

**Minutes of the
Mineral Springs Town Council
Regular Meeting
October 14, 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, October 14, 2021.

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

Absent: None.

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

Visitors: None.

1. Opening

With a quorum present at 7:32 p.m. on October 14, 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

Councilman Countryman motioned to approve the consent agenda containing the September 9, 2021 Regular Meeting Minutes and the August 2021 Finance Report and Councilwoman Cureton seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Krafft. Nays: None.

4. 2021 Property Tax Order of Collection – Action Item

Mayor Becker explained he did receive an email at 3:30 p.m. this afternoon from Robin Merry at the county office with the tax charge. Mayor Becker pointed out the signature line where they left "Wingate" (probably from the previous letter) and he let Ms. Merry know about it. The numbers are correct for Mineral Springs, and it says "Mineral Springs" in the body; therefore, authorizing and ordering the Union County Tax Administrator to collect the towns taxes again this year. The council can adopt it if they choose, and the town can sign a corrected copy later.

Mayor Becker pointed out the original levy was around \$92,000 and that has been corrected to around \$78,000 where it belongs.

Councilwoman Coffey motioned to approve the Union County Tax Order of Collection in the amount of \$78,169.16 and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Krafft. Nays: None.

5. Potential Boy Scout Eagle Project – Action Item

Mayor Becker explained he received a request from a scout in Troop 56 (out of Bethlehem Church) whose name is Cason Starnes, who lives on Nesbit Road. Mr. Starnes was open ended and as the council knows, the town has had a little bit of trouble and have been shying away from projects on the trail; “we don’t want to run into anymore problems with the county.” Mayor Becker explained he and Ms. Brooks talked about it. Mayor Becker stated he knew this had come up with Councilwoman Krafft, somebody else suggested one of those little free libraries to put in the little downtown park. Mayor Becker and Ms. Brooks looked around and saw a good location for it. Mayor Becker emailed Mr. Starnes and asked if it was something that would qualify him for an Eagle Scout project; Mr. Starnes thought it would. Mayor Becker told Mr. Starnes he would ask the council if they wanted him to pursue it further.

Councilwoman Critz asked if it would be in the actual parking lot.

Mayor Becker responded no; it would be in the park along the sidewalk side.

Councilwoman Critz commented, “so, not at the greenway?”

Mayor Becker responded, no, no here and asked if the council wanted him to pursue it.

Councilman Countryman asked if it would be something like a box where people would leave books for exchange.

Mayor Becker responded, “exactly, and those are kind of, there is a National Organization that you register with, and you meet certain standards.” Mayor Becker told Mr. Starnes that would be good and there are things the town was going to expect him to do, such as, checking with the county, finding out if a permit was needed, checking with Disability Rights and Resources to see if there was anything that needed to be done to make it ADA accessible. This will be a good opportunity for Mr. Starnes to go through the bureaucracy, regulations, and planning.

Councilman Countryman commented he thought it would be a good idea and that Mayor Becker should tell him to go ahead to develop a proposal that the council could review.

Mayor Becker asked the council if they thought it was a viable project.

Councilwoman Krafft responded, “definitely.”

Mayor Becker explained he just needed to get a vote from the council to say, “yeah, that looks like something we would like to see you go further on.” We will see what happens in the next month or two.

Councilman Countryman motioned to have Cason Starnes develop a proposal for a free library in the downtown park and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Krafft. Nays: None.

6. Consideration of Initiating Collection of Zoning Violation Penalties – Action Item

Ms. Brooks referred to her memo in the agenda packet and explained there had been a zoning complaint and upon investigation she did find that there was a violation of the Mineral Springs Development Ordinance. Ms. Brooks referred to the pictures she provided to the council and pointed out there were multiple vehicles, some have not moved in months, and some are not tagged. Ms. Brooks also assumed they were not operational either. There are boats, and there seems to be work vehicles all over the yard. The town is at the point of issuing fines of \$50 a day for each day the violation exists, as of October 7th and they are already up to \$3,450. Ms. Brooks explained she had not heard anything except right after she started fining, the resident did contact Ms. Brooks by email and asked if there was anything else they could do, because they had no where they could put the vehicles, they were trying to purchase a new home and move out of here. Ms. Brooks responded that since she had already put it into the violation status, there was nothing else she could do, it was now up to the town council to make that decision. Ms. Brooks asked the council if they wanted to pursue collection through Attorney Griffin, because it is up to the town council at this point.

Councilwoman Critz commented she was the one that made the initial complaint. Councilwoman Critz explained it had been going on for over a year before she said anything to Ms. Brooks. Councilwoman Critz noted that everyone that participated with the town zoning once, twice, however many times it has been done and redone, and tweaked, none of them wanted to be the zoning police, none of the council was going to ever ride through Mineral Springs looking for infractions. That was just not going to happen from the council. What brought Councilwoman Critz to the end of her rope was two things. There was a cute little house two or three doors up from it that went on the market and houses are selling fast right now, a sign is in the yard, there are ten offers and three days later the house belongs to someone else. There were some other complications with this house that Councilwoman Critz did not know (nothing major), but the real estate agent told her that every single person just loved that house, but they could not get past two doors down. It was damaging nearby properties and the value. Councilwoman Critz explained she went to Ms. Brooks and said "I think that it is reprehensible, it felt reprehensible to me to have put all of the hard work and time into doing the zoning ordinance that we've done and participating with outside resources and doing all that we've done, all the input that the community has made through our town hall meetings and our survey, it just felt wrong to me for us to go to all that trouble and have such a blight like this. This is not like a minor infraction. This is huge and to not implement our zoning, to turn a blind eye, let property owners nearby be affected negatively by it and to also disregard the time and effort that all of us have put into it." Councilwoman Critz stated she just wanted to make it clear upfront that there is more to it, it was not done by someone that was irritated, this is the worst problem she has seen.

Councilwoman Cureton commented it looked bad, but it didn't look no worse than the one right beside her.

Mayor Becker responded unfortunately that was a building and not a zoning violation.

Councilwoman Cureton commented she knew, but it was a bad sight.

Mayor Becker explained the town has always tried to avoid having to impose fines, but asked Attorney Griffin if there was a process that the town will go through. Is that how that works if you have to enforce collection of an accumulated civil penalty under the ordinance.

Attorney Griffin responded it was a lawsuit.

Councilwoman Critz commented the resident has been telling Ms. Brooks this for months and there has been no evidence at all that they are making any attempt to thin out the problem or to move.

Mayor Becker mentioned one of the biggest problems that he didn't know how it would be handled, but as Ms. Brooks mentioned in the memo, that it is unclear who owns the property, because the owner is usually liable for the civil penalty, but Ms. Brooks has talked to the owner who said they don't own it anymore. The registry of deeds shows no recorded new deed or new owners, so it shows the owner of record still owns it, which makes it unclear.

Councilwoman Critz asked Attorney Griffin if that was information he could get to the bottom of.

Attorney Griffin responded it was public record, and the registry of deeds shows who owns the property; there are tax records.

Councilwoman Critz clarified she was saying if one person says they are, but their names are not on it, is there anyway the attorney can contact the real person or get that information to Ms. Brooks.

Attorney Griffin responded the public record should be clear about who the legal owner is, the register of deeds keeps a record of all the deeds of everyone who owns property. What people say about it or who owns it would be a difference of opinion, Attorney Griffin was sure.

Councilwoman Critz asked if Attorney Griffin thought the first place to start would be to find out the right person to contact.

Attorney Griffin responded, "absolutely."

Councilwoman Coffey commented in all honesty, this was past what the council needed to be dealing with, and it was past what Ms. Brooks needed to be dealing with, because she has been dealing with it. The council is at the point of legal help and Attorney Griffin is the one that needs to be handling this at this point.

Mayor Becker asked the council if they wanted to direct the zoning administrator and Attorney Griffin to move forward from the legal standpoint.

Attorney Griffin commented he could take a look and give the council advice on what to do.

Councilwoman Coffey motioned that this be passed onto Attorney Griffin to look into the legalities that need to be processed and do so and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Cureton, and Krafft. Nays: None.

7. Staff Updates

Ms. Brooks reminded the council that they meet on November 18th next month, because the second Thursday is a federal holiday [Veteran's Day].

8. Other Business

There was no other business.

9. Adjournment – Action Item

At 7:50 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Cureton, and Krafft. Nays: None.

The next regular meeting will be on Thursday, November 18, 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

