

Town of Mineral Springs  
Town Hall  
3506 S. Potter Road  
Town Council  
Regular Meeting  
August 10, 2017~ 7:30 PM

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Minutes

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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, August 10, 2017.

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

**Absent:** Councilwoman Valerie Coffey and Councilwoman Lundeen Cureton.

**Visitors:** Stan Duncan and Vann Harrell.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of July 14, 2016 to order at 7:32 p.m.

1. **Opening**

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

2. **Public Comments**

- There were no public comments.

3. **Consent Agenda**

- **Councilman Countryman** made a ***motion*** to approve the consent agenda as presented containing the following:

- A. *July 13, 2017 Regular Meeting Minutes*
- B. *June 2017 Tax Collector's Report*
- C. *June 2017 Finance Report*

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

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

#### 4. 2017 Property Tax Order of Collection

- Mayor Becker introduced Interim Tax Administrator Stan Duncan and Tax Collection Division Head Vann Harrell. Mr. Harrell commented they have the standard operating procedure (required by statute) at the end of June/July and that sometime in August they come and do their annual settlement with the town before they start collecting the new tax bills. Last year, the town's total billing was \$64,805.83 and there was an outstanding balance of \$747.58. Mr. Harrell noted that everything was in balance as of June; the council should have the audit reports when they come through. They started out the year with a balance on prior years of \$1,817.52 and they now have a balance of \$965.52. They are down to \$97.55 in the town's oldest outstanding year.
- Mayor Becker explained the first order of business is to approve the settlement, because by statute they must receive and approve the settlement before they can charge the tax collector for the upcoming year.
- **Councilwoman Neill** made a **motion** to approve the settlement and **Councilman Countryman** seconded. *The motion passed unanimously as follows:*

*Ayes: Countryman, Critz, Krafft and Neill*

*Nays: None*

- Mayor Becker explained the next order of business was the tax charge for the upcoming fiscal year, which is in the agenda packet. The general tax is \$64,104.17 and the late list (penalties on late listings) is \$17.03 for a total of \$64,121.20. As always, there are two big things that aren't on this charge: public utility property that comes through such as the power companies' infrastructure and the railroad. The town receives approximately \$5,000 worth of taxes (based on \$15,000,000 or so), which is a discovery by the county and it gets added on to this; the charge will be adjusted periodically pending discoveries. Motor vehicles remain collected separately and there are occasional discoveries and releases, so that would be the amount of the charge that they are charging the tax administrator with: \$64,121.20 plus or minus adjustments throughout the year.
- **Councilwoman Critz** made a **motion** to approve the charge and **Councilwoman Krafft** seconded. *The motion passed unanimously as follows:*

*Ayes: Countryman, Critz, Krafft and Neill*

*Nays: None*

- Mr. Harrell announced that the tax bills will hit the mail tomorrow. They had to wait for the county to give them their charge on Monday night and then they had to get them done. Councilwoman Critz commented that they do appreciate their partnership; it has been very helpful. Mayor Becker agreed and commented he thought it has been helpful on the current taxes and then Ms. Ridings has been working very well with the county's delinquent collectors on that angle, so both cases worked out very well for the town.

#### 5. Prior Years' Tax Settlement and Write-Offs

- Mayor Becker explained this was the same process as agenda item #4, which is the delinquent prior years' settlement. The council does not have to recharge Ms.

Ridings, they just have to approve her settlement and then she is just charged with continuing to collect what's due.

- **Councilwoman Critz** made a **motion** to approve the authorization for Ms. Riding to move forward with the delinquent taxes and thank you for your hard work Ms. Ridings and **Councilman Countryman** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill

Nays: None

- Mayor Becker pointed out that the town was still responsible for \$424, so it is down to the "bitter end". Ms. Ridings commented it's less than that after today. Mayor Becker announced Ms. Ridings just got a \$60 collection that she thought she would never see. It doesn't apply to this fiscal year, but it applies to reality, so it's an old one off the books; it goes back to 2008, 2009, 2010 and 2011.

#### 6. Consideration of Appointing a New Planning Board Member

- Mayor Becker asked Ms. Brooks if she had spoken with Mr. Rutland; he is not here. Ms. Brooks responded he is not, he is seeing his child off to college, but he is very interested in being appointed. Mayor Becker reminded the council of Michael Rutland who was next in line for the planning board after they got the flurry of applicants, so they can just appoint him since they did agree at the time to go down the line as they needed them.
- **Councilwoman Neill** made a **motion** to appoint Michael Rutland as a planning board member to replace Mr. Richard Marcello and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill

Nays: None

#### 7. Consideration of a New Janitorial Service Provider

- Mayor Becker explained the documentation was in the agenda packet; there are two bids and they are qualified bidders based on the requirement of insurance. The council can decide if they are qualified based on what they have picked up from their qualifications; if they are both qualified the town is almost obligated to take the lower of the two bids, which are extremely close together. Do you have any reason to feel that one or the other is not a qualified bidder? Ms. Brooks responded she did not feel that. Clean Net is a business more like Jan-Pro is and the Mop, Broom and Bucket is more of a local company; they were both very nice gentlemen. Councilman Countryman asked if Ms. Brooks spoke with both of these representatives. Ms. Brooks responded yes and they both toured town hall. Councilman Countryman asked if they left Ms. Brooks with a favorite. Since the council didn't see them and there is \$12.00 that separate the bids, Councilman Countryman was just curious if there was anything through Ms. Brooks direct contact with them that would give her an indication that one would be preferential over the other. Ms. Brooks responded she would go with Bucket, Mop and Broom. Councilman Countryman asked other than the fact that they were local (we do like that) was there another reason. Ms. Brooks responded not because he is the low bidder, but he just seemed very genuine in his desire to clean. Councilwoman

Critz commented she thought one problem we have had with Jan-Pro is that they are not local and it's been hard to make contact and have anything they need done or improved upon. Ms. Brooks reiterated that Clean Net is along that line, which in itself makes her leery; they have employees that come out to the town hall and do a walk-through and check off on their list whether they think this person is doing a good job. Ms. Brooks isn't even satisfied with that. Jan-Pro does that and Clean Net also does that. With Bucket, Mop and Broom it is just him; he is the owner of the company, so the "buck stops with him". Councilwoman Critz asked if you could actually reach him. Ms. Brooks responded she didn't know, because she didn't have that experience, but she would hope that she could call him up and say we need such and such done. Councilman Countryman commented he thought they should give it to him. Councilwoman Krafft agreed and commented she thought they wanted to keep the business local if they could; it is the low bid.

- Councilman Countryman asked if was an annual contract. Mayor Becker responded it is an annual contract and a monthly price; it's on an annual basis, we would renew it. Mayor Becker noted he hadn't looked at the wording, is it self-renewing if we don't or it will come before the board either way. It says one year, dates will be agreed upon, but we will fill in the dates and make it September 15<sup>th</sup> through September 15<sup>th</sup> he thought. Ms. Brooks mentioned they would also need to get him to put in the E-Verify. Mayor Becker responded the council would need to keep in mind that we were going to add the E-Verify and the Iran Divestment Act to the contract, which is language the State requires. Attorney Griffin mentioned he thought that had been changed and Mayor Becker might want to check that out. Mayor Becker responded, "we don't have to do it now"? Mayor Becker stated he would double check and thanked Attorney Griffin for his advice. Attorney Griffin responded it was still a violation, but he was not sure it was required in every little document anymore. Mayor Becker responded, "let's hope not, it's just one more step and if we can avoid it, but we will make sure we comply with the law before signing it".
- **Councilman Countryman** made a **motion** to award the janitorial contract to **Bucket, Mop and Broom** and **Councilwoman Krafft** seconded, subject to making sure that any State requirement that we normally have are fulfilled in the contract from September 15, 2017 to September 15, 2018 for the time being. The motion passed unanimously as follows:

*Ayes: Countryman, Critz, Krafft and Neill*

*Nays: None*

8. **Discussion and Consideration of Contacting Companies About Replacing the Zoning and Subdivision Ordinances with a Unified Development Ordinance**

- Mayor Becker commented this one is totally for Ms. Brooks to talk about and it's a very long-term thing that has come to her mind, but it is certainly worth thinking about. Ms. Brooks explained since the town adopted their ordinances in 2002 things have changed over time and she has noticed that a lot of municipalities and counties are going to the Unified Development Ordinance (UDO). Ms. Brooks thought it might be a good idea for Mineral Springs not only to create the UDO, but also to get with people who do this for a living and know all of the ins and outs of what's happened, what changes need to be in there; it would be a great idea for somebody outside of us to come in and look at our ordinances. Mayor Becker

noted that would be zoning and subdivision specifically. Ms. Brooks explained that a UDO puts the zoning and subdivision ordinance into one ordinance. Councilwoman Critz expressed concerns with this (which she hoped would be put to rest), because the town spent so much time and energy into our conservation zoning and asked if this is not going to compromise the work they have done. Ms. Brooks responded no, it wouldn't. Mayor Becker added the intent is not to amend the terms of our ordinance, it is more to consolidate. Some language may be cleaned up (changed). You do have things as administrator where they don't mesh up perfectly and the planning board is being called to try and fix little anomalies. Mayor Becker noted there might be things you want to look at; some work on the downtown overlay and light industrial zoning. Councilwoman Critz asked if it would all come before the planning board and council. Ms. Brooks responded yes. Mayor Becker added that it could be a year. Councilman Countryman asked if Ms. Brooks had any conceptual understanding of how long this process might ensue from the time the process begins (council says yes) and she goes to get these folks to look at it. Ms. Brooks responded she would venture to guess a year, because you would first have to have meetings with staff to let them know what we are looking for and then it would go to the planning board multiple times. Councilman Countryman asked Ms. Brooks if she had contact information on agencies ready to contact that do this. Ms. Brooks responded she did have a couple: N-Focus, Centralina Council of Governments and Benchmark (which was recommended by the clerk/administrator in Lake Park). Ms. Brooks commented that Benchmark would probably be her first call, but she would want to go to a couple different ones and get bids. Mayor Becker noted the council had no obligation, this is just for Ms. Brooks to start asking a few questions, to get some insights and come back to the council in several months with some ideas from some potential vendors. Ms. Brooks shared that Lake Park just did theirs for \$26,000. Mayor Becker responded it was not a cheap process, but it's meant to last 10 years plus. Councilwoman Critz commented the town spent less than that, because it was an extraordinary situation with UNC Charlotte, but it has lasted over 10 years now. Councilwoman Critz asked Ms. Brooks (as the administrator) if she felt like it would help her with administration skills, abilities and would be an asset. Ms. Brooks responded yes, it would help very much. Attorney Griffin commented that he would recommend it based on conferences he goes to. It's the bulk of what this town is organized for, this is your main, the others are just frills and thrills, this is what you really are created for and what you do and you want to be as up-to-date as possible, as succinctly stated as possible, so there's no duplication of wordage or meaning and to have it under one umbrella, so you don't have to go here and try and find something and go to there and find something. This is for you as well as potential people who are going to live in this community. Councilman Countryman mentioned having one book that is in conflict with the other or having words that just haven't been updated. Attorney Griffin agreed and noted the laws have changed especially on zoning and court decision. If the town can afford it, Attorney Griffin surely would recommend it.

- There was a consensus of the council to authorize Ms. Brooks to contact potential consultants and bring it back to the council in a few months.

## **9. Staff Reports**

- Mayor Becker asked Ms. Brooks if she had a festival update. Ms. Brooks responded, “we’re still having a festival on September 9<sup>th</sup>”. Councilwoman Critz asked if there was a pretty solidified number. Ms. Brooks responded Councilwoman Krafft was doing very well in the children’s area. Councilwoman Critz stated she was referring to vendors and everybody. Ms. Brooks responded we have quite a few vendors. Ms. Brooks was having trouble with an ice cream vendor, but we have Pelican’s Snoballs now. The fire department will be doing their bar-b-que and Paul’s Hot Dogs will be back. We have quite a few craft vendors and a couple different kinds of vendors (i.e. bath enclosures and flu shots). We have a magician who will be doing two shows and a “roaming” balloon twister. David L. Cook from Artists Music Guild has scheduled pianist Jonathan Helms and Celtic Rain, plus one other performer that hasn’t been named yet. Ms. Brooks mentioned that one of our council members’ children will also be performing with Jonathan Helms. Councilwoman Critz asked if David Cook will be here in their tent. Ms. Brooks responded he said he will be here, because “who else is giving away all those prizes Ms. Ridings is pounding the pavement for now”!
- Mayor Becker gave a finance officer update. The June report did have that year end stuff. An explanation was put inside the cover to explain the difference between the accrued and the cash. The auditor, Kendra Gangal, will be coming in to meet with the finance officer in September.
- Ms. Brooks shared that the Social Media course she went to was fantastic and when the council was ready for Twitter and Instagram we’re going to get busy with that. The town already has a Facebook page, which we don’t do a whole lot with yet. Ms. Brooks pointed out that the instructor made a very good point, if you have a Facebook page you should be posting at least once a day to start reaching all of your people, it’s not so much about that, but when you have an emergency or you have lost a child and you put it on Facebook it’s reaching more people, because you continue to post on Facebook. Mayor Becker noted people have a habit of looking there. Ms. Brooks added that “boosting” a post was highly recommended for reaching more people; it does cost money, which could be considered “advertising”. The town should be “boosting” the festival to reach more people.

10. **Other Business**

- Councilman Countryman asked where they were in terms of the nuisance ordinance. Councilwoman Critz responded her contact person doesn’t return to work until after the 15<sup>th</sup> of this month and then she will find out from her when she is available and when it’s not insane; being near Chapel Hill right now would be insane. Councilwoman Critz thought it would be between August 15<sup>th</sup> and September (maybe before Labor Day), but since she hasn’t been able to talk to her (she left her a voice mail) and has contacted the Institute itself, so it is just a matter of waiting until she returns.

11. **Adjournment**

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

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

- The meeting was adjourned at 8:06 p.m.
- The next regular meeting will be on Thursday, September 14, 2017 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

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Vicky A. Brooks, CMC, NCCMC, Town Clerk

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Frederick Becker III, Mayor