

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Regular Meeting
April 9, 2020 ~ 7:30 PM

Minutes Draft

The Town Council of the Town of Mineral Springs, North Carolina, met in Regular Session at the Mineral Springs Town Hall (parking lot), Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, April 9, 2020.

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

Absent: Councilwoman Peggy Neill and Attorney Bobby Griffin.

Visitors: None.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of April 9, 2020 to order at 7:34 p.m.

1. **Opening**

- Town Clerk Vicky Brooks did the roll call of those present [as shown above].
- Councilwoman Critz delivered the invocation.
- Pledge of Allegiance

2. **Consideration of a Resolution Allowing for Electronic Meetings Under the State of Emergency**

- Mayor Becker explained the resolution for electronic meeting under the State of Emergency.
- **Councilwoman Coffey** made a **motion** to adopt the resolution allowing for electronic meetings under the State of Emergency of North Carolina and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

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

Nays: None

- The resolution is as follows:

TOWN OF MINERAL SPRINGS
Resolution to Conduct Electronic Town Council Meetings
During COVID-19 State of Emergency

R-2020-01

WHEREAS, on March 16, 2020, Union County, North Carolina declared a State of Emergency in response to the spread of the COVID-19 disease; and

WHEREAS, on March 16, 2020, the Town of Mineral Springs, North Carolina [“**Town**”] declared a State of Emergency paralleling that of Union County; and

WHEREAS, under their States of Emergency, Union County and the Town have closed all government offices including the Mineral Springs Town Hall to the public; and

WHEREAS, on March 27, 2020, North Carolina Governor Roy Cooper issued Executive Order 121 imposing a series of statewide restrictions, prohibitions, and directives referred to as a Stay-at-Home Order (“EO121” or “the Order”). The Order went into effect on Monday, March 30, 2020 at 5:00 p.m. and remains in effect for 30 days until April 29, 2020 unless rescinded, revised, or extended; and

WHEREAS, a mass gathering is defined in “The Order” as any event or convening that brings together more than ten (10) persons in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, or any indoor or outdoor space; and

WHEREAS, a municipality (and board) is considered an “Essential Governmental Operation” and as such shall ensure the continuing operation of the government agency or to provide for or support the health, safety and welfare of the public; and

WHEREAS, the Mineral Springs Town Council has not heretofore adopted any resolution/policy for participating and/or conducting electronic town council meetings; and

WHEREAS, the Mineral Springs Town Council supports the current State of Emergency for COVID-19 and finds it is in the best interest and safety of the general public, town employees, and town council to implement a policy for electronic council meetings at this time:

- to help prevent the spread of COVID-19 by enforcing social distancing and limiting meetings to ten (10) or less persons; and
- to provide the public citizens a means of listening to or participating in a council meeting in a safe and secure environment of their own; and

NOW, THEREFORE BE IT RESOLVED by the Mineral Springs Town Council will implement the following guidelines for participating and/or conducting electronic town council meetings:

- Town Council members will only be able to participate in electronic meetings during the duration of the COVID-19 State of Emergency.
- Members of the public will be able to phone in or use their computer to connect to Zoom to listen to the meeting live.
- A public comment session will be held during the monthly regular meeting. Anyone wishing to speak must sign up by email or text to the town clerk by 2:00 p.m. on the day of the meeting.
- Town Council members participating electronically will be counted as a “aye” vote, unless that member states their name and votes “nay”.

BE IT FURTHER RESOLVED that the provisions of this Resolution shall remain in effect until the earlier of the following:

- The reopening of the town hall to the public for regular business hours; or
- The expiration of the Town’s COVID-19 Emergency Declaration (including any extensions) and Executive Order 121; or
- The repeal of this Resolution by the Mineral Springs Town Council.

This the 9th day of April, 2020.

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, CMC, Town Clerk

3. **Public Comments**

- There were no public comments; no requests for public comments were received via text or email.

4. **Consent Agenda**

- Councilwoman Critz pointed out an error on page 80 and 81; the “ayes” included her name and she was not present at that meeting.
- **Councilwoman Critz made a motion to approve the consent agenda with the two amendments, which contained the following:**

- A. March 12, 2020 Regular Meeting Minutes
- B. February 2020 Tax Collector’s Report
- C. February 2020 Finance Report

and Councilman Countryman seconded. The motion passed unanimously as follows:

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

5. **Consideration of Waiving Point and Pay Fees for Debit and Credit Card Transactions**

- Mayor Becker described the resolution for waiving the fees for debit and credit card transactions during the COVID-19 State of Emergency.
- **Councilwoman Coffey made a motion to approve waiving the Point and Pay fees for debit and credit cards and Councilman Countryman seconded. The motion passed unanimously as follows:**

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

- The resolution is as follows:

**TOWN OF MINERAL SPRINGS
Resolution to Waive Debit and Credit Card Fees
During COVID-19 State of Emergency**

R-2020-02

WHEREAS, on March 16, 2020, Union County, North Carolina declared a State of Emergency in response to the spread of the COVID-19 disease; and

WHEREAS, on March 16, 2020, the Town of Mineral Springs, North Carolina [“**Town**”] declared a State of Emergency paralleling that of Union County; and

WHEREAS, under their States of Emergency, Union County and the Town have closed all government offices including the Mineral Springs town hall to the public; and

WHEREAS, the Zoning Administrator is endeavoring to process zoning permit applications by telephone and by email while the town hall is closed; and

WHEREAS, due to the closure of the town hall, it would be both impractical and unsafe for the Town to collect fees in cash or otherwise in person; and

WHEREAS, North Carolina general statutes do not require municipalities to accept any revenues aside from property taxes in cash; and

WHEREAS, the Town has been contracting with Point and Pay to process credit and debit card transactions; and

WHEREAS, Point and Pay charges a fee for processing credit card and debit card transactions for the Town; and

WHEREAS, under normal circumstances when cash and other in-person payment methods were available to the public, the Town charged applicants for the Point and Pay processing fees; and

WHEREAS, cash and in-person payment methods are no longer available and the Town is requiring checks by mail or credit or debit card payments for all fees; and

WHEREAS, the Mineral Springs Town Council has determined that it would constitute an undue hardship to citizens making payments to the Town to require those citizens to pay the Point and Pay service charges during this State of Emergency;

NOW, THEREFORE BE IT RESOLVED by the Mineral Springs Town Council the following:

- The Town of Mineral Springs hereby declares that it will not accept cash for payment of application fees or any other fees that are not property taxes; and
- The Town of Mineral Springs hereby waives Point and Pay processing fees for any payments to the Town made by credit or debit card including property taxes; and
- The Town of Mineral Springs will make arrangements to collect any property tax payments in cash as required by statute if cash is the only payment method the taxpayer can make but hereby declares that credit or debit card is the preferred method of payment of property taxes; and
- The Town Council of the Town of Mineral Springs hereby directs the Finance officer to enter into the Town's books any credit or debit card payments at their net amount and to enter the amount of the Point and Pay fee as a miscellaneous collection expenditure in the department collecting the fee.

BE IT FURTHER RESOLVED that the provisions of this Resolution shall remain in effect until the earlier of the following:

- The reopening of the town hall to the public for regular business hours; or
- The expiration of the Town's COVID-19 Emergency Declaration (including any extensions); or
- The repeal of this Resolution by the Mineral Springs Town Council.

This the 9th day of April, 2020.

Frederick Becker III, Mayor

Attest: _____
Vicky A. Brooks, Municipal Clerk

6. Consideration of Keeping the Deputy Clerk on the Payroll

- Mayor Becker described the resolution to keep the deputy clerk on the payroll.
- **Councilwoman Critz made a motion to keep our deputy clerk on the payroll during this State of Emergency and Councilman Countryman seconded. The motion passed unanimously as follows:**

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

Nays: None

- The resolution is as follows:

**TOWN OF MINERAL SPRINGS
Resolution to Adopt Policy on Hourly-Employee Work and Wages
During COVID-19 State of Emergency**

R-2020-01

WHEREAS, on March 16, 2020, Union County, North Carolina declared a State of Emergency in response to the spread of the COVID-19 disease; and

WHEREAS, on March 16, 2020, the Town of Mineral Springs, North Carolina ["**Town**"] declared a State of Emergency paralleling that of Union County; and

WHEREAS, the Governor of North Carolina issued Executive Order #118 on March 17, 2020, part of which modified North Carolina unemployment insurance policy to facilitate employee filings and potentially reduce employer liability for unemployment benefits; and

WHEREAS, under their States of Emergency, Union County and the Town have closed all government offices including the Mineral Springs town hall to the public; and

WHEREAS, the Town has three staff employees, consisting of one full-time salaried Municipal Clerk and Planning Director, one half-time salaried Finance officer, and one part-time hourly Deputy Clerk, Deputy Tax Collector, and Receptionist ["**Deputy Clerk**"]; and

WHEREAS, due to the closure of the Mineral Springs town hall, the salaried employees have begun to fulfill as many of their duties as possible from home and are coordinating any occupancy of the town hall so that no more than one employee at a time is present at the town hall; and

WHEREAS, the base hourly assignment for the Deputy Clerk has been established as "regular office hours", which comprises twelve (12) hours per week; and

WHEREAS, the closure of the town hall has eliminated some of the Deputy Clerk's duties, including receptionist duties and office support duties; and

WHEREAS, the Deputy Clerk has continued to perform some duties during the town hall closure, including file-management and file-updating tasks; and

WHEREAS, it is expected that the Deputy Clerk will continue to be able to provide valuable services to the Town during the town hall closure although such services might not require twelve hours of work every week; and

WHEREAS, if the Town were to "lay off" the Deputy Clerk for the duration of the current town hall closure, the Governor's Executive Order #118 would allow for the Deputy Clerk to apply for enhanced unemployment benefits and the Town would be subject to reduced liability for any resulting benefit payments; and

WHEREAS, if the Town were to "lay off" the Deputy Clerk for the duration of the current town hall closure, the Deputy Clerk would not be available for such duties as the Deputy Clerk's supervisor determined were necessary or beneficial to the Town; and

WHEREAS, the Mineral Springs Town Council has determined that it is in the best interest of the Town to have the experienced Deputy Clerk available as needed to perform any tasks deemed necessary or beneficial by the Deputy Clerk's supervisor;

NOW, THEREFORE BE IT RESOLVED by the Mineral Springs Town Council the following:

During the town hall closure,

- The Town shall keep the current Deputy Clerk on the active payroll; and
- The Deputy Clerk shall be paid for twelve (12) hours per week at the current hourly rate for the position even if actual hours worked total less than twelve in any given week; and
- The deputy Clerk shall be available to perform such duties and tasks as directed by the Deputy Clerk's supervisor; and
- If the Deputy Clerk is required to work more than twelve hours in any given week, any additional hours above twelve shall be compensated at the current hourly rate for the position.

BE IT FURTHER RESOLVED that the provisions of this Resolution shall remain in effect until the earlier of the following:

- The reopening of the town hall to the public for regular business hours; or
- The expiration of the Town's COVID-19 Emergency Declaration (including any extensions); or
- The repeal of this Resolution by the Mineral Springs Town Council.

This the 9th day of April, 2020.

Frederick Becker III, Mayor

Attest: _____
Vicky A. Brooks, Municipal Clerk

7. **2020-2021 Budget – Proposed Departmental Appropriations**

- Mayor Becker asked the council if they had anything to add to the budget appropriations, if not he would move forward with presenting it to them in May.
- **Councilwoman Krafft made a motion to move forward on the budget appropriations and Councilman Critz seconded. The motion passed unanimously as follows:**

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

8. **Staff Updates**

- There were no staff updates.

9. **Other Business**

- Councilwoman Krafft asked about the Mineral Springs 7th Annual Festival and if Ms. Brooks was able to do her planning stages as we are going forward. Ms. Brooks responded she was not sending out applications and was not asking for sponsors right now, because she did not think it was the appropriate time to be asking for money. Ms. Brooks also did not know if people were of the mindset to be thinking that they want to be a craft vendor or food vendor. Ms. Brooks mentioned a band has been secured for the event. Ms. Brooks asked if the council wanted her to be looking for sponsors at this time. Councilman Countryman responded no. Councilwoman Krafft responded that Ms. Brooks did not need to work on sponsors, but she did need to work on the food vendors, because once this breaks open people are going to be slammed. Ms. Brooks responded she does have the fire department doing the bar-b-que again and she has talked to Blue Lagoon and they wanted to come back before all of this started, but she hasn't received their application yet. In addition, Ms. Ridings has been in touch with a pizza man and Pelican's is already paid for. Ms. Brooks asked the council to think about whether the town wants to seek out sponsors this year. Mayor Becker noted the town may have more clarity on this next month, because the COVID-19 cases are starting to catch up in North Carolina. Ms. Brooks asked the council again if they wanted to ask for sponsors given the situation, because there are companies that are not open, and they are losing money. "Is this the best time to be asking people for money", Ms. Brooks asked. Councilwoman Coffey responded, "no, it is not." Councilwoman Krafft responded, "no, but I would think that at least two of your main sponsors before are still working very hard, they are still full, I mean their business is booming." Councilwoman Krafft stated "it hasn't affected everybody the same way."
- Mayor Becker noted the playground has been closed (as the council can see) and that happened even before the governor mandated that (he closed it the day before the mandate), based on recommendations from the parks and rec group he is a member of. Councilwoman Critz mentioned the greenway was booming. Mayor Becker noted people are still able to stay apart, so right now it is working.
- It was noted that if the quarantine is not lifted for next months meeting the council does not have to come, the meeting can be conducted via Zoom. Ms. Brooks will keep the council informed.

- Councilwoman Critz mentioned the council has been getting emails about grant monies for municipalities and asked Mayor Becker if there was anything he thought might be beneficial to our community. Mayor Becker responded he had not seen any of those specific emails. Councilwoman Critz will forward the emails to Mayor Becker.

10. **Adjournment**

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

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

Nays: None

- The meeting was adjourned at 7:48 p.m.
- The next regular meeting will be on Thursday, May 14, 2020 at 7:30 p.m. at the Mineral Springs Town Hall or via Zoom depending on the State of Emergency Stay-at-Home Order.

Respectfully submitted by:

Vicky A. Brooks, CMC, Town Clerk

Frederick Becker III, Mayor