

**Town of Mount Pleasant  
Board of Commissioners  
Town Board Meeting  
Town Hall – Commissioners Meeting Room  
Monday, October 4, 2010  
7:00 P.M.**

**Attendance:** Mayor Del Eudy  
Mayor Pro-Tem/Commissioner Richard Burleyson  
Commissioner Warren Chapman  
Commissioner Maura Eberhardt  
Commissioner Michael Metcalf  
Commissioner Scott Barringer  
Town Administrator Adrian Cox  
Town Clerk Cathy Whittington  
Public Works Director Dave Fargo  
Town Attorney Christy Wilhelm  
Fire Chief Chris Honeycutt

**Also Present:** Vagn Hansen with Benchmark, Kelly Sifford with Cabarrus County Planning Services, G. S. Moore, Linda Moore, Glenn Jones, Mack Rowell, Jeremy Bost, Jared Drye, Donald Horn, Samantha Moose, Rev. Tom Fleming, Attorney Rick Kraus, Troy Barnhardt

**CALL TO ORDER**

Mayor Eudy called the meeting to order

**INVOCATION**

Rev. Tom Fleming led in prayer.

**PLEDGE OF ALLEGIANCE**

Mayor Eudy led in the Pledge of Allegiance.

## **SWEARING IN NEW MAYOR AND COMMISSIONER**

**Town Clerk Cathy Whittington swore in Del Eudy as the new Mayor of the Town of Mt. Pleasant and Michael Metcalf as a new Commissioner for the Town.**

## **APPROVE AGENDA**

*With an addition to new business #3 Decision on Halloween, Commissioner Barringer made a motion to set the agenda. Commissioner Chapman seconded the motion with all board members in favor. (5-0)*

## **PUBLIC HEARINGS/DECISIONS**

**Vagn Hansen with Benchmark explained that the Public Hearing was for REZ 2010-01 to establishment of initial zoning on property voluntarily annexed by GMST Holdings, LLC on NC Highway 49.**

**This public hearing is in response to an appeal of the Planning Board's unanimous decision to adopt a zoning map amendment that would establish C-2 (General Commercial) zoning on the subject property.**

**The proposed zoning map amendment will establish an initial zoning classification of C-2 (General Commercial) on the subject property. This property was recently annexed by the Town and this rezoning is necessary to transition from Cabarrus County to the Town's Zoning jurisdiction. The property is currently zoned AO-SU (Agriculture and Open Space-Special Use District) by the County. This district was established by the County at the request of the property owner for the purpose of originally establishing a farm equipment business, which was subsequently changed to an automotive service and repair business by the current owner.**

**The designation of this property as C-2 will allow all permitted uses in that district to be established by right; all allows the property owner to apply for a conditional use permit to establish other uses that are allowed only with the approval of such permits.**

**This property is completely surrounded by land zoned CR (Countryside Residential) by Cabarrus County. This district is primarily residential in nature, though certain limited nonresidential uses are allowed with extra conditions or a special use permit.**

**Mayor Eudy asked if anyone wished to speak in the public hearing.**

**Attorney Rick Kraus representing Susan Schneider came before the Board. Mr. Kraus gave a history of the property, (listed above). Mr. Kraus stated that the property was zoned AO by the County. He stated that the property had previously been a farm equipment business and then changed to an automotive service and**

repair business. Mr. Kraus stated that they started renting U-Hauls and even Cabarrus County Planning Services could not tell what zoning they were allowed in. Mr. Kraus stated that GMST Holding, LLC came to the Town for a non-contiguous annexation and they were almost 4 miles down the road from Mt. Pleasant. Mr. Kraus stated that Susan Schneider has filed an appeal and is asking for a lesser zoning than the AO.

Commissioner Burleyson asked if this was presented to the Planning and Zoning. Mr. Kraus stated that Susan Schneider did attend the Planning and Zoning and Zoning meeting and did speak at that meeting.

Commissioner Barringer stated that Attorney Kraus was wrong about the distance to GMST Holding, LLC. Commissioner Barringer stated it was probably a mile down the road.

Town Attorney Christy Wilhelm stated that Ms. Schneider had a previous engagement and she could not cancel.

G. S. Moore, 6150 Highway 49 North, stated that he spoke at the Planning and Zoning meeting. Mr. Moore stated that he did not object to GMST Holding operating as they are.

Glenn Jones, co-owner of GMST, stated that Cabarrus County could not clear up what zoning U-Hauls fall under. Mr. Jones also stated that they were not under Cabarrus County zoning any longer but under Mt. Pleasant's.

Mayor Eudy asked Mr. Jones if they requested the C-2 zoning. Mr. Jones stated that he did not but that they appreciated the zoning.

Commissioner Metcalf asked how many others do the same kind of work that GMST does. Mr. Jones replied that most of those that do the kind of work that they do are going to retire and others will not go to school to get the education to do the kind of work that they do.

Commissioner Barringer asked Mr. Jones if they could operate under the AO zoning. Mr. Jones stated that they could but they would have to get a conditional use each time that they need a change.

With no other discussion, Mayor Eudy closed this portion of the Public Hearing.

Vagn Hansen with Benchmark stated that the Towns zoning would be AG (Agricultural).

*Commissioner Barringer made a motion to place AG (Agricultural) zoning on the property that was annexed into the Town of Mt. Pleasant belonging to GMST Holding,*

*LLC. Commissioner Burleyson seconded the motion. The vote was 4-1 with Commissioner Metcalf voting no.*

*Commissioner Barringer also made a motion to submit the following statement “The Town Board finds that the zoning map amendment to apply the AG (Agricultural) to the subject property is consistent with the general plans and policies of the Town of Mt. Pleasant. Specifically, the Board believes this action is consistent with the Town’s goal of controlling commercial growth in the area of the subject property, anticipation of planned utility service expansions in the area, and consistent with the surrounding properties agricultural zoning”. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)*

**Vagn Hansen opened the public hearing for Proposed Text Amendment: TA 2010-02- UDO Text Amendment to amend the standards for the Manufactured Housing Overlay District in Article 4.15.**

**The public hearing was open for comments.**

**Commissioner Burleyson had a question about the foundation in section 4.15.7.1.7. which says, *The foundation shall be exposed no more than twelve (12) inches above grade.* Vagn Hansen said that that was to appear more traditional.**

**With no more questions, the public hearings were closed.**

*Commissioner Burleyson made a motion to approve Proposed Text Amendment TA 2010-02-UDO Text Amendment to amend the standards for the Manufactured Housing Overlay District in Article 4.15. Commissioner Burleyson seconded the motion. The vote was 4-1 with Commissioner Eberhardt voting against.*

### **CONSENT AGENDA APPROVAL**

**The consent agenda consist of the minutes of the August 30, 2010 Regular Board Meeting. Commissioner Eberhardt made a motion to approve the consent agenda. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)**

### **REPORTS**

- (1) Police – The Police reported that on September 22, 2010 there was an attempted robbery at the Food Lion Store in Mt. Pleasant. He gave out flyers showing the individual entering the store.**
- (2) Fire Chief- Written**
- (3) Town Administrator- Town Administrator Adrian Cox reported that the NCDOT Hwy 49 project 2533-CC will widen Hwy 49 from the existing 4 lane to the Mt. Pleasant City limit line. The project is schedule to be let for bid in April 2011. Staff has been meeting with the utility unit to discuss impacts on the town’s utility system. NCDOT must replace any utility that is removed**

with an in-kind structure. However, some upgrades to the system may be made in the impacted area through a cost recovery agreement. Staff is planning to bring an itemized agreement before the Board for consideration in December. The remainder of the report was submitted as written.

- (4) Finance- Written
- (5) Public Works- Public Works Director Dave Fargo reported there had been a lot of water leaks. When they plan to fix the leak across from the Lutheran Church they will have to cut off all the residents in Oldenburg. This will have to be a planned outage.
- (6) Planning/Code Enforcement-
- (7) Town Attorney-

#### **CDBG Scattered Site Housing Program- Kelly Sifford**

**Kelly Sifford with Cabarrus County Planning Services reported that Cabarrus County Staff was preparing for the 2010 CDBG Scattered Site Housing Program. As part of the program, the county is required to approach each non entitlement community to determine if the jurisdiction would like to participate in the program as well. The Town of Mt. Pleasant has elected to participate in the past three grant cycles. There is no financial commitment required from the Town. The only requirement for the Town are an agreement to participate and the signing of disclosure forms. There are eligible applicants from Mt. Pleasant wishing to participate in this program. This is available to homeowners only.**

*Commissioner Eberhardt made a motion to participate in the 2010 CDBG Scattered Site Housing Program. Commissioner Chapman seconded the motion with all board members in favor. (5-0)*

#### **OLD BUSINESS**

##### **1. Façade Improvement Grant**

**On August 30, 2010 the Board tabled the resolution establishing a Façade Improvement Grant Program. The Board requested staff to clarify wording in the program application, and to seek input from the Planning Board regarding their willingness to review and award grant applications. On September 13, 2010, the Planning Board voted 4-1 in favor of providing review and award of the proposed grant.**

**The grant does not restrict the type or location of commercial property that is eligible, except that it must be located within the town limits. Commercial property makes up approximately 22% of the overall tax bas of the Town of Mt. Pleasant. The objective of the grant is to improve aesthetics, economy and tax-base. These objectives should serve as the guiding principals used by the Planning Board in awarding or denying applications.**

Commissioner Eberhardt stated that he could not see the \$2,000.00 maximum reimbursement coming out of taxpayer money.

Commissioner Barringer stated that he had two citizens approach him and stated that they would rather see the money spent on parks.

Commissioner Burleyson stated that this program came from the Community Involvement Program group which he was he was a member of.

*Commissioner Chapman made a motion to deny the Façade Improvement Grant. Commissioner Barringer seconded the motion. The vote was 4-1 with Commissioner Burleyson voting for.*

## 2. General Engineering Services

Between July 6, 2010 and July 27, 2010 the Town solicited bids for qualifications for general engineering services and received four sets of qualifications. These qualifications were evaluated by staff. The firms were evaluated independently and the score sheets were available for review. Staff recommends Ally, Williams, Carmen & King, Inc. for general engineering services. At the August 30, 2010 meeting the Board of Commissioners tabled the decision on engineering services to allow for further review.

Mayor Eudy and Commissioner Barringer looked over the bids and do not see and issue with the bids. Town Administrator Adrian Cox stated that this would be a yearly contract.

*Commissioner Metcalf made a motion to authorize the Town Administrator to negotiate and enter into a contract for general engineering services with Ally, Williams, Carmen and King, Inc. Commissioner Chapman seconded the motion. The vote was 4-1 with Commissioner Eberhardt voting against.*

## NEW BUSINESS

### 1. CWMFT Greenway Planning Minigrant

In 2008, the Town of Mt. Pleasant applied for a grant with the Clean Water Management Trust Fund (CEMTF), to plan a greenway along the Dutch Buffalo and Adams Creek corridors. The Grant was approved in August of 2008, and the grant contracts were executed in February of 2009. However, funding to the CWMTF was drastically reduced in 2009 and all grand contracts were suspended. The Town received the finalized grant contract in September of 2010. Utilizing this grant would require a match from the town of \$6,800.00. These funds are budget in the 2010-2011 Budget. The grant could be used for planning a greenway, with a small amount of funds for acquisition costs. These funds are not transferable to other activities

**There have been many developments since the Town first pursued the grant in 2008. Mount Pleasant partnered with Cabarrus County and other municipalities in the county to develop the Thread Trail Greenway Plan, which includes some conceptual routes for trail around Town. Although CWMTF has had some funding restored, acquiring funding for the acquisition and construction of greenway trails has become much more difficult than it was in 2008.**

**If the Town wishes to utilize this grant, it could be used to develop a more refined greenway plan to include detailed discussions with interested property owners. The first step will be for staff to begin soliciting for qualifications for a planning firm. If the Board wishes to reject the grant, there is no penalty to the Town in consideration of future grants.**

*Commissioner Barringer made a motion not to enter into the Clean Water Management Trust Fund grant. Commissioner Eberhardt seconded the motion. The vote was 4-1 with Commissioner Burleyson voting for.*

## **2. Health Insurance Broker**

**The Town currently provided health, dental, and vision to all employees through the North Carolina League of Municipalities (NCLM). NCLM administers a pool of local governments acquitting insurance from GIGNA. In May of 2010, the NCLM Insurance Board approved an increase of 17%, bringing the annual cost of health insurance to \$7,516.00, per employee. Other insurance carries implemented similar or higher increases.**

**Prior to adopting the 2010-2011 Budget, the Board asked staff to research health insurance options in the coming year. Using an insurance broker may improve the quotes that the Town receives, and help to match the Town's needs with an insurance package. In many instances the broker is compensated by the insurance company without any impact on the quoted rate.**

**A health insurance broker is an individual or firm that works to solicit and negotiate insurance based on an organization's need. Insurance Brokers are different than agents in that brokers do not work directly for any one agency and secure quotes and negotiate transactions from multiple insurance companies. Many local governments that are too small to administer self insured plans utilize insurance brokers to bid health insurance.**

*Commissioner Barringer made a motion to recommend Burchfield Insurance Group (after getting a quote stating there would be no cost to the Town) and Mt. Pleasant Insurance to solicit health insurance quotes. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)*

## **5. Celebration of Halloween**

**Commissioner Burleyson stated that he had been asked about the day in which Halloween would be observed. With Halloween being on Sunday this year, some citizens are asking if they should go trick or treating on Saturday or Sunday.**

**After discussion by the Board, it was decided that there would be no designation by the Town on Halloween.**

### **MISCELLANEOUS**

#### **1. Town Letterhead**

**Town Administrator Adrian Cox presented a new style of letter head showing Mount Pleasant at the top in blue with North Carolina underneath in light gold and the Town information at the bottom.**

**There was discussion about possible changes to the letterhead. Some of the changes included (1) a water mark of the Town Seal in the middle and (2) to make the gold darker on North Carolina.**

#### **2. Events Coordinating Committee Workshop**

**Before establishing the structure of the Events Coordinating Committee, all individuals should be aware of the pros and cons of a public committee versus a nonprofit. A committee appointed by the Board would be a public body and would have to abide by all open meeting, public record and purchasing requirements dictated by the general statutes for public bodies. A nonprofit, however, could not be controlled in anyway by the Town.**

**The consensus of the Board was to set the meeting for the Events Coordinating Committee Workshop for October 18, 2010 at 6:30 pm.**

### **MAYOR & COMMISSIONER'S COMMENT**

**Commissioner Burleyson stated that he attended a meeting with Town Administrator Adrian Cox, Mayor Barnhardt and Tom Earnhardt with Cabarrus Family Medicine on a nonprofit Northeast Area project.**

**Commissioner Burleyson wanted to thank the Town for the thoughts and prayers for his family. His son was hospitalized for 26 days and his father-in-law for 10 day.**

**Commissioner Chapman stated that residents in Oldenburg had called about a manhole that flips over. He also remarked about the parking situation at Buddy's restaurant.**



**ADJOURNMENT**

**With no more business, Commissioner Chapman made a motion to adjourn.  
Commissioner Barringer seconded the motion with all board members in favor.  
(5-0)**

**By our signatures the following minutes were approved as submitted and amended  
on Monday, November 1, 2010 in the Regular Meeting.**

\_\_\_\_\_  
**Town Clerk Cathy Whittington**

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**Mayor Del Eudy**

SEAL