

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Special Meeting – Work Session
October 13, 2016 ~ 6:00 PM

Minutes Draft

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 6:00 p.m. on Thursday, October 13, 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 and Deputy Town Clerk/Tax Collector Janet Ridings.

Absent: Attorney Bobby Griffin.

Visitors: None.

1. Opening

- With a quorum present Mayor Frederick Becker called the Special Town Council Meeting of October 13, 2016 to order at 6:05 p.m.

2. Nuisance Ordinance Survey Results Work Session

- Zoning Administrator Vicky Brooks suggested for the benefit of our guests we should say what number one was; Ms. Brooks read it out loud.
 1. Any accumulation of trash, garbage, food waste and other trash which is the result of the absence of, or overflowing of, or improperly closed trash or garbage containers that attracts or is likely to attract mice and rats, flies and mosquitoes or other pests.
 - 21.5% of our residents responded to the survey.
 - Responses: 77% - very important; 9% - do not want; 3% - not important and 11% - somewhat important.
 - Accumulation is a health hazard and a major concern and respondents felt so as well
 - High priority on the list that keeps all of our people safe.
 - Highest citizen response in the “very important” category.
 - Health hazard or disease potential should not be underestimated.

2. An open place, collection, storage place or concentration of combustible items such as mattresses, boxes, paper, automobile tires, garbage, trash, refuse, brush, old clothes, rags or any other combustible materials collection.
 - Responses: 75% - very important; 9% - do not want; 4% - not important and 12% - somewhat important.
 - Very high on the list of respondents.
 - Accumulation is a health hazard and in addition these things could just burst into fire at any time with the right conditions creating an environmental hazard.
 - There is still an electronics hut at the Parkwood dump where you can easily dispose of old televisions, etc.

3. Any weeds or other vegetation having an overall height of more than eighteen (18) inches above the surrounding ground provided that the following shall not be considered to be a part of this condition: trees and ornamental shrubs; cultured plants; natural vegetation on undeveloped property that is not a threat to the character of surrounding properties; and flowers and growing and producing vegetable plants.
 - Responses: 43% - very important; 25% - somewhat important; 16% - not important; and 16% - do not want.
 - Change eighteen (18) inches to twenty-four (24) inches.
 - Add “including hay production” at the end.

4. An open storage place for old worn out, broken or discarded machinery, car parts, junk, tire rims, furniture, stoves, refrigerators, appliances, cans and containers, household goods, plumbing or electrical fixtures, old rusty metal, fencing materials or other similar materials.
 - Responses: 72% - very important; 13% - somewhat important; 5% - not important; and 10% - do not want.
 - High on the list of respondents.
 - Define and clarify what an “open storage place” is; possibly add dimensions and specifications to the location (i.e. front yard, back yard, out of public view) of the storage.
 - Ornamental (i.e. old tractors, agricultural-type pieces, wheelbarrows, memorabilia, antiques, etc.) items would be excluded, but old refrigerators should not be excluded.
 - Zoning can eliminate some of these items under certain conditions; however, zoning cannot actually have things removed in the manner that a nuisance ordinance can.
 - Discussions regarding violation schedule notifications, etc. will be forthcoming.

5. Any accumulation of garbage, rubbish, trash, or junk causing or threatening to cause a fire hazard.
- Responses: 75% - very important; 13% - somewhat important; 3% - not important; and 9% - do not want.
 - Number five is a replication of number two; it met the same weight with respondents proving people read the questions carefully. The responses were identical to those in two, because they were basically identical provisions.
 - Add “fire hazard” to number two and eliminate number five.
6. A collection place for lumber, bricks, blocks, nails, building hardware, roofing materials, scaffolding, masonry materials, electrical supplies or materials, plumbing supplies or materials, hearing and air conditions supplies or materials or any other type of old or unusable building supplies (especially those with nails, staples or sharp objects and edges) unless such conditions are temporary in nature and cause by a current construction project in progress pursuant to a lawfully issued building permit.
- Responses: 55% - very important; 23% - somewhat important; 10% - not important; and 12% do not want.
 - Council wants more research done on this item. What could the exceptions be for a person with a legitimate home occupation such as a contractor/landscaper who is storing in a responsible fashion/well organized that isn't visible from the road? Is there a way to better define “public view”? Should it be view from a public road? What about neighborhoods where the backyards back up to each other?
 - The concept of this regulation is good, but without it being so vague.
7. Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the Code Administrator or his designee can reasonable determine that there is a likelihood of personal or property injury to any person or property entering the premises.
- Responses: 76% - very important; 13% - somewhat important; 2% - not important; and 9% - do not want.
 - If N-Focus believes this is something a nuisance ordinance can enforce without a building code enforcement department it does allow at least some mitigation of certain dilapidated structures; it seems like a good way to tackle some of the problems that can't be tackled any other way. This is an area for study.
 - It should be noted if a property owner does not comply, it would be the town hiring a contractor to go in [to do the work], which could be costly; the town will be paying the bill and then a lien could be put on the property. There was a question of if the person had the financial ability to pay if it would be handled differently; guidance will be sought from Attorney Griffin.

Reimbursement from the property owner may be able to be collected through the North Carolina debt set-off; this is another area of study.

8. A collection place for tree limbs, dried brush, dead vegetation, stumps or other decayed wood and materials or other similar rubbish.

- **Responses:** 33% - very important; 34% - somewhat important; 17% - not important; and 16% - do not want.
- A lot of people compost and piles can be fairly large sitting a long time.
- Delete number eight.

9. Nuisance vehicle: A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be: See below

- * A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or
- * A point of heavy growth of weeds or other noxious vegetation which exceeds eight (8) inches in height; or
- * In a condition allowing the collection of pools or ponds of water; or
- * A concentration of quantities of gasoline, oil, or other flammable or explosive materials as evidenced by odor; or
- * An area of confinement which cannot be operated from the inside, such as, but not limited to, trucks or hoods; or
- * So situated or located that there is a danger of it falling or turning over; or
- * A collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind; or
- * One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass;
- * Any other vehicle specifically declared a health and safety hazard and a public nuisance by the Town Council.

- **Responses:** 67% - very important; 16% - somewhat important; 5%- not important; and 12% - do not want.
- To be consistent with number three – change “eight (8) inches” to “twenty-four (24) inches” under “A point of heavy growth of weeds or other noxious vegetation”.
- Change “Town Council” to “Code Enforcement Officer” in the last bullet; it should be an objective decision, not one to be made by the town council.

10. Any condition detrimental to the public health which violates the rules and regulations of the Union County or the State of North Carolina.

- **Responses:** 69% - very important; 13% - somewhat important; 5% - not important; and 13% - do not want.
- There was a consensus of the council to remove item number ten from the list; it is too vague.

- Discussions on the survey comments yielded the following comments/suggestions:
 - Ask N•Focus to define “public view”.
 - Councilwoman Krafft suggested it would be beneficial to the community if an upcoming newsletter contained some things that would give them a better direction and guidance on who’s responsible for what and how barking dogs, hunting and loud music [are handled], including some of the things people seemed to be confused about. Another example would be – if places need speed limit signs, people should call DOT. People just need to have a place of reference/guidance. Ms. Brooks added a fact sheet [FAQ] could be put on the website.
 - Councilwoman Critz mentioned twice a year Waxhaw has a pick-up throughout the community for rubbish. A town our size could do this once a year; staff should check into what it would cost. It was noted taxpayer dollars would be paying for this service. Councilwoman Krafft commented it could tie in with Earth Day; in conservation of what the town is about, but it depends on the cost.

3. **Adjournment**

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

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

- The meeting was adjourned at 7:18 p.m.

Respectfully submitted by:

Vicky A. Brooks, CMC, NCCMC, Town Clerk

Frederick Becker III, Mayor