

**Minutes of the
Mineral Springs Town Council
Regular Meeting
September 12, 2024 – 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, September 12, 2024.

Present: Mayor Frederick Becker III, Mayor Pro Tem Valerie Coffey, Councilman Jerry Countryman, 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 Sharelle Quick.

Visitors: Gary Sides.

1. Opening

With a quorum present at 7:30 p.m. on September 12, 2024, Mayor Becker called the regular 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 August 8, 2024 Regular Meeting Minutes, the July 2024 Union County Tax Report, and the July 2024 Finance Report as presented, and Councilwoman Cureton seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

4. Union County Public Schools Communications Office Presentation

Union County Board of Education Representative Gary Sides made a short presentation to the town council about the bond referendum that Union County Public Schools will have on the November 5th ballot, which involves two projects. 1. Refurbish the old Forest Hills and move East Union Middle over to the old high school, saving the taxpayers close to \$100,000,000 versus building a new middle school. 2. Parkwood High School Phase 1, which is a design, site preparation, permitting, and making sure there are no “nasty things” in the soil or rocks that would have to be blown up, which would be an approximate cost of \$10,000,000 of the \$39,000,000.

Mr. Sides explained that the one thing about the proposed new Parkwood High School was that it would be the first three-story high school in Union County if the bond is successful this go round and then hopefully a successful bond in two more years for the new school. The reason the school board is planning to do the same type of long-range project that they are doing over at Forest Hills was to retain the old Parkwood High School and refurbish it as a new middle school, and then turn the current middle school into a super elementary school.

5. Consideration of Approving the Charlotte Regional Transportation Planning Organization Memorandum of Understanding – Action Item

Mayor Becker explained that CRTPO had been working on the MOU for approximately two years, but there had not been any substantive changes since Mineral Springs signed onto it ten years ago. The big changes were in the voting membership, because it has a weighted vote, which was a source of controversy; Charlotte has 31 votes, Cornelius has 2, Davidson has 1, Mineral Springs has one, etc. for a total of 74 votes if you count all the member jurisdictions. Charlotte kept the 31 votes, Mayor Becker believed there was originally a total of 68 votes, but they added a vote to each county for a total of 3, and then Waxhaw went from 1 to 2 because of its population increase. Now Charlotte has a smaller percentage, which did not satisfy everybody, because they thought Charlotte had too much clout from the vote. When they did a review of the voting history for the past five or so years, there weren't really any situations where everybody tried to outvote Charlotte and couldn't; even if there were controversial votes where there were a half dozen votes against, the weighted vote still did not skew the votes away. Mayor Becker noted that Charlotte had 52% of the population and 47% of the vote and now they have 55% of the population and 43% of the vote. Mineral Springs now has less votes per capita than before. It took CRTPO a long time to vote to adopt the weighted voting, but it was not unanimous.

Councilwoman Critz commented at least in this case it was not impossible, but in the other situation it was possible.

Mayor Becker responded that it wasn't impossible, but it was extremely difficult because Charlotte had 31 out of approximately 66, so if five people were missing, then everybody else voted they couldn't outvote Charlotte. It is now more reasonable.

Mayor Becker mentioned that the fees were based on population and the county fees jumped quite a bit; the membership for Mineral Springs is still approximately \$1,000.

Councilwoman Coffey motioned to approve that Memorandum of Understanding and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

Councilwoman Critz asked Mayor Becker if there was a current list of names.

Mayor Becker responded that the names were on the CRTPO website, which was always updated.

6. Consideration of the Order of Collection to Union County for 2024 Taxes – Action Item

Mayor Becker explained this was the Order of Collection from Union County. The tax levy is currently \$83,699.21. If the council adopts the tax charge, they would be formally authorizing the Union County Tax Administrator to collect the Mineral Springs Taxes.

Councilman Countryman motioned to authorize and issue the charge and Councilwoman Coffey seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

7. Report on the Sidewalk Grant Application to CRTPO

Mayor Becker explained that he did not provide the council with any information, because it was a "work in progress" on the sidewalk plan. Mayor Becker has been working with CRTPO Bike/Ped Coordinator Curtis Bridges and the CRTPO Grant Coordinator Jennifer Stafford. The process is complicated; information was received back from NCDOT, there were some revised cost estimates that were different from the initial "back of the napkin" plan, but the plan remained the same and, in some ways, the new bids were lower on what was being planned.

There was a "snag" in the plans that Mayor Becker did not believe could be overcome this time around. The plan was to run approximately 170 feet from where the sidewalk ends between Farley's and Spiro's crossing the tracks (essentially widening the shoulder, without putting in a sidewalk; CSX could be more amenable to asphalt according to NCDOT), and then ending at Eubanks to allow for an accessible crossing, because there is a lot of [foot] traffic there. Unfortunately, the first estimate from NCDOT Rail Division was \$800,000, because the whole pole/signal arm would have

to be moved. Mayor Becker was told by NCDOT Rail Division that the pole/signal arm would have to be moved toward the building and they were not sure there would be enough room between it and the building, so they wanted to move it in and have the sidewalk go between the pavement and the stanchion. Mayor Becker went out with his tape measure and camera and found that there was 11 ½ feet between the building and the stanchion, which looked like a five-foot sidewalk could be put in without moving the pole/signal arm. The Mineral Spring Fertilizer building is already encroaching in the NCDOT right-of-way on Potter Road and the railroad right-of-way. With it being in the Potter Road right-of-way, Burt could not say "no", although it would take out his sign and Farley's sign, but the town would have to of course...

Councilwoman Critz asked what Mayor Becker meant when he said, "He couldn't say no", it is grandfathered has long as he did not have to move it.

Mayor Becker continued that Burt did not have to move anything, but it was in the right-of-way, so it was not his building, or land [taken] from him. There is an HVAC unit in the way, which would have to be moved, and those expenses would be absorbed by the project. Mayor Becker went back to NCDOT Division 10 Planning/Funding Representative Lee Ainsworth, who went back to NCDOT Rail Division to see if there was anything to prohibit going between the building and the rail stanchion. The answer was "No, but there would have to be a minimum of five feet from the center of the rail stanchion," which would still be plenty of room, but "You still need to have certain types of signals where it crosses the sidewalk," so there would have to be another arm and certain types of lights. It is an old signal, which does not meet current standards. If something was going to be replaced, the signal had to be changed and that is still \$800,000.

Councilwoman Critz asked how they could justify that amount of money.

Mayor Becker responded, "That's a question I could ask, but I know I would never get an exact answer."

Mayor Becker explained there was not a formal bid estimate on that section, because he knew the town did not stand a good chance of having the grant approved for such a short length. Mayor Becker did talk with Ms. Stafford and Mr. Bridges about it and told them he thought it could probably be done as a phase two someday, where the sidewalk would go all the way up Potter Road to Charlton Oaks; there are a lot of residences there and it would be connecting a larger existing sidewalk. If a signal had to be paid for it might be more amenable to the grant evaluators. Ms. Stafford thought that was a good idea too. In the meantime, this grant application would just be looking at the southern side of 75 [Waxhaw Highway] from Circle K to the end of the three shops, on the north from the corner down across where John Maida's building would be (if he builds, he would put in the sidewalk), in front of Spiro's property, connecting with the sidewalk at the fire department, which would allow walking from Gordon's to the Post Office. Mayor Becker felt the critical section was to go from town hall to Circle K. There would also be crosswalks, ramps, and signals downtown. The NCDOT estimate for those areas was a total of \$1,253,000 with inflation and contingency built in, which was less than expected. A 30% match would be \$375,000 and a 35% match would be \$438,000, which is under the \$500,000 ceiling the town was looking at paying. Currently, the town has a fund balance hovering around \$1,500,000, so there is money for the match.

Mayor Becker noted he would be finding out on Wednesday about the "scoring sheet" when he attends an in-person meeting. The scoring sheet is complicated, and it has to do with how many destinations were being tied together, what type of amenities (bike racks/benches) were being proposed, and if it would reduce emissions from cars coming off the road (there are formulas to calculate that); points are added for those. Ms. Stafford told Mayor Becker that 170 points was generally likely to get the grant as long as the match was at least 30%, but nothing was guaranteed. Grants are competitive and there is only \$6,000,000 for bike/ped grants in this cycle. The town's grant would be about \$900,000 after taking off the match. Ms. Stafford also told Mayor Becker if the grant request was over a \$1,000,000, it would fall into another category where you would get 20 points instead of 5 for effective use of funds. Mayor Becker did not understand why spending more money gave more points, but that was the way it worked. They were hoping to be able to do the

railroad thing for a \$200,000 price tag and tack it on, but that can't happen, so the town may have to up the match, which would get more points and there was room in the budget to do the 35% and still be under the \$500,000. Mayor Becker will be working on it with CRTPO to see if the town could go with a request of \$800,000+.

Councilwoman Critz asked when Mayor Becker thought he would have that.

Mayor Becker responded that it would be by the next meeting when he would have to have a full application written up for the council to approve, along with having a Grant Project Ordinance drawn up, because the town would need to encumber the match funds. A project ordinance encumbering the funds must be adopted by the council, because this is a four-year project, engineering next year, right-of-way two years later, and construction in the fourth year. Mayor Becker stated the next council meeting was kind of "drop dead", because the application deadline is October 31st. Mayor Becker will attend the mandatory pre-application meeting on Wednesday in-person and then CRTPO will work with him online to get the application completed and submitted on time.

8. Consideration of a Proclamation for Constitution Week – Action Item

Mayor Becker explained this was the same proclamation that was recommended by the DAR Chapter, which was to declare September 17th through September 23rd as Constitution Week 2024. September 17th through the 23rd is declared by Presidential Decree to be Constitution Week, so the town would be following suit if the Proclamation is approved. Mayor Becker read the Proclamation out loud.

Councilwoman Critz motioned that the Town of Mineral Springs sends this Proclamation in the affirmative and Councilman Countryman seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

The Proclamation is as follows:

**Town of Mineral Springs
Proclamation
Constitution Week
September 17th – 23rd, 2024**

Whereas, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

Whereas, September 17, 2024, marks the two hundred thirty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

Now, Therefore, I, Frederick Becker, III, by virtue of the authority vested in me as Mayor of the Town of Mineral Springs in the State of North Carolina do hereby proclaim the week of September 17 through 23, 2024 as

~ Constitution Week ~

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

In Witness Of, I have hereunto set my hand and caused the Seal of the Town of Mineral Springs to be affixed this 12th day of September in the year of our Lord two thousand twenty-four.

Frederick Becker III, Mayor
Town of Mineral Springs

ATTEST:

Vicky A Brooks, CMC, NCCMC

9. Staff Reports

Mayor Becker reminded the council that there was a discussion last month about getting Ron McCollum to look at doing some grading work at the Greenway Parking Lot. Mayor Becker explained with the short month after the delayed meeting he only had three weeks and he was out of town one of those weeks, he was not able to get up with Mr. McCollum. Mayor Becker stated he would come back to the council next month with some advice from Mr. McCollum on what would be best to do, economically, but to reasonably get the parking lot regraded and added some more cohesive gravel where needed.

10. Other Business

Councilwoman Critz reminded the council that the visual at the Greenway Parking Lot area and the signs had been in need of repair. A young man, Corbin Bjorkfelt, who was doing a civics project, had contacted Councilwoman Critz (as a councilmember) to ask if there was anything the town could do. Thanks to several council members and the mayor, the signs were ordered and replaced, the landscape was lowered to make the visual safer with a wider scope. Councilwoman Critz explained that Corbin Bjorkfelt sent a letter for her to read to Mayor Becker as follows: "Thank you for considering my observation about the safety and the signs of Mineral Springs Greenway Parking Lot and then quickly resolving the issue." Councilwoman Critz noted that she thought the young man was overwhelmed and excited that he made a request and saw it played out with expediency, and she hoped that it encouraged him and his view of local government. "One person can make a difference," Councilwoman Critz said.

Mayor Becker thanked Councilwoman Critz, Eric Bjorkfelt, and Corbin Bjorkfelt. Additionally, Mayor Becker thanked Councilwoman Krafft (in absentia), because she and her son Jordan had done quite a bit of work at the Greenway Parking Lot as well.

Councilwoman Cureton noted that there had been people working on the property next door to her; the property had been cleared off and they were burning a lot of stuff.

11. Adjournment – Action Item

At 7:58 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilwoman Critz seconded. The motion passed unanimously. Ayes: Coffey, Countryman, Critz, Cureton, and Muller. Nays: None.

The next regular meeting will be on Thursday, October 10, 2024 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:


Vicky A. Brooks, CMC, NCCMC, Town Clerk


Frederick Becker, Mayor

