

**Town of Mount Pleasant
Board of Commissioners
Town Board Meeting
Town Hall – Commissioners Meeting Room
Monday, November 1, 2010
7:00 P.M.**

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

Also Present: Rev. Lewis Whittington, Tom Earnhardt, James Senecal, Sharon Senecal, Samantha Moose, Rev. Tom Fleming, Deputy Howell

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Rev. Lewis Whittington led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led in the Pledge of Allegiance.

PUBLIC FORUM

Rev. Tom Fleming with the Mt. Pleasant First Baptist Church wanted to invite the Board to the newly renovated First Baptist Church on Sunday morning for their service. The renovations are completed and they are having “Friend Day” and he welcomed everyone to visit to see the church.

There were no more comments in public forum.

APPROVE AGENDA

With an addition to the consent agenda to add #2- Minutes of the October 18, 2010 Events Coordinating Workshop- *Commissioner Chapman made a motion to approve the agenda. Commissioner Barringer seconded the motion with all board members in favor. (5-0)*

PUBLIC HEARINGS/DECISIONS

None

CONSENT AGENDA APPROVAL

The consent agenda consist of the Minutes of the October 4, 2010 Regular Board Meeting and the Minutes of the October 18, 2010 Events Coordinating Workshop. *Commissioner Barringer made a motion to approve the consent agenda. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)*

REPORTS

- (1) Police – Deputy Howell reported that he tried to print a report but the only report that would print was the September report. The October report would not print until after October 31st. He reported that everything was going good in Mt. Pleasant.
- (2) Fire Chief- Written
- (3) Town Administrator- Commissioner Eberhardt asked about the sidewalk project. He asked who gave permission to do away with the grates surrounding the crept myrtle trees during the sidewalk excavation. Town Administrator Adrian Cox stated that when he asked about them that they were already disposed of. He stated that he would inquire about them and bring back a report to the Board. Town Administrator Adrian Cox reported on the audit and FEMA AFG grant that was in his report. Also in his report he stated that the Robin Sage training exercise that was planned for the weekend of Halloween was cancelled due to safety concerns. The training exercise did take place.

- (4) Finance- Written- Commissioner Burleyson asked about needing someone to come in and assist with the bad debt collection. We are not at the point yet where we know how long this will take.
- (5) Public Works- Public Works Director Dave Fargo wanted to praise the guys for the job they did on the water line repair on South Main Street.
- (6) Planning Services Report-Manufactured Housing Overlay Districts will be on the agenda for next month
- (7) Town Attorney- No report

OLD BUSINESS

1. Events Coordinating Committee-Ordinance Amendment

Commissioner Barringer made a motion to appoint the following 5 members to the Events Coordinating Committee: Troy Barnhardt, Teresa McAllister, Resa Treadaway, Loretta Allen and David Barrier. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

Commissioner Burleyson made a motion to amend the code of ordinances for the Town of Mt. Pleasant with respect to the Events Coordinating Committee. Commissioner Barringer seconded the motion with all board members in favor. (5-0)

2. Water and Sewer Collection Procedure-Set Public Hearing

The Ordinance amendments move the cutoff date to after the 5th of the month following the due date of the bill. Other ordinance changes allow the town to utilize a Non-Payment Administrative Service Disconnection Fee for customers that have been scheduled for disconnection. This fee would be used in place of the reconnect fee. The proposed changes also address some of the language throughout the Ordinance so that the procedures governing sewer billing is consistent with water billing.

The proposed changes to the Fee Schedule include language for the Non-Payment Administrative Service Disconnection Fee. This fee would be applied when a customer is scheduled for disconnection. The proposed changes retain the reconnection fee, but only apply the fee for off-hours reconnection. This change will prevent nonpaying customers from avoiding reconnection charges by calling into town hall when the see crews in the process of cutting off the water. The draft Customer Policy has been updated with input from the Board. Counsel has reviewed these amendments.

Commissioner Metcalf made a motion to set the public hearing on December 6, 2010 for the Water and Sewer Collection Procedure. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

3. Engineering Services Contract

The Engineering Services Contract is designed to utilize Individual Project Orders (IPO) when engineering services are needed. This will allow staff to procure services based per user bases through a signed IPO defining the scope, deliverables, and estimated maximum costs for each task. Any changes would follow a written change order process. Expenses for engineering services, as any expenses, would be subject to the Town's annual budget allocation. The contract provides the Town with a great deal of control over engineering expenses and upfront knowledge of engineering costs. The attorney has reviewed the proposed contract.

Commissioner Barringer made a motion to enter into an Engineering Services Contract with Alley, Williams, Carmen and King, Inc. Commissioner Burleyson seconded the motion. The vote was 4-1 with Commissioner Eberhardt voting no.

NEW BUSINESS

1. Utility Bill Audit

Utility Refund Consultant (URC) is a firm that audits the past utility bills of nonprofits and governments to identify possible overcharges and pursue refunds. A utility bill audit can often be beneficial for local governments and nonprofits, as utility companies may have overcharges by misidentifying the account or failing to exempt accounts from some charges and fees. Furthermore, an audit might address account issues that result in savings in the future. URC examines only previously paid bills to determine over charges and request refunds from utility companies. The firm is compensated when a refund or credit is issued to the Town. URC charges 50% of any reimbursements that are made to the Town due to their audit. The Town is not charges for the service if no refunds are identified. The Town is not charged for future cost savings and URC does not renegotiate, reconfigure or consolidate existing accounts.

Commissioner Burleyson asked what utility accounts would be audited. It would be the electric, internet, telephone, etc.

Commissioner Barringer made a motion to allow the Town Administrator to enter into a contract with Utility Refund Consultant to audit the Town's past utility bills. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

2. Asphalt Repair

The Town's purchasing polity requires the use of formal bidding for most purchases over \$7,500 unless otherwise approved by the Town Board. The State General Statues only require formal bidding for purchase over \$90,000 and construction

purchases over \$500,000. Statues require informal bidding for purchase of assets or construction over \$30,000. Many ongoing services are exempt from the purchasing policy. Asphalt repairs could potentially be procured through a blanket purchase order, while maintaining costs within budgeted amounts. However, asphalt companies have been reluctant to provide any sort of ongoing agreement due to mobilization costs and fluctuating asphalt prices.

Two quotes were received for asphalt repair. Some of these repairs are considered utility repairs, and some are street repairs. The 2010-2011 budget allocates \$35,000 to street repairs and \$20,000 to repairs to waterlines. The quotes were: All-Pro Paving \$18,600 and Barnes Asphalt \$20,400.

Commissioner Chapman made a motion to authorize the Town Administrator to award the asphalt repairs to All-Pro Paving for \$18,600. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

3. Mt. Pleasant Fire and Rescue-Northeast Cabarrus Fire Department Collaboration

The Mt. Pleasant Fire and Rescue Department and Northeast Cabarrus Fire Department have a long history of collaboration. The two departments are now embarking on furthering and renewing this collaboration by partnering in training, staffing and mutual aid. This type of collaboration can be beneficial to both districts.

Chief Honeycutt is working with Northeast Department to provide supervision during times when he is not scheduled at the Mt. Pleasant Department. This does not interfere with his primary duties as Mt. Pleasant Fire Chief. The two departments are planning joint training exercises and seeking ways to help each other protect their fire districts.

This relationship is in no way a consolidation of the two departments, but rather an agreement toward mutual collaboration.

Tom Earnhardt, President of the Northeast Fire Department, stated that when the Northeast Fire Department was formed, it was to get apparatus to the scene until the Mt. Pleasant Fire Department could get there. Mr. Earnhardt stated that over time he realized that the situation between the two departments has been strained but he would like to see it more like it once was.

Commissioner Eberhardt made a motion to approve the Mt. Pleasant Fire and Rescue-Northeast Fire Department Collaboration Resolution. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

4. PARTF Grants

Municipalities in North Carolina have used the Parks and Recreation Trust Fund (PARTF) grants extensively throughout the state. However, the grants require a 50% match and include several stipulations. PARTF grants are competitive and require applications to have some firm plans for the park development. In addition to land purchase, PARTF grants can be used to construct and repair dilapidated facilities.

PARTF can rely upon donation or reduced sale of land as the project's 50% match (based on actual appraisal values). The local government must maintain ownership or control of the property for 25 years and operate it as a public park.

PARTF grant applications compete on several criteria which include the feasibility of the park development, the community commitment to the project and the capabilities of the local government to develop and maintain the park.

For any grant to be successful, the Town should identify the ultimate goal of the project, which can be completed in phases. Long-term maintenance should also be taken into consideration. If the Board wishes to seek out donations or procurement of park land, a general concept of the ultimate use can help guide the process. For example, baseball fields cannot be placed on the same type of property as soccer or general purpose fields, trails and open space do not require major grading, lighting can also be a concern in some areas, and other issues may help define discussions with property owners.

This item is for information only and will be on the agenda for the budget retreat.

MISCELLANEOUS

1. Upper Adams Creek Development Basin Update

The Mt. Pleasant North 49 Sewer Extension project is expect to be completed at the end of December 2010. This is later than the original Substantial Completion Date of August 17, 2010, due to the delays that WSACC encountered acquiring site access. As of this report, the gravity lines to the Mt. Pleasant High School and the force main along Highway 49 are complete. There is one remaining payment to be made to WSACC and all partners have made their required contributions.

The Town has received its joint permits for the gravity line connecting Mt. Pleasant High School to the sewer system. Mt. Pleasant High School has completed its connection to the gravity line. The High School is prepared to become a sewer customer as soon as the project goes on line.

CM Black is a contributing partner in the project, which could serve their land in the future if they, and/or the Town, extend additional infrastructure. This property owner has not yet initiated any action toward developing the property.

On October 18, 2010, staff met with the owners of Green Acres Reality LLC to answer questions regarding their proposed development and connection to the North 49 Sewer Extension. Green Acres LLC is in the process of acquiring right-of-way necessary to extend gravity line from their property on Highway 73 to the gravity line that will serve Mt. Pleasant High School. Staff updated the developer on the extension and permitting process. Green Acres LLC has not submitted any finalized construction designs for approval by the Public Works Director or any formal plans to begin the subdivision or zoning approvals.

2. Backflow Prevention Ordinance Enforcement

The Federal Safe Drinking Water Act of 1986, the North Carolina Administrative Code, and the North Carolina State Building Code, mandate that public water systems maintain a cross connection control program. Such a program involves maintaining records of customers that are required to install and operate devices that prevent backflow into the system. These devices must be tested regularly. Customers that pose a risk, such as heavy chemical users or those with specialized systems must meet various levels of compliance.

In May 2009, the Board of Commissioners adopted the Cross Connection Control Ordinance establishing such a program. The ordinance (also known as a Backflow Prevention Ordinance) is available on the website under the Water and Sewer Page.

Town staff has been in the process of reviewing customers for backflow requirements. In coming months we will begin sending out mailings advising certain water customers of their need to have a backflow prevention device if they do not currently have one installed.

Commissioner Eberhardt asked what the expense would be for a backflow prevention device. Public Works Director Dave Fargo stated that for a 2-inch it would be relatively inexpensive, but for the size that it would take for the Department of Corrections it would probably be expensive. It would be the homeowner's responsibility to install the device.

MAYOR AND COMMISSIONERS COMMENTS

Commissioner Eberhardt asked if there was going to be a Christmas Dinner this year. After a little discussion, *Commissioner Eberhardt made a motion for the Town Administrator to check into places and dates to have a Christmas Dinner for the employees. Commissioner Barringer seconded the motion with all board members in favor. (5-0)*

Commissioner Chapman reported that he attended the TAC meeting. He stated that the DOT mentioned that the Highway 73 project in Mt. Pleasant was completed.

Mayor Eudy reported on the Civic Education Project that he is working on with the Mt. Pleasant Students. Mayor Eudy encouraged everyone to exercise their right to vote on Tuesday, November 2, 2010.

CLOSED SESSION

Commissioner Barringer made a motion to go into closed session according to N.C.G.S. 143-318.11(a)(5) To establish and instruct staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located at 1380 Washington Street and To establish and instruct staff or agent concerning the negotiation of the amount of compensation or other terms on an employment contract. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

After coming out of Closed Session, Commissioner Barringer made a motion to instruct the Town Administrator to follow up on the property located at 1380 Washington Street. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

Commissioner Metcalf made a motion to forgive the negative vacation balance for Town Clerk Cathy Whittington as of November 1, 2010. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

ADJOURNMENT

With no other business, Commissioner Eberhardt 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, December 6, 2010 in the Regular Meeting.

Town Clerk Cathy Whittington

Mayor W. Del Eudy

SEAL