of way curving to the left having radius 3,943.60 feet, arc length 538.50', chord N 64°20'32" E, 538.08 feet to the **Point and Place of Beginning** and containing 11.279 acres more or less.



5670 37 6843
Town of
Mt Pleasant
DB 12565,
PG 351
Zone: RL

5670 37 7999
Joseph Carver
DB 14361, PG 214
Zone: RL

5670 37 7999
Joseph Carver
DB 14361, PG 214
Zone: RL



5670 37 7533
Gary Driessen
Annika Driessen
DB 14618, PG 42
Zone: RL

5670 65 2566
William E. Foil
DB 13190, PG 190
Zone: RL

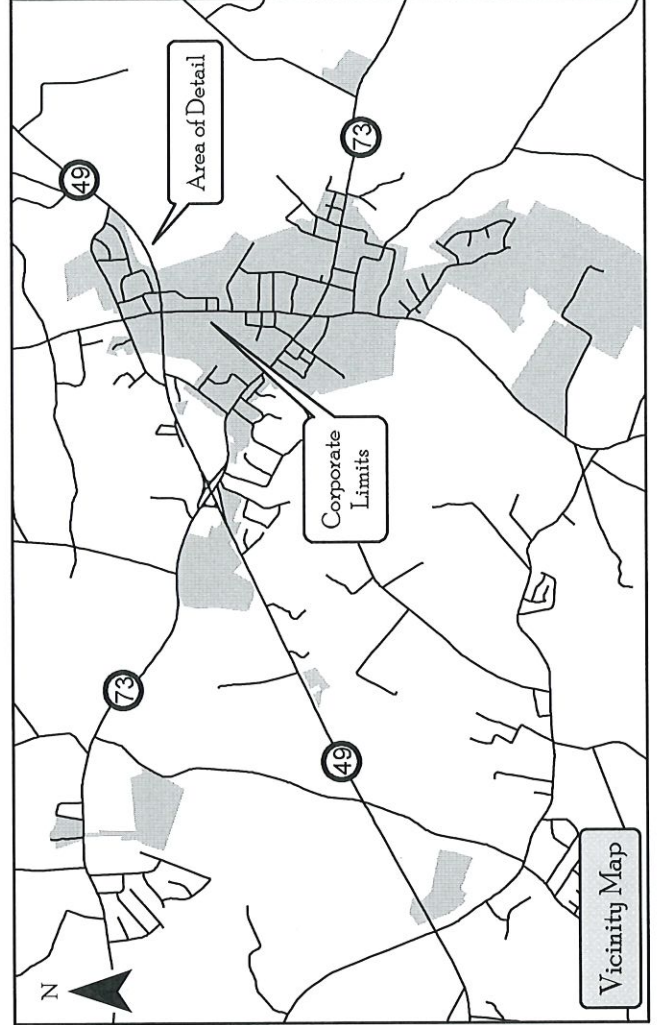
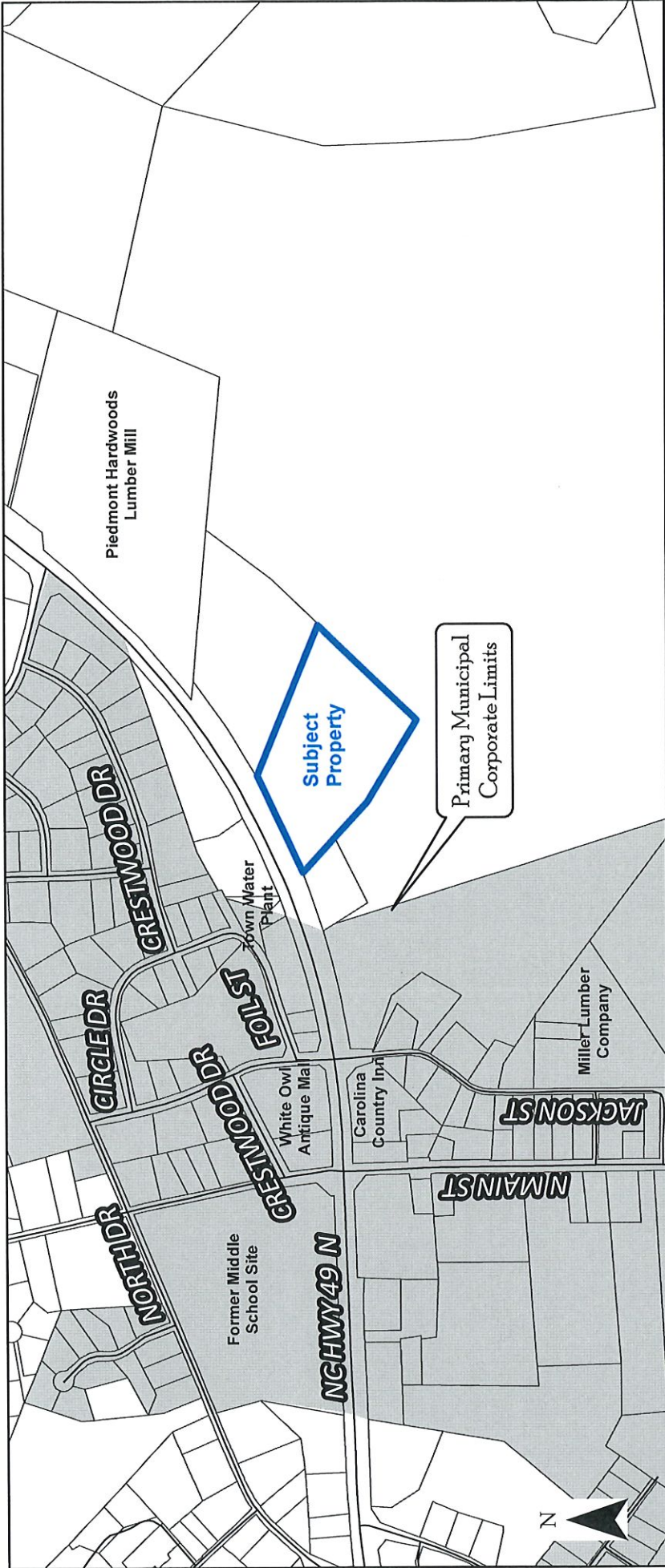
5670 47 4622
Eric E. Smith
DB 3094, PG 27
11.279 Acres

5670 48 8022
Donald Ray Whittington
DB 437, PG 513
Zone: RL

5670 65 2566
William E. Foil
DB 13190, PG 190
Zone: RL

ANNEXATION EXHIBIT MAP
THE PROPERTY OF:
ERIC E. SMITH
PARCEL ID 5670 47 4622,
DEED BOOK 3094, PG 27
SCALE: 1" = 150'
JUNE 22, 2022

MAP PREPARED BY:
KING ENGINEERING of CONCORD, INC.
C-4909
35 CHURCH STREET, S.
CONCORD, NC 28025
(828) 403-5586
KE PROJ 2021-060 ANNEX



0 0.05 0.1 0.2 0.3 0.4 Miles

**Town of Mount Pleasant
Annexation Map
Ordinance 2022-01**

Effective Date: _____

Parcels: 5670-47-4622

Acres: 11.279 +/-

Mount Pleasant

North Carolina

Founded in 1848

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Mount Pleasant, North Carolina:

I, Amy Schueneman, Town Clerk, do hereby certify that I have investigated the petition (ANX 2022-01) attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with standards for non-contiguous annexation set forth in North Carolina G. S. 160A-58.1.

In witness whereof, I have hereto set my hand and affixed the seal of the Town of Mount Pleasant, this 11th day of July, 2022.

(Seal)



Amy Schueneman
Amy Schueneman, Town Clerk

Mount Pleasant

North Carolina

Founded in 1848

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
NON-CONTIGUOUS ANNEXATION PURSUANT TO G. S. 160A-58.1**

WHEREAS, a petition (ANX 2022-01) requesting annexation of the area described as attached has been received; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Mount Pleasant, North Carolina that;

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Mount Pleasant Town Hall at 6:00 pm on August 8, 2022.

Section 2. The area proposed for annexation is shown on the attached map and described as Cabarrus County Parcel Number 5670-47-4622.

Section 3. Notice of the public hearing shall be published in the Independent Tribune newspaper having general circulation in the Town of Mount Pleasant, at least ten (10) day prior to the date of the public hearing.

W. Del Eudy, Mayor

Attest:

Amy Schueneman, Town Clerk

Project Description and Contract
Mount Pleasant Architectural Survey and National Register Update
funded by the
Town of Mount Pleasant

This Project Description and Contract ("Contract") is hereby entered into by and between the **Town of Mount Pleasant** (the "client") and **hmwPreservation** (the "Consultant"), referred to collectively as the "Parties."

A. CONTRACT DOCUMENTS: This Contract consists of the following documents:

- 1) This Contract
- 2) Scope of Work (Attachment A)
- 3) Services To Be Provided and Standards To Be Followed (Attachment B)
- 4) Time-Product-Payment Schedule (Attachment C)

B. CONSULTANT PERSONNEL:

hmwPreservation identifies **Heather Slane** and **Cheri Szcodronski**, both of whom meet the *Secretary of the Interior's Professional Qualification Standards*, as the individuals who will have primary responsibility for conducting and supervising the project and reviewing all project products. The Consultants identify no other individual who will be carrying out a substantial portion of the work of this contract. Prior to assigning any duties to any additional employee, assistant, or subcontractor, the Consultants shall seek and obtain prior written approval from the Client.

C. TIME SCHEDULE:

This Contract shall be effective on the date of signing and shall terminate on **December 31, 2023**. The first draft nomination shall be completed and submitted to the HPO by **August 1, 2023**. The attached Time-Product-Payment Schedule (Attachment C) is to be followed throughout the course of the project.

D. PROJECT BUDGET FOR PROFESSIONAL SERVICES:

The total amount to be paid by the Client to the Consultant under this Contract shall not exceed **\$24,000** including travel, equipment, and all other expenses.

It is understood that the Consultant is being employed as a professional and is an independent contractor and that payment for services constitutes a fee that excludes all employment taxes and related benefits. The Client will be responsible for providing appropriate IRS income statements (FORM 1099) for the Consultant.

E. PAYMENT PROCEDURES:

The Consultant will receive payment upon submission and approval of the items described in the Scope of Work (**Attachment A**) and in accordance with the project budget and the Time-Product-Payment Schedule (**Attachment C**).

The Consultant will submit the products and invoices directly to the Contract Administrator for review and approval. The address is 8590 Park Drive, Mount Pleasant, NC 28124 Attn. Erin S. Burris, AICP; telephone, 704-436-0382; email: burrise@mtpleasantnc.us .

Invoices for all but the final product will be processed upon receipt of each product. The invoice for the final product will be processed upon full review and approval of the final product by the HPO. The Client will promptly make payment of approved invoices to the Consultant.

F. TERMINATION BY CLIENT OF CONTRACT FOR CAUSE:

If the Consultant fails to fulfill in a timely and proper manner his/her obligations under this Contract, or if the Consultant violates any provisions of this Contract, the Client shall have the right to terminate the Contract for cause by giving written notice to the Consultant specifying the reasons for and effective date of termination. In such event, the Consultant shall cease work immediately upon receipt of such notice. The Consultant shall be entitled to receive just and equitable compensation for any satisfactory work completed prior to termination, but in no case shall this amount exceed **\$24,000**.

G. CHANGES IN PROJECT DESCRIPTION AND CONTRACT:

The Client shall immediately notify the Consultant, and vice versa, if any changes to the scope of work or project schedule are anticipated.

Only minor changes may be made in the scope or budget without the written approval of both Parties. Minor changes are those changes that involve five percent or less of the project cost and that do not alter the basic scope of the project, do not substitute unapproved materials or methods, or do not add or delete work items. All other changes will be deemed to be major changes.

Major changes, those in excess of five percent of the project cost, must be approved in writing by both Parties before changes are made.

H. NONDISCRIMINATION ASSURANCES:

In consideration of the signing of this Contract for the furnishing of labor and materials as set forth herein, the Parties hereto for themselves, their agents, officials, and employees or servants agree not to discriminate in any manner on the basis of race, color, national origin, religion, sex (including pregnancy and gender identity), age, disability, sexual orientation, or genetic information with reference to the subject matter of this Contract, no matter how remote.

J. SAFETY PRECAUTIONS:

The Client and the Consultant understand and agree to take necessary steps to insure themselves and their personnel and to comply with the applicable local, State, or Federal safety standards, including those issued pursuant to the National Occupational Safety and Health Act of 1970.

K. CONTACT INFORMATION FOR CONTRACT ADMINISTRATOR AND CONSULTANT:

The Client identifies the following person who will serve as the Contract Administrator:

Erin S. Burris, AICP, Planning Director
Town of Mount Pleasant
8590 Park Drive
Mount Pleasant, NC 28124
Telephone: 704-436-0382
Email: burrise@mtpleasantnc.us

The Consultant's contact information is as follows:

Heather Slane
hmwPreservation
PO Box 355
Durham, NC 27702
Telephone: 336-207-1502
Email: heather@hmwpreservation.com

Either Party may change the contact information by giving timely written notice to the other Party.

The undersigned represent and warrant that they are authorized to bind their principals to the terms of this agreement. In Witness Whereof, the Client and the Consultant have executed this Contract in duplicate originals, with one original being retained by each Party.

Town of Mount Pleasant

Signature _____ Date _____

Printed Name _____ Title _____

Attest:

Signature _____ Date _____

Printed Name _____ Title _____

hmvPreservation

Signature _____ Date _____

Printed Name _____ Title _____

Witness:

Signature _____ Date _____

Printed Name _____ Title _____

**NORTH CAROLINA
CABARRUS COUNTY**

**TOWN
ACKNOWLEDGEMENT**

This is to certify that on the ____ day of _____, 20____, before me personally came _____, with whom I am
(name of signing official)

personally acquainted, who, being by me duly sworn, says that she/he is _____ and that
(title of signing official)

by authority duly given and as an act of the _____
(name of government entity)

the foregoing instrument was signed in its name.

WITNESS my hand and official seal this the ____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires: _____

STATE OF NORTH CAROLINA
DURHAM COUNTY

INDIVIDUAL
ACKNOWLEDGEMENT

I, _____ a Notary Public, do hereby certify
(notary public's name)

that _____, personally appeared before
(consultant's name)

me this day and acknowledged the due execution of the foregoing instrument.

This the ____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires: _____

Attachment A
Scope of Work
Mount Pleasant Architectural Survey and National Register Update
Town of Mount Pleasant, North Carolina

This project will begin with an architectural survey update in the National Register-listed Downtown Mount Pleasant Historic District (NR 1985). Based on the results of the survey, the consultant will prepare an Additional Documentation National Register (NR) nomination to expand the Period of Significance of the current district.

The Downtown Mount Pleasant Historic District was listed in the National Register in 1985. The Period of Significance for the district extends from 1840-1935, ending the Period of Significance roughly 50 years from the date of the nomination's preparation. However, Mount Pleasant continued to develop into the mid-twentieth century as evidenced by approximately 45 buildings identified in the original nomination as "fill" or "intrusive" and dating from the 1930s-1960s. There are 184 resources identified in the district; however, due in part to the age of the nomination, only approximately one-hundred (100) of these properties have been assigned survey site numbers by the HPO. The consultant will conduct an intensive level architectural survey of all 184 resources within the district boundary. Survey results will provide the basis for Additional Documentation to the original nomination, determining a new logical end to the district's Period of Significance, creating an updated district inventory, and expanding the historic context. The survey may also determine the need for a Boundary Decrease for the district. The consultant will prepare any Additional Documentation nomination forms needed to update the district.

The project entails the following tasks:

- • Prior to preparation of the Additional Documentation to the Mount Pleasant Historic District nomination, surveying for the first time or updating existing survey records/files for each property within the existing district boundary is required. A copy of the HPO database for the properties within the district boundary will be provided by the HPO at the start of the project. This aspect of the project includes field work, digital photography conforming to HPO standards, updating/editing or preparing new database records, including the written summaries that may be used for the nomination inventory list; and creating or updating paper files consisting of report forms generated from the database, photo proof sheets, and historical background materials based on research in Sanborn maps and other sources.

- • All components of the Additional Documentation to the original National Register District nomination, including the registration form, narrative description, inventory list, narrative statement of significance, bibliography, geographical data, boundary description and justification, high-resolution digital photography of selected individual buildings and streetscapes, and maps, are to be submitted as part of the nomination.

- • The consultant will conduct up to two (2) public information meetings: specifically one (1) near the end of the project when the nominations are complete and ready for the HPO to present at a meeting of the North Carolina National Register Advisory Committee.

All work for this project will be carried out under the supervision of HPO staff according to

federal and state architectural survey and National Register standards and guidelines (see North Carolina State Historic Preservation Office *Architectural Survey Manual: Practical Advice for Recording Historic Resources*, 2022 edition at <https://www.ncdcr.gov/historic-preservation-office/survey-and-national-register/2022-architectural-survey-manual-practical-advice-recording-historic-resources/open> and *Practical Advice for Preparing National Register Nominations in North Carolina* at <https://www.ncdcr.gov/about/history/division-historical-resources/state-historic-preservation-office/architectural-surveys-and-national-register-historic-places/north-carolina-national-register-historic-places/tools-preparing-nomination/practical-advice-preparing-national>).

The consultant will submit first drafts of all products, including paper survey files, to the HPO no later than **August 1, 2023**. A digital copy of the nomination as well as a digital copy of the database and all digital photographs taken during the project will be provided to the Town of Mount Pleasant. The project will be accomplished under the supervision of the HPO, Office of Archives and History. Both HPO supervisory staff and the consultant will meet 36 CFR 61 qualifications.

ATTACHMENT B
Services to be Provided and Standards to be Followed
for
Architectural Survey Updates

I. SERVICES AND GOODS TO BE PROVIDED BY THE CONSULTANT AND STANDARDS AND PROCEDURES TO BE FOLLOWED:

The Survey Update: The Consultant will update the existing survey of the specified area with the guidance and support of the Contract Administrator and the staff of the State Historic Preservation Office (HPO) and will follow guidelines in The North Carolina State Historic Preservation Office *Architectural Survey Manual: Practical Advice for Recording Historic Resources*, 2022 edition (hereinafter cited as *NC Survey Manual*), supplementary guidelines provided by the HPO, and the calendar and details of the project schedule developed by the Consultant in consultation with the Client. The state standards are in compliance with the Secretary of the Interior's "Standards for Identification." Any publications produced from the inventory should be reviewed and approved by the HPO before publication. This review would include design and content.

The survey update will entail updating existing HPO survey files as well as creation of new files for properties within the project area that have not previously been surveyed and now merit recordation. All survey work will entail digital photography and data entry into the HPO's Access survey database according to HPO guidelines, including those in "How to Populate the North Carolina Historic Preservation Office's Historic Property Data Entry Form (Microsoft Access)" (4/2021) and the HPO's digital photography policy guidelines. Data will be collected in a format compatible with the GIS mapping systems of the HPO.

For the purposes of payment and the satisfaction of the terms of this contract it is understood that the survey update consists of the following items:

1. Intensive field work in the designated area including a review of all structures on all roads and streets.
2. For each previously surveyed property, updating of existing HPO data by doing the following:
 - a. Using data in existing survey files and additional data as necessary, prepare a record for each property in the HPO's Access survey database, including each of those covered by the paper multiple structures data sheets. Each record must have a survey site number and data such as a PIN for linkage to local and state GIS. The entry in the written summary field will include a copy of the entry in the 1985 National Register nomination inventory list.
 - b. For each record, update the written summary field to reflect current status of the property, noting substantive changes since the initial survey. The updated entry will be that included in the 2023 Additional Documentation nomination. Be sure to check the appropriate items in the survey update data box.
 - c. Take three to four digital photographs of each property and properly label the photo files.
 - d. Print a report form and photographic proofs (properly labeled) for each record in the database and add them to existing HPO files. Print a new, updated file label with 911 address and property name change as appropriate.
3. For each property not previously surveyed, the preparation of a completed survey file that

meets guidelines in *NC Survey Manual*, as appropriate, and additional guidelines and policies for use of the Access survey database and digital photography. The files will include:

- a. A survey file folder correctly labeled.
 - b. A completed record in the Access survey database and a printed report form for each property covered by the file. A completed record includes the written summary, which is a description of each property summarizing its history, setting, architectural form and character, integrity, associated features, and significance. The entry will be that included in the 2023 Additional Documentation nomination.
 - c. All prints of digital record photographs of each property, properly labeled, including overall views, detail views, and photographs of outbuildings and their details where applicable. These photographs are to be submitted in the form of enlarged contacts of not more than nine images per 8-1 ½ x 11 sheet in the HPS's standard format.
 - d. For most properties, a hand-drawn or other applicable site plan, showing outbuildings and related features, and a floor plan (where examination of the interior is possible and the plan is of significance to the understanding of the building).
 - e. Any documentary information and notes collected on the construction and occupation of each property, including all necessary on-site and telephone interviews with property owners, former owners, and other persons who can provide information on the construction, occupation, and development of the property. This information is to be inserted in the respective survey file with its sources (e.g., date of a conversation/ interview) cited.
4. The submittal of the survey database and digital photographs on CDs or DVDs to both the HPO and the Client. The survey files and photographs will be reviewed by HPO staff and revised by the Consultant and the revisions approved before final payment is made.
 5. The submittal of report forms generated from the survey database, properly labeled printed proofs of digital photographs, and other hard-copy items such as site plans and notes, all in properly labeled file folders, to the HPO.
 6. Using PowerPoint or other digital presentation software as appropriate, presentations by the Consultant at one to three public meetings to inform the community of the project and obtain information and support.
 7. At the end of the project, the final nomination by the Consultant will be submitted to the HPO before final reimbursement is made. The final nomination will include the registration form, narrative description, inventory list, narrative statement of significance, bibliography, geographical data, boundary description and justification, high-resolution digital photography of selected individual buildings and streetscapes, and maps, are to be submitted as part of the nomination. The Consultant will provide the nomination to the HPO digitally. The final submission shall also include all survey materials described above, prepared to HPO standards.

Existing survey files will not leave the State Historic Preservation Office.

Additional Standards and Procedures: In order to ensure the consistent application of Statewide Survey and National Register standards and procedures, the Consultant shall:

1. Perform the project activities according to the Secretary of the Interior's "Standards for Evaluation" and "Standards for Registration" under the supervision, direction, and guidance of

the HPO.

2. Seek and obtain orientation from the HPO on all projects to ensure familiarity with Statewide Survey standards and procedures, resources of the Office of Archives and History, and the National Register of Historic Places program.
3. Have the option to use the HPO's photo lab services for the printing of proofs from CDs or DVDs for the survey files. The digital image files must be properly named upon submittal to the photo lab. The Consultant may request the HPO to make the prints at HPO cost, based on a cost list provided for various photography items by the HPO, with the understanding that, while the HPO seeks to process photographs quickly to expedite projects, problems of labor and supplies sometime generate backlogs. A three-week processing time is usual, but the time may be longer. The Consultant agrees to pay all invoices for HPO photo lab services associated with the grant project prior to the HPO's approval of the Consultant's final payment as set forth in the Time-Product-Payment Schedule.
4. Obtain from the HPO and utilize the Access survey database, inventory folders, and labels required for file preparation, and blank registration forms for nominations.
5. Seek and obtain clerical support from the HPO for integrating photographs into Statewide Survey files.
6. Provide inventory materials, including survey files with printed forms as well as the survey database and digital photographs on CDs or DVDs, to the HPO for archival storage and maintenance by the HPO.
7. Seek and obtain professional instruction and guidance from the HPO in defining the research design and conducting and completing the survey and preparation of the nomination(s); work directly with the staff member of the HPO assigned to provide on-site and in-office assistance, guidance throughout the project, support in conducting the work, and assistance in evaluation according to National Register criteria and appropriate contexts; and obtain the required review and approval of survey materials by the HPO in accordance with the Time-Product-Payment Schedule.

II. SERVICES AND GOODS PROVIDED BY THE CLIENT:

To ensure that the project will operate efficiently on the local level for the Consultant, the Client agrees to do the following:

1. Provide notification of the survey to property owners within the district boundary.
2. Assist Consultant in developing local contacts and generating publicity for the project.
3. In consultation with the Consultant and the HPO staff, make arrangements for public meetings as required.
4. Have the option to obtain from the HPO duplicate survey files, with photocopies of survey file contents that are not on CD or DVD. If duplicate survey forms and proofs are desired, the Client may print them from the CDs or DVDs or make arrangements at the beginning of the project for

the consultant to print the duplicates. Duplication of other, non-digital components of the files by photocopying also must be arranged and carried out prior to submittal of the files to the HPO at the completion of the project. **It is understood that the cost of duplicating files, including the cost of photocopying and printing duplicate survey forms and photographic prints, is the responsibility of the Client and is not included in the cost of the contract.**

Attachment C
Time-Product-Payment Schedule
 Mount Pleasant Architectural Survey & National Register Update

Date Due	Process	Product	Payment
<u>PHASE ONE:</u>			
October 31, 2022	<u>Initial Data Collection:</u> Existing Survey Files & Access Database Current GIS and Historic Maps County, Local, & Building Histories	Spreadsheet with addresses and SSN# Draft Bibliography	\$1,250
February 28, 2023	<u>Fieldwork:</u> Digital Photography Complete Survey Forms CR Surveyor Data	Survey Photo CD	\$2,750
March 31, 2023	<u>File Preparation:</u> Draft Inventory List Label Survey Folders Enter data to HPO data base	HPO data base / Inventory List	\$8,250
<u>PHASE TWO:</u>			
May 31, 2023	<u>Context Development:</u> Draft Statement of Significance Architectural Context Print Survey Photos	Draft Section 8 of National Register form	\$5,250
July 31, 2023	<u>Report Preparation & First Draft Submittal:</u> Introduction to Inventory List (Section 7) Final Bibliography National Register map preparation Boundary Description/Justification	First Full Draft of Nomination	\$2,800
**	<u>Nomination Submissions:</u> HPO review and return nomination to consultant		
	Submission of Final Draft of Nomination		\$3,700
	Public Information Meeting		
	National Register Advisory Committee Meeting		
<i>*Total Cost of Contract</i>			\$24,000

**Dates/length of review is dependant on the SHPO.

AGREEMENT TO FURNISH PROFESSIONAL ENGINEERING SERVICES

TOWN OF MOUNT PLEASANT, NORTH CAROLINA

DOWNTOWN DRAINAGE STUDY AND STORMWATER SYSTEM ASSESSMENT

This AGREEMENT made this _____ day of _____, 2022, by and between the TOWN OF MOUNT PLEASANT, NORTH CAROLINA, hereinafter called the TOWN, and LKC ENGINEERING, PLLC, hereinafter called LKC.

WHEREAS, the Town wishes is to complete a drainage study and stormwater system assessment of Downtown Mount Pleasant. The study will include the following: Assessment of current data/information, field surveys and asset inspections, stormwater mapping, analysis of existing stormwater drainage system, preliminary plans and alternatives, capital improvement plan with cost estimates, and stormwater assessment report.

NOW, THEREFORE, the TOWN and LKC, for the consideration hereinafter named, agree as follows:

I. ASSESSMENT OF CURRENT DATA / INFORMATION

The ENGINEER agrees to perform the following tasks obligated under this Agreement:

1. Obtain and review all existing stream, flood, and other general hydrologic and topology data from available resources for use as background system data for stormwater analysis.
2. Meet with project stakeholders to gather local knowledge of stormwater systems and flooding history.
3. Conduct initial project area assessments and field walks of the existing drainage basins.
4. Assimilate available data of existing utilities to determine potential conflicts for storm drainage.
5. Compile the data obtained from available resources and observed during initial site assessments to develop the base system map and strategic plan to begin field surveys and asset inspections.

Payment for the ASSESSMENT OF CURRENT DATA / INFORMATION described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **SIX THOUSAND DOLLARS (\$6,000.00)**.

II. FIELD SURVEYS AND ASSET INSPECTIONS

1. Conduct detailed evaluation and field surveys of existing drainage basins and stormwater infrastructure within the project area. Field surveys will include asset inventory and assessment of all relative, feasible components within the project area, documenting key information such as type, size, material and condition.
2. The condition of the assets will be documented within the report and utilized during the development for a capital improvement plan. Also, critical assets will be identified, likelihood of failure established and repercussions of failure clearly delineated.

Payment for the FIELD SURVEYS AND ASSET INSPECTIONS described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **EIGHT THOUSAND DOLLARS (\$8,000.00)**.

III. STORMWATER MAPPING

1. Compile new information obtained from field surveys and assessments to develop detailed drainage basin maps in electronic format and later used as inputs to hydrologic modeling software.
2. Drainage basin maps will show complete drainage systems within the project area including receiving waters.
3. Final drainage basin maps will be provided in both digital format and hard copy format for use of the system owners. Digital mapping shall include attribute data collected, which will allow for the information database to be updated over time.

Payment for the STORMWATER MAPPING described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **EIGHT THOUSAND DOLLARS (\$8,000.00)**.

IV. ANALYSIS OF EXISTING STORMWATER DRAINAGE SYSTEM

1. Hydrologic and Hydraulic modeling software(s) will be used to analyze existing storm drainage systems within project area, including both closed conduit and open channel systems.
2. Field survey data and drainage basin maps will be used to develop the hydrologic models. Connectivity will be verified, and model calibrated through additional field work and engineering analysis.
3. Utilize hydrologic models to verify infrastructure capacities, flood prone areas, and identify system deficiencies and critical assets.

4. Recommended capital improvements will be modeled to demonstrate future hydrologic scenarios and stormwater conditions.

Payment for the ANALYSIS OF EXISTING STORMWATER DRAINAGE SYSTEM described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **FIFTEEN THOUSAND DOLLARS (\$15,000.00)**.

V. PRELIMINARY PLANS AND ALTERNATIVES

1. Preparation of conceptual / preliminary plans for additional stormwater conveyance infrastructure, or improvements to existing infrastructure, to alleviate or mitigate against future flooding in those areas with consistent flooding problems.
2. Plans will show locations, type, sizes, and preliminary elevation information for proposed drainage infrastructure.
3. Review and consider alternatives and “what-if” scenarios to identify the most critical improvements and their sensitivity to changes in flooding conditions.

Payment for the PRELIMINARY PLANS AND ALTERNATIVES described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **THIRTEEN THOUSAND DOLLARS (\$13,000.00)**.

VI. CAPITAL IMPROVEMENT PLAN WITH COST ESTIMATES

1. Provide a detailed cost estimates for all identified stormwater improvements within the project area.
2. Develop a Capital Improvement Plan (CIP) showing the estimated project costs and priorities for all identified improvements within the project area.
3. Capital Improvement Plan will include cost estimates and priorities to replace existing assets based on findings during inventory and condition assessments.
4. Assist with reviewing and considering funding opportunities for the identified infrastructure improvements items.

Payment for the CAPITAL IMPROVEMENT PLAN WITH COST ESTIMATES described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **THIRTEEN THOUSAND DOLLARS (\$7,000.00)**.

VII. FINAL STORMWATER ASSESSMENT REPORT

1. Provide a comprehensive inventory of all system components, document the condition of all assets, and develop a system for future management of the assets.
2. Develop a preliminary or draft version of the report based on initial findings and review with project stakeholder staff.
3. Prepare final report based on feedback and revisions discussed on the draft review.
4. Present the final report and findings to the Town and other project stakeholders and assist with providing all final project information as required by funding agency.

Payment for the FINAL STORMWATER ASSESSMENT REPORT described above shall be provided on a lump sum, not to exceed basis. The fee for the proposed work is **EIGHT THOUSAND DOLLARS (\$8,000.00)**.

LKC's services under this AGREEMENT shall not include (1) preparation of detailed wetlands or biological surveys or assessments, (2) preparation of an environmental assessment or environmental impact statement, (3) negotiations with property owners for real property or easement acquisition that would require a real estate license, (4) payment of permit fees. These services, if required, may be arranged for and furnished by LKC and separately paid for by the TOWN for a fee to be subsequently agreed upon if the need for these services arises.

1. PAYMENT TERMS

Partial payment of the above amounts shall be made to the Engineer on a monthly basis for a percentage of completion agreed upon by both the Town and the Engineer. The Engineer shall submit invoices in said amount to the Town on a monthly basis and payment shall be made within 30 days of the Town's receipt of the invoice.

It is agreed by the parties hereto that the appropriate adjustments in any fixed and/or lump sum payments shall be made in the event that the physical scope of the project, time for completion, or services required are materially increased or decreased beyond that considered at the time of execution of this Agreement.

Should LKC be required to render additional services in connection with related work upon which the work scope does not apply, or if the scope of the project is modified by the Town, LKC

shall receive additional compensation for such additional services at the hourly rates as specified on the fee schedule attached hereto as Exhibit A for the hours actually worked by the appropriate classification of employee or for a lump sum fee agreed upon by the Town and LKC.

2. TERM OF SERVICE

The Term of Service shall be defined as the length of time elapsed between the execution of this Agreement by all parties and the final certification of the construction. LKC anticipates the term of service for the Consulting Services shall be **210 days** from the date of this Agreement.

3. TERMINATION

This Agreement may be terminated by either party based on performance or for convenience. The terminating party shall notify the terminated party in writing a minimum of 30 days before the date of termination. Upon being fairly compensated for services provided prior to termination, LKC shall turn over all records, files, and other pertinent information to the Town.

The Town and LKC hereby agree to the full performance of the covenants contained within pages 1 through 5 of this Agreement with Exhibits A herein.

IN WITNESS HEREOF, they have executed this Agreement, the day and the year first above written, which is the effective date of this Agreement.

LKC ENGINEERING, PLLC

TOWN OF MOUNT PLEASANT, NC

By: _____
Adam P. Kiker, P.E.
Member/Manager

By: _____

Date: _____

Date: _____

Attest: _____
Tim Carpenter, Member

Attest: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Officer

EXHIBIT A

HOURLY RATE STRUCTURE

LKC ENGINEERING offers a competitive rate structure to provide the highest quality of services with controlled overhead. The rates below cover all expenses including travel time.

MANAGING PARTNER	\$160.00/HOUR
LICENSED SURVEYOR	\$140.00/HOUR
SURVEY CREW	\$140.00/HOUR
PROJECT MANAGER	\$120.00/HOUR
LANDSCAPE ARCHITECT	\$120.00/HOUR
PROJECT ENGINEER	\$100.00/HOUR
SENIOR DESIGNER	\$100.00/HOUR
DESIGNER	\$ 90.00/HOUR
SENIOR CONSTRUCTION MANAGER	\$100.00/HOUR
CONSTRUCTION MANAGER	\$ 90.00/HOUR
FUNDING ADMINISTRATOR	\$ 90.00/HOUR
ADMINISTRATOR	\$ 80.00/HOUR