

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Regular Meeting
July 9, 2015 ~ 7:30 PM

Minutes

The Town Council of the Town of Mineral Springs, North Carolina, met in Regular Session at the Mineral Springs Town Hall, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, July 9, 2015.

Present: Mayor Frederick Becker III, Mayor Pro Tem Janet Critz, Councilwoman Valerie Coffey, Councilman Jerry Countryman, Councilwoman Lundeen Cureton Councilwoman Melody LaMonica, Councilwoman Peggy Neill, Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin and Deputy Town Clerk/Tax Collector Janet Ridings.

Absent: None.

Visitors: None.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of July 9, 2015 to order at 7:30 p.m.

1. **Opening**

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

2. **Public Comments**

- There were no public comments.

3. **Consent Agenda**

- **Councilwoman LaMonica** made a **motion** to approve the consent agenda as presented containing the following:

- A. *June 11, 2015 Regular Meeting Minutes*
- B. *May 2015 Tax Collector's Report*
- C. *May 2015 Finance Report*

and **Councilwoman Coffey** seconded. The motion passed unanimously as follows:

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

4. **Mineral Springs Greenway and Future Community Center**

- Town Clerk/Zoning Administrator Vicky Brooks commented that this council is aware that the town has been working on obtaining ADA compliance for the Mineral Springs Greenway Parking Area. We have been doing that since May 2014 when we were informed by Ms. Julia Sain and Ms. Donna Tooill from Disability Rights and Resources that a complaint had been filed by a citizen that the parking area and the platform/deck was not accessible. Mayor Becker worked with Ms. Sain and Ms. Tooill on a plan to bring the parking area into compliance, but by August 2014, Ms. Sain and Ms. Tooill informed us that the town should suspend all voluntary compliance efforts, because the citizen had “gone over their heads” (so to speak) and filed a complaint with the Department of Justice. The town suspended all efforts towards compliance until we heard back from the Department of Justice. Moving forward, in February 2014 [should be 2015], the Department of Justice sent a letter to Mr. Charles Bowden informing him that unfortunately, because the section receives thousands of ADA complaints each year they didn’t have the resources to resolve all of them, so there was no determination made by the Department of Justice regarding the merits of Mr. Bowden’s complaints or whether it could be readdressed under the ADA or another statute. The letter to Mr. Bowden contained further information on additional steps that he could take; one of which was consulting with the state or local authorities. In early June, Ms. Brooks received a call from Mr. Mark Griffin, who is the Union County Director of Building Code Enforcement, informing her that the state had passed the complaint from Mr. Bowden down to the local authorities regarding the Greenway Parking Area, the platform/deck and the trail itself. A site visit was scheduled on June 9th at the parking area. Mayor Becker and Ms. Brooks met with Terry Griffin, who is the Commercial Inspector and Plans Examiner for Union County Building Code Enforcement and Mr. Jessie Langsdon, also from Code Enforcement. After talking with them [Mayor Becker and Ms. Brooks] for a few minutes they left to do their investigation.
- About a week and a half later, Mayor Becker received a letter from Mr. Mark Griffin citing all the violations that were observed at the parking area and along the trail. Ms. Brooks read each violation: Violation of North Carolina General Statute 153A-357 in that no building permits were obtained for any of the numerous structures and facilities undertaken on the site; there is a lack of accessible parking where parking is provided in accordance with the 2012 NC State Building Code, Section 1106; there is a lack of accessible routes to the various facilities and elements on the site that are required to be accessible – 2012 NC State Building Code, Section 1104.2; there is a lack of an accessible route to each of the provided picnic areas, at least one of each element provided at each picnic area must be accessible – Building Code, Section 1109.14.3; per 1109.14.3 all recreational facilities not specifically exempted in other provisions of the Building Code, Section 1109.14 must be accessible. This requires that the greenway trail be accessible in accordance with the accessible route requirement found in State Building Code, Section 1104 and ANSI 117.1.2009. Failure to correct the defects in the facility constitutes a violation of North Carolina General Statute 153-365.
- Ms. Brooks explained that when this letter was received Mayor Becker basically handed it to her and said “here this is yours, take care of it”. Ms. Brooks asked that the council bear with her on her lack of knowledge on the greenway, because this

is Mayor Becker's pet project! On June 30th, Ms. Brooks went and met with Mr. Brian Matthews, who is the Union County Executive Director of Growth Management and Mr. Mark Griffin. They discussed the notice of violation and some options for the town obtaining compliance. The most obvious option is to secure the proper building permits, which is number one on our list. However, before we can move in that direction, the town will need to hire a design professional to prepare the plans to submit to Union County for review. Once our plans have been approved we can seek a qualified contractor to perform the necessary work. Our biggest obstacle is found in bullet seven, which was "this requires the greenway trail to be accessible in accordance with the accessible route requirements. It is possible that we could create a new accessible trail on our property at Harrington Hall that will satisfy the requirements of the State Building Code. The original greenway trail could potentially fall under the provisions found in the conditional exceptions of the NC Department of Insurance. The Department of Insurance is who writes the State Building Codes. The "conditional exceptions" includes compliance not practical due to the terrain or compliance cannot be accomplished with the prevailing construction practices or compliance would fundamentally alter the function or purpose of the facility or setting. Ms. Brooks explained that we really don't know until a professionally designed plan is submitted to the county, who will then (from her understanding) submit it to the Department of Insurance for further review and approval/denial. Mayor Becker and Ms. Brooks had the opportunity to discuss this matter with Mr. Dan Blackman from Stewart and he is willing to draw up the plans necessary to submit to the county and the Department of Insurance, which will also have to include a survey of the existing trail showing the topography, which is going to be a substantial amount of surveying that will have to be done on our trail. This council will need to consider authorizing staff to request the services of Stewart for these purposes. The other option we have is for the town to close the trail down to the public and if we choose to go that route we will have to remove everything, including the parking lot.

- Mayor Becker commented "that's where we are" and explained that the biggest purpose of the buying the property at Harrington Hall was for future accessible features (an accessible bathroom, some accessible trails) and we have quite a bit of level land there. Mayor Becker further explained that he and Ms. Brooks met with Mr. Blackman yesterday about the park adjacent to the town hall and they talked about it [greenway] with him. Mayor Becker went over [to the greenway] with Mr. Blackman briefly, so that he would understand what we want to do. "The good part is this is stuff we were planning to do anyway, the bad part is it sort of just disrupts our scheduling, because we have a park we are building and spending the money on that and our next project that we sort of have on our capital improvement plan (that hasn't been adopted yet) would be the community center", Mayor Becker said. Mayor Becker continued that he didn't know how much it would cost to do these improvements on our trail. Clearly we are not required to provide a bathroom yet, so those things don't have to happen. What we have to do in the short run, as Ms. Brooks told the council, are two things. Mayor Becker referred the council to his memo and explained that he was actually going to ask the council to approve us to get a bid from Stewart. We don't need to go out for multiple bids; this is a professional consulting project, so we will operate under that same NCGS 143-64.32, which is the exemption from requests for qualifications for design professionals under \$50,000. We don't have to get bids, once you've got

an engineer working for you. Mayor Becker stated that he believed that is the intent of the statute; you often want to work with the same firm, because they are pretty familiar then with what's going on in your town. Mayor Becker referred back to his memo and stated that it was pretty self-explanatory, the first paragraph basically is just one paragraph summarizing what Ms. Brooks said and the second paragraph just rehashes the statute that allows us to go straight to Stewart. Then Ms. Brooks and Mayor Becker believe that it's kind of a two-step process. It's both easier and probably most urgent in the eyes of the inspections department that we address the built structures first by getting the parking area accessible (paved), getting the platform inspected and either strengthened or rebuilt to new standards depending on what the engineers say. It wasn't mentioned, but adding a rustic handrail on the "sort of terrace steps" at the Copper Run entrance should be considered; again Stewart knows the building codes and would know what to specify. We get that done quickly, because they want progress to be taking place over a period of time and then Ms. Brooks and Mayor Becker will want to work with Mr. Blackman. Mayor Becker explained that we don't know exactly how many (this is the rub), this hasn't been done before really that we know of anywhere. There are some concerns even with the Carolina Thread Trail, with some state parks, with Cane Creek Park at the county, since nobody has addressed this and the new building code of 2012 doesn't really address trails as a special class of recreation facilities. A lot of the Federal Access Board Guidelines and the Forest Service Trail Accessibility Guidelines haven't been incorporated in the state building code; they haven't put it in there, so the guidance is very slim. What Ms. Brooks believes we can do (we don't know yet), we may not even need full design construction plans for this accessible paved route immediately, but to give a sketch of how it is going to run, how many hundreds of feet of accessible sidewalk we are providing, is there an equivalent picnic area there on the flat land; we don't know, but that is kind of what we are thinking. We can then get further guidance from the building inspection department and then we would move forward on that section with Stewart to do design. It's hard to predict what the cost would be, because we don't know if we need a hundred feet of trail or five hundred feet of sidewalk, but they do want us to add some. We kind of would like to think ahead of how we were going to use that site and maybe put the walkways in so that they will accommodate our future uses. Councilwoman Critz commented that she thought this is a silver lining actually, because even though we would not have necessarily wanted to move forward with the new land, we have been chomping at the bit to get the handicap accessibility, this is really just opening the door for us to get this done and get it done right.

- Councilwoman Critz explained that she had done a little research on her own and greenways and trails are the fastest growing park and recreation type in the country, not just in North Carolina, but the nation. Councilwoman Critz stated that she didn't consider it a "facility", so she thought North Carolina is going to be forced to rethink their definition; every state is going to, because it's such an up and coming fast growing popular thing. If you have been to Cane Creek or you've been to McAlpine Creek in Charlotte, you know that many sections are not accessible for the average handicapped person, unless they are some of the extremes that do sports in wheelchairs. Councilwoman Critz sees this as a way to get this done; what we wanted to do and to get it done well.

- Mayor Becker commented that he was glad that we will finally get that parking lot paved, because we had a plan a year ago and somebody felt they had to throw a monkey wrench into getting access to our disabled citizens. Councilwoman Critz responded regardless of that, we have an opportunity to move forward in a very positive way and Mr. Blackman has shown such a really quality and sincere interest in our community and she felt that everything they have given to us is above and beyond; it's exceptional. Councilwoman Critz is sort of glad we are doing this and bringing them on board, although she is sorry it is going to cost the taxpayers a little more money, but it may come out to be a silver lining in the long run. Mayor Becker responded that he didn't think we are going to be spending \$150,000, but we may get "sticker shock" when somebody says "no, you need 2,000 feet of paved trail" (he was joking), but we don't think based on what Mr. Griffin has said that is what they are looking for.
- **Councilwoman Critz made a motion that we move forward.** [This motion was not seconded or voted on]. Ms. Brooks commented that the plan was mentioned and noted that it needs to be a substantial plan that includes the parking lot trail where we are doing the parking space that we are proposing and it needs to include the survey with the topography; it needs to be an inclusive plan that we submit. Mayor Becker asked if they would let us do it in phases. Ms. Brooks responded no. Mayor Becker commented that the town would have to retain Stewart for all of it or at least get a bid from Stewart. Ms. Brooks commented "just for clarity" when you say "facility", she thought of a structure, but she has learned new things; the definition of "facility" is all or any portion of a building, a building structure, site improvement, elements and pedestrian or vehicle route located on a site, so our trail is actually a building (so to speak).
- Councilwoman Coffey stated that she thought there are really too many gray areas, too many unknowns, there are too many projections being made by the county; they are not together on this at all, even with the ADA, let alone the DOJ. Councilwoman Coffey believes that there has to be more concrete information brought to the table and it needs to be specific and in writing what is expected. According to what Councilwoman Coffey just heard, they are just kind of like "here and there on it". The fact that this came about in 2012, some of these things took place before 2012 and Councilwoman Coffey has concerns that they are being addressed after the fact, they should have been grandfathered in if they were already in place. No? Okay, Councilwoman Coffey went back to the fact that nobody really knows what they want, there are some serious gray areas here and if you can't give her a projection on the cost, she can't begin to conceive the thought process of approving anything. Councilwoman Critz suggested that we seek this professional service with the figure in mind that Mayor Becker has put down in here of \$50,000. Mayor Becker clarified that was only there, because that's a maximum they allow us; we wouldn't be spending that on the engineering fees. Councilwoman Critz responded that she realized that, she was just saying that we would not exceed that and that we would not exceed anything that is not specifically addressed when Ms. Brooks met with Mr. Matthews and the other gentleman, such as the observation deck, the handicapped space and the handrail; that we meet these specifics and we don't exceed that and we don't do anything above and beyond that until we have clarity (as Councilwoman Coffey said). Mayor Becker noted that Ms. Brooks said he wanted a plan of access as well.

Councilwoman Coffey stated that this all-inclusive plan that Ms. Brooks is talking about is very extensive and they are not free. Ms. Brooks responded “no ma’am they are not, but we are in violation of the code”. Therefore, in an effort to satisfy the county we have to move forward with a plan of how we are going to fix the violations. Councilwoman Coffey asked if what she was hearing was that Ms. Brooks didn’t even know how extensive it needs to be. Ms. Brooks responded no, what she was hearing was that we don’t know how much trail that we have to put in; that’s up in the air. We can suggest an accessible trail that’s three hundred feet and they may or may not accept it, we have no way of knowing until a plan is submitted. Councilwoman Coffey responded that’s unacceptable, there’s got to be somebody somewhere, she was not speaking against what Ms. Brooks was saying, she was speaking against what the county is asking us to do. Councilwoman Critz commented that she understood Councilwoman Coffey’s frustration, she is frustrated too, but this is a common place and it’s sad. Ms. Brooks noted that the county is also; they don’t know either, because the Department of Insurance has to make that final approval. Councilwoman Coffey asked if there was someone from the DOI that Ms. Brooks could spend some time with to find what their logistically looking for; if nobody can tell you, you are just shooting in the dark and that’s not a good thing. Mayor Becker commented that there was a woman named Laurel (?) who is fairly prominent in the Department of Insurance in the building code writing department who happens to have worked very closely over the years with Julia Sain of Disability Rights and Resources and they have already talked about this. Mayor Becker explained that he hasn’t spoken with Ms. Sain since his first conversation a week and a half ago and Ms. Brooks hasn’t had the opportunity to speak with Laurel, she has just seen some of these third party emails. Ms. Brooks commented that when she was talking with Mr. Griffin and Mr. Matthews they were hoping that we could all get together, so that Ms. Sain is not calling Laurel Wright and then Mr. Griffin is calling Laurel; we all need to get on the same page together. Councilwoman Critz asked if there was such a meeting could Ms. Brooks make it available, so that one or more of the council could attend as well. Everyone has to be in the same room. Ms. Brooks noted that it would be more on the same page, because not only do we have to satisfy the Department of Insurance and the NC Building Code, but we have to satisfy Disability Rights and Resources. Councilwoman Coffey commented that in her opinion there needs to be one plan to satisfy all that, but you have to have all the players in the game at the table at the same time (conference call, video conferencing). It is Councilwoman Coffey’s belief that somebody has to give Ms. Brooks clarity and direction on this, because you can present a plan and it may not be accepted. You could spend \$25,000 (that’s on the cheap side) and it could be rejected and you are back to the drawing board and everything has to come back again and that’s more money; shooting in the dark.

- Attorney Griffin offered that the government says here are the rules, you comply with them. They aren’t going to tell you how to comply that’s not their responsibility, they make the rules, but then you and your consultants and engineers have got to come up with a plan. Councilwoman Coffey commented that they haven’t given us clarity. Attorney Griffin responded no they don’t, that’s why you hire professionals to do it. Councilwoman Coffey commented that they can reject what we present. Attorney Griffin responded “surely, that’s the process” and what you are asking is for you all to get together to approve everything and they

are not going to do that. The town is going to have to put together a plan and then you can work through this process. Attorney Griffin commented what it costs the town to get there he didn't know, but he thought we should go to Raleigh (he recommended that the mayor, clerk or whoever it was going to be) to talk with the Department of Insurance. "Stir it up for the whole state". Mayor Becker responded "well it is stirred up". Cane Creek Park now is concerned. Councilwoman LaMonica noted that they have violations all over the place. Attorney Griffin commented that you could tell from the letter that they are going to throw everything they can at the town to cover themselves when they get reviewed by their superior; the bottom line is you've got to have a plan. Councilwoman Coffey asked Attorney Griffin if he believed it would be eminent that the trip to Raleigh takes place before they attempt to draw plans. Attorney Griffin responded that he had no judgment about it; he was just throwing it out off the top of his head. Mayor Becker stated that he didn't think that necessarily we should, Stewart needs to give us a scope, not a plan next month; they will give us a bid for what they will charge us to do a plan. "We are not asking you to approve us to sign a contract", Mayor Becker said.

- Mayor Becker referred to the Forest Service Trail Accessibility Guidelines, which is based on the US Access Board Guidelines, which is based on the Americans with Disabilities Act and pointed out that it says in there, "Although not legally enforceable outside of the National Forest System, the guidelines may be used by other entities to define best practices for trails". When North Carolina drew up the 2012 building code they didn't come up with much in the way of defining the best practices for trails; somebody dropped the ball there. Mayor Becker commented that there is enough motion that this hole has to get plugged, but we don't know where we fit into that hole, because we may have to do some remediation before the hole gets plugged. Mayor Becker stated that he wouldn't mind going to visit Laurel in person and bring our maps and pictures. Councilwoman Coffey suggested that she may even come here, because they may want to see this. Councilwoman Critz stated that she would be willing to go to Raleigh or she would love to meet her if she comes here and she would love to ask Stewart to take a look at this and give us an idea, because we need some ideas and their guidance. Mayor Becker responded that this is what they do statewide. Mayor Becker referred back to the Forest Service Guidelines and commented that many states under other jurisdictions have adopted these for their trails as part of their building codes, because you've got people who are experienced in trail design and in the Americans with Disabilities Act who have done all the work and therefore the state building codes adopt those. It hasn't happened in this state, so we have to see if it will happen, because that would help us too or at least it gives us clarity.
- Councilwoman Critz asked if she could make a motion to solicit Stewart to give us an outline and a bid. Mayor Becker responded "a scope" and explained that we are going to ask this specific engineer for a scope of service based on the exemption of NCGS 143-64.32; therefore, we are authorized to ask them for a proposal.
- **Councilwoman Critz made a motion that the council authorizes Ms. Brooks to move forward, to ask them for an official proposal for a scope for this project under the exemption NC General Statue 143-64.32 and Councilwoman Neill seconded. The motion passed unanimously as follows:**

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

- Ms. Brooks mentioned that while she was at the meeting with Mr. Matthews and Mr. Griffin she was also informed of another complaint filed by Mr. Bowden on the roof replacement that we did on the future community center back in 2010 when Godfrey Construction replaced the roof. They did not get a building permit, because it was a “roof replacement” and they didn’t think they needed one. Godfrey Construction also replaced some window sashes. Mr. Hoss Hinson from Godfrey Construction has contacted the county and applied for a building permit; the county is currently trying to set up a meeting with Mr. Hinson to look at the roof for their initial inspection. Ms. Brooks stated that she hoped this one would get resolved quickly. Mayor Becker mentioned that Mr. Hinson paid for the permit, because it was his responsibility.

5. **Consideration of a Surety Bond for the Clerk/Zoning Administrator**

- Mayor Becker referred to the memo in the agenda packet and explained that we are looking at the finance office practices and looking at Ms. Brooks’ role. Since she is the “third employee” and is now handling cash/checks for the festival as well as zoning; she has \$100 at one time, she gets a check for a \$100 and gets another one for \$25 before she hands it to him; so she’s got money. We should get the same kind of bond on Ms. Brooks that we have for Ms. Ridings. Mayor Becker explained that he just needed authorization to do that.
- **Councilwoman Coffey** made a **motion** to get the surety bond for the Zoning/Clerk/ Administrator and **Councilwoman LaMonica** seconded. The motion passed unanimously as follows:

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

6. **Consideration of Hourly Staff Pay**

- Mayor Becker reminded the council that the hourly rate isn’t put in the budget; it is a separate council decision. We did the usual 3% on the salaries, but this [hourly staff pay] was not on the agenda last month, so Mayor Becker forgot to ask the council if they wanted to go the 3% on that hourly rate.
- **Councilwoman LaMonica** made a **motion** to go with the 3% as budgeted for the hourly staff pay increase for the Deputy Clerk/Deputy Tax Collector role and **Councilwoman Cureton** seconded. The motion passed unanimously as follows:

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

7. **Discussion of Personalized Features in the Downtown Park**

- Mayor Becker reminded the council that they had asked Attorney Griffin for some advice on whether you could mark things up to call it a “fundraiser” and then explained that he himself had done some research on Coates’ Canons [North Carolina Local Government Law Blog]. According to David Lawrence (pre-

retirement) the statutes are very broad in what municipalities can do in terms of sources of income. There are things that you can't do – stormwater, utilities, solid waste collection and solid waste disposal cannot be used as fundraisers, but other things you can operate at a profit. Mayor Becker pointed out that he had provided copies from Coates' Canons and highlighted the relevant things as well as handling cash at the festival; this covers two birds with one stone. From what Mayor Becker does in the finance office there is a requirement as Ms. Brooks and Ms. Ridings receive funds in the mail or over the desk they must deposit it daily with the finance officer and then the finance officer deposits it in the authorized depository. What it [Coates' Canons] says is "revenue subjected to the daily requirement, moneys collected through taxes and fees as well as moneys collected through fundraisers, donations, grants..." so they anticipate that we can get [moneys from] fundraisers. The question of what happens when you collect money on a Saturday (the final highlighted thing) is that they don't require you to have the bank open up for you, so you can put that in a locked file overnight and make a deposit the next day; we are authorized to do all that. Councilwoman Coffey asked if Mayor Becker made night deposits. Mayor Becker responded "we don't, no". Councilwoman Coffey asked if Mayor Becker had a night drop box and explained that her thought process is not having any cash on site. Mayor Becker responded the less we have the better, we lock it up if we can't, because we occasionally do, but we are not a cash business very often. Councilwoman Coffey stated that she was just thinking in terms of safety and nothing ever being here, you can just run it to the bank and put that little key in there and drop it right it, it's no big deal. That makes sense to Councilwoman Coffey, because she wouldn't want to have any cash (or checks) overnight. Mayor Becker responded that we are not required, but if the board thinks that we should, the problem with making daily deposits in the bank is just the trips to the bank and mileage costs, since we are required and we have fire proof files; it is up to the council. Councilwoman Coffey responded that she is fine; "whatever you all are doing works for me". Mayor Becker added that we have been doing it for 15 years; we aren't changing any policies on that by what we are saying, we are just verifying that money we collect is handled that way.

- Councilwoman Critz mentioned that the main question in here is "what do we want to do with the bricks and benches". Mayor Becker responded that the cost for the bricks is \$19. The design that Stewart has come up is four concentric circles around the center of the fountain which will allow for about 120 bricks, so they could sell out quite quickly. Staff has bounced around the idea a little bit and they would like people in Mineral Springs to feel comfortable without having to pay \$100 for a brick; Councilwoman Coffey had said that some of the churches really charge a lot. Mayor Becker stated that we might want to come up with a price point. Councilwoman Critz asked approximately how much the cost of the children's apparatus was. Mayor Becker responded with the construction, mulch bed, the log/tube upgrade and everything was about \$34,000, but we don't have a firm bid yet. Councilwoman Critz asked how much the adult ones were. Mayor Becker responded that he didn't remember what those were, but he thought they were in the range of \$1,000 each for just the apparatus. It was noted that there would not be any mechanized apparatus. Councilwoman Critz commented if we sold the bricks for a little more than their face value we could possibly offset all or a majority of the cost for the adult apparatuses. Mayor Becker responded that they cost \$19 per brick and if we sold them for \$39 we could get \$20 per brick for a profit of

\$2,400, which would cover the adult exercise facilities. Councilwoman Critz responded “exactly, just put it right back into the project”, that’s still an affordable price for people in the community as she does not want to make it so the average person can’t afford a brick in honor or in memory of someone. Mayor Becker commented that Ms. Brooks was going to put this in the newsletter, which is why we need to get authorization now. Ms. Ridings has volunteered to oversee the process (record keeping). If we get a huge subscription up front we may have to talk to Stewart about adding some rings. Councilwoman Critz stated that the question is do we want any extra money to put back in the project – do we want to use the moneys we have aside for it and make the brick at cost? Mayor Becker explained that the cost is still more than the \$19, because of what it costs to prepare the brick bed and everything. Councilwoman Critz suggested \$25. Mayor Becker responded that may be what it costs.

- Mayor Becker explained that if we decide to sell benches or picnic table or sell a piece of senior exercise equipment with a plaque that would probably be just some arbitrary figure of close to the face value, because those are big; that’s \$400 or \$500 for a bench and \$1,200 for [senior exercise equipment].
- After a brief discussion, there was a consensus of the council to sell the bricks for \$25 each. It was also noted the Mayor Becker would contact the Department of Revenue about whether or not the town would have to charge sales tax.
- **Councilman Countryman made a motion to charge \$25.00 for the brick and Councilwoman LaMonica seconded. The motion passed unanimously as follows:**

Ayes: Coffey, Countryman, Critz, Cureton, LaMonica and Neill

Nays: None

- Attorney Griffin noted that it was not part of the motion, but he assumed it’s understood they can’t just buy it and walk away with it – can they? Mayor Becker responded “oh, no no, it’s buy it to be installed”. Attorney Griffin suggested that we make sure that’s..... Mayor Becker interjected “yeah, is that clear or do we want to”. Councilwoman Critz commented “purchasing the brick for the purpose of installing it into the park”. Mayor Becker explained that there is a thing (Ms. Ridings has a little sample) they can pay extra and get that little paper weight size brick, but that’s on the buyer if they want to get that little thing for themselves. Councilwoman Coffey asked what does that cost. Mayor Becker responded that he didn’t know, but that’s not on us, we can get that price out there and they can get that at cost if they want it. Councilwoman Coffey commented that you would want to put that in the newsletter too, so that people would know, since we are letting them know stuff is available. Mayor Becker commented some people would like to have that little [one]; it probably ain’t cheap.
- Councilwoman Coffey stated that she had a quick question as we go forward noting that Mayor Becker had spoken in reference to possibly asking Stewart Industries to increase the size [of the brick area]. Anytime you reopen a proposal there is a charge, so Councilwoman Coffey wanted to caution us on that, because he’s not working for free, he can’t do that, he’s got employees and we shouldn’t expect him to. Mayor Becker responded that Ms. Brooks said those exact words – “you are wanting to change the design Mayor Becker, that’s not fair” and Mr. Blackman smiled and said “thank you Ms. Brooks”. Councilwoman Critz suggested

just saying that there is the approximate number available for this presentation. Ms. Brooks suggested on a first come first serve basis. Councilwoman Critz concurred. Councilwoman Coffey noted that she wouldn't look to change it. Councilman Countryman suggested putting in the newsletter that it was on a first come first serve basis to kind of entice people to do and not sit on their laurels' and then at least we have covered ourselves when they say "I couldn't get a brick". Councilwoman Critz suggested saying something to the effect that these will be proudly displayed as part of the walkway for our new downtown park, so that people realize that it is an opportunity for a memorial honoring type of setting.

- Councilwoman Coffey asked if the benches would be mentioned in the newsletter and what the cost would be. Mayor Becker responded that they have to make a call, there are so few of them that he thought that we would deal with those kinds of donors individually. Councilwoman Coffey commented that if we are talking about opportunities to purchase they all need to be mentioned at the same time. Mayor Becker commented that they will be mentioned, but we don't have a firm price for that yet, but we can get them on a list. We are going to just establish a good faith estimate of what those are costing on a unit cost basis and that's what somebody can pay to get a plaque on it.
- Councilwoman Critz asked if we settled on any kind of ideas about the trees and shrubs. Mayor Becker responded that we asked Mr. Blackman, but they hadn't done a landscape plan yet. Ms. Brooks commented that shrubs would be very hard. Mayor Becker concurred that shrubs is pushing it, but we can mention that the benches, exercise centers and picnic tables are available for sponsorship. Ms. Ridings will be the contact for that.

8. **Consideration of the Audit Contract**

- Mayor Becker commented that he thought Mr. Burns cut us a break this time. We budgeted \$5100, but Mr. Burns came back with \$5,000 in the contract, so we are covered by the budget.
- **Councilwoman Coffey** made a **motion** to approve the audit contract for Mr. Burns for 2015 and **Councilwoman LaMonica** seconded. The motion passed unanimously as follows:

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

9. **Staff Reports**

- There were no staff updates.

10. **Other Business**

- There was no other business.

11. **Adjournment**

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

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

- The meeting was adjourned at 8:29 p.m.
- The next regular meeting will be on Thursday, August 13, 2015 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

Vicky A. Brooks, CMC, NCCMC, Town Clerk

Frederick Becker III, Mayor