

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Regular Meeting
April 14, 2016 ~ 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, April 14, 2016.

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

Absent: None.

Visitors: Robbie Benton, Charles Bowden, Patty Davis, Ryan Jones, Marcus Smith and Catherine Andrews Williams.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of April 14, 2016 to order at 7:31 p.m.

1. **Opening**

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

2. **Public Comments**

- Charles Bowden – 6409 Pleasant Grove Road – Waxhaw, NC.
- Catherine Andrews Williams – 3509 S. Potter Road – Waxhaw, NC.
- Patty Davis – 1801 Shannon Road – Waxhaw, NC.
- Marcus Smith – 1719 Shannon Road – Waxhaw, NC.
- Robbie Benton – 1815 Shannon Road – Waxhaw, NC.
- Ryan Jones – 1804 Shannon Road – Waxhaw, NC.

3. **Consent Agenda**

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

- A. *March 10, 2016 Regular Meeting Minutes*
- B. *February 2016 Tax Collector's Report*
- C. *February 2016 Finance Report*

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

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

4. **Consideration of the Mineral Springs Greenway Bridge Engineering Proposals**

- Mayor Becker explained that the town had a request from Union County Inspections to have the bridges on our natural surface trail evaluated by an engineer; it is yet to be determined whether or not they need permits or improvements. Staff did get two proposals – one from LaBella Associates and one from Structural Engineering Services to review the as-built drawings (as drawn by Mayor Becker) that were provided, then to make field visits to check for compliance with the drawings and also to evaluate the structural integrity of the structures.
- Mayor Becker pointed out that if the council decides to enter into a contract with either of these firms that he would suggest (with it being an engineering contract that is under \$50,000 in both cases) that they would be exempting themselves from the so-called Mini-Brooks act and they would just be authorized under NCGS 143-64.32 to accept either of these proposals that they feel is the better one or none, with the exemption in place.
- Mayor Becker noted that the LaBella proposal is \$1,000 and the Structural Engineering Services has two options (\$3,000 or \$2,000); neither of these would involve corrections if there were structural improvements that needed to be made. The structural improvements would be another step, but these would get us to the first step that Union County Inspections wants.
- Councilwoman Critz asked if one of these has a more greenway-specific background. Mayor Becker responded that these are structural engineers; we are not concerned about the greenway aspects. Mark Griffin from Union County Inspections made it clear to Ms. Brooks again today that they want to know that these bridges are adequate to meet the structural requirements of the NC Building Code; three of the bridges are wood framed and the fourth one is a 2 x 6 hollow steel tube. Both of these firms are qualified to determine that.
- **Councilwoman Critz made a motion to accept the \$1,000 contract with LaBella Associates, PC and Councilman Countryman seconded.** Mayor Becker commented that there were two things when the council does a memorandum (agreement) that they have to make sure of per State requirements; LaBella will have to certify that they comply with E-Verify and the Iran Divestment Act. *The aforementioned motion by Councilwoman Critz passed unanimously as follows:*

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

5. **Update on the Downtown Park and Consideration of a Grand Opening Ceremony**

- Mayor Becker pointed out that the downtown park is nearly complete; it is due for final inspection any minute and will get a Certificate of Occupancy, so it can be officially open. It is designed for a very specific user group – adults, seniors and families who wish to get exercise on a very level paved walkway. It is also designed for a playground that is specifically for toddlers.

- Ms. Brooks asked the council if they wanted to do a grand opening ceremony and if so how elaborate or simple would they like it to be. Councilwoman Coffey suggested doing what they had done for the open house for the town hall; that way people get enough acclimatization to what has happened and the transition that is taking place; it will also give them time to socialize and talk to their neighbors. Councilwoman Critz suggested that the council could answer questions concerning the not too distant future renovation of the stone house. Mayor Becker pointed out that the open house was very informal, we had somebody cooking up hot dogs and hamburgers, we had chips and sodas and it was set up with some picnic tables. Councilwoman Coffey responded that would be awesome. Mayor Becker commented that the town could do that again and asked Ms. Brooks if she would publicize it with the newsletter. Ms. Brooks responded yes. After a brief discussion, the council determined that the grand opening would be held on Saturday, May 14, 2016 from 11:00 a.m. to 2:00 p.m.
- **Councilwoman Critz** made a **motion** to schedule the Open House for the downtown park on Saturday, May 14th from 11 to 2 p.m. and **Councilman Countryman** seconded. The motion passed unanimously as follows:

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

- Ms. Brooks mentioned that she would notify that there will be a possible quorum at the town hall. The council determined that there would be a ribbon cutting ceremony and that they would need to call for a special meeting for that.
- **Councilwoman Coffey** made a **motion** that we make notification for a Special Meeting at 11 a.m. on May 14th for the purpose of having a ribbon cutting for the new downtown park at the town hall and **Councilwoman Cureton** seconded. The motion passed unanimously as follows:

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

6. **Consideration of Approving a Contract with iCompass for a Records Management Program**

- Ms. Brooks explained that this is records management; we have been a town for 17 years, so we obviously have a lot of records and this company can clean that up for us, help us get on track with records retention and get our records in order where we can search for them quickly. Councilwoman Coffey asked if this was a third party server. Mayor Becker responded that it's a third party software and service. Councilwoman Critz commented that it was long overdue as she remembered when Clerk Brooks was keeping boxes under her bed, because we ran out of room at the fire department. "Let's not go backward, let's go forward". This is a great idea. Councilwoman Neill concurred. Councilwoman Coffey commented that it was a necessity of doing business. Mayor Becker asked if iCompass was working for Waxhaw, since Clerk Shuler did conduct that open house with Josh from iCompass. Ms. Brooks responded that they might be, but she was not sure. Mayor Becker commented that he and Ms. Brooks had met with the man from iCompass last year and one of the important things is backup and Cloud backup and records access is all part of this. It is written in a user-friendly

way, so the clerk, the tax collector and the finance officer can just upload and keep the data and the software. Ms. Brooks added that iCompass will do all of the training for us. Mayor Becker commented that one of the advantages is that it actually tracks the North Carolina Records Retention Schedule so that we don't have to keep redundant or obsolete records; it's sort of automated. Mayor Becker stated that it really makes sense to him and their price was actually pretty reasonable; it's an annual fee of \$4,350. Councilwoman Coffey commented that automation is definitely the way to go and the quote is quite reasonable. Mayor Becker mentioned that Ms. Brooks spent quite a bit of time on this last year and things intervened, which sort of delayed it, but she has done a lot of evaluation of the iCompass platform, which really seemed to be the best of the others. Mayor Becker noted that he had met with Ms. Brooks and the contractor at that time and he said this does look like a good platform and it was a very attractive price.

- **Councilwoman Coffey** made a **motion** to contract with iCompass as a third party server for the records for the Town of Mineral Spring and add the E-Verify and Iran Divestment Act provisions to this contract before executing and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

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

Nays: None

7. **Consideration of Budget Amendment (O-2015-02)**

- Mayor Becker explained that the way our budget ordinance was written newsletter is a separate item and we don't have enough money to do a third newsletter budgeted with a larger number of addresses we are sending to and the larger number of pages and the increase in postage; we need a few hundred dollars more to put out the third newsletter this fiscal year. Mayor Becker was asking for a \$500 budget amendment to take it out of "Contingency" and put it into "Newsletter".
- **Councilwoman Neill** made a **motion** to adopt the budget amendment for \$500 out of "Contingency" and into "Newsletter" and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

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

Nays: None

- The budget amendment is as follows:

STATE OF NORTH CAROLINA
TOWN OF MINERAL SPRINGS

AN ORDINANCE AMENDING THE BUDGET OF
THE TOWN OF MINERAL SPRINGS
FOR THE FISCAL YEAR 2015-2016
O-2015-02

WHEREAS, NC G.S. 159-15 authorizes a municipal governing board to amend the annual budget ordinance at any time after the ordinance's adoption;

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Mineral Springs, North Carolina, the following:

SECTION 1. **Appropriations and Amounts.** Amendment #2015-01:

<u>INCREASE</u>		<u>DECREASE</u>	
Newsletter	\$500	Contingency	\$500
Total	\$500	Total	\$500

SECTION 2. **Effective Date.** This ordinance is effective upon adoption.

ADOPTED this 14th day of April, 2016. Witness my hand and official seal:

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, Clerk

8. 2016-2017 Budget – Proposed Departmental Appropriations

- Mayor Becker explained that this is the time of the year that the council talks about the preliminary appropriations and he referred the council to his memo that covers what some of the differences might be. Things are being consolidated, some things are being reduced, and some things are new services. iCompass is included in this proposal as an annual contract and N•Focus was penciled in as code enforcement; it doesn't mean that the town is going to use it, things can be in the budget and not get spent.
- Mayor Becker pointed out, from a bookkeeping/accounting standpoint, that it helps from an auditing standpoint to consolidate a few of the things that we have been putting in the ordinance, which are very small departments. The newsletter has its own department, which should be brought into community involvement. The Dues and Insurance should be moved into Office and Town Hall as a category. It will eliminate a few more items in the ordinance; they will still be accounted for in the finance reports every month as the line item for what they are.
- Mayor Becker pointed out that there are a few increases and a few decreases; there is no election this year [decrease]. The town Auditor Mike Burns has gotten out of the municipal audit business. Mayor Becker explained that he researched on the State Treasurer's website, because they are very open about who does the audits for every town and what they cost. A couple of them stuck out as firms for our town size at pretty good rates; the one that stuck out the most was Kendra Gangal, who is actually out of South Charlotte off of Rea Road. Mayor Becker has never met her, but she took over Wesley Chapel's audit (who had used Mike Burns) and he spoke with Cheryl Bennett (the finance officer in Wesley Chapel) and she recommended Ms. Gangal highly. Lake Park also had Mike Burns and they are going to Ms. Gangal. Mayor Becker explained that he would create a box of files for Mike Burns, hoping he wasn't missing anything, and would meet him in Wesley Chapel to drop it off in the parking lot or he would go to Charlotte. Ms. Gangal will come here to town hall, so it will minimize the number of records that have to leave our town hall. Mayor Becker stated that he doesn't like sending official records out, even though it was to our accountant, so he likes the way Ms. Gangal does it; it is more service and more trouble for her. Mayor Becker is in 100% favor of using Ms. Gangal. Mayor Becker commented that he wasn't asking the council to sign a contract yet, because that is for next year's budget and we can't sign a contract until we have money in the budget to authorize it, so that will come later. Mayor Becker just wanted to give the council a little background on

Ms. Gangal, who will be charging several hundred dollars less for next year than Mike Burns was charging last year. Ms. Gangal has a lot of years' experience in municipal accounting, she worked for another firm and she went off on her own about eight years ago. Ms. Gangal does regular private sector accounting, but she has this "niche" in municipal accounting where she is apparently quite good. Mayor Becker commented that he is recommending Ms. Gangal and noted that the council will see a decrease in the audit as a result. Mayor Becker asked the council if they saw any glaring things that needed to be changed and noted that his memo pointed out three things that the council should do. The council always talks about the 3% salary and hourly wage increase. Mayor Becker asked the council if they wanted to make a motion to incorporate that this year as of now, so that they don't keep on dragging it out; is this figure the council is happy with. Councilwoman Coffey responded that she thought it was great.

- **Councilwoman Coffey** made a **motion** to go with the usual 3% increase in salary and hourly positions for the upcoming budget and **Councilwoman Critz**. The motion passed unanimously as follows:

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

- Mayor Becker asked the council if they liked what they were seeing in terms of the changes or if there was anything that stuck out that needed to be tweaked before he presented the formal budget in May. Councilwoman Critz responded that it was great and she appreciated the extra efforts Mayor Becker went to to clarify.
- **Councilwoman Critz** made a **motion** to approve the changes in the FY 2016-2017 budget and recommended that we incorporate the expenditures of that budget and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

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

- Mayor Becker explained for those of the public here that this presents the numbers on the expenditure side; it is on the website. The operating expenditures in the budget that are being proposed are \$286,834 for everything (not including capital) and it was \$277,255 for the fiscal year we are currently engaged in. There is an increase of \$9,579 because of some cuts we've been able to make and the increase is actually less than just adding the two new items (iCompass and N•Focus). The next step is that Mayor Becker will present a much more formal budget document after the council has been able to evaluate what the revenues will be. The county will give the town our tax base and the State can do some estimation on sales tax. Next month, Mayor Becker will present a proposed budget, which the council still doesn't adopt, but they look it over and call for a public hearing in June at which point the council can amend that budget and then adopt it in June.

9. Update from the Delinquent Tax Collector

- Mayor Becker introduced Ms. Janet Ridings as the town's Delinquent Tax Collector and noted that Ms. Ridings is being very aggressive and doing her best to get every last penny when possible and has done a really good job.

- Ms. Ridings reported that she is trying, but stated that we have run up to about the end of what she thinks in going to be collectable. After 10 years the oldest year drops off; only two or three accounts drop off this year. Ms. Ridings pointed out that there are notes on the sheet [included in the agenda packet] and that was as of the end of March. Based on the tax report for the month of March all that is left due is \$917.17. Mayor Becker noted that was for seven full fiscal years. Ms. Ridings continued that we have come down a long way. The monthly letters keep going out. There are notes on the sheet showing who is still on the debt set off list; this has really been a moot point for the last couple of years, since North Carolina changed its tax structure making it a little tougher for municipalities to collect anything. There are a couple of people that have passed away that are still on the debt set off list and after talking with the people that Ms. Ridings goes with (Five Star), they recommend leaving them on in case there are more tax filings or an estate is settled. The back page shows what has been paid; Straing and Smith have been paid off in full. Councilwoman Coffey asked about the Howard property that is listed, because it has new owners in that house; it has been renovated and they have moved in. Wouldn't they have paid those taxes? Ms. Ridings responded that they should have; the closing attorney probably did not do his due diligence to find out if there were taxes due. Mayor Becker commented that the new owner may get the surprise that they are liable for those taxes, because taxes run with the land, not the taxpayer, so the new owner might need to go back to the closing attorney; Ms. Ridings can check on that. Ms. Ridings stated that she would check with the Register of Deeds on Monday; they can tell her who the new owner is. Councilwoman Critz asked if Ms. Ridings regularly checks with the court house as for when they probate wills and that kind of thing. Ms. Ridings responded that one of the bills has been going to the daughter and nothing has ever been said or done, which is why she is still on the debt set off list. Mayor Becker commented that some estates never get opened. Ms. Ridings commented that there are two or three that are listed that are both deceased and no estates have ever been filed; there is nobody listed, because she does check with them. Ms. Ridings is always talking to the girls from the tax office, they have been trading information lately on several, but she thinks that she is down to the end of what is basically feasible for what she has been working on. Ms. Ridings reiterated that the letters are still going out. Councilwoman Critz responded that she is doing a really great job. Mayor Becker noted that by law the town can't "write it off"; we are not allowed, it has to stay on the books until it drops off after 10 years. Councilwoman Cureton asked about the house right beside Mr. Howard's house; it is Mr. Hastings house and he tried to talk to Mr. Howard's daughter Emily about the house. Ms. Ridings responded that she would need to get the physical address of the property so she could get the tax map number and we could go from there. Ms. Ridings noted that she would appreciate it if Councilwoman Cureton could get her the address; she will take anybody's help if they have information. Mayor Becker commented that Ms. Ridings talks to the county tax collector, the county court house and the county tax assessor; she has a plethora of resources that she uses. Ms. Ridings noted that the county is even calling her and she thought that was pretty good. Mayor Becker commented that we have collected a couple that we never expected to collect and the county really liked that.
- It was noted that the county maintains anything from 2012, 2013 and 2014.

10. **Consideration of Authorizing Town Clerk to Attend a Course at UNC School of Government**

- Mayor Becker explained that Ms. Brooks thought one of the council members would like this, because this is called “Getting Your Message Across” for clerks [and others] with their speaking skills and asked how the council felt about Ms. Brooks attending this course by UNC School of Government for \$225. Councilwoman Coffey responded that she thought it was wonderful; she needs it.
- **Councilwoman Coffey** made a **motion** that this council approves the town clerk going to the training to help her better “Get her Message Across” at UNC School of Government. Councilwoman Critz commented for the audience that “we do have probably the best clerk in Union County”. Councilwoman Coffey added “we sure do; she is awesome”. Councilwoman Critz continued that she has won awards, so it is not just an opinion, although our opinions are.... Ms. Brooks responded “biased”. Councilwoman Critz continued that the council was all in agreement here. Councilwoman Coffey noted that their opinions were based on job performance. **Councilwoman Cureton** seconded the aforementioned motion by Councilwoman Coffey. The motion passed unanimously as follows:

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

11. **Staff Reports**

- There were no staff reports.

12. **Other Business**

- There was no other business.

13. **Adjournment**

- **Councilwoman Coffey** made a motion to adjourn the meeting and **Councilman Countryman** seconded. The motion passed unanimously as follows:

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

- The meeting was adjourned at 8:27 p.m.
- The next regular meeting will be on Thursday, May 12, 2016 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