

**Minutes of the
Mineral Springs Town Council
Regular Meeting
July 8, 2021 – 7:30 p.m.**

The Town Council of the Town of Mineral Springs, North Carolina, met in 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, July 8, 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.

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

Visitors: David L. Cook.

1. Opening

With a quorum present at 7:31 p.m. on July 8, 2021, Mayor Frederick Becker called the Regular Town Council Meeting to order.

Councilwoman Critz delivered the invocation.

Pledge of Allegiance.

2. Public Comments

There were no public comments.

3. Consent Agenda – Action Item

Councilwoman Coffey motioned to approve the consent agenda containing the May 13, 2021 Public Hearing/Regular Meeting Minutes, June 10, 2021 Public Hearing/Regular Meeting Minutes, June 29, 2021 Special Meeting Minutes, April 2021 Tax Collector's Report, and the April 2021 Finance Report and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

4. Artists Music Guild Presentation by David L Cook – Action Item

Mayor Becker welcomed Mr. David Cook and explained Mr. Cook was here representing the Artists Music Guild (AMG), which has been a town partner for several years in a lot of town activities both with the schools and the festival.

Mr. Cook explained he had spoken to Mayor Becker a while back and was told AMG was put in the budget again this year and the budget was approved. Mr. Cook stated he asked Mayor Becker at that time if he needed to come and speak to the council and Mayor Becker recommended that he come and speak. Mr. Cook commented he agreed with that, because it is good for the council to know what AMG is up to and it is good for AMG to have full transparency with everything that they do, especially when it comes to dealing with "our" kids.

Last year, the AMG still fulfilled their book bag agenda with the schools and worked with the resource officers. The AMG delivered over 120 bicycles during Christmas time, which some of the town's money helped them to do, as well to families who did not have and four of those families were here in Mineral Springs; AMG was excited to help them. By law, Mr. Cook is not allowed to mention who the families were.

The AMG Heritage Awards will not be held again this year, because the AMG Heritage Awards is based upon their relationship with the schools and with the children. The way the school board has referenced everything this year so far is that they have so much to make up for; title one schools receive their funding for teachers and children to be face to face in the classroom and the schools are very hesitant about giving extracurricular activities during those times, they want to catch up with the kids. Mr. Cook explained AMG has decided to go outside of the schools and do a program called "Union Voice", which will take place in Union County. A lot of the municipalities have already pre-registered for it. Cathy Reese is going to be involved, she is a teacher here who the council is familiar with. There will be a \$1,000 scholarship given to the winner of Union Voice. AMG is in the process of negotiating out a celebrity to give a concert the night of Union Voice and the winner of Union Voice will get to perform with that celebrity.

Councilwoman Critz asked if Mr. Cook had dates.

Mr. Cook responded it was going to be the last week of August or the first week of September.

Councilwoman Krafft asked what the age group was.

Mr. Cook responded it was going to be anywhere from 9 to 21.

Councilwoman Krafft asked how people signed up for it.

Mr. Cook responded they were dealing with the resource officers from the schools and sending mass emails out to all of the Arts Teachers within the schools.

Councilwoman Critz asked how they might be referencing home schoolers.

Mr. Cook responded it will be listed on the AMG website and some municipalities have said they would put it on their website for kids that want to sign up.

Mr. Cook explained AMG was also working with the Union County Sheriff's Office to do an Operation Pill Drop. Anyone who has outdated medications can bring them the day of the festival and the Union County Sheriff's Office will be on hand and they will have receptacles for people to throw away their old medications so that it's not in our sewer system and is out of the reach of children. God the Bless the USA [garbage service] has agreed to bring out their shredding truck so people can get things shredded.

Councilwoman Critz asked where and when.

Mr. Cook responded the "shred" will happen at the Sun Valley Commons Parking Lot. AMG is still trying to work out the logistics. Union Voice will be going through phases, they will audition for the first set of judges, and if they get through that set of judges, they will go to a second set of judges, and then the final set of judges will determine who will go onto the show that night. AMG is thinking about setting up the judging stations in different municipalities. AMG may work with Mineral Springs; have them come to Mineral Springs in the morning and then they will go to Indian Trail. The timeframe for this event is the last week of August or the first week of September.

Mr. Cook added that AMG still had the music licenses in place for Mineral Springs, even though they are not being used, the town is still covered under all of that. AMG is gearing up for the Heritage Awards in 2022. AMG is working with the City of Monroe on their 500-seat theatre to do the concert in with the winner of Union Voice. Each municipality will be represented in Union Voice, so sponsorship will be mentioned in all the propaganda/advertising for the event.

Mayor Becker thanked Mr. Cook and commented it sounded like a great way to get this work outreach done without having the AMG Heritage Awards and without the direct school involvement.

Mayor Becker informed the council the budget did include a line item for the usual \$4,000 if the council wanted to give their seal of approval based on the new model.

Councilwoman Critz motioned to authorize the \$4,000 expenditure to Artists Music Guild and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

5. Discussion and Consideration of the Vacant Council Seat – Action Item

Mayor Becker commented this agenda item was the council seat that is vacant from the death of Councilwoman Neill. Mayor Becker explained the council could appoint somebody to fill that remaining couple of months, but the seat will be on the ballot this November. Filing has already opened and there is at least one person that filed for that unexpired seat; filing will remain open until a week from tomorrow [July 16, 2021].

Mayor Becker stated he wanted the council to know where the town stood and what was done in the past, because the town has had three vacancies in 22 years. Those vacancies were handled differently depending on the timing.

Councilwoman Critz commented one of those situations the council dealt with in the past was almost identical to this one, and she thought that should be the council's guiding factor.

Councilwoman Coffey responded the town should have it on the ballot.

Mayor Becker noted it had to be on the ballot anyway.

Councilwoman Coffey explained that was what she was saying, that the council does not appoint.

Councilwoman Critz mentioned the former position of Councilman Faulk who resigned his seat in July, and with the election so close the council did not appoint anyone, they encouraged people to sign up on the ballot. There was also a case where there was a longer period of time where the council did appoint someone (Councilwoman Coffey).

Mayor Becker noted there were two of them; in each case there was over a year before the election would take place.

Councilwomen Coffey, Critz, and Krafft agree 100% it was a moot point to appoint someone at this time.

Mayor Becker asked Attorney Griffin if there were no obligations the council had either way.

Attorney Griffin responded he did not think so, although there were some at the Institute of Government saying it should be incumbent upon the council to at least consider it and fill it in some fashion. Attorney Griffin stated he did not find anything in the statute that required it.

Councilwoman Critz asked Attorney Griffin if he felt there was any advantage for the council to try and fill the seat since there was such a short period of time between now and then.

Attorney Griffin responded that was not his responsibility on how he feels, he just explains the law, it is the council's philosophy.

Councilwoman Critz responded Attorney Griffin has done a lot of governing.

Attorney Griffin responded political philosophy is different from the towns in this county from one place to another; some feel an urgent need to fill the seat to represent more of the town, and some don't, and there is no political requirement as he saw, so it was up to the council.

Mayor Becker commented the law allows either way.

Councilwoman Krafft commented she felt the council should let the people decide.

Attorney Griffin explained he thought those opinion people at the Institute of Government generally advocate it should be filled as quickly as possible so the town functions in its normal fashion. That is their underlying view, but again, they recognize it is not a legal...

Mayor Becker noted the process of filling a seat could take several months as the town puts out a call for applicants and the council deliberates.

Attorney Griffin mentioned some councils have it prearranged. Some councils want their friends on the council with them, some take applications, and try to be objective about it. Others let it go since there is such a short period of time. There is no statistical basis for it.

Councilwoman Critz stated there was not an absolute advantage.

Mayor Becker asked Councilman Countryman to weigh in.

Councilman Countryman responded he was frankly a little surprised, but he did not have any negative comments to make about waiting. Councilman Countryman was surprised, because he figured filling the vacancy was one of the things the council would be considering tonight.

Mayor Becker responded the council was doing that, but they have not done the application process or put out a call for candidates.

Councilman Countryman commented his thought process was the application process was filing for the position.

Mayor Becker responded that certainly was one, but filing has not closed yet.

Councilman Countryman commented the council has a right to appoint anybody they want to appoint to cover those four months the vacancy exists or to eliminate the possibility of that vacancy existing to conduct town business. Councilman Countryman said the council could look at it both ways, because any individual the council would consider appointing would still have to run. Councilman Countryman questioned what the advantages of leaving it open was and having people that were interested in that position filing, so that their names show up in November or having someone that the council thinks would do a good job be an appointee for those four months, understanding they would still have to meet the acceptance of the community to hold the seat beyond November.

Councilwoman Krafft asked if that seat was a separate entity when you file.

Mayor Becker responded it was a separate ballot item.

Councilwoman Krafft asked again if it was a separate entity, "so you have to file to run in that separate entity, because I know one of the filees yesterday didn't, wanted to do that, but didn't end up doing that."

Councilman Countryman asked for clarification because it wasn't there when he filed.

Councilwoman Krafft responded it had an open seat and then there were the regular seats, and they were separated, so you have to specify that you want to run for that open seat versus a regular seat.

Councilman Countryman commented they did not explain that to him when he filed.

Councilwoman Krafft commented when she saw the council already had a validated procedure that looked acceptable, she would like for the people to say who they would like to represent them.

Councilwoman Critz commented the constituents that know the council and have faithfully voted for them for years would probably take guidance and by the council appointing someone, it would be telling the community that "this is someone we take value in and doing a good job." They would know the council was giving some kind of validation if they were going to appoint them. Obviously, the community would assume that it was someone the council considered responsible and engaged in the community. "It's not like we are all like minded and we just and this person is our best friend, it's just like we know this person had been engaged and been active in the community and we know they are going to do a good job, that just popped into my head", Councilwoman Critz said.

Councilwoman Coffey noted it was only three months, not four full months, so she thought the council should follow the precedent the council has in place that they have been through before, then the council is consistent in their actions. If the council changes course now, the questions would be "why?" Mayor Becker gave the council the information and the council wants to remain consistent in their actions, unless there is a good reason to divert from them; at this point it sounded like "no", the council needs to be consistent in their actions.

Councilwoman Krafft stated she thought when looking at the things that have gone before, her only concern was to make sure of that and the people will decide. Councilwoman Krafft felt being active in the community, knowing the procedures, learning the procedures, and doing things whether it be planning board or board of adjustment and getting to know that part of it before taking an active role was important.

Mayor Becker responded that had been the case with new council members ever since the town's founding; there has always been some experience in one or more of the volunteer boards in every single case of somebody who has joined the council either through appointment or election.

Councilwoman Krafft stated there was an incredible amount to learn.

Councilwoman Critz commented she was the first council member to replace the original council in 2001, but she had been on the planning board since 1999 or 2000.

Mayor Becker noted it was the planning review committee.

Councilwoman Critz agreed and stated she had served concurrently for several years; there is a lot to learn and being involved in another way is priceless.

Mayor Becker asked the council to decide what they wanted to do.

Councilwoman Coffey motioned to wait until the election and let the seat be filled and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

6. Consideration of the 2020-2021 Audit Contract – Action Item

Mayor Becker explained there was no change in the audit contract with Ms. Gangel; the dollar amount is \$4,730, which is the amount Ms. Gangel quoted and the council approved in the budget for the audit. The contract is the “boiler plate” Local Government Commission Audit Contract.

Councilman Countryman motioned to approve the Audit Contract for \$4,730 and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

7. Staff Updates

Ms. Brooks informed the council the board of adjustment had four special use permits to review next week. No specifics were given

Mayor Becker informed the council he was working on the year-end books and will get the audit started.

8. Other Business

Councilwoman Critz shared that before she came to the meeting this evening, she turned on the news and there was a six-year-old child that had been abducted in Louisville, Kentucky. The girl was riding her bicycle in an established neighborhood, when a man jumped out of his car and grabbed her shirt and threw her in his front seat and took off. The neighborhood just started immediately bombarding the police department with phone calls with the type of car, what happened, which direction it turned, and then every policeman within ear shot of that found this child. “They actually found the car and followed it.”

Councilwoman Coffey commented, “the neighbor followed.”

Councilwoman Critz responded, correct, a neighbor jumped in his car and followed and just kept in touch with the police department. This rarely happens, not only that a child was found, but that a child is found before they were harmed. What Councilwoman Critz saw in this equation was the connectivity through the police department and the community. The town had a neighborhood watch thing at town hall once and Councilwoman Critz thought it would be to the town’s advantage to try and get the police department to do that again; to hold another thing at town hall about neighborhood watch, just to let people know. If it were not for that community activity, those officers, who weren’t all sitting in their cars, making an instant judgement over what to do and when to do it, and dropping everything to go.

Councilwoman Coffey commented, every officer in that town was in pursuit.

Councilwoman Critz commented it really moved her and she thought there was no reason in the world that any community couldn’t duplicate this kind of attention and be connected.

Councilwoman Coffey responded, they were alert and that was the important thing.

Councilwoman Critz reiterated she would like to see the town schedule and reproduce a neighborhood watch educational thing at town hall to see if the town can’t make people want to do this, but certainly to give them the tools. Councilwoman Critz knew several of the deputies met with some from the original meeting, there were neighborhoods that wanted to go a step further and one

of the deputies would meet with that neighborhood, but the town was the one that offered the immediate connection and the tools to do it. Councilwoman Critz felt it was the town's responsibility.

Councilwoman Critz will work with Ms. Ridings to organize a time when town hall is available and to come up with some dates.

Councilwoman Critz suggested the neighborhood watch information is another thing that could go in the newsletter. "It's looking like that newsletter is about to write itself at this point."

Councilwoman Krafft asked how the newsletter was.

Mayor Becker responded, "it needs to write itself."

Councilwoman Coffey mentioned the board of adjustment meeting is coming up; that's where the newsletter is.

Councilwoman Critz suggested when all of that was over, she and Councilwoman Krafft could come to town hall and spend the day and knock the newsletter out in a day. Part of it will be taking the information they want in it and organizing the format.

Mayor Becker commented Councilwoman Critz could work on that and the council will resume the discussion at a later date.

Councilwoman Krafft mentioned there were quite a few things going on in the community, so she thought it was time to get another newsletter out.

Mayor Becker explained it was a question of staff time, because the newsletter does not write itself.

Councilwoman Critz responded she would come to town hall and learn and do whatever she could do.

Ms. Brooks commented she was the only one that could teach Councilwoman Critz.

Councilwoman Krafft asked what program was used to write the newsletter.

Councilwoman Critz stated she was not able to use a computer.

Ms. Brooks commented Councilwoman Critz could write all the articles she wanted to and send them to her.

Councilwoman Critz responded she could write something around the information, such as the music thing and the neighborhood watch thing, "I could do a little."

Councilwoman Krafft added what was going on in the neighborhood park in Western Union and the soccer fields; there are a lot of neat things going on.

Attorney Griffin commented he knew each of the council members were civic minded and wanted things done, but he advised they were a council, and they were supposed to make decisions together and not just one of the council members imposing what they want. The council is an elected group to make group decisions. Attorney Griffin stated he admired the enthusiasm and the council wanting to do certain things themselves, but he suggested that the council use caution and try to exert what they want too much, but let it be a council decision and vote if needed. "Who is going to determine what goes in the newsletter? Is that preapproved as a council, or do you appoint

a committee to preapprove on that or do you exert your own influence as to what should go in that? Who makes those decisions that's very important as a group?"

Councilwoman Critz responded, "well, the staff."

Councilwoman Coffey also responded, "the staff has to do it, they really have to, there has to be some consistency and continuity."

Councilwoman Critz explained she was just suggesting the information that the council has that is community originated like the neighborhood watch or the music program. Just giving a "little blip" to explain it and giving the dates of when it will happen.

Mayor Becker commented he thought there could be some discussion, as Attorney Griffin suggested, if there is going to be a change or specific procedure that would have to be a council decision, but historically the staff does the newsletter when there is time. "Our staff is very, very small, as you know, so staff has to do things time permitting and the newsletter has just been one of those things, when you've got special use permits, and you've got variances, you've got to put your time into that."

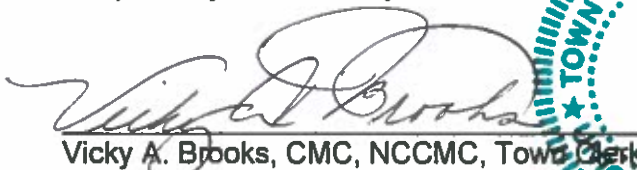
Ms. Brooks added "and 160D".

9. Adjournment – Action Item

At 8:12 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, and Krafft. Nays: None.

The next regular meeting will be on Thursday, August 12, 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