

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Special Meeting
May 26, 2016 ~ 7:30 PM

Minutes

The Town Council of the Town of Mineral Springs, North Carolina, met in Special Session at the Mineral Springs Town Hall, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, May 26, 2016.

Present: Mayor Frederick Becker III, Councilwoman Valerie Coffey, Councilman Jerry Countryman, Councilwoman Lundeen Cureton, Councilwoman Bettylyn Krafft, Town Clerk/Zoning Administrator Vicky Brooks and Deputy Town Clerk/Tax Collector Janet Ridings.

Absent: Mayor Pro Tem Peggy Neill and Councilwoman Janet Critz.

Visitors: None.

With a quorum present Mayor Frederick Becker called the Special Town Council Meeting of May 26, 2016 to order at 7:31 p.m.

1. Opening

- Mayor Becker noted that Mayor Pro Tem Peggy Neill and Councilwoman Janet Critz were excused from the meeting and would not be counted for in voting.

2. Consideration of Approving the Proposal Submitted by LaBella Associates, P.C. for the Greenway Pedestrian/Equestrian Bridge Proposal for Design and Documentation of Recommendation Repairs

- Mayor Becker explained that the proposal submitted by LaBella is for bridge design and preparing the construction documents based on his [Dan Hill's] findings. Mayor Becker pointed out that the council had the findings and also the next proposal for \$2,000. The proposal is for the construction documents and drawings for the four bridges and it will include interfacing and meeting with inspections; there will be no construction administration, although he [Mr. Hill] did say he would do an onsite inspection of completed repairs. Once we get the construction documents and authorization for a building permit, we will be able to talk to one of our trusted groups of contractors and see if we can get this work done very reasonably and quickly. Councilwoman Coffey commented that everything was very clearly laid out and in her opinion they have absolutely researched this and are meeting the needs of the county, so that we will pass inspection and their documentation will guide the contractors in doing their job/due diligence in a timely basis and that it will be sufficient for inspection. Councilwoman Krafft agreed. Mayor Becker stated that it sounded like the council was in favor of this and explained that if they do decide to approve this proposal they will be doing so under

the exemption provided by N.C.G.S. 143-64.32, which means that for engineering/architecture, accounting, professional contracts under \$50,000 they can basically waive all bidding and all RFQ requirements and base their decision on what they see. This should be part of the motion, because that exemption should be called attention to on these small projects if it is being done under that exemption.

- **Councilwoman Coffey** made a **motion** to approve the LaBella contract for the \$2,000 and making certain that we are considering that it is within the threshold that it should be and not need special budgetary considerations and include N.C.G.S. 143-64.32 and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton and Krafft

Nays: None

- Mayor Becker addressed the project from an accounting standpoint, because it seems that there are questions over what account we are charging some of these projects to. Interestingly enough when the bridges were built one at a time with mostly donated materials and all the labor they were almost cost free, so they have never been included in our Capital Asset Schedule and they have never been included as capital assets. However, since we are into them for \$1,000 of engineering work and another \$2,000 of design work and we don't know what the construction work is going to be (probably a couple of thousand dollars minimum), Mayor Becker would like to put the bridges into the Capital Asset Schedule and charge the money that is being spent to Capital and they will be depreciated as infrastructure (he believed). Our parking lot is considered infrastructure for depreciation purposes, which is what our auditor has us use, so that is Mayor Becker's plan for the bridges. Mayor Becker explained that there have been some members of the public that have wondered what internal accounts some of these projects are charged to and this one (Mayor Becker thought) would be appropriate to be charged to Capital. Normally this would be maintenance. If this were a \$100,000 bridge and we were doing \$3,000 worth of railing repairs that would be maintenance, but because what we are doing is essentially the cost of new bridges it's a good time to capitalize them now.

3. **Consideration of Appointing a Designated Official to Notify the North Carolina Alcoholic Beverage Control Commission of the Recommendations for the Town and Consideration of Approving Resolution 2016-01**

- Mayor Becker explained that Ms. Brooks had done a lot of research, he had done a little and they had sort of distilled all of their research down to two very simple things that the town has to do on this ABC permitting matter. Since the referendum was passed countywide for beer and wine (on and off premise sales passed), which did authorize vendors in Mineral Springs to apply for ABC beer and/or wine permits. There are two who have begun the application process and all of a sudden came up against this wall where the Town of Mineral Springs needs to have designated an official to sign off on the permit (in reference to Section F of the statute). The zoning administrator must review it for zoning compliance. The designated official can be a councilmember, the mayor or the zoning administrator;

there isn't a whole lot of substance to the duty or a lot of involvement or wiggle room. It is more like a "rubber stamp" if everything else is met; fire code, zoning administrator, etc. Mayor Becker explained that Ms. Brooks has confirmed that we must appoint that person and there is a resolution that goes along with appointing that person and it is up to the council to appoint. Mayor Becker stated that he would be happy to put his name on it and he has asked Ms. Brooks and she would be happy to put her name on it, although Ms. Brooks has already got her name on the other half. Councilwoman Krafft stated that it made sense to have Mayor Becker do the second, so that we have two sets of eyes on anything; to have that check and balance. Mayor Becker stated that he was certainly willing to do that and explained that it is a very straight forward thing (application) and the burden is more on the applicant than the town. Councilman Countryman asked (just for knowledge purposes) when it comes to the town if they [applicants] have already been approved by the ABC board. Ms. Brooks responded no, part of the permitting process is to come to the town first and then they apply. Mayor Becker asked out of curiosity (it's public information) if the two that are applying right now are the Mineral General and if they are applying for off premise beer and off premise wine. Ms. Brooks responded that as far as she knew it was just beer. Mayor Becker stated that it (off premise beer) would be the same for the Circle K as far as we know.

- Mayor Becker commented that it even says in the check list that the recommendation of the local governing body [is a factor]. Councilwoman Krafft commented if the county has already said that it's allowed then it is what it is. Councilman Countryman commented that he kind of snickered the other day, because it's different than it used to be when the cities made that decision and then there was always a controversy between a certain faction of the community and another faction of the community, but the county has made that decision for everybody now. Mayor Becker responded the county and then the voters, it is countywide and so it just happened outside of our control. Councilman Countryman commented that realistically its part of our society today (and done legally) it's a business practice and those people ought to have the opportunity to participate like anybody else.
- **Councilwoman Krafft made a motion to adopt the Resolution 2016-01 naming the designated town official as the mayor and Councilman Countryman seconded. The motion passed unanimously as follows:**

*Ayes: Coffey, Countryman, Cureton and Krafft
Nays: None*

- Resolution 2016-01 is as follows:

TOWN OF MINERAL SPRINGS

**RESOLUTION OF THE TOWN OF MINERAL SPRINGS, COUNTY OF UNION,
REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS
TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS**

R-2016-01

WHEREAS, G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the Town of Mineral Springs, County of Union, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that the Mayor of the Town of Mineral Springs
(Title or Position)

is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the Town of Mineral Springs, County of Union, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED that notices to the Town of Mineral Springs, County of Union, should be mailed or delivered to the official designated above at the following address:

Mailing Address: P. O. Box 600
Office Location: 3506 Potters Road South
City: Mineral Springs, NC
Zip Code: 28108 Phone #: 704-243-0505

ADOPTED this the 26th day of May, 2016.

Frederick Becker III, Mayor

Sworn to and subscribed before me this the _____ day of _____, 2016.

Vicky Brooks, CMC, NCCMC, Town Clerk

4. **Adjournment**

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

*Ayes: Coffey, Countryman, Cureton and Krafft
Nays: None*

- The meeting was adjourned at 7:45 p.m.

Respectfully submitted by:

Vicky A. Brooks, CMC, NCCMC, Town Clerk

Frederick Becker III, Mayor