

**Minutes of the
Mineral Springs Town Council
Regular Meeting
February 9, 2023 – 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 S, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, February 9, 2023.

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

Absent: Councilwoman Bettylyn Krafft.

Staff Present: Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin, and Administrative Assistant/Deputy Town Clerk Maurice Norman.

Visitors: Bill Price and Elaina Wolfe.

1. Opening

With a quorum present at 7:31 p.m. on February 9, 2023, Mayor Becker called the meeting to order.

Councilwoman Critz delivered the invocation.

Pledge of Allegiance.

Mayor Becker announced that Councilwoman Krafft had a family emergency.

2. Public Comments

Elaina Wolfe – 6114 A Webster Way, Waxhaw, NC.

3. Consent Agenda – Action Item

Councilwoman Coffey motioned to approve the consent agenda containing the January 12, 2023 Regular Meeting Minutes, the December 2022 Union County Tax Report, and the December 2022 Finance Report and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

4. Travel Information Station FCC License and Queen’s Cup Agreement – Action Item

Mayor Becker introduced item number four and explained he thought his memo was self-explanatory. Mr. Price is in attendance. The travelers’ information radio system looked like another possible feature that could be incorporated into the public safety measures. There is an FCC license that goes along with it.

Councilwoman Coffey shared that she had a thought process she felt should be shared and hopefully the council will have an agreement on it. Councilwoman Coffey stated she thought the travelers’ information system would be a great thing to be implemented for this event, because it will help with traffic. However, the Federal Communication Commission (FCC) license is only issued to government entities. It was indicated [in the memo] a suggestion that Steeplechase would pay for the license; however, it was Councilwoman Coffey’s opinion that that should not happen. The license will be issued to the government entity and the government entity needs to pay the \$450 fee.

Mr. Bill Price thanked Councilwoman Coffey for her suggestion and stated he would not be the first one to argue, because the town should pay for it for a variety of reasons; it does belong to the town.

Mr. Price explained he was trying to make it easier for the “decision making processes”, so it would not get in the way of getting progress on it.

Mr. Price explained that last year, Steeplechase had a bigger crowd than they ever expected. The Verizon Cellular Service shut down at 10:02 a.m., which was not the fault of Verizon; their system is designed to handle 5,000 people in the area. Mr. Price explained that even if your phone is on, but you are not talking on it, you are using data, because it is still pinging the towers to let the tower know you are there. Steeplechase had a lot of new people in addition to the usual people and those individuals turned on their GPS, everybody got on the phone, and then all of a sudden things started to back up and the cellular went down. Verizon is the “big elephant” in the Charlotte region, AT&T and T-Mobile customers did not have any trouble getting through. Mr. Price was able to get the Verizon COW (Cell on Wheels) back this year.

Steeplechase had a completely new group of everybody, new security, new parking people. Mr. Price commented that he thought the only people that were not new were he and his wife Carrington, so they knew what was going on, trying to get 12,000 to 15,000 people in between 10:00 a.m. and 12:00 p.m. was tough. The other thing Steeplechase came up with, in addition to QR codes that take you exactly to the gate, is using the AM radio system, which would be rented. In order to get three miles out from center, which would be the tower, it requires an FCC license through the town. Otherwise they can only get a license for a half mile, which is not far enough. The town will own the license, but Steeplechase will acknowledge that they are taking all responsibility as it relates to the Queen’s Cup. If the town decided they wanted to have an event in the future, the town could use the license, as long as AM radio doesn’t disappear. Mr. Price mentioned they would be using the word “historic Mineral Springs”, but the FCC will not allow them to use any sponsor names; they can talk about the Queen’s Cup and Historic Mineral Springs. Mr. Price clarified this [license] was not for a digital board, it was strictly AM radio.

Waxhaw is going to put up a digital board. Mr. and Mrs. Price will be meeting with the Union County Sheriff’s Office in two weeks. UCSO has two digital boards, which were in the wrong place last year.

Mayor Becker informed the council if they decide to take Councilwoman Coffey’s suggestion to heart and the town is willing to absorb the cost of the license, from what Mayor Becker believes from Bill Baker at the facilitation company, it would be a 10-year license. The \$450 fee is inclusive, and it covers all licensing for that period of time. The town would never be responsible for operating costs or rental of AM equipment after the fact.

Mayor Becker referred to Attorney Griffin and stated if the town took responsibility for the cost of the license, then item number two in the memorandum under “Cost”, would just simply change to “the town shall be responsible for the license fee” and the foundation shall be responsible for any and all costs to operate the radio system. Mayor Becker mentioned item number four, “Liability” would just say that “the town shall bear no financial responsibility as the license holder and the foundation to indemnify and hold the town responsible for any costs and operating costs, or other liability associated with the license. Mayor Becker asked if that made sense.

At the request of Councilwoman Critz, Mayor Becker restated for the motion, “with adding under item two of the memorandum, the town shall be responsible for the license fee and the foundation shall be responsible for any and all costs to operate the radio system and in item number four, that we would add the word ‘operating’ before ‘costs’ in the second line.”

Attorney Griffin noted it would be “pay” rather than “responsible”, both times Mayor Becker stated “responsible.”

Mayor Becker repeated, “the town shall pay for the license fee and the foundation shall pay any and all costs to operate the radio system.”

Councilman Countryman motioned that we approve the purchase of the FCC license and that the Town of Mineral Springs pay for it with the amendments on the documents that you've suggested, and Councilwoman Cureton seconded. This motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

5. Consideration of Appointing/Reappointing Board of Adjustment and Planning Board Members – Action Item

Ms. Vicky Brooks explained there were a couple of changes to her memo. Bettylyn Krafft and Jeff Krafft have agreed to be reappointed to the planning board. Michael Rutland has agreed to be reappointed to the planning board and the board of adjustment.

Ms. Brooks introduced Ms. Diane Countryman who had applied for the alternate seat on the board of adjustment.

Ms. Countryman introduced herself and stated she was applying for an alternate position on the board of adjustment for Mineral Springs.

Councilman Countryman asked the council if he was allowed to vote on Ms. Countryman's application to the board.

The council agreed that a vote was allowed by Councilman Countryman.

Ms. Brooks explained that board of adjustment member Sharon Carter had not attended any meetings [in 2022] and the chairman of the board of adjustment had requested that the council consider not reappointing her. Ms. Brooks also explained she had not contacted Ms. Carter to ask if she wanted to be reappointed until a decision was made by the council. Ms. Brooks noted if the council chose not to consider Ms. Carter for reappointment, Michael Rutland would move up as a regular member.

Mayor Becker and Councilman Muller further explained that Ms. Carter had missed more consecutive meetings than allowed by the rules of procedure. In addition, Ms. Carter had been non-responsive; therefore, should not be reappointed.

Councilwoman Muller motioned to approve the membership to the board of adjustment and planning board per Vicky's memo, with the updates to the availability for Michael Rutland and the Kraffts. Also, according to Vicky's memo, we're not going to extend an invitation to Sharon Carter to a position on the board of adjustment and Michael Rutland will move up to a permanent member from alternate and Diane Countryman will be added, and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

The appointments and term expirations for the board of adjustment are: Marty Connell – April 2025; Renee Helms – April 2026; Jim Muller – April 2026; Valerie Coffey – April 2024; Michael Rutland – April 2026. Alternates: Diane Countryman – April 2026; Vacant seat – April 2024.

The appointment and term expirations for the planning board are: Johnny Evans – April – 2026; Renee Helms – April 2026; Richard Helms – January 2025; Bettylyn Krafft – January 2025; Jeff Krafft – January 2026; Michael Rutland – April 2025; Elizabeth Voigt – January 2026.

6. Consideration of Conducting a Work Session for Capital Funding, Meeting Protocols, and Town Hall/Grounds Maintenance Needs – Action Item

The council agreed that a full council must be available to address this agenda item.

Councilwoman Coffey motioned to table that and postpone it to the next meeting and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

7. Discussion and Possible Consideration of the 2023 Annual Festival – Action Item

Ms. Brooks explained she had a conversation with Mr. Frank Mowitz from Harris Teeter about festival parking and he referred her to Ms. Lisa Fort; however she has not heard from Ms. Fort yet. Ms. Brooks pointed out that the town does not have any parking and the festival cannot be held without it. Ms. Brooks noted that Ms. Fort was the same person she was referred to in 2020 (?) to find out if the town could use the Harris Teeter property for parking and she never responded to Ms. Brooks then. Ms. Brooks stated she had now come full circle on contacting people about parking for the festival. Ms. Brooks asked the council how they would like her to proceed with the 2023 festival.

Councilwoman Critz asked the council if they had constituent input that people want the town to renew the festival and if Ms. Brooks had the work capacity to organize another festival.

Ms. Brooks responded there had not been an overwhelming amount of people who miss the festival, but there were at least two people. Ms. Brooks then acknowledged that coordinating a festival requires a lot of work.

Councilwoman Coffey commented that the questions by Councilwoman Critz and the answers from Ms. Brooks felt like a moot point without sufficient parking being secured.

Ms. Brooks explained the reason she was asking the council the question was because if she hears from Ms. Fort tomorrow and says the town is “good to go, you can use our property for parking”, if the council does not make the decision very quickly, time is getting away from us to plan the event. Does the council want to move forward provided the town gets permission to use the property for parking?

Councilwoman Critz asked what the potential date of the festival would be.

Ms. Brooks responded, September 9th.

Councilwoman Critz asked if any potential vendors have expressed an interest in the festival, specifically ones from the past.

Ms. Brooks responded, no.

Councilman Countryman suggested leaving it at this, Ms. Brooks find out if they are going to have parking, then the town will have a festival.

Councilman Countryman motioned that we move forward with the festival provided parking will be available based on this lady’s decision that Vicky is going to find out and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

8. Selection of a Movie for the Outdoor Movie Night at Town Hall – Action Item

Ms. Brooks presented the six movie choices, which were identified by more of the new releases that she saw that were rated G. DC League of Super Pets, Lightyear, Family Camp, American Underdog: The Kurt Warner Story, Clifford the Big Red Dog, and Underdog to Top Dog.

Ms. Brooks and Mayor Becker suggested DC League of Super Pets as the top choice based on the trailer for the movie and the council agreed with their suggestion.

Councilman Muller motioned that we request DC League of Super Pets for movie night and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

9. Consideration of the Deer Urban Archery Season Renewal – Action Item

Mineral Springs has participated in the Deer Urban Archery Season for about 10 years.

Councilman Countryman motioned that we solicit the North Carolina Wildlife Commission to have an Urban Archery Season in 2024 and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

10. Staff Updates

Mr. Maurice Norman thanked the council for the opportunity and announced he would be resigning in two weeks to pursue other professional opportunities.

11. Other Business

Mayor Becker commented that Kendra Gangal [town auditor] would be getting the audit reports to the town and that she should be on the agenda next month to present it to the council. The audit has been approved by the Local Government Commission.

Councilwoman Critz directed a question to Mayor Becker and Mr. Price. Were there other ways to make sure (what happened last year with Verizon going down) that doesn't repeat itself other than the radio?

Mr. Price responded they were doing a lot of things, but he thought the most important thing starts with the Verizon COW (cell tower). Mr. Price explained he contacted Verizon and did not get much effect until he shared with them that an individual in the infield got stung by a bee and they forgot their EPI pen, which could have been a bad situation. They claim 911 will function regardless of what is going on, but that is not true, because 911 was dialed for the bee sting and it just sat there and couldn't get out. As soon as Mr. Price said that to the higher ups at the Verizon corporate offices in Charlotte, they gave him some excuses why they would not do anything, because the event is a one-day event attracting 10, 12, 13,000 people versus the Wells Fargo event that has 30,000 a day, and they don't have any problems, but admittedly they are surrounded by a bunch of towers, where Mineral Springs has three.

Councilwoman Critz mentioned that could be a problem for residents as well.

Mr. Price responded, absolutely, and when he brought that up, he thought he got their attention. At first they said, "well, you know, the 911 works." Mr. Price said it was nothing, because the sheriff's office told him that and fortunately the radios worked between the 911 center in Monroe and there was also a trailer out there the sheriff donates that has radio contact.

Councilwoman Critz asked if Mr. Price and his partners had a staffed ambulance.

Mr. Price responded "but if you can't make contact, the ambulance is down over here and you are sitting on 100 acres, so that is one of many things." They are also putting QR codes, because the most important thing that will get things going in the positive direction is if they can just get people to stop looking at their GPS, because it is not correct. It was sending them to the wrong gates; they were sending gate one people to gate two and four, and gate four people to gate one. People were trying to do U-turns on Potter Road and on 75; traffic was backed all the way up past Waxhaw.

Councilman Muller announced that he had attended his first Council of Government meeting last evening and it went very well. Councilman Muller met the mayor pro tem of Stallings and Marvin and got to know them very well. County Commissioner Brian Helms was in attendance. Councilman Muller stated it was it was a good reception and good interactions with everybody.

12. Adjournment – Action Item

At 8:18 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

The next regular meeting will be on Thursday, March 9, 2023 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:



Vicky A. Brooks
Vicky A. Brooks, CMC, NCCMC, Town Clerk

Frederick Becker III
Frederick Becker III, Mayor