

Town Council Members

Valerie Coffey - 2011 ~ Janet Critz - 2013 ~ Lundeen Cureton - 2011

Peggy Neill - 2011 ~ Melody LaMonica - 2013

**Town of Mineral Springs
Mineral Springs Town Hall
3506 S Potter Road ~ Mineral Springs
Town Council
Regular Meeting
December 9, 2010 ~ 7:30 PM**

Agenda

1. Opening

The meeting will be called to order, an invocation will be delivered and the Pledge of Allegiance will be recited.

2. Public Comments

The Town Council will hear comments from members of the public on any matters of interest to them during this ten-minute period.

3. Approval of Town Council Minutes and Monthly Reports

The Town Council has been mailed copies of the November 18, 2010 minutes, the October 2010 tax report and the October 2010 finance report; the council will approve them if correct.

- A. November 18, 2010 Regular Meeting Minutes
- B. October 2010 Tax Collector's Report
- C. October 2010 Finance Report

4. Consideration of Authorizing an Eagle Scout Project

The council will consider authorizing an Eagle Scout project on the Mineral Springs Greenway.

5. Consideration of a Code of Ethics Resolution or Policy

The council will consider adopting a Code of Ethics Resolution (R-2010-06) or a policy as required by G.S. 160A-86, which is a law passed by the 2009 North Carolina General Assembly.

6. Consideration of the Engineering Proposal for the Greenway Parking Area on McNeely Road

The council will consider authorizing the proposal submitted by Mr. Kevin E. Herring for the engineering design of the parking area for the Greenway Trailhead located on McNeely Road.

7. Consideration of Town Clerk/Deputy Town Clerk Attending the Annual City and County Clerks' Academy and Institute

The council will consider authorizing the Town Clerk and/or the Deputy Town Clerk to attend the City and County Clerks' Academy and Institute.

8. Other Business

9. Adjournment

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Public Hearing /Regular Meeting
November 18, 2010 ~ 7:30 PM

Minutes Draft

The Town Council of the Town of Mineral Springs, North Carolina, met in Public Hearing and Regular Session at the Mineral Springs Town Hall, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, November 18, 2010.

Present: Mayor Frederick Becker III, Valerie Coffey, Councilwoman Janet Critz, Councilwoman Lundeen Cureton, Councilwoman Peggy Neill, Town Clerk/Zoning Administrator Vicky Brooks, Deputy Town Clerk Sandara Coates and Attorney Bobby Griffin.

Absent: Mayor Pro Tem Jerry Countryman, Councilwoman, Councilwoman Melody LaMonica and Tax Collector Libby Andrews-Henson

Visitors: Burt Fincher, Bill Howie and Joe Poats.

With a quorum present Mayor Becker called the Regular Town Council Meeting of November 18, 2010 to order at 7:31 p.m.

1. **Opening**

- Councilwoman Neill delivered the invocation.
- Pledge of Allegiance.

2. **Public Hearing**

- Mayor Becker called the Proposed Text Amendments Public Hearing to order at 7:33 p.m.
- Mayor Becker requested that Zoning Administrator Vicky Brooks give a brief description of the text amendments and then he would call the speakers that have signed up to speak.
- Ms. Brooks notified the council/audience that the public hearing had been duly advertised. Ms. Brooks pointed out the first set of text amendments/memo has to do with allowing recreational vehicles/Class C Manufactured Homes to be used as a temporary use while someone constructs a home. Mayor Becker asked if these particular text amendments were requested by a citizen. Ms. Brooks responded that was correct. Councilwoman Critz asked if these text amendments had gone through the planning board and if they came to the council with a positive recommendation. Ms. Brooks responded yes, it was a unanimous vote. Some of the text amendments [in this group] are interrelated. Ms. Brooks explained that she spoke with Mr. Bill Duston of Centralina Council of Governments and posted a question to the NCPlan listserv for help on these text amendments.

- Ms. Brooks explained that the next series of text amendments are from the planning board review of Article 8 – Sign Ordinance; this review was to make sure that it was up-to-date. There are 14 recommended text amendments based on a yearlong review, some of which are just technicalities (i.e. adding definitions/moving and renumbering). Councilwoman Critz asked what outside resources were used. Ms. Brooks responded that she did study other town ordinances and received suggestions. The 14 proposed text amendments are as follows:

1. **Article 8 – Section 8.2** is changed from “**Signs Permitted Without Permit**” to “**Definitions**”. A list of definitions relating to “signs” will be added to Section 8.2 – Definitions. Many of the definitions can currently be found in Article 2 of the Zoning Ordinance and are just being duplicated in Article 8 – Definitions. The following definitions are being added from outside sources: Attached Sign, Billboard, Business Sign, Copy, Flag, Ground Level, Height, Illegal Sign, LED Sign, Sandwich Board Sign, Sign Structure, Snipe Sign, Special Event Sign, Subdivision Monument Identification Sign and Suspended Shingle Post Sign. The definition for “Sign, Incidental” has been amended to include the following language “*These signs shall not exceed one (1) square foot in size and shall be attached to a freestanding sign or affixed to a wall*”. Therefore, a text amendment in Article 2 is also being recommended for consistency.

2. **Article 2 – Definitions** The following amendment is proposed for the definition of “Sign, Incidental”.
A sign used in conjunction with equipment or other functional elements for a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes. **These signs shall not exceed one (1) square foot in size and shall be attached to a freestanding sign or affixed to a wall.**

3. **Article 8 – Section 8.3** is changed from “**Prohibited Signs**” to “**Signs Permitted Without Permit**”. The proposed amendments to this section are as follows: **C) Temporary political signs advertising for candidates or issues to be decided in an election or referendum provided such signs do not exceed one (1) per candidate per 100’ of road frontage seeking public office.** All political signs shall be removed by the candidates within five (5) days after Election Day. Political signs are limited to six (6) square feet in size and shall be no higher than four (4) feet from grade level. **Political signs shall not be placed on any property more than 30 days before the election date and shall be removed by the candidates or responsible parties within five (5) days after Election Day.** Such signs shall not obstruct visibility for motorists. **Signs shall not be placed in any town designated landscaping areas.** **F)** Currently has a typographical error in it – the proposed text amendment is to change “**that**” to “**than**” in the second sentence. I) the following language is proposed “**, unless otherwise specified by the Department of Transportation**”. The following are being added: **J) Flags of the United States of America, the State of North Carolina, Union County, or any flag**

adopted or sanctioned by an elected body of competent jurisdiction, as well as flags bearing a logo of corporate, non-profit, or religious origin. Such flags shall not be flown from a pole the top of which is more than 35 feet. K) Window signs placed or painted on the interior or exterior of glass windows or doors provided that such signs cover no more than thirty (30) percent of the glass area of the entire storefront. Window signs that cover more than thirty (30) percent of the glass shall be considered as wall signs and shall meet requirements for painted wall signs within the appropriate zoning district. and L) Neon tube signs or LED signs visible from outside of a building shall be limited to two (2) per business and located on the inside of a window such that no more than ten (10) percent of the window area is covered by the sign area.

4. Article 8 – Section 8.4 is being changed from “General Sign Requirements” to “Prohibited Signs”. The proposed amendments to this section are as follows: A) All off-premise signs, including billboards, unless otherwise specified in this ordinance.
5. Article 8 – Section 8.5 is being changed from “Attached (On Structure) Signs” to “General Sign Requirements”. There are no other proposed amendments to this section.
6. Article 8 – Section 8.6 is being changed from “Reserved” to “Attached (On Structure) Signs”. There are no other proposed amendments to this section.
7. Article 8 – Section 8.8 The proposed text amendments are as follows: C-1 Directional signs are limited to two (2) per property for sale, rent, or lease, ~~or for an event to be held.~~ C-2 Directional signs shall not exceed two (2) square feet in area and are limited to two (2) per property for sale, rent or lease, ~~or event to be held.~~ C-2 (in the paragraph shown after item #5) Subject to submission of an application for directional signs, the Zoning Administrator shall issue a permit for no more than two (2) directional signs for property for sale, rent, or lease, ~~or an event to be held.~~ C-2 (in the third paragraph, second sentence, shown after item #5) However, the Zoning Administrator shall not issue a permit for more than two (2) directional signs per linear mile.
8. Article 8 – Section 8.8 (D) Temporary Special Event Directional Signs. This section is proposed to be added to Article 8 as follows:
 - d) Temporary Special Event Directional Signs
Temporary special event directional signs for commercial purpose are allowable subject to the following provisions:
 - 1) Temporary special event directional signs are limited to two (2) per event to be held.
 - 2) Temporary special event directional signs shall not exceed two (2) square feet in area or shall be a sandwich board sign not to exceed two and one-half (2 ½) feet in width and three (3) feet square feet in height.
 - 3) Applicants for temporary special event directional signs must apply for a permit for the temporary placement of said sign(s), which permit

shall identify the proposed sign(s) and the proposed location for each sign(s)

- 4) Proposed sign(s) must not be located within the right-of-way of roadways. However, the proposed sign(s) may not be placed in locations which will obstruct vision, traffic, or create a hazard.
- 5) Applicant must provide written permission of the property owner on which proposed sign(s) are to be located and submit the same when applying for a permit.
- 6) Temporary special event directional signs shall not be placed more than eight (8) hours prior to the event and must be removed immediately following the conclusion of the event.
- 7) Placement of temporary special event directional sign(s) permits is limited to two (2) times per week. The permit shall consider all of the events as one for application purposes. A single application is valid for the special event directional sign(s) placements permitted under subsection 7 above.

Subject to application for renewal, permits for all temporary special event directional signs shall expire no later than one-hundred and eighty (180) days from the date of issuance.

9. Article 8 – Section 8.9 – Signs Permitted in All Residential - R- Districts.
Item “D” becomes “Signs on premises of home occupations shall be regulated as follows:”

- a) Types of sign permitted: Suspended Shingle Post Sign
- b) Permitted number of signs: One (1) per dwelling unit
- c) Maximum area of signs: Six (6) square feet
- d) Permitted location: Signs shall be located a minimum of five (5) feet behind street right-of-way
- e) Permitted materials: Signs and supporting posts shall be of a color and material which are similar or complimentary to those of the structure housing the subject establishment. Neon/fluorescent colors are prohibited

10. Article 8 – Section 8.9 – Signs Permitted in All Residential -R- Districts. “E” is being added as follows:

E) Monument signs on premises of major subdivisions shall be regulated as follows:

- a) Types of sign permitted: Identification
- b) Permitted number of signs: Two (2) per subdivision entrance

c) Maximum area of signs: Combined total of thirty (30) square feet

d) Permitted location: Ground. Shall be located a minimum of five (5) feet behind street right-of-way

e) Maximum height of signs: Five (5) feet

11. **Article 8 – Section 8.9 “F”** is what was previously known as Section 8.9 “D” and no amendments are proposed.

12. **Article 8 – Section 8.10 Signs permitted in the B-2, B-4 and LI Zoning Districts.** A paragraph is being added to “**C**” as follows:

If there are two principle buildings involved, one (1) identification or one (1) bulletin board may be erected for the additional principal building in accordance to the aforementioned requirements.

13. **Article 4 – Section 4.3 Fences and Walls Permitted.** Section 4.3.1 (d) will be eliminated.

~~d) Subdivision entry and perimeter walls are not required to be of any specific height or style, but are subject to specific review and approval of the Town of Mineral Springs Planning Board prior to the start of construction. Said review and approval shall include any signage and/or illumination integral to subdivision entry and perimeter walls.~~

14. **Article 7 – Section 7.6 Nonconforming Signs.** All text will be replaced with the following:

Signs which were erected and in place prior to the (insert date) amendment to Article 8 (Signs) shall be removed or brought into full compliance within three (3) years of the Effective Date.

- Number one is adding definitions along with a couple of other technicalities. Number two is adding some language to the current definition of “sign, incidental”. Mayor Becker pointed out that it was limiting the size to one square foot. Councilwoman Critz asked if the proposed text amendments came to them from the planning board. Ms. Brooks responded yes, with a unanimous approval. Number three is changing the way political signs are addressed, a spelling correction, and additional language to various things. Councilwoman Critz pointed out that on the second page under three, the second line “flage” should be “flags”. Mayor Becker pointed out that the number of campaign signs per stretch of road was basically being limited, that they can go up thirty days before the election, and that they must not be in the designated town landscaping areas. Mayor Becker also pointed out that [non-permit] signs, such as flags, were being added and that window signs [neon tube/LED signs], which are limited to two per business covering only ten percent of the window area, were also being added. Number four is a movement of “General Sign Requirements” to “Prohibited Signs” and added

“unless otherwise specified in this ordinance” to the billboard language. Number five is just a technicality, no amendments are recommended. Number six is the same type of technical change as number five. Number seven is removing language and modifying directional sign language. Mayor Becker pointed out that directional signs would become specifically sale, rent, or lease in Section 8.8 and that a new Section is being added for special events. Ms. Brooks responded that that was correct, and that there is a spelling correction in there [linear mile]. The reason we’re taking the “lease or event to be held” out is because we’re adding “Temporary Special Event Directional Signs”, which is technically an off premise sign (or could be). These will only be allowed twice a week with an annual permit and the size limit is 2 ½ by 3 feet. Number nine is a broad change in regulation of Home Occupation signs - currently our ordinance allows a twenty square foot sign, with no other requirements, in residential neighborhoods; this proposed text amendment will limit the size to six square feet, it will have to be a suspended shingle post sign, and it has to compliment the house. Mayor Becker pointed out that neon or fluorescent colors aren’t allowed. Councilwoman Critz questioned what “compliment” was; what might be complimentary to one person might not appear complimentary to another person. Number ten allows a developer to construct a Subdivision Monument Sign by permit, with specific requirements, as opposed to coming before the planning board. Mayor Becker pointed out that the existing ordinance is very open ended; there are currently no guidelines. Number eleven is a technicality. Number twelve is allowing an additional sign, for an additional principal structure, on one property; “right now we have nothing”; you can have one per property unless you are a shopping center, which is defined as three or more businesses. Number thirteen is removing language in Article 4, Section 4.3.1(d), which is now being taken care of under Article 8, Section 8.9(e). Number 14 is going to eliminate all grandfathered signs within the next three years. Councilwoman Critz asked if the list of such signs Ms. Brooks had supplied the council was an exhaustive list. Ms. Brooks responded that it wasn’t, she is sure there are a couple more out there. Mayor Becker noted that Parkdale’s sign is too large, the Mineral Springs Methodist Church has two buildings and three signs that are more than ten square feet each, the Music Barn is an off-premise sign, the Mineral Springs Fertilizer sign is too large and in the right-of-way. Mayor Becker stated that these signs were grandfathered when we wrote the ordinance initially; most of these signs existed before we had an ordinance. Ms. Brooks explained that if the council adopted these text amendments presented then there will be more signs that are going to become nonconforming.

- Mr. Bill Howie – 4617 Pleasant Grove Road. *“I’ll move fast, our area contains many aspects of history, such as going all the way back to the history of the Indians, until our wonderful Steeplechase came and that hill top yielded artifacts thousands of years, all the way down to the Woodland Indian, in the 1700’s. The Steeplechase of course covered it up. The old Bickett home 1767, noted to be possibly one of the oldest long standing buildings in Union County, the camp ground 1830, Bonnie Bell gold mine 1830, our cemeteries back to the 1700’s, the old water mill down site 1767, home of Andrew Jackson Sr., then Mineral Springs themselves. The deeds on scores of these and others, 1700’s Great Wagon Rd., you probably don’t know what that is. When this part of North Carolina was settled it was settled a great deal from the north. People came over from England,*

Baltimore, Philadelphia and other places, staying there to work off their indentured service obligations, in the south. They say the great wagon road was like I-85 is now, it was the main road coming south through the Shenandoah Valley, down through Winston Salem, Salisbury, Concord, and breaking into two pieces in Concord, one coming almost right here. Once the deed showed that, it was known as the super highway of that day and down that road came Conestoga wagons, we have one of those Conestoga wagons owned by, now, the Museum of the Waxhaws; it was built in 1812, if you can picture the Conestoga wagon in your memory it looked like a boat. Most of them were manufactured north. This one was built here, by some ancestors of ours, it's in the museum. These are just a little bit of (some) of our history; I call them some of the major points of history. When I write history or anyone does, you look for the bits and pieces put together, you talk to that person, they give you one little item; this isn't very important, but I find two or three other items put together, and the story is told, by bits and pieces. Tonight I'm asking you to think about bits and pieces. History is put together by bits and pieces. It's also torn down and lost, by bits and pieces. Some of our bits and pieces you're talking about here tonight are our signs, I appreciate what you've done, working on it, but I want to ask you, that you seriously look at the importance of those signs. Ugly, yes. Those signs represent some of our bits and pieces and I ask you to reconsider to let those signs be preserved".

- Mr. Burt Fincher - Mineral Springs Fertilizer. *"Good evening. I just want to address the point of the signs that have been grandfathered, to be removed in three years. Our sign is a big sign. It was erected in 1999 I think it was. It was a very expensive sign and I don't think it's quite fair just to tell me I have to take it down. I don't have space to advertize. That's the only advertisement I have for my business. It is on the state right-of-way, but that's the only place that's there. And if you put a small sign to comply with what you're asking for now, it won't be seen coming from 75 across the railroad tracks; you can't see it now, really, because of the bell and the cross arm for the railroad track. So I'd like to ask that you reconsider this text amendment, of taking down what has been grandfathered. I kind of feel like I'm being badgered a little bit about it and I've been approached about it several times. It was an attractive sign, I think it's still attractive, we have a little sprucing up to do on it, but we would like to keep our sign, if we could. Like Mr. Howie said "there's a lot of history around with some of these signs" and take a good look at it before you decide. Thank you".*
- Mr. Joe Poats - 6320 Pleasant Grove Road. *"Good evening and thank you. We're new residents. We're not residents yet, our plan is to begin construction. We have had a dream to have our children; the whole families quite frankly, experience some level of sacrifice before moving into what eventually will be their home. To do that, and to also allow them the opportunity to watch what's going on with construction, to help here and there, and to see their dads get some sweat equity into what's going on, we came up with the idea to use our recreation vehicles there on the site, to live, while the construction is going on, so we came down to talk to Vicky to ask if that was possible. She said that the current rules did not specify one way or the other. We requested this text amendment to allow us to be able to do that, and we appreciate your approval of that. We've spoken with the planning board and believe they have recommended to that extent, as well".*
- Mayor Becker closed the proposed text amendment public hearing at 7:58 p.m.

3. **Public Comments**

- Mr. Burt Fincher – Mineral Springs Fertilizer.

4. **Approval of Town Council Minutes and Monthly Reports**

A. **October 14, 2010 Regular Meeting Minutes**

- **Councilwoman Coffey** made a **motion** to approve the October 14, 2010 minutes as written and **Councilwoman Cureton** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

B. **September 2010 Tax Collector's Report**

- **Councilwoman Critz** made a **motion** to approve the September 2010 Tax Collector's report as written and **Councilwoman Coffey** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

C. **September 2010 Finance Report**

- **Councilwoman Neill** made a **motion** to approve the September 2010 finance report and **Councilwoman Cureton** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

5. **Consideration of the Proposed Text Amendments**

- Mayor Becker commented that we have people who are interested in these based on the public hearing; the council will begin with Petition 10-01 (amending temporary structures in Section 4.7, adding Section 4.7.5, amending the Table of Uses and adding to the definition of Recreational Vehicle). Councilwoman Critz thanked Ms. Brooks and the planning board for the work, she appreciates the abundance of information that has been provided to the council. Councilwoman Critz explained to those who did not have the information in front of them or weren't familiar with the things that have been done in the past, that she had been a planning board member concurrently with being a council member, and had been a planning board member prior to being elected in 2001; therefore, she is familiar with this piece of information. Mineral Springs is one of the few communities in the county that has actually continued to allow Class C Manufactured Homes when others haven't. They took into consideration the financial burden on an individual to upgrade from a Class C to a Class A or B. This text amendment is very consistent with what has been done in the past and to the way we view our community as being a more rural area; it is very consistent with our ideals to allow a landowner to temporarily be on property during the construction of their home.

Councilwoman Critz noted that it is important for the community to realize that this isn't open-ended; these temporary dwellings cannot be maintained for more than 18 months. Councilwoman Coffey agreed and thought that this is what Mineral Springs is all about and this will be an awesome education for the children to understand finances/liabilities that come along with putting up a structure. Councilwoman Cureton commented that she believed this was a good idea too.

- **Councilwoman Critz made a motion to approve Petition 10-01. The proposed text amendment is consistent with the recommendations of the town's Comprehensive Plan, the Town of Mineral Springs Land Use Plan adopted October 12, 2006 and the Vision Plan reference and contained therein. The proposed text amendment is reasonable and advances the public's interest. Councilwoman Neill seconded the motion. The motion passed unanimously as follows:**

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

- Mayor Becker added that these text amendments have the effect of an ordinance, which requires a 2/3 majority of the full board to pass on the first reading. There were four votes; therefore, the text amendments do pass on the first reading and are effective tonight. Mayor Becker thanked Ms. Brooks and the planning board for the hard work.
- Mayor Becker explained that we have the group of Sign Ordinance text amendments; there were some comments made at the public hearing expressing concern on at least one portion. The planning board has done everything that the council asked them to do by going through it with a fine tooth comb; Ms. Brooks and the planning board have been very thorough. If the council questions any part of it or the members of the public are concerned it is not a reflection on the thoroughness or appropriateness of the way the review has been conducted. Since this is not a quasi-judicial hearing, Mayor Becker had the opportunity to speak with Shane Hamrick who is the new plant manager at Parkdale. Mr. Hamrick expressed his concerns about their sign that has been there for as long as the plant has been; the sign is conforming in every respect except for size (almost 40 square feet). Parkdale just spent quite a bit of money sprucing up and replacing the sign faces for that sign and Mr. Hamrick was concerned that they would have to replace it again in three years. Councilwoman Coffey commented that she did not have any problems with any of the text amendments except for Item #14 – Article 7, Section 7.6; this is history as has been stated. Councilwoman Coffey also stated that in the planning board meeting where Ms. Brooks gave a very nice PowerPoint presentation that she appreciated so much and she thought that it would bring some understanding for people that didn't have a "visual" that were just thinking in terms of signs in the town. Councilwoman Coffey stated that this must be stricken from this proposed text amendment. Councilwoman Critz agreed, not only from what she has heard, but from the unnecessary financial burden for these affected signs; this would be completely unreasonable and that is not what Mineral Springs is all about. Councilwoman Coffey responded that she didn't even consider the finances, she considered the history and the fact that those signs were there before she arrived and she asked the question "who are we". Councilwoman Critz added that the fact that the building that we're sitting in right now proves that this council

cares about history; we could have bought this land, knocked the building down and built a town hall, but we didn't, we renovated an existing building because it's part of the history of this community. Councilwoman Critz stated that she did not want anyone to walk away thinking that the planning board was cavalier or uncaring by making these suggestions; she knew factually that a couple of the planning board members who voted for this have had some questions since then on whether it was the appropriated thing to do. Councilwoman Critz wants the community to realize that there were some very real issues on home industry and dwelling signs that had to be addressed because they were offensive and actually had the potential to devalue the properties around them. Councilwoman Critz agreed that Item #14 was a little bit overly zealous. Mayor Becker asked Ms. Brooks if the planning board had the opportunity to hear from the public, as the council did in these deliberations. Ms. Brooks responded no. Mayor Becker commented that it's not a criticism, because the planning board is not required, they are kind of "operating in a vacuum", they didn't have the opportunity to have a different set of data to look at like the council had with public input. Councilwoman Cureton agreed with what people are saying here. Councilwoman Critz asked what was considered "complimentary" under Item #9, the Home Occupation signs; she thought it seemed very subjective. Attorney Griffin responded that any time you use a word like that the questions become "how you going to define it", "who's going to define it", "what are the parameters", what is complimentary to me might not be to you. Unless it is being defined by a collective group who made the decision, who is going to decide that? The zoning administrator without any guidelines (statutory or ordinance)? After some discussion, there was a consensus of the council to strike the words "or complimentary" from Item #9, which is not making the language more strict; therefore, it can be changed legislatively tonight without a new hearing.

- **Councilwoman Neill** made a **motion** to adopt the proposed text items 1 – 13, eliminate #14, eliminate "or Complimentary", in item #3 "flage should be flags", in item #12 principle should be principal". The proposed text amendment is consistent with the recommendations of the town's Comprehensive Plan, the Town of Mineral Springs Land Use Plan adopted October 12, 2006 and the Vision Plan reference and contained therein. The proposed text amendment is reasonable and advances the public's interest.. **Councilwoman Coffey** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

- Mayor Becker commented that he appreciated everybody's long deliberations and the citizens for coming out to give the council their input, which helps them to arrive at their decision.

6. **Code of Ethics Policy**

- Ms. Brooks explained to the council that a Code of Ethics policy or resolution has to be adopted by the council by January 1, 2011. Ms. Brooks pointed out that a model Code of Ethics was in the agenda packet for council consideration; the model was prepared by Fleming Bell with the School of Government. It sets out a

comprehensive statement guiding ethical principles based on the specific requirements of G.S. 160A-86. The five areas that have been addressed in the Code of Ethics are: the need to obey all applicable laws regarding official actions; to uphold the integrity and independence of a members office; to avoid impropriety of a members official duties; to faithfully perform the duties of the office; and to conduct the affairs of the governing board in an open and public manner. Ms. Brooks explained that the council has leeway in deciding what actually goes into this policy, it can be very detailed or it can be very general, but it has to at least have those five items in it. Attorney Bobby Griffin commented that the more you have in some kind of policy like this, the more you can find disagreement over matters. Attorney Griffin has worked with another institution that has a ¾ of a page statement that covers everything that the Statute requires. There was a consensus of the council to table this item until the December meeting so that the council could review the shorter version.

7. Consideration of Resolution 2010-04 and 2010-05

- Mayor Becker explained that “in a sense” the council has already done this; however, this is what it is like when you deal with the State government. The first resolution is to authorize enrollment explicitly and the second resolution is to take the employee contribution out pre-tax (to make pension contributions not taxable to the employee).
- **Councilwoman Coffey** made a **motion** to approve R-2010-04 and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

*Ayes: Coffey, Critz, Cureton and Neill
Nays: None*

- R-2010-04 is as follows:

**TOWN OF MINERAL SPRINGS
RESOLUTION ENROLLING IN NORTH CAROLINA LOCAL
GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM
R-2010-04**

WHEREAS, the 1945 General Assembly amended the North Carolina Local Governmental Employees' Retirement System so as to make the benefit of said System available to all counties, Cities, and towns, and

WHEREAS, the governing body of this Unit realizes the necessity of providing its employees with the security and protection provided by a sound retirement plan, and

WHEREAS, Article 3 of Chapter 128 of the General Statutes of North Carolina provides that any governmental unit desiring to enroll its employees in said System shall make application to the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System and shall by resolution elect to participate in said System.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Mineral Springs in regular session,

1. That the Town Council of the Town of Mineral Springs hereby elects to enroll its employees in the North Carolina Local Governmental Employees' Retirement System.

2. That the Town Council of the Town of Mineral Springs hereby agrees to comply with all provisions of the North Carolina Local Governmental Employees' Retirement System as defined in Article 3, Chapter 128 of the General Statutes of North Carolina as amended by the 1945 General Assembly.
3. That the Mayor of the Town of Mineral Springs is hereby ordered and directed to make application to the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System for enrollment of this Unit and its employees in said System.

ADOPTED this 18^h day of November, 2010.

Mayor Frederick Becker III

Attest:

Vicky Brooks, CMC, Town Clerk

- **Councilwoman Neill** made a **motion** to adopt R-2010-05 and **Councilwoman Cureton** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill
Nays: None

- R-2010-05 is as follows:

TOWN OF MINERAL SPRINGS
RESOLUTION TO ENACT A TAX SHELTER OF EMPLOYEES'
CONTRIBUTIONS PAYABLE AS MEMBERS OF THE NORTH CAROLINA
LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM
R-2010-05

WHEREAS, the 1981 Session (1982 Regular Session) of the North Carolina General Assembly, by a duly ratified bill effective July 1, 1982, enacted North Carolina General Statute 128-30(b1), a copy of which is attached hereto, which under the conditions specified therein permits an employer participating in the North Carolina Local Governmental Employees' Retirement System to tax shelter the contributions payable to this System by its employees who are members of the System; and,

WHEREAS, this employer is an employee participating in the North Carolina Local Governmental Employees' Retirement System with respect to its eligible employees; and

WHEREAS, this employer deems it desirable to tax shelter the contributions payable by its employees as members of the North Carolina Local Governmental Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED BY THE Mineral Springs Town Council in regular session, that as of January 1, 2011, the Town of Mineral Springs elects pursuant to the provision of North Carolina General Statute 12/-30(b1) to pick up and pay to the North Carolina Local Governmental Employees' Retirement System by its employees who are members of this System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 128-30(b1).

ADOPTED this 18^h day of November, 2010.

Mayor Frederick Becker III

Attest:

Vicky Brooks, CMC, Town Clerk

8. Notification of a Planning Board Resignation and Consideration of Publicizing for a Replacement

- Ms Brooks announced that Mr. Jack Moore resigned his position on the planning board for work-related reasons. Mayor Becker added that the town's "applicant pool" is exhausted; therefore we need to rekindle our applicant pool. This item was deferred to the next agenda item.

9. Trail Committee Advertisement Update

- Mayor Becker explained that he provided the council with a long memo; however, he forgot to ask the council what they wanted as a starting number of members for the committee (remembering that the trail committee is not like the planning board). It is a working committee where they are going to assign people jobs to do research; a large committee might be better than a small one. Mayor Becker suggested starting with nine members; once the committee is formed they could come to the council if they wished to have more members. Mayor Becker asked the council if they wanted most of the members to be "at-large" and then have some important stakeholders (senior citizens/pre-college age), which seems to be an underrepresented age demographic on most small town committees. Councilwoman Critz suggested nine "at-large" and then specify in the advertisement that we are looking for specifically. Mayor Becker explained that we get a lot of people asking where the trail is and what they can do and then there are people hunting out there; Lisa Myers has reported many times being on her horse running across strange people with weapons in the woods on town property. Mayor Becker has spoken with Sheriff Cathey and Deputy Osteen; their enforcement ability is limited, because we need an ordinance, but they will accept a policy at this time. The council can set the policy [now] and the trail committee can fine tune it so that we can adopt it as an ordinance [in the future]. Mayor Becker asked Attorney Griffin if it made sense, in the interim, to have the council give their blessing to the guidelines [in the memo provided] and to mention those in the newsletter when we are talking about the trail, so that people know that the trails are open to everybody for horseback riding, hiking and mountain biking and they can go through Copper Run and Harrington Hall, but it is at those property owners' pleasure, which means we do not want to abuse the privilege or we're going to get cut off. Further, the policy will be that motor vehicles, hunting/shooting/dumping/littering are prohibited, as well as fires unless permission is granted. Councilwoman Coffey suggested that fire not be allowed at this time, especially in these drought conditions. Mayor Becker agreed and explained that the reason he put "advance permission" in there was because Mitchell Wyse, who will be doing the trail work, actually wants to camp out there. Councilwoman Critz suggested that they use a Coleman stove. There was a consensus of the council to take out "advance permission" and just say "fires prohibited".
- Councilwoman Critz pointed out that there is hunting on the east side of the trail on the Fincher land (he allows personal people/friends to hunt the property); there is

the Nature Conservancy across the street; and west of the trail is the Southerland property (he also allows hunting). Councilwoman Critz noted that some of the hunters may be legitimate and may not be on our property; it would be advantageous to put up some “no hunting” signs and mark some of our areas; the hunters could be accidentally getting over onto our land because they have been given permission to be in that general area. Mayor Becker explained that we had tremendous problems at Copper Run and they worked with Mr. Niblock (landowner of the rest of the property); Mr. Niblock had a cable put up over the dead end and Mayor Becker posted signs on the Niblock property that said “no trespassing/hunting” and the same signs were posted on the town property boundaries with the additional language of “hiking, mountain biking, horseback riding permitted”. Mayor Becker added that people should know that the adjoining property is private and should be posted by them. Mayor Becker noted that the maps were on the website and we can put something in the newsletter and refer to the website for a better version of where the boundaries are.

- Councilwoman Critz suggested that the newsletter have an update on the rock building and a few things like that. Mayor Becker responded that goes without saying: the rock building, new sign requirements, fire department activities, etc. If the council has anything to put in the newsletter, Mayor Becker suggested that they talk to Ms. Brooks and help her out with the content.
- **Councilwoman Coffey made a motion items 8 and 9 (on the agenda) are publicized in the newsletter coming out in December and to use the language enclosed in item 9 deleting “fires prohibited without advance permission” and adding “Fires prohibited” and Councilwoman Neill seconded. The motion passed unanimously as follows:**

Ayes: Coffey, Critz, Cureton and Neill

Nays: None

- Mayor Becker explained that Mitchell Wyse is asking for donations from the neighbors of the property that he is going to be working on as part of the fundraising portion of his Eagle Scout project. Mayor Becker is also going to accompany Mr. Wyse on a trip to Lowe’s and they will try to get them to discount the materials or possibly get a plaque for the bridge rail that says “donated by Lowe’s”. Mr. Wyse estimates the cost for both bridges and the trail markers to be \$1,300. Mayor Becker asked the council if the town is willing to do some funding; there is \$1,200 in the budget this year for trail maintenance. Councilwoman Critz asked if part of the Eagle Scout project was to raise funds. Mayor Becker responded that part of the project was to raise some funds; however, the town would not be funding the whole thing. If the town donated \$500 it would be very generous and this is a very good deal for the town. Councilwoman Critz asked if it were reasonable to offer \$600, which is half of what the town has and almost half of what he will need. Councilwoman Coffey asked if he has gotten any donations to this point. Mayor Becker responded that he had not asked him; he just started. Councilwoman Coffey commented that she liked Mayor Becker’s recommendation of \$500. Mayor Becker clarified that the council could authorize a “ceiling” of \$500 and work with Mr. Wyse and the other vendor to get as much donated as they could.

- **Councilwoman Coffey** made a **motion** to authorize (not to exceed) \$500 to Mitchell Wyse's project and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

10. **Other Business**

- Mayor Becker explained that the council has already adopted the policy; however, our attorney is recommending an [official] agreement memorializing what has been agreed to [between the town and the fire department]. The council does not need to take any action, but if the council felt it is not appropriate they would say so. Signing the agreement is just a formality, since it was already approved.
- Mayor Becker announced that he had a "little piece of good news", he attended the Union County Commissioners meeting the other night, which was the last meeting with the current board. Commissioners Openshaw, Mills and Baucom are rotating off. Commissioner Openshaw asked to put the Mineral Springs line [sewer] where it crosses Highway 75 to Potter Road on the Master Plan; this is not funding it or putting a timeline on it, but just putting the line on the map, which hasn't happened for the ten years Mineral Springs has been asking for it. It was a unanimous vote by the commissioners to add the line to the Master Plan. Mayor Becker stated that he appreciated Mr. Openshaw taking that initiative at his last meeting; he has been very proactive trying to help the Town of Mineral Springs.
- Councilwoman Critz referred back to what Burt Fincher said [under public comment] and requested that Ms. Brooks and the planning board look at the issue. Mayor Becker stated that meanwhile, as long as there are no more than two council members together, they might want to have a little chat with Mr. Fincher after the meeting or visit with him at his shop next week. Councilwoman Critz explained that looking at the option of allowing Mr. Fincher to do the building would be better than the option of allowing him to be out of the Downtown Overlay. The reasoning for this is because once it was changed, the change would go with the property and not just the property owner; therefore, if the property were sold to someone else they could do "God only knows what".
- Councilwoman Cureton announced that there was a new Habitat house in the Western Union neighborhood.

11. **Adjournment**

- **Councilwoman Coffey** made a **motion** to adjourn and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Critz, Cureton and Neill
Nays: None

- The meeting was adjourned at 9:08 p.m.
- The next regular meeting will be on Thursday, December 9, 2010 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

Vicky A. Brooks, CMC, Town Clerk

Frederick Becker III, Mayor

Town of Mineral Springs

FINANCE REPORT OCTOBER 2010

Prepared for:

The Mineral Springs Town Council

By:

Frederick Becker III
Finance Officer

December 9, 2010

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Cash Flow Report FY2010 YTD

7/1/2010 Through 10/31/2010

11/24/2010

Page 1

Category Description	7/1/2010- 10/31/2010
INCOME	
Franchise	
Cable	506.00
TOTAL Franchise	506.00
Gross Receipts Tax	311.39
Interest Income	1,066.32
Other Inc	
Public Records Payment	10.61
Zoning	2,770.00
TOTAL Other Inc	2,780.61
Prop Tax 2010	
Receipts 2010	18,411.25
TOTAL Prop Tax 2010	18,411.25
Prop Tax Prior Years	
Prop Tax 2001	
Receipts 2001	5.93
TOTAL Prop Tax 2001	5.93
Prop Tax 2002	
Receipts 2002	22.66
TOTAL Prop Tax 2002	22.66
Prop Tax 2003	
Receipts 2003	21.87
TOTAL Prop Tax 2003	21.87
Prop Tax 2004	
Receipts 2004	4.54
TOTAL Prop Tax 2004	4.54
Prop Tax 2006	
Receipts 2006	253.18
TOTAL Prop Tax 2006	253.18
Prop Tax 2007	
Receipts 2007	225.69
TOTAL Prop Tax 2007	225.69
Prop Tax 2008	
Receipts 2008	436.83
TOTAL Prop Tax 2008	436.83
Prop Tax 2009	
Receipts 2009	1,731.24
Ret Check 2009	-30.00
TOTAL Prop Tax 2009	1,701.24
TOTAL Prop Tax Prior Years	2,671.94
Sales Tax	
Refunds	510.09
Sales & Use Dist	2,728.15
TOTAL Sales Tax	3,238.24
Veh Tax	
Coll2005	-0.04
Coll2006	-0.04
Coll2008	-0.06
Coll2009	-3.62
Coll2010	-10.70

Cash Flow Report FY2010 YTD

7/1/2010 Through 10/31/2010

11/24/2010

Page 2

Category Description	7/1/2010- 10/31/2010
Int 2005	0.73
Int 2006	0.81
Int 2007	0.00
Int 2008	0.59
Int 2009	10.11
Int 2010	1.77
Tax 2005	1.72
Tax 2006	2.12
Tax 2007	0.00
Tax 2008	3.61
Tax 2009	228.07
Tax 2010	708.81
TOTAL Veh Tax	943.88
TOTAL INCOME	29,929.63
EXPENSES	
Uncategorized	0.00
Attorney	1,742.17
Community	
Greenway	26.33
Maint	600.00
TOTAL Community	626.33
Dues	3,571.00
Elections	494.00
Emp	
Benefits	
Dental	106.00
Life	92.40
TOTAL Benefits	198.40
Bond	550.00
FICA	
Med	508.85
Soc Sec	2,175.80
TOTAL FICA	2,684.65
Payroll	382.51
Work Comp	814.70
TOTAL Emp	4,630.26
Ins	3,710.82
Office	
Clerk	9,100.00
Council	2,400.00
Deputy Clerk	2,169.72
Equip	726.62
Finance Officer	8,816.00
Maint	195.00
Materials	651.85
Service	1,590.00
TOTAL Maint	2,436.85
Mayor	1,600.00
Misc	148.00
Post	505.54

Cash Flow Report FY2010 YTD

7/1/2010 Through 10/31/2010

11/24/2010

Page 3

Category Description	7/1/2010- 10/31/2010
Supplies	749.09
Tel	3,021.09
Util	564.65
TOTAL Office	32,237.56
Planning	
Administration	7,856.00
Misc	518.00
TOTAL Planning	8,374.00
Street Lighting	404.29
Tax Coll	
Bill	187.67
Bank	5.00
TOTAL Bill	192.67
Post	352.00
Sal	3,152.00
TOTAL Tax Coll	3,696.67
Travel	122.06
TOTAL EXPENSES	59,609.16
TRANSFERS	
FROM MM Sav CitizensSouth	125,000.00
TO Check Min Spgs	-125,000.00
TO Ag Bldg Capital Project Fund	-113,198.17
TOTAL TRANSFERS	-113,198.17
OVERALL TOTAL	-142,877.70

Account Balances History Report

(Includes unrealized gains)

As of 10/31/2010

11/24/2010

Page 1

Account	6/30/2010 Balance	7/31/2010 Balance	8/31/2010 Balance	9/30/2010 Balance	10/31/2010 Balance
ASSETS					
Cash and Bank Accounts					
Check Min Spgs	18,062.96	3,580.90	4,015.90	59,581.52	53,653.82
Estates at Soen Escrow	27,959.57	27,979.76	27,999.35	28,015.93	28,031.40
MM Sav CitizensSouth	396,392.39	281,728.34	271,972.21	272,177.94	272,374.50
MM Sav Min Spgs	10,500.48	10,503.60	10,506.72	10,509.74	10,512.86
Ag Bldg Capital Project Fund	0.00	0.00	0.00	0.00	0.00
CWMTF Grant Project Fund	0.00	0.00	0.00	0.00	0.00
TOTAL Cash and Bank Accounts	452,915.40	323,792.60	314,494.18	370,285.13	364,572.58
Other Assets					
State Revenues Receivable	56,305.86	54,638.83	53,395.64	0.00	0.00
TOTAL Other Assets	56,305.86	54,638.83	53,395.64	0.00	0.00
TOTAL ASSETS	509,221.26	378,431.43	367,889.82	370,285.13	364,572.58
LIABILITIES					
Other Liabilities					
Accounts Payable	1,770.98	0.00	0.00	0.00	0.00
Escrows	27,720.00	27,720.00	27,720.00	27,720.00	27,720.00
TOTAL Other Liabilities	29,490.98	27,720.00	27,720.00	27,720.00	27,720.00
TOTAL LIABILITIES	29,490.98	27,720.00	27,720.00	27,720.00	27,720.00
OVERALL TOTAL	479,730.28	350,711.43	340,169.82	342,565.13	336,852.58

Mineral Springs Monthly Revenue Summary 2010-2011

TOWN OF MINERAL SPRINGS									
REVENUE SUMMARY 2010-2011									
Source	Budget	Receivable	Rec'd YTD	% of Budget	July	August	September	October	November
Property Tax - prior	\$ 1,800.00	\$ (871.94)	\$ 2,671.94	148.4%	\$ 1,555.16	\$ 140.50	\$ 910.75	\$ 65.53	
Property Tax - 2010	\$ 61,695.00	\$ 43,283.75	\$ 18,411.25	29.8%	\$ -	\$ -	\$ 12,235.40	\$ 6,175.85	
Dupl. Property Tax	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	
Franchise Taxes: cable	\$ 2,400.00	\$ 1,894.00	\$ 506.00	21.1%	\$ -	\$ 506.00	\$ -	\$ -	
Franchise Taxes: utility	\$ 159,000.00	\$ 159,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Fund Balance Approp.	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	
Gross Receipts Tax	\$ 1,000.00	\$ 688.61	\$ 311.39	31.1%	\$ -	\$ 150.93	\$ 69.57	\$ 90.89	
Interest	\$ 4,000.00	\$ 2,933.68	\$ 1,066.32	26.7%	\$ 359.26	\$ 266.58	\$ 225.33	\$ 215.15	
Sales Tax	\$ 41,200.00	\$ 37,961.76	\$ 3,238.24	7.9%	\$ 510.09	\$ 160.39	\$ 1,265.04	\$ 1,302.72	
Vehicle Taxes	\$ 4,800.00	\$ 3,856.12	\$ 943.88	19.7%	\$ -	\$ 321.38	\$ 311.57	\$ 310.93	
Zoning Fees	\$ 3,000.00	\$ 230.00	\$ 2,770.00	92.3%	\$ 175.00	\$ 1,320.00	\$ 975.00	\$ 300.00	
Other	\$ 500.00	\$ 489.39	\$ 10.61	2.1%	\$ -	\$ 10.61	\$ -	\$ -	
Totals	\$ 279,395.00	\$ 249,465.37	\$ 29,929.63	10.7%	\$ 2,599.51	\$ 2,876.39	\$ 15,992.66	\$ 8,461.07	\$ -
	December	January	February	March	April	May	June	June a/r	
Property Tax - prior									
Property Tax - 2010									
Dupl. Property Tax									
Franchise Taxes: cable									
Franchise Taxes: utility									
Fund Balance Approp.									
Gross Receipts Tax									
Interest									
Sales Tax									
Vehicle Taxes									
Zoning Fees									
Other									
Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Mineral Springs Budget Comparison 2010-2011

TOWN OF MINERAL SPRINGS									
BUDGET COMPARISON 2010-2011									
Appropriation dept	Budget	Unspent	Spent YTD	% of Budget	July	August	September	October	November
Advertising	\$ 1,800.00	\$ 1,800.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Attorney	\$ 9,600.00	\$ 7,857.83	\$ 1,742.17	18.1%	\$ 300.00	\$ 300.00	\$ 842.17	\$ 300.00	
Audit	\$ 3,600.00	\$ 3,600.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Community Projects	\$ 15,500.00	\$ 14,873.67	\$ 626.33	4.0%	\$ -	\$ 226.33	\$ 200.00	\$ 200.00	
Contingency	\$ 3,000.00	\$ 3,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Dues	\$ 4,525.00	\$ 954.00	\$ 3,571.00	78.9%	\$ 3,521.00	\$ 50.00	\$ -	\$ -	
Elections	\$ 600.00	\$ 106.00	\$ 494.00	82.3%	\$ 494.00	\$ -	\$ -	\$ -	
Employee Overhead	\$ 12,000.00	\$ 7,369.74	\$ 4,630.26	38.6%	\$ 1,586.73	\$ 1,316.23	\$ 859.51	\$ 867.79	
Fire Department	\$ 12,000.00	\$ 12,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Insurance	\$ 4,500.00	\$ 789.18	\$ 3,710.82	82.5%	\$ 3,416.29	\$ -	\$ 294.53	\$ -	
Newsletter	\$ 2,400.00	\$ 2,400.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Office	\$ 116,648.00	\$ 84,410.44	\$ 32,237.56	27.6%	\$ 8,415.88	\$ 8,126.01	\$ 7,846.07	\$ 7,849.60	
Planning & Zoning	\$ 43,568.00	\$ 35,194.00	\$ 8,374.00	19.2%	\$ 2,395.00	\$ 1,964.00	\$ 1,964.00	\$ 2,051.00	
Street Lighting	\$ 1,800.00	\$ 1,395.71	\$ 404.29	22.5%	\$ -	\$ 138.01	\$ 138.01	\$ 128.27	
Tax Collection	\$ 11,256.00	\$ 7,559.33	\$ 3,696.67	32.8%	\$ 788.00	\$ 1,239.67	\$ 881.00	\$ 788.00	
Training	\$ 3,000.00	\$ 3,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Travel	\$ 3,000.00	\$ 2,877.94	\$ 122.06	4.1%	\$ -	\$ -	\$ 122.06	\$ -	
Capital Outlay	\$ 30,598.00	\$ 30,598.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	
Totals	\$ 279,395.00	\$ 219,785.84	\$ 59,609.16	21.3%	\$ 20,916.90	\$ 13,360.25	\$ 13,147.35	\$ 12,184.66	\$ -
Off Budget:									
Tax Refunds			\$ -		\$ -	\$ -	\$ -	\$ -	
Interfund Transfers			\$ 113,198.17		\$ 110,701.46	\$ 57.75	\$ 450.00	\$ 1,988.96	
Total Off Budget:			\$ 113,198.17		\$ 110,701.46	\$ 57.75	\$ 450.00	\$ 1,988.96	\$ -

October 2010 Cash Flow Report

10/1/2010 Through 10/31/2010

11/24/2010

Page 1

Category Description	10/1/2010- 10/31/2010
INCOME	
Gross Receipts Tax	90.89
Interest Income	215.15
Other Inc	
Zoning	300.00
TOTAL Other Inc	300.00
Prop Tax 2010	
Receipts 2010	6,175.85
TOTAL Prop Tax 2010	6,175.85
Prop Tax Prior Years	
Prop Tax 2007	
Receipts 2007	24.59
TOTAL Prop Tax 2007	24.59
Prop Tax 2008	
Receipts 2008	38.80
TOTAL Prop Tax 2008	38.80
Prop Tax 2009	
Receipts 2009	2.14
TOTAL Prop Tax 2009	2.14
TOTAL Prop Tax Prior Years	65.53
Sales Tax	
Sales & Use Dist	1,302.72
TOTAL Sales Tax	1,302.72
Veh Tax	
Coll2005	-0.04
Coll2006	-0.02
Coll2009	-0.60
Coll2010	-4.11
Int 2005	0.73
Int 2006	0.44
Int 2009	2.35
Int 2010	0.94
Tax 2005	1.72
Tax 2006	1.03
Tax 2009	36.45
Tax 2010	272.04
TOTAL Veh Tax	310.93
TOTAL INCOME	8,461.07
EXPENSES	
Attorney	300.00
Community	
Maint	200.00
TOTAL Community	200.00
Emp	
Benefits	
Dental	53.00
Life	46.20
TOTAL Benefits	99.20
FICA	

October 2010 Cash Flow Report

10/1/2010 Through 10/31/2010

11/24/2010

Page 2

Category Description	10/1/2010- 10/31/2010
Med	126.97
Soc Sec	542.88
TOTAL FICA	669.85
Payroll	98.74
TOTAL Emp	867.79
Office	
Clerk	2,275.00
Council	600.00
Deputy Clerk	525.23
Equip	42.02
Finance Officer	2,204.00
Maint	195.00
Materials	264.99
Service	450.00
TOTAL Maint	909.99
Mayor	400.00
Misc	128.00
Supplies	248.12
Tel	355.56
Util	161.68
TOTAL Office	7,849.60
Planning	
Administration	1,964.00
Misc	87.00
TOTAL Planning	2,051.00
Street Lighting	128.27
Tax Coll	
Sal	788.00
TOTAL Tax Coll	788.00
TOTAL EXPENSES	12,184.66
TRANSFERS	
TO Ag Bldg Capital Project Fund	-1,988.96
TOTAL TRANSFERS	-1,988.96
OVERALL TOTAL	-5,712.55

Register Report

10/1/2010 Through 10/31/2010

11/24/2010

Page 1

Date	Account	Num	Description	Memo	Category	Clr	Amount
BALANCE 9/30/2010							59,581.52
10/8/2010	Check Min ...	EFT	Debit Card (WalMart)	Coffee & supplie...	Office:Supplies	R	-12.80
10/11/2010	Check Min ...	EFT	Debit Card (WalMart)	Paper, folders (...	Office:Supplies	R	-30.45
10/12/2010	Check Min ...	EFT	S Union County		Veh Tax:Tax 2010	R	272.04
					Veh Tax:Int 2010	R	0.94
					Veh Tax:Coll2010	R	-4.11
					Veh Tax:Tax 2009	R	36.45
					Veh Tax:Int 2009	R	2.35
					Veh Tax:Coll2009	R	-0.60
					Veh Tax:Tax 2006	R	1.03
					Veh Tax:Int 2006	R	0.44
					Veh Tax:Coll2006	R	-0.02
					Veh Tax:Tax 2005	R	1.72
					Veh Tax:Int 2005	R	0.73
					Veh Tax:Coll2005	R	-0.04
10/14/2010	Check Min ...	EFT	Debit Card (Enquirer-J...	Newspaper sub...	Office:Misc	R	-128.00
10/15/2010	Check Min ...	EFT	NC Department of Rev...	08/10 (FY2010)	Sales Tax:Sales & ...	R	1,302.72
10/15/2010	Check Min ...	DEP	S Deposit	#412	Prop Tax 2010:Rec...	R	1,006.80
				#412	Prop Tax Prior Year...	R	2.14
10/15/2010	Check Min ...	3376	Clark, Griffin & McColl...	I/N 2318 10/10 ...	Attorney	R	-300.00
10/15/2010	Check Min ...	3377	Xerox Corporation	I/N 050514762 ...	Office:Supplies	R	-148.67
10/15/2010	Check Min ...	3378	Duke Power	1803784140 (F...	Office:Util	R	-147.61
10/15/2010	Check Min ...	3379	Duke Power	2035221941 (F...	Street Lighting	R	-128.27
10/15/2010	Check Min ...	3380	Union County Public ...	84361*00 (FY20...	Office:Util	R	-14.07
10/15/2010	Check Min ...	3381	Jan-Pro Cleaning Syst...	I/N 3099 Janitori...	Office:Maint	R	-195.00
10/15/2010	Check Min ...	3382	Lowe's	Blinds (FY2010)	[Ag Bldg Capital Pro...	R	-809.20
10/15/2010	Check Min ...	EFT	Debit Card (Lowe's)	Gardening Supp...	Office:Maint:Materials	R	-45.18
10/15/2010	Check Min ...	EFT	Debit Card (Lowe's)	Conf. Rm. Blind...	Office:Maint:Materials	R	-219.81
10/18/2010	Check Min ...	EFT	Union County	09/10 (FY2010)	Gross Receipts Tax	R	90.89
10/21/2010	Check Min ...	EFT	Debit Card (American ...	Planners Diction...	Planning:Misc	R	-87.00
10/23/2010	Check Min ...	EFT	Debit Card (Lowe's)	Electrical Suppli...	[Ag Bldg Capital Pro...	R	-63.98
10/27/2010	Check Min ...	DEP	S Deposit	#413	Prop Tax 2010:Rec...	R	1,179.65
				#413	Prop Tax Prior Year...	R	38.80
				#413	Prop Tax Prior Year...	R	24.59
10/27/2010	Check Min ...	DEP	Deposit	#414 (FY2010)	Prop Tax 2010:Rec...	R	3,989.40
10/27/2010	Check Min ...	DEP	Deposit	#414a (FY2010)	Other Inc:Zoning	R	300.00
10/27/2010	Check Min ...	EFT	Debit Card (WalMart)	Water, Paper Cl...	Office:Supplies	R	-13.11
10/28/2010	Check Min ...	EFT	Debit Card (Lowe's)	Electrical Suppli...	[Ag Bldg Capital Pro...	R	-110.78
10/28/2010	Check Min ...	EFT	S Advantage Payroll	Salary 10/10	Office:Clerk	R	-2,275.00
				Supplement 10/10	Office:Clerk	R	0.00
				Hours 10/10	Office:Deputy Clerk	R	-525.23
				Salary 10/10	Office:Finance Officer	R	-2,204.00
				Salary 10/10	Office:Mayor	R	-400.00
				Salary 10/10	Office:Council	R	-600.00
				Salary 10/10	Planning:Administra...	R	-1,964.00
				Salary 10/10	Tax Coll:Sal	R	-788.00
					Emp:FICA:Soc Sec	R	-542.88
					Emp:FICA:Med	R	-126.97
					Emp:Payroll	R	-98.74
10/28/2010	Check Min ...	3383	Donald Gaddy	Supervision 9/2...	[Ag Bldg Capital Pro...		-480.00
10/28/2010	Check Min ...	3384	Windstream	061348611 (FY...	Office:Tel		-212.11

Register Report

10/1/2010 Through 10/31/2010

11/24/2010

Page 2

Date	Account	Num	Description	Memo	Category	Clr	Amount
10/28/2010	Check Min ...	3385	Windstream	061345970 (FY...	Office:Tel		-54.27
10/28/2010	Check Min ...	3386	Verizon Wireless	221474588-000...	Office:Tel		-89.18
10/28/2010	Check Min ...	3387	S Hummingbird Lawn C...		Community:Maint		-200.00
					Office:Maint:Service		-450.00
10/28/2010	Check Min ...	3388	S Municipal Insurance Tr...		Emp:Benefits:Life		-46.20
					Emp:Benefits:Dental		-53.00
10/29/2010	Check Min ...	3389	Covenant Waste Syst... 2 - 20 Yd Dump...	[Ag Bldg Capital Pro...			-525.00
10/30/2010	Check Min ...	EFT	Debit Card (Office Max)	Copy Paper (FY...	Office:Supplies		-43.09
10/30/2010	Check Min ...	EFT	Debit Card (WalMart)	Coffee Maker (F...	Office:Equip		-42.02
TOTAL 10/1/2010 - 10/31/2010							-5,927.70

BALANCE 10/31/2010	53,653.82
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TOTAL INFLOWS	8,250.69
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TOTAL OUTFLOWS	-14,178.39
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NET TOTAL	-5,927.70
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Ag Building Capital Project Fund

4/1/2010 Through 10/31/2010

11/24/2010

Page 1

Category Description	4/1/2010- 10/31/2010
EXPENSES	
Construction	
In-House	1,566.71
Outsourced	
Management	930.00
TOTAL Outsourced	930.00
TOTAL Construction	2,496.71
Land Acquisition Costs	
Purchase	110,678.46
Surveys	23.00
TOTAL Land Acquisition Costs	110,701.46
TOTAL EXPENSES	113,198.17
TRANSFERS	
FROM Check Min Spgs	113,198.17
TOTAL TRANSFERS	113,198.17
OVERALL TOTAL	0.00

Ag Building Capital Project Fund

4/1/2010 Through 10/31/2010

11/24/2010

Page 1

Date	Account	Num	Description	Memo	Category	Clr	Amount
BALANCE 3/31/2010							0.00
4/9/2010	Ag Bldg Ca...		Opening Balance		[Ag Bldg Capital Pro...		0.00
7/1/2010	Ag Bldg Ca...		Union County (Registe... Subdivision Plat...		Land Acquisition Co...		-23.00
7/1/2010	Ag Bldg Ca...		Union County (Registe... Subdivision Plat...		[Check Min Spgs]		23.00
7/29/2010	Ag Bldg Ca...		Clark, Griffin & McColl... Closing 7/29/10 ...		Land Acquisition Co...		-110,678.46
7/29/2010	Ag Bldg Ca...		Clark, Griffin & McColl... Closing 7/29/10 ...		[Check Min Spgs]		110,678.46
8/25/2010	Ag Bldg Ca...		Debit Card (Lowe's)	Window Glazing...	[Check Min Spgs]		57.75
8/25/2010	Ag Bldg Ca...		Lowe's	Window Glazing...	Construction:In-Hou...		-57.75
9/30/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 8/2...	Construction:Outso...		-450.00
9/30/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 8/2...	[Check Min Spgs]		450.00
10/15/2010	Ag Bldg Ca...		Lowe's	Blinds (FY2010)	Construction:In-Hou...		-809.20
10/15/2010	Ag Bldg Ca...		Lowe's	Blinds (FY2010)	[Check Min Spgs]		809.20
10/23/2010	Ag Bldg Ca...		Lowe's	Electrical Suppli...	Construction:In-Hou...		-63.98
10/23/2010	Ag Bldg Ca...		Debit Card (Lowe's)	Electrical Suppli...	[Check Min Spgs]		63.98
10/28/2010	Ag Bldg Ca...		Lowe's	Electrical Suppli...	Construction:In-Hou...		-110.78
10/28/2010	Ag Bldg Ca...		Debit Card (Lowe's)	Electrical Suppli...	[Check Min Spgs]		110.78
10/28/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 9/2...	Construction:Outso...		-480.00
10/28/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 9/2...	[Check Min Spgs]		480.00
10/29/2010	Ag Bldg Ca...		Covenant Waste Syst...	2 - 20 Yd Dump...	Construction:In-Hou...		-525.00
10/29/2010	Ag Bldg Ca...		Covenant Waste Syst...	2 - 20 Yd Dump...	[Check Min Spgs]		525.00
TOTAL 4/1/2010 - 10/31/2010							0.00

BALANCE 10/31/2010	0.00
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TOTAL INFLOWS	113,198.17
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TOTAL OUTFLOWS	-113,198.17
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NET TOTAL	0.00
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October 2010

Revenue Details

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Invoice Date	Invoice Number	Description	Invoice Amount
10/06/2010	200.1-10/09	Tax/Fee/Int - SEP10	\$310.93

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
10870	TOWN OF MINERAL SPRINGS	00014668	10/12/2010	310.93



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

Vendor Number Check Date Check Number
 10870 10/12/2010 00014668

"This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act."

\$310.93

Pay **Three Hundred Ten Dollars and 93 cents *******

To The
 Order Of TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

**EFT COPY
 NON-NEGOTIABLE**

AP



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

10870
 00014668

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

DATE 9/30/10
TIME 15:28:52
USER PHH

UNION COUNTY
COLLECTIONS BY RGCD/REV UNIT/YR-DATE RANGE
DEPOSIT DATE RANGE: 9/01/2010 THRU 9/30/2010
REPORT GROUP: 200 REGISTERED VEHICLE
REVENUE UNIT: 990 TOWN OF MINERAL SPRINGS

PAGE 50
PROG# CL2138

YEAR	TAXES, ASSESSMENTS & MISC. CHARGES	LATE LIST	INTEREST (NOT INT3)	STATE INTEREST (INT3)	TOTAL COLLECTED	COMMISSION	NET OF COMMISSION & STATE INTEREST
2005	1.72		.73	.05	2.50	.04	2.41
2006	1.03		.44	.13	1.60	.02	1.45
2009	36.45		2.35	1.11	39.91	.60	38.20
2010	272.04		.94	1.10	274.08	4.11	268.87
TOTAL	311.24		4.46	2.39	318.09	4.77	310.93

Invoice Date	Invoice Number	Description	Invoice Amount
10/11/2010	1103vehgr	Gross Veh Rental Recpts-Sep10	\$90.89

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
10870	TOWN OF MINERAL SPRINGS	00014811	10/18/2010	90.89



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

Vendor Number Check Date Check Number
 10870 10/18/2010 00014811

"This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act."

\$90.89

Pay **Ninety Dollars and 89 cents *******

To The
 Order Of
 TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

**EFT COPY
 NON-NEGOTIABLE**

AP



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

10870
 00014811

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

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O:
MINERAL SPRINGS

E:
Direct Deposit Notification

Within three business days, pending agency funding approval, your bank account will receive a direct deposit of \$1302.72 for payment number 45PR0000512439. It is your responsibility to confirm that this deposit was made and is available for your use.

These funds were paid by the following agency:

DEPARTMENT OF REVENUE

TAX DISTRIBUTIONS

P O BOX 371

REVENUE BLDG

RALEIGH, NC

27602-0971

Agency Contact Phone: 919-733-6800

Please direct all questions regarding this payment/deposit to the agency contact phone number listed directly above. This agency maintains information regarding your payment records. Any questions concerning payment amount and invoice information/documentation should be directed to the agency's Accounts Payable office and they will be happy to assist you with your inquiries.

PLEASE DO NOT REPLY TO THIS EMAIL.

CONTACT THE PAYING AGENCY AT THE NUMBER LISTED ABOVE.

Invoice Number	Inv Date	Invoice Amount	Discount Amount	Net Amount
SAL100710	10/07/10	\$1302.72	\$00.00	\$1302.72
SALES & USE TAX DIST.-TAX QUESTIONS?: 919-733-7644				
TOTAL:				\$1302.72

This notification was sent from the North Carolina Office of the State Controller. If this notification has been sent in error, please contact the agency listed above to make corrections.

MEMO

To: Mineral Springs town council
From: Rick Becker
Date: December 6, 2010
Subject: Another Eagle Scout greenway proposal

Mineral Springs resident and life scout Anderson Carman has approached me about the possibility of his doing some trail work as part of his Eagle Scout effort. Anderson, the son of Charles and Rachel Carman, lives in the Brantley Oaks subdivision and is a member of Troop 7 in Charlotte.

I have asked Anderson to present his project ideas (in *very* general form right now) to Council at our December 9 meeting. I don't expect his presentation to be as detailed as Mitchell Wyse's earlier presentation was, because Anderson is still in the preliminary stages. In general, Anderson proposes some combination of the following work at the Copper Run portion of the trails:

- widening and upgrading the existing trails that form an approximately 1-mile loop from the Copper Run trailhead to the old mill site and back (tying into the main creekside trail along the way)
- marking these currently unmarked trails
- installing some trailhead identification features such as directional posts and a sign
- building and installing benches, a picnic table, and possibly a small open picnic shelter at one or more of several scenic locations along this trail loop

I surveyed this section of greenway with Anderson last week, and believe that any of these improvements would be of great benefit to the town and would nicely build on the trail work that has already been scheduled upstream. Based on the amount of "constructed" features Anderson is considering, required funding (much of it to be raised independently by the Eagle Scout candidate) would be less than Mitchell Wyse's upstream bridge project.

At this time, I recommend that Council approve Anderson's participation (as you did with Mitchell's earlier general proposal), which will allow him to further refine the project scope and present it to his Boy Scout Council for *its* approval.

Code of Ethics for the
Town Council
of the Town of Mineral Springs, Union County,
North Carolina

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of the Town of Mineral Springs, and with obeying the law, and

WHEREAS, [other clauses that jurisdiction may desire]

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Mineral Springs, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Town Council do hereby adopt the following General Principles and Code of Ethics to guide the Town Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Mineral Springs Town Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with the board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible and itself unethical.

[Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.] ---- OPTIONAL

[Board members should endeavor to keep up to date, through the board's attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar to meet their legal responsibilities. The board should consider adopting a list of applicable laws and regulations, with appropriate commentary, as a reference document accompanying this Code.] ---- OPTIONAL

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
- Not reaching conclusion on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices

- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it and that the board must take official action as a body

Section 3 a. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

Section 3 b. If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interest ahead of their own.

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all time in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Censure Procedures. If a majority of the board has reason to believe that one of its members has violated a provision of this Code of Ethics, it [shall] [may] open an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. All information compiled, including the grounds for any finding of probably cause, shall be shared with the member when it is received. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Carolina public

records statutes. If upon investigation the board concludes that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney.

Should the board determine that it wishes to proceed further with censure proceedings, it shall call for a hearing, to be held at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place and purpose shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the jurisdiction. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included, but the day of the hearing shall be included. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the member is available for public inspection and copying in the office of the clerk or secretary to the board.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statutes.

The accused board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses and to offer evidence, including evidence of the bias of any board member or the presiding officer. An audio or video and audio tape of the proceeding shall be prepared. Any and all votes during the hearing shall be taken by the ayes and nays and recorded in the board's minutes.

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion to adopt a nonbinding resolution censuring the member based on specified violations of the code of ethics. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics, the presiding officer shall rule it out of order.

If a motion to adopt a nonbinding resolution of censure stating particular grounds under the code of ethics has been made, the board shall debate the motion. The accused member shall be allowed to participate in the debate [but shall not] [and shall also be allowed to] vote on the motion to adopt the resolution.

At the conclusion of the debate, the board shall vote on the resolution. If the motion to adopt the nonbinding resolution of censure is approved by a [majority] [two-thirds] [three-fourths] vote of those present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted.

The text of the nonbinding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's proceedings shall be approved by the board as a permanent part of the minutes. The proceedings shall then be considered concluded, the board having done all it legal can with respect to the matter in question.

Adopted as a statement of policy by the Mineral Springs Town Council on _____, 2010.

TOWN OF MINERAL SPRINGS

RESOLUTION ADOPTING A CODE OF ETHICS FOR THE MINERAL SPRINGS TOWN COUNCIL

R-2010-06

WHEREAS, North Carolina General Statutes, Section 160A-86 requires local governing boards to adopt a code of ethics; and,

WHEREAS, as public officials we are charged with upholding the trust of the citizens of the Town of Mineral Springs, and with obeying the law,

NOW, THEREFORE, BE IT RESOLVED BY THE, that in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Mineral Springs and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we, the Mineral Springs Town Council, do hereby adopt the following Code of Ethics to guide the Town Council in its lawful decision making:

CODE OF ETHICS

The stability and proper operation of democratic representative government depends upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials. Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure. The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Mayor and Town Council. All references herein to the Town Council shall be understood to include the Mayor. This Code of Ethics shall not be considered a substitute for the law.

- I. A Town Council member shall obey all applicable local, state, and federal laws.
- II. A Town Council member shall uphold the integrity and independence of his/her office or position. Town Council members shall demonstrate the highest standards of personal integrity, truthfulness, and honesty in all their public activities in order to inspire public confidence and trust in town government.
- III. A Town Council member shall avoid impropriety in the exercise of the board member's official duties. Town Council members shall conduct themselves at all times as especially responsible citizens who honor the public trust as they carry out their duties as Town Council members.
- IV. A Town Council member shall faithfully perform the duties of office. Town Council members shall faithfully attend and prepare for meetings, be willing to bear their fair share of the council's workload, and, to the extent appropriate be willing to put

the council's interest ahead of their own in whom the public can know to have trust and respect.

- V. A Town Council member shall conduct the affairs of the governing board in an open and public manner, complying with all applicable laws governing open meetings and public records.
- VI. Pursuant to NCGS 160A-87 all Town Council members shall provide a record of Ethics training to be filed with the Town Clerk.

ADOPTED this 9^h day of December, 2010.

Mayor Frederick Becker III

Attest:

Vicky Brooks, CMC, Town Clerk

MEMO

To: Mineral Springs town council
From: Rick Becker
Date: December 6, 2010
Subject: Engineering for McNeely Road Trailhead Parking Area

The town has received a proposal from Kevin E. Herring PE for engineering and design work for the greenway parking area at the McNeely Road trailhead. As you probably recall, the town already owns approximately one acre of property that fronts on McNeely Road and connects to the creekside greenway property. The conservation easement on this tract authorizes the construction of a parking facility in this location.

The actual construction area of the project will be in the range of ½ acre, so no NCDENR (Department of Environment and Natural Resources) approval will be required, and no NCDWQ (Division of Water Quality) post-construction stormwater measures will be required. However, insofar as our greenway system is intended to be part of a larger water-quality protection effort, I have recommended that council incorporate moderate passive post-construction features into the parking area's design, such as vegetated swales or other low-cost stormwater-treatment measures to protect the nearby creek from sediment and other pollutants. Also, because of the shape and topography of the parcel, I also recommended designing the parking area to be somewhat long and narrow, with a separate entrance and exit, to facilitate the parking of overlength vehicles such as horse trailers.

Mr. Herring was recommended by Monroe surveyor Carroll Rushing, who has done extensive work in Mineral Springs on subdivision design, including Houston Ridge and McNeely Farms. Mr. Rushing also performed the survey of the Harrington Hall portion of the greenway as part of the documentation required by the state for our Clean Water grant. One of Mr. Herring's specialties is stormwater design, and he is also well-qualified in general civil engineering site design, including NCDOT driveway-connection requirements.

Mr. Herring's proposal of \$900 is the only proposal staff has obtained for this engineering work, but based on staff experience with site engineering costs, this is an extremely favorable price. If council approves Mr. Herring's proposal, he will deliver a complete set of plans for this parking area, ready to provide to grading contractors in order to obtain construction bids. Funding is available in the Planning department's budget for this engineering work, and I recommend approval of the proposal.



Kevin E. Herring ENGINEERING

16101 Silver Road, Oakboro NC 28129, 980-621-0935

December 2, 2010

Mayor Rick Becker
Town of Mineral Springs

PROPOSAL

Proposal to provide engineering design of parking area for Trailhead located on McNeely Road in Mineral Springs NC (Ref. Parcel ID 06060001)

SCOPE OF WORK

This proposal will include the following...

1. Provide engineering design plan of approximate 25,000sf gravel parking area with 2 access drives (entrance & exit) onto McNeely Rd. (*Design to be based on GIS LIDAR topography*)
2. Incorporate practical post-construction stormwater measures into design to minimize impact to downstream branch.
3. Coordinate driveway access locations with NCDOT.
4. Prepare and submit driveway permit applications to NCDOT for review and permitting.
5. Provide four (4) engineering drawing sets for town records and contractor bidding.
6. Provide contractor construction assistance as needed.

NOT IN SCOPE OF WORK


This proposal does not include the following...

1. Any permit or review fees.
2. Separate NCDENR Erosion Control submittal. (*Less than 1.0 ac disturbed*)
3. Separate NCDENR Stormwater submittal. (*Less than 1.0 ac disturbed*)
4. Soil compaction testing and certification. (*If required*)
5. Any other item not specifically listed or covered above.

COST TO PROVIDE PROPOSED SERVICES

Project Cost Breakdown:

• Engineering Design:	\$ 800.00
• Preparation of Permit Application:	\$ 50.00
• Clerical & Copies:	\$ 50.00
Total Project Cost:	\$ 900.00



Kevin E. Herring, P.E.



Date of Submittal

CLIENT'S ACCEPTANCE OF PROPOSAL

Authorized Signature/ Title

Date of Acceptance



Local Government Law

CITY AND COUNTY CLERKS' ACADEMY AND INSTITUTE

Municipal clerks, county clerks to boards of county commissioners, regional council secretaries, and their deputies are invited to increase their knowledge and improve their skills at the Annual City and County Clerks' Academy. The school provides help with practical problems confronted by clerks as well as opportunities for professional development and informal learning. Sessions on several topics relevant to the work of clerks are featured. Offered in conjunction are the **Institute and Workshop for New Clerks**, covering clerks' duties and city and county governing board procedures, and the **Master Clerks Academy I**, offering a topic of interest to certified county and city clerks, regional council secretaries, and their deputies, and those seeking certification. On Thursday and Friday Master Clerks Academy II for all clerks, will cover advanced topics. For other clerks-related information, please visit Clerk-Net.

ATTENDEES Municipal clerks, clerks to boards of county commissioners, regional agency secretaries, and their assistants at all levels of experience

PROGRAM Online Registration Instructions

DURATION 3 Days

SITE INFORMATION Sheraton Imperial Hotel & Convention Center, Research Triangle Park

- Directions
- Reserve room online or call 919.941.5050 or 800.325.3535
- Group rate: \$96 (Hotel Level), \$135 (Club Level), \$200 (Suite)
- Cut-off date to receive group rate is January 3, 2011

COURSE MATERIALS

FACULTY COORDINATOR A. Fleming Bell, II

CANCELLATION POLICY Course participants who cancel their registration on or before **January 12, 2011**, will receive a full refund. Those who cancel on or before **January 19, 2011**, will receive a full refund, less a **\$25** cancellation fee. No refund will be made for cancellations made after **January 19, 2011**. All cancellations must be submitted in writing, as outlined in the School's cancellation policy.

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REGISTER

Registration is Now Open.

Please click on the course (s) you would like to attend below.

DATE

January 26-28, 2011

FEE

(Wed) Institute and Workshop for New Clerks - \$ 75.00

(Wed) Master Clerks Academy I \$140.00

(Thurs/Fri) City and County Master Clerks' Academy II \$220.00

CONTACT

Carla Stowe
Program Manager
T: 919.843.8176
F: 919.962.0654
cstowe@sog.unc.edu