

**Minutes of the  
Mineral Springs Town Council  
Public Hearing / Regular Meeting  
May 13, 2021 – 7:30 p.m.**

The Town Council of the Town of Mineral Springs, North Carolina, met in Public Hearing and Regular Session at the Mineral Springs Town Hall located at 3506 Potter Road South, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, May 13, 2021.

**Present:** Mayor Frederick Becker III, Mayor Pro Tem Valerie Coffey, Councilman Jerry Countryman, Councilwoman Janet Critz, and Councilwoman Bettylyn Krafft.

**Absent:** Councilwoman Lundeen Cureton and Councilwoman Peggy Neill.

**Staff Present:** Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin, and Deputy Town Clerk Janet Ridings.

**Visitors:** Allison Drake and Bjorn Hansen.

**1. Opening**

With a quorum present at 7:31 p.m. on May 13, 2021, Mayor Frederick Becker called the Regular Town Council Meeting to order.

Councilwoman Critz delivered the invocation.

Pledge of Allegiance.

**2. Public Hearing – Proposed Text Amendments (TA-2021-01)**

Mayor Becker called the Proposed Text Amendment (TA-2021-01) Public Hearing to order at 7:32 p.m. and explained the text amendments were in the agenda packet that Ms. Brooks and Erin [Burris] have been working on for the past few months.

Ms. Brooks explained the text amendments were from the changes to General Statute 160D. Ms. Brooks provided the council with a checklist of changes for 160D and a document titled "Recommended Text Amendments to the Mineral Springs Development Ordinance – TA-2021-01". Ms. Brooks also provided the council with a Statement of Consistency and Reasonableness. Ms. Brooks explained one of the text amendments did not have anything to do with 160D, but it was something that needed to be fixed for a Minor Subdivision; when the town redid the ordinance back in 2019, it was one that "slipped through the cracks" on septic suitability for Minor Subdivisions.

There were no public hearing comments.

Mayor Becker closed the Proposed Text Amendment (TA-2021-01) Public Hearing at 7:35 p.m.

**3. Consideration of the Proposed Text Amendments (TA-2021-01) – Action Item**

**MEMO**

**To:** Town Council  
**From:** Vicky Brooks  
**Date:** May 3, 2021  
**Re:** Agenda Items 2 & 3 – Public Hearing – Proposed Text Amendments (TA-2021-01)  
Consideration of the Proposed Text Amendments (TA-2021-01)

**Chapter 160D: A New Land Use Law for North Carolina by Adam Lovelady, David W. Owens, and Ben Hitchings – UNC School of Government**

*The new Chapter 160D of the North Carolina General Statutes consolidates city-and county-enabling statutes for development regulations (now in Chapters 153A and 160A into a single, unified chapter. Chapter 160D places these statutes into a more logical, coherent organization. While the new law does not make any major policy changes or shifts in the scope of authority granted to local governments, it does provide many clarifying amendments and consensus reforms that will need to be incorporated into local development regulations.*

*Chapter 160D is effective now, but local governments have until July 1, 2021 for the development, consideration, and adoption of necessary amendments to conform local ordinances to this new law. All city and county zoning, subdivision, and other development regulations, including unified-development ordinances, will need to be updated by that date to conform to the new law. Cities and counties that have zoning ordinance must have an up-to-date comprehensive plan or land use plan by July 1, 2022.*

**Additional Information (from UNC School of Government)**

*The principal impact of 160D is to:*

- 1. Consolidate current city and county enabling statutes now in Article 18, Chapter 153A and Article 19, Chapter 160A into a single, unified new Chapter 160D of the General Statutes.*
- 2. Place these statutes into a more logical, coherent organization, facilitating ease of finding relevant provisions and clarifying how the statutes relate to one another.*
- 3. Provide uniform authority, definitions and procedures for cities and counties, while retaining broad substantive policy discretion for ordinances adopted by individual jurisdictions.*

*While not making major policy shifts in existing legislation, the legislation modernizes the language of the statute to remove obsolete terminology and clarify existing provisions without making substantive changes. In addition, a number of consensus reforms that have the broad support of the local government and development community are incorporated.*

*The 160D proposal was developed by the N.C. Bar Association. The legislation was introduced as H. 548 in 2015 and as S. 419 in 2017. The bill was introduced in the 2019 session of the General Assembly as S. 422 and H. 448. On May 6, 2019 the Senate passed the bill as introduced as Part II of S. 355. The House of Representatives passed the bill with only a few technical tweaks on June 26. The Governor signed the bill on July 11. It is S.L. 2019-111. It initially was to become effective January 1, 2021 in order to allow time in 2020 to incorporate amendments made to affected statutes by other legislation enacted in 2019. That incorporation was made by S.L. 2020-25. Therefore Chapter 160D was made effective upon the adoption of that legislation, June 19, 2020. However, local governments have until July 1, 2021 to adopt conforming amendments to their local development regulations, with Chapter 160D becoming effective for each jurisdiction as those amendments are adopted (or no later than July 1, 2021).*

The proposed text amendments required by the new Chapter 160D (Local Planning and Development Regulation) were presented to the Mineral Springs Planning Board in March of 2021 and were unanimously recommended for approval.

Following this memo, you will find a document titled "G.S. Chapter 160D Checklist of Changes" and one titled "Recommended Text Amendments to the Mineral Springs Development Ordinance – 05/13/21 – TA2021-01".

The document titled "G.S. Chapter 160D Checklist of Changes" is the checklist provided by UNC School of Government that details the changes that are necessary for our ordinance to conform with Chapter 160D. The first page describes what the symbols mean throughout the document. The first column in the chart shows what action staff has taken on each category. The second column are the symbols provided by the School of Government denoting what actions are necessary. Council should pay particular attention to page 17 of this document, because it denotes notable legislative changes that do not require local action, but local governments must be aware of.

*The document titled "Recommended Text Amendments to the Mineral Springs Development Ordinance – 05/13/21 – TA2021-01" describes each text amendment to the ordinance with council approval/adoption. As noted on page 19 – the proposed text amendment to Article 3 – Section 3.3.3(D) is not a text amendment related to the new Chapter 160D changes, but that of a correction to the ordinance that was inadvertently overlooked during the process of converting the zoning and subdivision ordinances into the unified development ordinance. As highlighted on page 1 – there are two text amendments that were omitted from the planning board review/recommendation chart; however, they were shown in the digital version of the ordinance that the planning board received for review, which highlighted all the changes.*

Mayor Becker noted the planning board had recommended the text amendments.

Councilman Countryman motioned to adopt the Consistency Statement and Councilwoman Coffey seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

Mayor Becker commented the text amendments were consistent with the Land Use Plan.

Councilwoman Critz motioned to adopt the amendments (TA-2021-01) and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

The Statement of Reasonableness and Consistency is as follows:

**TOWN OF MINERAL SPRINGS  
TOWN COUNCIL**  
  
**STATEMENT OF REASONABLENESS  
AND CONSISTENCY**  
  
**Mineral Springs Development Ordinance**  
**Articles 1, 2, 3, 4, 5, 8, and 9**  
**TA-2021-01**

In reference to the proposed text amendments to Articles 1, 2, 3, 4, 5, 8, and 9 of the Mineral Springs Development Ordinance.

The Mineral Springs Town Council hereby declares the proposed text amendments to be "*reasonable*" as they bring the Mineral Springs Development Ordinance into compliance with General Statute 160D, and one specifically clears up the procedures for minor subdivisions.

The Mineral Springs Town Council hereby declares the proposed text amendments to be "*consistent*" with the Mineral Springs Land Use Plan adopted October 12, 2006 and the Vision Plan contained therein, which specifically calls for periodic review to make sure that the Ordinance is as up to date as possible.

**ADOPTED** by the Mineral Springs Town Council this the 13<sup>th</sup> day of May 2021.

\_\_\_\_\_  
Frederick Becker III, Mayor

Attest:

\_\_\_\_\_  
Vicky A. Brooks, CMC, NCCMC, CZO

**4. Public Comments**

There were no public comments.

**5. Consent Agenda – Action Item**

Councilwoman Critz motioned to approve the consent agenda containing the April 8, 2021 Public Hearing/Regular Meeting Minutes, the March 2021 Tax Collector's Report, and the March 2021 Finance Report and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

**6. Presentation by Bjorn Hansen and Allison Drake on the Critical Intersection and Consideration on the Preferred Alternative – Action Item**

Mayor Becker introduced Bjorn Hansen from Union County and Allison Drake from RS&H and explained this was wrapping up the critical intersection study including the results of the surveys, and the public meetings.

Mr. Hansen thanked the mayor and members of the council for allowing them to speak this evening. Mr. Hansen explained he worked in the Planning Department for the county and Allison Drake was the project manager for RS&H who has been assisting through this phase of the program. Mr. Hansen explained he would be giving the background of the program and how it got to where it is

now and then Ms. Drake is the expert and will talk about the specifics of the location here in Mineral Springs.

Mr. Hansen provided a PowerPoint presentation.

Mr. Hansen explained this is a program called the "Critical Intersection Program", which the county has been doing for about seven years. A decade ago, the county realized that they were collectively spinning their wheels quite a bit and they didn't know where to focus their energy as it related to intersections and other improvements in Union County; "we all have limited resources and we all need to work with the NCDOT". Mr. Hansen stated there was nothing more frustrating than to do a plan and then have it presented to NCDOT and they say, "it's not feasible, it can't be built", so the county decided to embark on this program to identify locations, get the appropriate partners in the room, including the NCDOT, come up with some alternatives, select an alternative, and then move forward focusing resources on these specific locations.

Mr. Hansen explained the county first did this in 2014 where they got a grant from CRTPO through the Regional Transportation Planning Organization, a study was conducted, and they identified 54 intersections throughout the county. That list was whittled down to 15 and then they worked off of those 15 to get them funded; they did pretty well, 2/3rds of them are now funded for improvement. Mr. Hansen explained because of that they came up with another list of intersections (in-house) and came up with a list of 15, they looked at a variety of factors for what type of improvements. They wanted to make sure they were not spending their money on road improvements, intersections in particular, that would then be torn up as part of a widening. That is why people ask why there aren't any projects on Providence Road or Highway 84 through Wesley Chapel, it's because those are funded for widening and it would be terrible to spend a couple million dollars to upgrade an intersection just to have it torn out a few years later. The county is focused on intersections that are not going to get widened, that could be widened, or improved, and have demonstrated need, either because of safety, congestion, or because of high growth. The county identified an additional 15 intersections, and then went out and received additional grants to do design and cost estimate work to look at alternatives to take to the public for feedback and come up with a recommended design. The county grouped them into smaller chunks of projects, they did six last year, one of them has since been funded for construction, two others have some interim type of improvements such as four way stops funded for those locations and now they are in the second phase, which has five additional intersections.

Mr. Hansen explained Mineral Springs is the fourth presentation this week on those five intersections. The intersection of NC 75 and Old Providence was funded for a roundabout based on the design and the intersection of NC 200 and Old Camden was funded for an all-way stop based on the analysis that was done through this process. Four of the five intersections are inside municipalities, and it has been a great partnership working with the municipalities, as well as the NCDOT. Fairview at Hwy 601 and Brief made a decision on Tuesday night; they had an alternative between turn lane improvements on the side streets versus a roundabout, and they chose a roundabout. Poplin Road and Unionville in Indian Trail (in Monroe) was funded for an all-way stop, which is considered an interim project; the long-term project is a roundabout. In Marvin, at the intersection of Bonds Grove Church and Waxhaw Marvin they were presented with the alternative of squaring up that intersection with turn lanes and a signal or installing a roundabout and they chose the roundabout. Mineral Springs will receive a presentation on alternatives between a roundabout and a turn lane project at NC 75 and Potter. In unincorporated Union County, Hwy 200 and Plyler Mill (southwest of Monroe) will go to the Union County Board of Commissioners next Monday night where they will have to look at alternatives.

Mr. Hansen continued by explaining there was no selection to try and spread the projects out, this was strictly data driven, so this demonstrates there are transportation needs throughout Union County. In terms of the process, which started back in October, the study included collecting county traffic information (understanding COVID is going on) and they were able to take advantage of new technology involving Bluetooth data off of cell phones to replicate the traffic movements at intersections. They worked off of what was going on on the ground right now and on some alternatives that were feasible. Those were developed over the winter, and they went out to the public. Mineral Springs heard from the public in terms of the intersection here; overall Mr. Hansen thought it was close to 700 people responded to the different outreach tools available (virtual meetings, online interactive website and survey). Based on that feedback and based on expert analysis through the NCDOT, the consultant team, and the local stakeholders, they recommended an alternative, as well as the cost estimate that would go along with that.

Mr. Hansen explained they are now going to the municipalities in the county, so they can choose an alternative. Although your choice is not to choose one or the other, you could say "we don't like either of them" and that is a viable alternative. That will go into the final report, which will be completed in June.

Mr. Hansen noted Mineral Springs is a partner in here, they are helping to pay for match. The project will be closed out and it will move into implementation by responding to funding solicitations from NCDOT or CRTPO to implement them.

Mr. Hansen explained Ms. Drake would now talk about the actual process that occurs and the alternatives that were considered for NC 75 and Potter.

Ms. Drake explained there was an online public meeting they did with Zoom, and they were able to get questions live and they also did an online interactive story map, which allowed the public to come in and click on different features of the intersections so they could learn about them and provide feedback. For this intersection specifically, 79 different comments were received; those are included in the council agenda packet.

Ms. Drake began with Alternative One, which is maintaining the signalized intersection and adding turn lanes. It adds left turns on all four legs of the intersection and right turns on Potter Road. Crosswalks and sidewalks were added to be in line with the town's vision of having this be a more walkable community and providing connectivity and safety for pedestrians. Concrete medians were added close to the intersection to control driveway access making some of them right in and right out, which is a safety enhancement. This alternative potentially reduces crashes by 12% and injury crashes by 8%. There is a reduction in peak hour vehicle delay (peak hour is just the highest traffic hour during the day) by 56%, which is about 45 seconds. The approximate project cost is \$5,520,000, which is not just construction, it includes rights-of-way, utilities, construction inspection, and the engineering and design. Some of the feedback from the public on alternative one was they liked it had a lower cost and there were fewer impacts to the businesses surrounding the intersection; some did not like it because they had concerns about traffic backups, particularly over the railroad tracks and they felt the traffic signal would be less effective at reducing accidents. There were some general comments from a few folks that there was only an issue either not at all or only during just a little time of the day, so they felt like this was too much improvement for not enough traffic demand. There were also some concerns regarding cost impacts and time to construct a roundabout.

Alternative Two improves traffic flow and safety with a roundabout. Ms. Drake explained the roundabout adds a right turn lane on all four legs and a left turn lane on the western leg of NC-75 making that movement from east bound NC 75 going up to northbound Potter Road. This one also

has crosswalks and sidewalks for pedestrian connectivity and concrete islands to control the driveway access near the intersection. Old Waxhaw Monroe Road is realigned and there is a new driveway for the gas station; the objective was to provide a left turn lane there, as well as north bound into the gas station and pulling it a little further from the roundabout for safety and congestion. Alternative two potentially reduces crashes by 40% and injury crashes by 55%, which is higher than alternative one, because you tend to see less injury crashes with a roundabout. With a signalized intersection you can get T-bone crashes, where with a roundabout it is typically a small side swipe or rear-end crash. The average peak hour vehicle delay is reduced by 80%. The project cost is \$9,780,000. Some of the dislikes were that people felt like it was not compatible with the downtown, they felt like it was a pretty large footprint, and a little bit too much for the area. There were some folks that felt like it would be confusing to drive and challenging for pedestrians and cyclists to navigate. There are more impacts to the businesses surrounding the intersection with this alternative.

Councilwoman Critz asked if alternative two was comparable in size to the one at Rocky River Road.

Ms. Drake responded yes, the one thing with NC 75 is there is a lot of truck traffic, so they wanted to make sure it was sized appropriately for trucks to navigate the roundabout. This one would be a little different with the left turn lane from east bound NC 75 to north bound Potter, so it would be larger on that side than the one at Rocky River.

Ms. Drake pointed out there were two very different applications of a roundabout. The public favored alternative one with 44 votes and alternative two got 30 votes; a few folks said neither or no preference.

Councilwoman Critz referred to Fairview and asked Ms. Drake if she saw alternative one as being temporary and Mineral Springs would get alternative two as the actual solution.

Ms. Drake responded she thought this one was different than the Fairview one in that the alternative one for Fairview was a lower cost, smaller improvement, because it did not add a signal, it was just adding turn lanes. Ms. Drake felt like these ones are more comparable in terms of long-term solutions. There is not much they can do here without making a big impact, because the businesses are so close. There are utility poles right on the edge of the road, so just adding a turn lane is getting into the business parking lot. The challenge with this intersection was no matter what you do, you are impactful; Ms. Drake thought both were long-term solutions.

Ms. Drake pointed out the advisory committee did determine alternative one was the preferred alternative.

Mayor Becker asked Ms. Drake if the pedestrian crossings in the signalized intersection would include signal walk/don't walk signs.

Ms. Drake responded yes, it did have sidewalk connections on all the legs with crosswalk markings, as well as those push buttons on the signals to allow a pedestrian to cross.

Mr. Hansen referred back to the question about either alternative being the ultimate solution and explained they were going through the identification of the 15 intersections two years ago to figure out which ones they were going to go into design and Mayor Becker was a member of the committee that helped the review the data and make those final determinations and this one was included, took a breath and said "this is going to be full contact when we design this, because anything that gets proposed here is going to be very disruptive, but it also has the greatest opportunity, I think, of any of the projects of really being a place-making type of project". This is not just a "put in a turn lane"

type of barebones project. Either one of them is a holistic reimagining of downtown and there will probably be a mile's worth of sidewalks being installed. The roundabout in Marvin paid extra to have irrigation and utility work put into their two roundabouts on New Town Road, so they could landscape it, and now it is something attractive. There is no reason Mineral Springs could not do the same thing. The bottom line is both of them are going to be disruptive and the question is how much improvement you want and how much disruption you want. The turn lane project is less disruptive, but it is disruptive, and it costs a good amount of money, and it has a good amount of benefits. The roundabout gives you more benefits, it's going to cost you more and is going to have more impact. Mr. Hansen stated, "that's really what it's about and I don't see ever doing one and then saying 'oh we are going to do another one', that's just traumatic".

Councilwoman Critz asked for clarification on the connection between the utilities. "Are you saying that with these improvements we could get sewer and water or are you talking about irrigation, because one side of 75 has sewer and water and the other side does not and that could be an actual benefit to some retail or commercial or even", Councilwoman Critz questioned.

Mr. Hansen responded he was referring to having the ability to have electricity and irrigation lines to water your plants and maybe have signs. The utilities have to be relocated and moved out of the right of way for the new corridor. They are going to get moved, but when everything is up in the air and being moved about is the time to do some of those upgrades; you don't want to dig a ditch twice. Mr. Hansen explained this is why he talks about this being a true reimagining of downtown, because the town has the opportunity to fix some drainage or fix some utility lines or upsize some utility lines that may be necessary for downtown. Things are going to be moved on both sides of the road, so if something the town needs to do to make things work in their downtown is to have a sewer line on the other side of the street this is the time to do that.

Mayor Becker pointed out it was accessible to both sides.

Councilwoman Critz added it was private land and the town does not have the say so to what the landowners wind up doing. It would be nice, because there are people interested in doing some things they are limited in doing for various reasons.

Mr. Hansen commented this was going to be very disruptive, high opportunity, but high cost. "It's a big decision you guys are being asked to make", Mr. Hansen said.

Mayor Becker commented he understood Duke Power has gotten expensive with pole relocation and it might be an opportunity to have electric lines underground in the immediate downtown, which would be a huge plus visually for the downtown area since it has to be moved anyway. This is a possibility, which would come in the design phase later.

Mr. Hansen stated all it takes is money.

Mayor Becker commented the council will recommend a plan tonight, but the funding process is a different thing. Could Mr. Hansen explain some of the funding sources and how it works, what the town might need to come up with as a match and how that would work if the town decided to go forward.

Mr. Hansen responded the term "shovel ready" has become popular in the last decade and he likes to say, "you make your own luck". Mr. Hansen explained, if you just have a good idea, but you haven't vetted it in any way and grant solicitations come along, like they always do, but you never know when, they just kind of show up one day and if you haven't done your homework, you are not in a position to respond to them. By doing this work, having a design that has been shown to be

effective, and shown to be feasible, that has been scoped out, that has been approved, and that has been reviewed with the public, you are in a position to respond to it. This whole critical intersection program is all about partnerships, it establishes that we are willing to work together and have faith in the other organizations, whether it is the DOT or the county or whomever. Doing this work today is very important to being able to respond in the future. If you see it comes from a plan, you can demonstrate this work you have done, that makes the funding agency feel a lot better about giving you money. It will also reduce your cost or risk of cost overruns in the future, especially for smaller communities where it is a labor of love to come up with a local match, to be able to come back and say "oh, we need another half million dollars" is really a gut punch. We try to do this work up front and ensure that you don't have to or minimize the risk to having that happen.

Mr. Hansen explained to the council they would never pay for this on their own, they would always go for grants and grants are generally a 20% local match. The county has been trying over the last few years to partner and incentivize the municipalities to apply for grants. Referring to the turn lane project, which is 5.5 million dollars, 20% of that is 1.1 million dollars, and half of 1.1 million is \$550,000. Mineral Springs could say "we have \$550,000, Union County would you put in \$550,000?", or if the town had a large development come along and they had a traffic impact study, if the town said, "you come up with \$550,000 for your impacts and we will go get a grant and do the rest, and that will mitigate your impact". The county had that happen with a large project on Potter Road. The developer contributed almost \$400,000 to help with the intersection at Hwy 84 and Potter, so it is possible. These arrangements do happen, it often takes a cobbling of sources together, but this is where it starts, because if you don't have the same sheet of music, then you really aren't in a position to respond to those funding opportunities.

Councilwoman Coffey commented alternative one appeared to fit the culture of who the town is more than alternative two, because it seemed to be overboard for what is needed in Mineral Springs.

Councilwoman Krafft stated she agreed with that. Alternative one is so much more the town than the other.

Councilwoman Critz agreed, the only thing that ever pops into her mind that takes her breath away for a second are the trucks, especially all the ones carrying all those heavy logs, but she still thought the town would be appropriately served by alternative one.

Mayor Becker explained he deals with funding monthly at CRTPO and a lot of these projects are not necessarily part of the regular ten- or twenty-year STIP plan. These are different grants, many of them are Federal based and they are very much targeted to these types of local projects, and it allows them to happen quicker. There is an annual funding cycle on some of these grants, so a project could be done in a couple of years.

Mr. Hansen responded that was correct, this is happening on a yearly basis whether it is a solicitation for funds, this fall there will be on order of \$15,000,000 available. That is not just Union County, it is Mecklenburg, Iredell, and Union, which is like 1,500,000 people, so it is not going to go that far, but it literally happens every year. Mr. Hansen noted Union County had great partnership with NCDOT, because if the county had to administer the grants themselves, that would be bad, because they are complicated and anything done infrequently guarantees incompetence. DOT does it all the time, it may take them a little while, but they get it done and they get it done correctly.

Councilwoman Critz asked Mr. Hansen if there were any grants that he knew of that Mineral Springs could be pursuing currently.



Mr. Hansen responded there was one this fall with CRTPO, but he did not think the traffic was there yet at this location to make it competitive. This is a lot of project relative to the amount of congestion. It is at that point with just enough traffic on Hwy 75 and if the town got a couple good subdivisions in this area on Potter or Hwy 75 and it is just going to have a disproportionate impact on the safety and congestion in the area.

Councilwoman Critz responded depending on where you are going, they just concluded over 500 apartments on Hwy 75 inside the Waxhaw limit and when they pull out of their parking lot they are going one way or the other on Hwy 75.

Mr. Hansen explained Union County is out of sewer and Monroe is really benefitting. Monroe has over a thousand dwelling units that are being built in just two subdivisions that are off of 200 and then on the south side of Monroe. There will be more traffic in this area and then we are collectively going to say, "we need to do something" and we would go and submit. By Mayor Becker participating through CRTPO, that is the forum to get the money for projects like this.

Councilwoman Critz asked Mr. Hansen if he was thinking, as far as the 15 he was looking at now, would Mineral Springs be on the lower end of the scale as far as current traffic and current need.

Mr. Hansen responded there are so many municipalities that are involved in these projects and for every municipality it is probably their number one project. The county does not look at it in that kind of order, they look at people that come to them. Whoever responds and wants to do something are the ones the county will partner with and if it is Mineral Springs number one project and Mineral Springs is willing to move forward, then Union County is the town's partner.

Mayor Becker mentioned Mineral Springs kind of made the cut a year to a year and a half ago in the initial phase, but there was another project and Mineral Springs got taken out.

Mr. Hansen responded there was one in Indian Trail that was taken out, because they did not want to compete with another project.

Mayor Becker commented that it created another opening and Mineral Springs was the next one up and right on the edge. It is data driven based on the number of crashes, number of vehicles per day, types of crashes, congestion, and Mineral Springs was just below the cut off and then when there was another opening, Mineral Springs was the next one up. As Mr. Hansen says, "it's static, it's moving all the time".

Mayor Becker commented everyone seems to like alternative one and the town could go on record with a motion if the was what the council believes, so Mr. Hansen can wrap up the four municipal projects.

Councilwoman Coffey motioned that alternative one is the agreed upon recommendation and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

Mayor Becker thanked Mr. Hansen and Ms. Drake for coming out to give the presentation and he hoped the council got some good information out of it. It has been a long process and the town appreciates it.

Mr. Hansen responded they appreciated the partnership.

Councilwoman Krafft asked how advertisement was done for people to respond to.

Mr. Hansen responded there was a lot of Facebook, and they did a buffer of a quarter mile. There were quite a few property owners that got a mailer. There was social media, email, the sunshine list and then whatever the towns did.

Ms. Drake added there were 670 total responses.

Mr. Hansen commented two thirds of them were people in Marvin and Waxhaw for the Bonds Grove - Waxhaw/Marvin Road intersection.

Councilwoman Critz stated she really appreciated the work and referred to Mr. Hansen mentioning Providence Road. The widening all the way into Waxhaw has been on the Chamber of Commerce map for over four decades. "I remember being the most naïve, dumbest girl in the room when I first saw the maps 20 years ago and got excited and this very kind gentleman came up to explain to me that wasn't going to happen anytime soon. He could see my genuine naivete, so yeah, I have learned the hard way over 19 years. Serving the community, even though it is in writing, and even though it is recognized, it's not necessarily going to happen anytime soon. Some of it probably not in my lifetime", Councilwoman Critz said.

Mr. Hansen commented people said the same thing about the Monroe Bypass. Now it is open and people are using it, so these things do happen, but unfortunately, don't happen as quickly as we might want.

Councilman Countryman asked, now that the council has blessed alternative one, "what's on the table now, where do we go from here, what are you going to do".

Mr. Hansen responded if the town wanted this fall to respond to the CRTPO solicitation and they had 1.1 million dollars they could commit, it wouldn't be today, but it would be over the span of several years. If the town had 1.1 million dollars available, they could and the DOT said "yeah, we'll administer this for you", the town could go submit the project for consideration and 12 months from now the town might be saying "yup, we've got a funded project", but that is probably aggressive.

Councilman Countryman noted what he was hearing Mr. Hansen saying was "all of a sudden, it becomes our responsibility".

Mr. Hansen responded Union County would never submit this project on the town's behalf without consent and probably without some of the town's money. The county is not going to pay for it, they do not have the ability to and Mr. Hansen did not think the county would, because that sets the precedent for other people to say, "oh, it's free lunch time". The county looks for partnerships, because they do not have the money to do it on their own, so they look for some sort of cost share of the local match and commitment by the DOT to administer it and submitting it based on whatever solicitation works for our schedules.

Mayor Becker commented this would be going through the CRTPO. Mr. Hansen conducts a quarterly meeting of the Union County delegates, which is the conduit by which discussion could begin to discuss it and get some interface with Mr. Hansen. The TCC, which is the tech body of CRTPO, manages and guides things like these solicitations. That is the mechanism by which the town has the opportunity to communicate with CRTPO, which might be the clearing house for available grants. As Mr. Hansen says, this fall might be too soon but the fall of 2022 might be a really good time to be looking at the CRTPO people and tech people and submitting something.

Councilwoman Critz asked Mr. Hansen if he had mentioned splitting that 20%, so the town would come up with half of that \$1,000,000.

Mr. Hansen responded yes, that's an arrangement, but that is informal. Mr. Hansen thought no matter what, the county was never going to put in more than a municipality would put in. Mr. Hansen thought because there is development in the area and this intersection is a choke point, the town had opportunities to say, "you can't make that improvement at that intersection, but your traffic analysis says there is a problem there, we have a solution, we need you to commit to help bring that solution about". Those are the types of opportunities that having a design like this to point to that allows the town to take advantage of developments like that.

Mayor Becker commented the town was in a good situation with the Shannon Farm property down by Western Union School Road, which Chris Platé of Monroe/Union County Development is aware of, so it could even be an economic development incentive to have that corridor more open to get across Hwy 75 and not have a bottleneck. There could be incentives for the county to see it as a valuable partnership.

Councilwoman Critz commented the town is getting the ball rolling rather than just being stagnant.

Mr. Hansen responded that was an important step, "you can't get to second base, until you pass the first base".

Mayor Becker commented he thought it was important to have a concrete, professionally-produced alternative design concept.

Ms. Drake mentioned RS&H was putting together a study workbook, which will have all the data summarized, so when it is time to come for funding, the town will have all that information readily available when they apply for these grants.

**7. Consideration of Resolutions Opposing S349/H401 and H496 – Action Item**

**MEMO**

To: Mineral Springs Town Council  
From: Rick Becker  
Date: May 5, 2021  
Subject: Resolutions Opposing Two General Assembly Bills

There are two bills that have been introduced in the state legislature that will have a profound negative effect on all local governments' including Mineral Springs's – ability to regulate land use, development, and tree preservation.

House Bill 401 (and the identical Senate Bill 349) would force ALL local governments statewide to allow so-called "middle housing" types in all residential zoning districts. "Middle housing" includes duplexes, triplexes, quadruplexes, and townhouses, which would all be reclassified as "single family" if this bill becomes law. Areas without water and sewer service might not be required to allow all of these housing types, but the bill would force local governments to allow them if they "through extension MAY be served" (emphasis mine) or there is "a wastewater collection or treatment works, the operation of which is primarily to collect municipal or domestic wastewater and for which a permit is issued under Part 1 of Article 21 of Chapter 143 of the General Statutes". Such "treatment works" would include private sewer treatment facilities such as package plants according to the definition in Chapter 143. The bill would also force the local governments to allow "accessory dwellings" on any lot in any residential zoning district.

Mineral Springs, as is the case with most local jurisdictions, already allows such housing types either by right or by special use permits in several zoning districts, so this bill which purports to "increase housing opportunities" really all but eliminates local residential zoning authority and replaces it with a "one size fits all" state mandate.

House Bill 496 would eliminate all tree-protection and preservation ordinances that apply to private property unless a local government has sought and received its own legislative approval for such regulation through a local act. Currently, most jurisdictions (including Mineral Springs) have very limited tree-preservation authority granted as part of the general police and land development regulation powers in the general statutes. This bill would repeal such authority and would repeal any related local ordinances, including tree preservation as part of the development approval process.

Both of these bills are an attack on the very foundation of local government regulatory authority. Current land-use regulation is already strictly governed by state law and local governments are already allowed only limited authority within strictly-enforced and narrowly-written enabling statutes. Contrary to the implication of these bills, local governments do NOT have unlimited or capricious authority over

land development and tree preservation, and the bills seem to represent "a solution in search of a problem".

I have attached drafts of two resolutions, one opposing each of these bills. Council may have some suggestions on wording. I would suggest that Council consider each resolution in a separate motion. If adopted, we will send copies of the resolutions to the Union County delegation, members of the committees that are scheduled to report on the bills, and house and senate leaders. Council members might also wish to contact our senator and representatives individually. Representative David Willis represents most of Mineral Springs, and Representative Mark Brody represents a small southeastern sliver of the town. Senator Todd Johnson represents all of Mineral Springs.

Representative Brody is a primary sponsor of both of these bills.

Mayor Becker referred to his memo and explained the council had two resolutions for two bills that are pending in the House, which both seem to be unfriendly to the municipal interest in regulation of zoning and planning. Mayor Becker commented this was not a good update. One of the bills would repeal any tree protection ordinance statewide. The bill passed the full House and it is now in the Senate; each time they did it, it was a one-page bill to repeal tree ordinances and now it is two to three pages making it stricter in terms of how they said "you have no authority to do anything like this". Mayor Becker recommended there was no point in sending [the resolution] to any of the House members, because it has passed. Mayor Becker suggested dealing with Todd Johnson with the Senate Committee that will be hearing it. Mayor Becker stated he would also be happy to send the resolution to the Governor asking that he veto it.

Councilwoman Critz commented Mr. Johnson did have familiarity with all of this area and with the philosophies; he worked with the county, Mineral Springs, and other municipalities here. Councilwoman Critz believed Mr. Johnson had a good vision for the maintenance of agribusiness as well as a more rural value. Councilwoman Critz stated she did not understand how they get to this conclusion and completely disregard the environmental health aspect of it.

Mayor Becker responded developers care about their financial health of profitability of their projects; trees are in their way.

Councilwoman Critz stated, "trees may be in the way, but they provide sustainable oxygen into our communities and keep it; it's like a no brainer." "This flies in the face of everything Mineral Springs stands for and I am sure in flies in the face of a lot of other", Councilwoman Critz said.

Mayor Becker explained the other bill was forcing duplexes, triplexes, quadruplexes, and townhouses into every single residential zoning district statewide. There are places where a municipality is looking to make more and more places available for duplexes (for example) and that is their decision, they are looking at that on a microscale. Try going to 550 municipalities in 100 counties, if there is a residential zoning district, this bill is forcing you to allow all this type of housing no matter how dense it is. "It doesn't make sense, but that is my opinion, and we seem to have a consensus on that here", Mayor Becker said.

Councilman Countryman motioned to approve both resolutions and Councilwoman Coffey seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

The resolutions are as follows:

**TOWN OF MINERAL SPRINGS**

**RESOLUTION OPPOSING H401/S349 "INCREASE HOUSING OPPORTUNITIES"  
IN THE NORTH CAROLINA GENERAL ASSEMBLY**

**R-2021-03**

**WHEREAS**, one of every local governing board's primary purposes is to represent the desires of its citizens and to serve as a voice for the greater good of the community; and

**WHEREAS**, local regulation of land use and development is of paramount importance to protecting the well-being and quality of life for Mineral Springs residents; and

**WHEREAS**, House Bill 401 and Senate Bill 349 explicitly deny local governments the ability to effectively regulate land use and development in their jurisdictions; and

**WHEREAS**, North Carolina law, especially newly-enacted Chapter 160D, already imposes strict guidelines and limits on how local governments may regulate land use and development; and

**WHEREAS**, Mineral Springs has invested hundreds of hours and tens of thousands of tax dollars into adopting a development ordinance that reflects the input of citizens, planning professionals, and other stakeholders while diligently following all statutory requirements; and

**WHEREAS**, the Mineral Springs development ordinance already allows so-called "middle housing" types and accessory dwellings in multiple residential zoning districts; and

**WHEREAS**, forcing higher-density housing situations into every residential zoning district in every local jurisdiction as a matter of state law represents an inappropriate "one size fits all" mandate that bypasses the sound judgment and careful study undertaken by those local jurisdictions to be responsive to the individual needs of their residents; and

**WHEREAS**, local governments, closely guided as they are by their residents, are in the best position to determine which housing types are most suited to various locations throughout their jurisdictions.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Mineral Springs hereby opposes H401/S349 in its current form and requests that the North Carolina General Assembly drop this bill from consideration.

**ADOPTED** this 13th day of May, 2021.

\_\_\_\_\_  
Frederick Becker III, Mayor

ATTEST:

\_\_\_\_\_  
Vicky Brooks, CMC, NCCMC

**TOWN OF MINERAL SPRINGS**

**RESOLUTION OPPOSING H496 "PROPERTY OWNERS' RIGHTS/TREE ORDINANCES"  
IN THE NORTH CAROLINA GENERAL ASSEMBLY**

**R-2021-04**

**WHEREAS**, one of every local government's primary purposes is to protect the health, safety, and well-being of its citizens while serving as a voice for the greater good of the community; and

**WHEREAS**, trees, especially mature specimens that make up a region's existing canopy, are a large contributor to that health, safety, and well-being as they generate atmospheric oxygen, sequester carbon, and reduce stormwater runoff and flooding; and

**WHEREAS**, tree preservation and retention requirements as part of a development plan are permissible under general authority granted by existing statutes; and

**WHEREAS**, the right of private landowners to remove trees on their property is already secured and protected by statute outside of the development approval process; and

**WHEREAS**, allowing developers to receive credit toward landscaping and buffer requirements for protecting existing trees during the development approval process facilitates efficient, cost-effective, and desirable outcomes; and

**WHEREAS**, arbitrarily eliminating the ability of local governments to regulate tree removal during the development process wreaks havoc with and creates conflict with already-approved landscaping plans and tree-preservation agreements; and

**WHEREAS**, demanding that local governments seek individual state authorization through local acts for tree preservation and protection introduces further inconsistency and confusion into the process of development approval; and

WHEREAS, H496 creates multiple conflicts with existing law including laws governing tree preservation in riparian buffers and laws delaying development approval following clear cutting, and hampers the application of sound urban forestry principles to tree management in developing areas.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Mineral Springs hereby opposes H496 and requests that the North Carolina General Assembly drop this bill from consideration.

ADOPTED this 13<sup>th</sup> day of May, 2021.

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Frederick Becker III, Mayor

ATTEST:

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Vicky Brooks, CMC, NCCMC

## 8. Benchmark Planning Information for Scope of Services Quote – Action Item

### MEMO

To: Town Council  
From: Vicky Brooks  
Date: May 6, 2021  
Re: Agenda Item # 8 – Benchmark Planning Information for Scope of Services Quote

Ms. Erin Burris from Benchmark Planning has requested more information from the town on the services they want to have included in the Scope of Services quote for revising the Land Use Plan.

Does the council want Benchmark Planning to do a new survey?

How many workshops does the council feel will be appropriate?

Does the council want a public drop-in public workshop? If so, how many?

Mayor Becker explained Erin [Burris] from Benchmark had some questions before they could produce a Scope of Services.

Ms. Brooks asked the council if they had any answers to the questions.

Councilwoman Coffey responded she saw number one and it is a yes, of course the town needs a new survey. It has been a moment since one was done. How many workshops does the council feel will be appropriate? Councilwoman Coffey stated one good workshop, because they do not need to talk it to death. "State the facts, people will be here and hear it and make their decisions". Then have one drop-in.

Councilwoman Critz agreed with Councilwoman Coffey.

Councilwoman Critz commented she was sure one drop-in was enough, but she did not know enough about how they present everything to know if the town needs one or two for the council and then one for the public. Is there a recommendation from them?

Ms. Brooks responded one or two, the more workshops the town has the higher the cost will be. It is really up to the council on how many workshops they have.

Councilwoman Critz commented she did not know how much material they were going to be covering, so it was difficult for her. Ms. Ridings did give Councilwoman Critz a copy of the Land Use Plan and Vision Plan tonight. Councilwoman Critz asked if the town would be going through them in their entirety as far as redoing/reviewing it.

Ms. Brooks responded she believed Benchmark would go through it and present it to the council with a draft document.

Mayor Becker commented his feeling was Benchmark would not duplicate the Vision Plan, which is 16 years old, there would not be as much detail, but it would take a lot of the high points of that with some of the graphics from that and a lot of the bullet points from the Land Use Plan and just consolidate it into a comprehensive plan; it will be modernized a little. The current Land Use Plan is a little haphazard, because it is two documents that were merged.

Councilwoman Critz asked if the town would receive a draft to review.

Ms. Brooks responded of course the council would get a draft. Part of this process will be like what the town did with the Unified Development Ordinance, there will be a Steering Committee; there will be many people going over it and the council will select who they want to be on that Steering Committee. Ms. Brooks asked the council if they wanted the Steering Committee to be just the planning board with a liaison from the town council. Does the council want to do what they did with the UDO, where it was two council, two planning board, and two board of adjustment? That is a decision the council will make in this process.

Councilman Countryman asked what the timeframe was for this. "Are we looking at taking steps now over the next four, five, or six months?"

Ms. Brooks responded yes, the town has not even got quotes yet, so it is going to be awhile; we have until June 30, 2022, to get a Land Use Plan [updated].

Councilwoman Critz stated she thought one council meeting would be appropriate as long as they got a draft at least two to three weeks prior, so they have plenty of time to review it.

Councilwoman Krafft stated one would be fine.

Ms. Brooks commented the public drop-in could go in the newsletter.

Ms. Brooks explained she did contact N-Focus right after the last meeting and was asked by the secretary if their quote was just going to be something the town had to have or did they actually have a chance at getting the bid and Ms. Brooks responded to that by saying "of course". Ms. Brooks continued explaining the town council asked for Nadine [Bennett] who is no longer working with N-Focus; she took a full-time job in Matthews. Ms. Brooks has not heard back from N-Focus and thought they did not want to give the town a proposal.

Councilwoman Critz commented that Nadine was the only reason she wanted to work with N-Focus, because Nadine is a step ahead of the game by knowing Mineral Springs so well already. Councilwoman Critz stated she did not consider not hearing back from N-Focus a great loss if Nadine was no longer in the equation.

Councilwoman Krafft agreed, except she does not care for the person that the town worked with the last time, because she just did not hear or understand our town and that was extremely disappointing to her.

Councilwoman Critz asked if the council could specifically ask for someone new or if there was a place on their website where they could view their staff to see who else might be available.

Mayor Becker referred to Ms. Brooks saying she had the opportunity to work with that staffer where she is a little more in tune with what the town is doing.

Ms. Brooks responded she did not have a problem working with Ms. Burris; she has a good working relationship with her.

Mayor Becker commented Ms. Burris may have gotten more acclimated to what Mineral Springs is doing.

Councilwoman Krafft commented Ms. Burris just did not listen to what Mineral Springs was about; she wanted to put the town in a cookie cutter and “we are not a cookie cutter kind of place, we think out of the box, she didn’t want to think out of the box, she had a plan and that’s where she was going to put us”.

Councilwoman Critz responded that was different than a working relationship. Ms. Brooks may work with her fine, but what Councilwoman Critz was hearing Councilwoman Krafft say to her is basically her ideals and the towns ideals do not mesh.

Ms. Brooks asked Councilman Countryman, who attended every one of the meetings, how he felt about Ms. Burris.

Councilman Countryman responded he did not have a feeling one way or the other and he did not know what went on with the planning board, but he found Ms. Burris to be extremely knowledgeable and up to date with all the statutes and things that needed to be changed, rewritten, adjusted, or reworded. Councilman Countryman stated he did not have any issues with Ms. Burris, but he did not see what Councilwoman Krafft did, because he was not there, he just saw the result of what got put on paper.

Councilwoman Coffey commented Ms. Burris had a way of talking down about the town.

Councilman Countryman noted he did not remember that.

Councilwoman Coffey responded, “she did, a few comments came out. Ms. Burris felt that we weren’t quite up to speed, that we were a little behind the times and she couldn’t see how we could be in that spot, she expressed that a couple of times”.

Mayor Becker asked if Councilwoman Coffey thought Ms. Burris had gained a better understanding.

Councilwoman Coffey responded it was just who Ms. Burris was and she was fine with it if Ms. Brooks can work with her. Councilwoman Coffey added she probably would not be working with Ms. Burris this time but thought she had missed a bullet a time or two; “that’s how bad she was”.

Councilwoman Krafft commented she thought Ms. Burris was knowledgeable.

Councilwoman Coffey agreed Ms. Burris was knowledgeable, but it was the way she approached the board and talked to them; “you don’t do that”.

Councilwoman Critz stated she did not know if all of the council remembered, those few that were around when the town worked with UNC Charlotte, but Mayor Becker and she first met with them before they took the town on, they had exposed themselves to so many resources from around the nation, even from Hawaii, that they had so broadened their vision that they had no trouble wrapping their knowledge around a variety of different concepts. When they came to Mineral Springs, they definitely had to change gears, but they didn’t have a problem embracing and catching on and if they had not done that, Councilwoman Critz didn’t think the town could have had the type of success they had, because they embraced the town’s vision. Councilwoman Critz commented she thought that was what Councilwoman Coffey and Councilwoman Krafft were concerned about.



Councilwoman Critz explained she wasn't there, but if that was true, then she is also concerned, because she thought it was imperative that someone, even if they don't agree with it or they have never lived in it, they wouldn't want to live there, they need to be able to embrace the value of it and be on the same page.

Councilman Countryman responded he thought that was part of the council's responsibility to ensure that they understand. "If they come across as, you know, I don't think we really ought to do that, then, I mean, I'm sorry but we are paying you and that's what we want to do and that's the way you need to write it down; that's my attitude".

Ms. Brooks mentioned that Ms. Burris was from Mt. Pleasant, so she does have a small-town philosophy.

Councilwoman Critz asked if Ms. Brooks felt comfortable enough talking to Ms. Burris to say that some people that worked with her in the past were concerned that she might not appreciate and value some of the directives that the town has in the community.

Councilwoman Coffey commented, "we got through it, I don't think we need to readdress that. I just think we need to go forward, and Ms. Brooks is going to be the one working with her, so if she's fine with it, I'm fine with it, because this is the most important aspect".

Councilwoman Critz stated, "no, I agree, but she's got to cover".

Councilwoman Coffey commented Ms. Brooks has a good relationship with Ms. Burris and the town could have checked her, but they didn't, they chose not to.

Councilwoman Critz commented if you are always correcting someone and the bottom line is Ms. Brooks and the Steering Committee will be redoing the Land Use Plan, not Ms. Burris, and that is what would have happened in 2005/2006 if they hadn't embraced the town's vision. "Then we would have been guiding them to the point to basically we would have written it and I don't want that to fall on you either", Councilwoman Critz said.

Councilwoman Coffey noted the council could pull up Benchmark and all of their employees on the website and read their bios.

Mayor Becker mentioned if the town ended up with getting just one proposal, because it is a professional, not like a bid from a contractor, they will have to do that process of the Mini Brooks Act. The town doesn't have to have multiple bids for a professional (i.e. accountant, engineer, surveyor, planning consultant) if they don't have any others, legally there is no problem, just have to state this was the proposal the town solicited.

Ms. Brooks stated she would touch back with N-Focus.

Mayor Becker asked if the council just needed to do a motion, he thought the consensus was yes to a survey, one public drop-in workshop.

Councilwoman Coffey motioned that we are giving her the information so she can submit a proposal and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

**9. Consideration of Having the Nonprofits Provide Letters of Request vs In-Person Presentations – Action Item**

Mayor Becker explained when the council was not meeting in person, they informally narrowed down the four regulars. The town has heard from a couple of them, and the council did not have them come in person, because of Zoom. Mayor Becker asked the council how they felt, would they accept letters and not have them in person if that is what they wanted. Does the council have any specific guidance on some of them? Mayor Becker mentioned Andrew Friend sent a letter saying he wanted to come.

Ms. Brooks mentioned Sheila Crunkleton and Andrew Friend were willing to come next month. Turning Point just sent a letter.

Mayor Becker mentioned he talked to Catawba Lands Conservancy practically every week, they may or may not come (they like coming), but they do not have to. In the interest of time, sometimes when they are all here it takes hours.

Councilwoman Coffey agreed 100% with letters of request.

Councilwoman Krafft agreed.

Councilwoman Critz thought they should have the option, she enjoys hearing from some of them when they come, but letters would be fine, so it is on them to do either.

Ms. Brooks commented she did not mean to give them a choice, she thought the choice should be the council's.

Attorney Griffin recommended that the council keep it under their control as to what they want.

Councilwoman Coffey responded, "letter."

Mayor Becker asked if staff should tell them to submit letters with "the usual".

Councilman Countryman commented it shortens the meeting.

Councilwoman Critz stated she would like the letters to include how it impacts our area, so the council knows that they are active in our community. Councilwoman Critz knew some of them, like Turning Point, cannot be specific for reasons of confidentiality, but just a little bit of information overview of how they impact our community.

Councilwoman Krafft stated she was like Councilwoman Critz, she enjoys the presentations, but she thought they should have the option of giving the letter if they do not want to do a presentation. Councilwoman Krafft stated she did not understand why they would want to tell them that they have to do one or the other.

Councilwoman Coffey responded they are not; they are telling them to do a letter. "Let's be real, we can read the letter and see all of their criteria that they do for selection and how they help us and all that can be in a letter in the packet, they can send a packet", Councilwoman Coffey said.

Mayor Becker mentioned these were not new agencies and they are not new first timers.

Councilwoman Krafft stated she thought what she was thinking about is that as long as we are all here and we have already heard their presentations several times, that is great, but "let's say we

are not the ones in these seats and it's new people, then they haven't heard those presentation and they don't know the impacts that's coming."

Councilwoman Critz asked if this was set in stone.

Mayor Becker responded it was not a permanent policy; it is just for this year.

Councilwoman Coffey suggested the council visit the nonprofits or look them up online, because "seriously, when people come to you, they are bringing a bouquet of roses, they are going to paint that picture, you still need to investigate", Councilwoman Coffey said.

Councilwoman Coffey motioned to request the letters with the documentation of what they do for us and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

Attorney Griffin commented he thought he had suggested before that some towns have an application.

Mayor Becker responded maybe next year the council should formalize that application form, so it is standardized for all of them.

#### **10. Consideration of the 2021-2022 Budget and Calling for a Public Hearing – Action Item**

Mayor Becker explained he did pretty much everything he said he would do with the 2021-2022 budget; "pretty much nothing has changed", but the revenue side was not available. Mayor Becker stated he did do the revenue neutral calculations, and he gave a long explanation of how that worked [in the budget summary]. The revenue neutral, theoretically based on what information the town has (which is not 100% complete), would have been about 1.95 cents as a tax rate, and the town is charging 2.5 right now. Mayor Becker mentioned Councilwoman Krafft had talked about a little bit of wiggle room (a little buffer) and he felt that same way. Mayor Becker explained he talked to Vann Harrell about the figure the town had been given by the county for the estimated tax base, based on the revaluation. All of the appeals haven't been heard yet. Mr. Harrel will be telling the county commissioners to use 2.5% or so, because more could be reduced. Mayor Becker pointed out the council could see he built that into the formula, and the town's rate is so low, 2.1 cents is a couple of thousand dollars above revenue neutral, but it is a big reduction from 2.5 to 2.1, so splitting the difference is what he is recommending. Mayor Becker asked the council about council salaries that Councilwoman Critz and Ms. Brooks had done some work on.

Councilwoman Critz explained she took Fairview, because its population was comparable to Mineral Springs, they have a little bit larger population, but they do not really get involved in extra duties and things like that, and they meet once a month. "Right now, we are pretty comparable, we are exactly like them, I was looking at them as being a smaller town, be we have, the major differences that I saw there, number one is our geographic location, they are not receiving the pressure of building, development coming their way, development within their community, surrounding pressures that we are dealing with, so then I called over to Wesley Chapel, I actually talked to Teresa, their clerk at Fairview for quite a while, really nice lady. I didn't actually get a live person at Wesley Chapel, so I just want credit for this since I am not known for being technologically advanced, I went to Wesley Chapel's website and got their budget and did the math myself. As I looked at what, all these meet wants, Wesley Chapel does have more development pressure and significantly more population than we do, but they are our neighbor and we are facing pretty much the same types of pressures, except they are more centered to the more development than we are. What I did, I felt like those were the, the sort of the two that I was looking between. We do more than Fairview and we do less than Wesley Chapel and have less demands on us, so I looked at their salaries and sort of splitting

the difference, I was looking at recommending that we increase the council's salary by \$100 and we increase the mayor's by \$150 and that's sort of splitting the difference between the two communities that we sort of fall in between", Councilwoman Critz said.

Councilwoman Coffey asked if Mineral Springs had the same population.

Councilwoman Critz responded no, Mineral Springs is close to Fairview, but they are a little bit more. Fairview has more square miles with a lot more agribusiness. Fairview is also not involved in a lot of the CRTPO and things like that, which Mineral Springs is involved with outside of our community and they have not served on county committees and things that Mineral Springs has done over the years. "There is a lot less active pressure on their mayor and council, so when you start looking at the fact that we are actively doing more than them and actively doing less than Wesley Chapel, but we are direct neighbors that are facing a lot of the same kind of pressures. The mayor's salary, by the way, there, is \$500 a month and it comes out to \$6,000", Councilwoman Critz stated.

Mayor Becker noted the mayor in Mineral Springs should not be more than Wesley Chapel.

Councilwoman Coffey commented she thought (in her opinion) if we do right where we are in these times, when we are under the challenges that we are under with all of the COVID and even though it may be skewed to unemployment, she was not in favor of a raise.

Councilwoman Critz explained she had stated it wrong in her conclusion that she had written to herself, which she should have looked at her own notes closer, was to increase the council salary by \$50 a month and the mayor's by \$100, which is splitting the difference and putting Mineral Springs up to a more equitable field with other communities.

Councilwoman Coffey asked if that was in light of the population the Mineral Springs council serves.

Councilwoman Critz responded that was correct. "The more activity, the pressure on us is not going, the things that keep us busy are not that we have fewer or more constituents, it's the position we are geographically and the pressures that surround that as far as, like tonight, we've got an intersection, it's a major intersection that needs improvement. Fairview is never going to, probably, they've got an issue, but it's never going to be the same. They have a problem, they're addressing it, but they don't have the traffic issue and probably not ever going to. Whereas, Wesley Chapel is, so when you talk to some of their council members, which I have not done in several years... I don't really know the new ones but having known the old ones and had lots of conversation with them in the past. We do face a lot of the same situations in Mineral Springs that they do in Wesley Chapel with the difference being population. So, the, pardon me for saying, ink does not show up on this blue, so in my defense, the recommendation I came to was \$50 a month more for the council and that's only if we are in agreement and \$100 more for the mayor. If we do get into this grant issue with CRTPO, Mayor Becker is going to be putting in a lot more time and energy, which we all do. It's an off and on kind of thing. It's not like, the pressures of our community and the demands of population and traffic are only going to increase, they are not going to decrease. So, I don't have a problem leaving it, I also don't have a problem increasing by \$50 for the council and \$100 for the mayor, and I apologize for saying that in the beginning", Councilwoman Critz said.

Councilwoman Krafft stated, "I will say that I do believe that Mayor Becker's getting ready to put in a lot more hours with the grant writing, I mean, it's going to be taxing, there is no doubt about that and with the rewriting of the Land."

Councilwoman Critz responded, "I was not looking as just if someone needed more money in their stipend, that is not how I was viewing it."

Councilman Countryman noted Councilwoman Cureton was very concerned and so on behalf of Councilwoman Cureton and also to the point Councilwoman Critz made, he did not think \$50 was significant, although he personally hated raising his own salary, but given the fact that the council/mayor all works hard here and \$200 a month is not overcompensation for what they do.

Councilman Countryman motioned that we increase the mayor's salary \$100 a month and ours by \$50 a month and Councilwoman Critz seconded. The motion passed. Ayes: Countryman, Critz, and Krafft. Nays: Coffey.

Councilwoman Krafft asked Mayor Becker what the property tax was last year.

Councilwoman Critz asked Mayor Becker if he were recommending lowering it to 2.1, "because that sort of got squashed."

Councilwoman Krafft stated her thought process was that they just heard this thing about having to come up with a half a million to do the intersection or to be part of the map to do the intersection, which would no doubt improve everything around here as far as the traffic flow; it sets a standard for the development of the town center. "By decreasing, not that I'm in for increasing, I'm really not, but by decreasing down the fraction that you did, would that fraction keeping it the same or just a little bit higher, would have helped immensely to provide the funds that we need to do the intersection and I don't know the numbers enough", Councilwoman Krafft said.

Mayor Becker responded he took Councilwoman Krafft's suggestion last month to heart about not going all the way down to the zero base. Mayor Becker explained if you look at the property tax budget amount for last year and what it is anticipated to be, he is anticipating somewhere around \$69,000 in property tax (personal and real property tax) revenue based on the rate and the appraisals for this current year. For this year (shown on page 8), the property tax for current year will be an estimated \$77,700 and that is based on the 2.5% reduction due to appeals, so it will be an approximately \$9,000 to \$10,000 increase in property tax. If the council raised it another tenth of a cent, it would probably be another \$3,000 each time. If the council leaves it, it will end up being \$90,000. Mayor Becker stated it was common to lower the tax rate in a big revaluation year, people are really stressed about their tax values going up so much, and some people have started to come out of the COVID issues, unemployment issues, school stress issues, and others haven't. The population is still somewhat stressed, and Mayor Becker didn't know if that was a good time to go much higher; it's almost like the town would be better off next year when there are no revaluations, "saying we were really easy on the taxpayers last year, we are looking at this intersection project, we are looking at raising a match, we might need to raise the tax rate a half of a percent." It's almost better not in a revaluation year, Mayor Becker thought, but it is a council decision, he is "just sort of the number cruncher."

Councilwoman Krafft responded Mayor Becker had been doing this for a long time and he knew the numbers better.

Mayor Becker explained if the council left the tax rate the same, it would not be a whole lot more money, it would be \$20,000 coming in, which isn't going to bring the town that half million a whole lot faster, but that \$20,000 might make people think the council is not being responsive to some of their concerns.

Councilwoman Krafft explained she wanted to make sure the council was looking ahead, so they do not get (like he said) hit.

Councilwoman Coffey commented the whole thing was that they were going to be looking for grants and they were going to help the town by coming up with any information that they can that can be processed by the town, as she understood, to get that money. The town does not have it and they know the town is probably not going to have it anytime soon, just like this project isn't going to happen anytime soon, it may be 10 years out, so the town has time.

Councilwoman Krafft responded she did not know that it would be 10 years out, it will be out, but not 10 years out, with all the development they are pushing right now.

Mayor Becker suggested that the town could do a voter approved bond if the town wanted to borrow \$500,000. The rates will still be low on municipal bonds. If the voters do not approve it, then they have sent the message they do not want to do it that way, but that is one way to raise the money where it is very transparent. Mayor Becker noted the town has saved the money, although there is the community center project, but the council will have to redefine whether they want to do that or what they want to do. The community center project still cannot be done because there is no access to sewer or septic yet. It depends on the property behind town hall developing, there is some interest, but we do not know if it is going yet; Ms. Brooks does not have any [information].

Councilwoman Krafft asked if that property interest that might happen or might not happen was something like what he [Mr. Hansen] was saying the town could get.

Mayor Becker responded he thought that was a good idea. If the property does get development interest, there is going to be some residential in there and more commercial. In general, they will be required to do a traffic study and at that point the town could say "you've got to put up \$200,000 towards this intersection improvement", which could be a big incentive.

Councilman Countryman suggested the council get back to the budget discussion.

Mayor Becker stated he felt comfortable keeping the rate low.

Councilwoman Critz stated she had a question, "if we left it the same, 'cause I have, either way, if we need to raise it next year or whatever. Some people are not going to understand that. I'm with Councilwoman Kraft, I would like to see keeping it the same, because I'm misunderstanding, we could, and Mr. Hansen is not here for me to ask, but you might know. It sounded to me like we wouldn't have to give the whole half a million at one time, that we could do it in installments."

Mayor Becker responded, "they would be pretty close together 'cause it is a small project."

Councilwoman Critz stated, "if maybe between a small, we would have, we would be borrowing less money if we had more money. I am not a fan of borrowing and I know you're not. Bonds, I know that Mayor Becker takes that very seriously and I do too, but I think if we left it the same, and had more we would wind up needing to borrow less or raise it next year. Honestly to me it looks better as a constituent to leave it the same than it does to cut it back and then raise it again next year.

Councilman Countryman disagreed, because it depends on if you have been following it over twenty plus years we've been a community, there will be some people that will realize that Mayor Becker has done an excellent job maintaining a tax neutral base and there's going to be people that recognize that it's a tax increase, there will be other people that realize even with just the few cents that it's a tax increase, it isn't revenue neutral anymore.

Councilwoman Critz responded she realized that as a constituent and she was sure more constituents will realize now, because they responded to the survey, they've seen it and didn't

respond, but they are more aware of things going on. So, the community is more aware that there are capital improvements that are going on.

Mayor Becker responded he thought the board has been sensitive to what they know the concerns of the constituents were. Yes, the tax rate is low and people's tax bill for the Town of Mineral Springs is low, but the council still needs to be careful and have always been respectful of the constituents and not like building a tax increase into their revaluation.

Councilwoman Critz stated she didn't see that as the reason.

Mayor Becker responded they would see it as that though, because that's what it is.

Councilwoman Critz stated she was just saying those that recognize there are capital improvements taking place are going to know that it takes money. There are always going to be people that are going to dislike or like what the council does no matter what they do. Councilwoman Critz stated she was like Councilwoman Krafft and is trying to look to the future and the town is going to need more money in the future than less, no matter what they do.

Councilwoman Coffey asked if there was going to be a vote tonight.

Mayor Becker responded the council does not have to do anything until they adopt the budget next month.

Councilwoman Coffey asked if the council was looking to change it.

Councilwoman Critz responded if Mayor Becker is recommending 2.1%, she did not think that was too much of a cut for what they know is coming.

Councilwoman Critz asked Mayor Becker if he could do 2.3% to give the town something.

Councilman Countryman commented 2.1%, based on what Mayor Becker said, is an increase.

Councilwoman Krafft commented she thought that was good, if that is an increase and there is some money (a little bit more back), she would rather take baby steps and get it there.

Councilwoman Critz stated she would not argue, she knew what Mayor Becker was trying to do and she has always appreciated it. Councilwoman Critz added, "the community doesn't appreciate it enough, but that's another conversation."

Councilman Countryman responded of course they do not, they don't stay involved, they don't have the time to know what is going on. The point is that during this budget year, taxes are going to go up, they are going up minimally, but the council is not following the procedure they have followed for 20+ years of remaining tax neutral and that's okay, Councilman Countryman did not have a problem with that. Councilman Countryman added the town is not going to be able, through taxes, to fund this road project, but he thought Mayor Becker was being frugal and wise by accepting Councilwoman Krafft's proposal of putting a little bit in the coffer. Councilman Countryman did not think the council needed to go back to the revenue neutral issue, but at the same time he did not think it was fair, based on Mayor Becker's statement, to leave it at 2.5% when everybody's home values have more than doubled because they will recognize that.

Councilwoman Coffey mentioned the county would be voting on their new tax rate on June 30<sup>th</sup>.

Councilwoman Critz commented she did not know of anyone's house value that doubled.

Councilman Countryman suggested Mayor Becker leave it the way it is in the budget.

Mayor Becker responded, "leave this budget the way it is", the only thing that has to be changed is those council salaries. Mayor Becker suggested the council bear in mind, those are showing an increase, increasing taxes and council salaries in the same budget year might not go over well.

Councilwoman Coffey motion to call for the public hearing on June 10, 2021, at 7:30 p.m. at the Mineral Springs Town Hall and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

**11. Staff Updates**

There were no staff reports.

**12. Other Business**

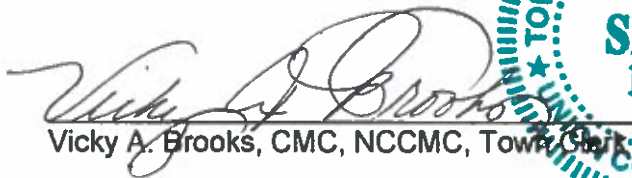
There was no other business.

**13. Adjournment – Action Item**

At 9:08 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

The next regular meeting will be on Thursday, June 10, 2021 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