

**Minutes of the
Mineral Springs Town Council
Organizational Meeting / Regular Meeting
December 14, 2023 – 7:30 p.m.**

The Town Council of the Town of Mineral Springs, North Carolina, met in an Organizational Meeting and 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, December 14, 2023.

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

Absent: Attorney Bobby Griffin.

Staff Present: Town Clerk/Zoning Administrator Vicky Brooks and Administrative Assistant/Deputy Town Clerk Sharelle Quick.

Visitors: None.

1. Organizational Meeting

- A. With a quorum present at 7:30 p.m. on December 14, 2023, Mayor Becker called the organizational meeting to order.
- B. Town Clerk Vicky Brooks read the votes from the November 7, 2023 municipal election. Mayor: Frederick Becker – 317 votes, Taylor Ross – 278 votes, and William Reynolds – 10 votes. Town Council: Valerie Coffey – 388 votes, Jim Muller – 372 votes, Lundeen Cureton – 341, Chelsea Felts – 293 votes, and Charles Bowden – 178 votes.

Councilwoman Critz asked if this was the highest vote count any council member or mayor has ever had.

Mayor Becker responded there was a record turnout of 607 voters in Mineral Springs, approximately 26% of the registered voters, which is high for a municipal election. Mayor Becker stated he was proud of the voters for turning out and that he believed that was the highest number of votes he ever received for mayor (312 in 2013). Mayor Becker added that he did not believe anybody had come close to the 388 that Valerie Coffey received.

- C. Ms. Brooks administered the Oath of Office to Mayor Frederick Becker. Mayor Becker administered the Oaths of Office to Valerie Coffey, Lundeen Cureton, and Jim Muller.
- D. Councilwoman Critz nominated Valerie Coffey as Mayor Pro Tem.

Councilwoman Coffey accepted the nomination.

Hearing no further nominations, Mayor Becker closed the nominations for Mayor Pro Tem.

Mayor Becker requested the council vote on the motion to appoint Councilwoman Coffey as Mayor Pro Tem. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

2. Adjournment of the Organization Meeting

Mayor Becker closed the organizational meeting at 7:43 p.m.

3. Opening

With a quorum present at 7:43 p.m. on December 14, 2023, Mayor Becker called the meeting to order.

Councilwoman Critz delivered the invocation.

Pledge of Allegiance.

4. Public Comments

There were no public comments.

5. Consent Agenda – Action Item

Councilman Muller motioned to approve the consent agenda containing the November 9, 2023 Regular Meeting Minutes, the October 2023 Union County Tax Report, and the October 2023 Finance Report, and Councilwoman Cureton seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

6. Selection of Council Members to Serve as the Delegate and Alternate to Centralina Council of Governments – Action Item

Councilman Countryman motioned to appoint Councilman Muller as the delegate and Councilwoman Krafft as the alternate and Councilwoman Coffey seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

7. Consideration of Filing a Confession of Judgment – Action Item

Mayor Becker explained Ms. Brooks presented the council with a memo that was self-explanatory about the Donatos, who were not the owners of the property, but it was in a terrible mess with junk vehicles and garbage piled high. The owner of the property had skipped, the house was in foreclosure, and it was difficult to determine the ownership. The town hired an attorney to enforce the accumulated penalties and right around that time the owners moved out and got rid of all the junk. However, the fines were pending, and Mayor Becker recalled that Attorney Lisa Beaman, who was retained for that purpose, had gotten a confession of judgment signed that basically said “yeah, you can record the judgment, if we don’t pay”. The Donatos began to pay [monthly] a total of \$1,050; however, the payments stopped happening in May. The town has not recouped the attorneys’ fees. Mayor Becker mentioned, as finance officer, he was happy to get some payments, because he wanted to recoup the cost of the attorney, because he didn’t like the idea of the taxpayers having to eat that cost. Mayor Becker explained that he and Ms. Brooks have said “after a reasonable time”, not knowing what a reasonable time was, but after the attorney fees were met, and a few hundred [dollars] to cover the cost of mailings, copying, and general difficulty, it would be brought to the council to see if they were willing to notify the Donatos the balance would be forgiven, because they had done this, but the town is not at that point. The council has a choice of calling Attorney Beaman or the town could file the confession of judgment, which would be an active judgement on the Donato’s credit report. Mayor Becker stated he did not think the town would get any more money out of them, but there was no telling. Attorney Beaman had asked Ms. Brooks if the Donatos had been notified and the response was no, staff wanted to take it to the council, because there is nothing in the agreement that says the town must notify the Donato’s; they know they have not paid. Mayor Becker asked the council for guidance; do they want to immediately file the judgment or do they want to try to make a collection effort.

Councilwoman Coffey stated she believed that the town has to file the judgment, it will send the wrong message throughout the town that the council is not enforcing, which alone would kill any type of further action in the future with anyone. If the Donatos attempt to move anything that they own, or if they get any money (tax refund or anything that comes from the government) the town would get the money.

Councilwoman Critz asked what the current state of the property was and if it was in foreclosure.

Mayor Becker responded the Donatos never owned it. The property was bought by an investor and it has been renovated; they are trying to flip it. It looks brand new.

Councilman Muller commented that any judgment would not be against the property, it would be personally.

Councilwoman Coffey asked if the attorney fees and future filings could be attached to the order.

Mayor Becker commented that he did not know the status of that.

Councilwoman Coffey commented this was after the fact, she meant in the beginning (initially) when the papers were filed, the attorney fees should have been requested with that action, and that would encourage people to pay even more so. The judgment sits for 10 to 12 years, unless that has changed, and they will not be able to do anything until this is paid. Councilwoman Coffey hoped the Donatos were working and doing well and generating some income, and they must pay this.

Councilwoman Critz stated for the record that these were not designed for the town to make money for it, to harm people financially. They are designed to motivate people to correct the problem. Councilwoman Critz agreed with Councilwoman Coffey. If the town weakens the process, it sets a bad precedent. This is to motivate, to have a consequence, if there is not consequence, no one is going to do anything.

Councilman Countryman motioned to file the confession of judgment in the Donato case and Councilwoman Coffey seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

Councilwoman Critz expressed a concern that this could set a precedent for the council so that Ms. Brooks is not backed in a corner trying to figure out what she is doing from now on; this is what we want to see happen.

Mayor Becker responded he thought since the town had only one of these in 23 years, when it came to judgments it needs to be taken to the council. Ms. Brooks will still go through the same process to get to that point, but after the town goes to an attorney to get a judgment, it is up to the council to decide.

8. Discussion of Zoning Violation Policies

Mayor Beck/er explained Councilwoman Critz had questioned the zoning violation policies and that Ms. Brooks had prepared a brief memo about the current process. Mayor Becker opened the floor for the council to decide what they are trying to do or if there were any weaknesses/improvements they saw.

Councilman Countryman stated it was well written the first time.

Councilwoman Critz explained that her only question was based on one of the situations the town had concerning a storage unit thing that Ms. Brooks was trying to work with the people and give them an opportunity to do the right thing. Councilwoman Critz wondered if there were ways that the council could put timeframes on these better, to take that responsibility off Ms. Brooks; she is trying to be nice and work with people (as she should), but Councilwoman Critz would like to take some of the pressure off Ms. Brooks, if both can be done.

Ms. Brooks questioned if the town can work with somebody past the 10 days and get the same result, even though it takes longer, why would the town fine them on day 11. There are situations out there where people just can't resolve issues [in 10 days], so if the town can work with them, why not. The council has seen how much an attorney costs to go after people once the civil penalty phase starts.

Councilwoman Critz referred back to a comment made by Councilwoman Coffey "if we don't have a consequence that's enforced, then there's no motivation to..."

Ms. Brooks responded to the point that was made by Councilwoman Critz and asked if she was saying on day 11, the fines start going out every day and there was no room to work with anyone.

Councilwoman Critz commented that this would keep Ms. Brooks out of having to decide whether they are or aren't genuinely working with her, so that she is not backed in the corner if they are not responding. It would take the responsibility off Ms. Brooks and would also show people that what the town has in place is actionable.

Councilwoman Coffey clarified with Ms. Brooks that she was saying there are some situations that she has experienced people doing the right thing, going forward meeting the demand, but it just took them longer.

Ms. Brooks responded, yes, but as Councilwoman Critz was saying, if the council takes that away from her, on day 11 the fine needs to start going out. Then the council has to worry about trying to collect these fines.

Councilwoman Krafft commented she did not think that was what the council wanted.

Councilwoman Coffey commented it was not day 11, the council should let Ms. Brooks work like she has been.

Councilwoman Critz asked for how long, because if the town does not have some kind of "line in the sand", and if the town doesn't enforce this.

Ms. Brooks stated it was 10 days.

Councilwoman Coffey asked Ms. Brooks what she used for the Donatos.

Ms. Brooks explained that she worked with the Donato's for months and it became clear there was never a point where they were going to clean the place up, so she began the daily fines, which they were never going to pay.

Councilwoman Critz mentioned that she had been a part of some the more recent situations where she felt like Ms. Brooks was genuinely trying to work with the people, but she was being taken advantage of in one case.

Ms. Brooks reminded the council that she was also talking to both sides and getting the two sides of the stories.

Councilwoman Critz responded that she understood Ms. Brooks, but her whole point was if the town was going to file the judgment for one situation with the town's goal for doing that, reiterating that the town goal is to set a precedent, so the next person realized that it is meaningful.

Ms. Brooks explained that the circumstance that Councilwoman Critz was talking about involved an action that was filed, which stayed the violation until an answer came about, which it did.

Councilwoman Critz wondered if there was any way to make it so Ms. Brooks was not having to make a personal decision.

Ms. Brooks responded it was not a personal decision.

Councilman Countryman commented that it was really up to Ms. Brooks, because she is the administrator, who has already demonstrated her willingness to go forward on behalf of the town and do whatever is necessary to get the job done, so she is the person that needs to make that decision. Ms. Brooks has not indicated that it is a burden on her, and that it is part of her job, which she is doing very well. Councilman Countryman thought it was best to leave it in Ms. Brooks hands, because she is the first line working with the people and can make that call as to whether they have good intentions or they don't.

Ms. Brooks reminded the council there was a complaint about the policy, and noted the council had already agreed that is the way they wanted to do it. The complaint out there was that if she sees a violation, she should act on it.

Councilwoman Krafft commented she did not think that was the case and the council agreed on it before, if there was a complaint or something reported, then Ms. Brooks acts upon it. Councilwoman Krafft did not think it was Ms. Brooks job to drive around town or even see (as a resident). Councilwoman Krafft stated that she sees things that might have a violation of something; however, she does not see it like it's hurting anyone, it is not in someone's face, or devaluing someone's property. Councilwoman Krafft does not believe the town exists the way it does to infringe on other people's right for what they have, the town exists to have structure and to act upon that when there is a dispute or an issue.

Councilman Countryman commented that the policy was well written, and it stated clearly that anyone has the right to file a complaint either written or verbally. If a complaint is issued, it then gets followed up on. Councilman Countryman did not believe it was Ms. Brooks job to go out to see if she could find a problem, but it is if somebody else makes her aware of that problem. Councilman Countryman did not have a problem with the way the ordinance is written.

Councilwoman Critz explained she agreed with everyone, she does not want to turn Ms. Brooks into the zoning police, but she is a citizen/constituent, and she did not see why if Ms. Brooks sees something wrong that was glaring, why she couldn't recognize that. Ms. Brooks can see and recognize a problem just as easily as any of the rest of the people.

Ms. Brooks noted that just made it sound worse, because she sees things all the time, but does not file a complaint.

Councilman Muller explained the council was not saying Ms. Brooks had to file a complaint, but she reserves the right as a citizen to have the same ability as any other citizen.

Ms. Brooks noted that she prefers not to.

Councilman Countryman commented that in this town, at some point, all the council sees something that they are not real fond of.

Councilwoman Critz explained she was not talking about preference; she was talking about actual values.

There was a consensus of the council that the policy as it stands is good; no changes are recommended.

Ms. Brooks pointed out that if she issues a zoning permit to someone and then sees that they are not doing it the way they are supposed to, she will address it without a complaint.

Mayor Becker responded that made sense because Ms. Brooks is guiding them through the process that is undertaken pursuant to the permit.

Ms. Brooks added that she does want to be able to work with people and not go by the strict letter of the ordinance that says, "you have 10 days."

Councilwoman Krafft, Councilman Countryman, and Councilman Muller agreed. Ms. Brooks is doing a good job and trying to make life easier.

Councilwoman Critz pointed out this was not a reflection on the job Ms. Brooks is doing, but she does not want someone to come along and say, "well, they started filing on me, or I have this debt, and they look at what they did over here, and let this person go a whole month." Councilwoman Critz noted that Ms. Brooks knows the details, because she worked with them, but on paper, "you started filing on this person on day 15", this is what Councilwoman Critz wants to avoid.

Ms. Brooks explained there are notes and a file on contacts and what the contact is, so the town does have those records.

Mayor Becker summed up the discussion by explaining the council's position is that both the reporting procedure and the follow-up procedure (in terms of timeline) are sufficient for now and the council is not making any changes.

9. 2024 Town Hall Holiday Schedule – Action Item

Councilman Countryman motioned to approve the schedule as presented and Councilwoman Krafft seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

10. Staff Updates

There were no staff updates.

11. Other Business

There was no other business.

12. Adjournment – Action Item


At 8:17 p.m. Councilwoman Critz motioned to adjourn the meeting and Councilman Muller seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, Krafft, and Muller. Nays: None.

The next regular meeting will be on Thursday, January 11, 2024 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