

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Public Hearing / Regular Meeting
January 11, 2018~ 7:30 PM

Minutes Draft

The Town Council of the Town of Mineral Springs, North Carolina, met in Public Hearing and Regular Session at the Mineral Springs Town Hall, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, January 11, 2018.

Present: Mayor Frederick Becker III, Mayor Pro Tem Bettylyn Krafft, Councilman Jerry Countryman, Councilwoman Peggy Neill, Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin and Deputy Town Clerk/Tax Collector Janet Ridings.

Absent: Councilwoman Valerie Coffey, Councilwoman Janet Critz and Councilwoman Lundeen Cureton.

Visitors: None.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of January 11, 2018 to order at 7:31 p.m.

1. Opening

- Councilman Countryman delivered the invocation.
- Pledge of Allegiance.
- Mayor Becker announced we do have a public hearing and a conditional use permit scheduled. Mayor Becker welcomed everybody noting there were a lot of extra faces, which means there is an extra item. Mayor Becker apologized on behalf of the town and explained they had a quorum (three plus the mayor) for regular business. With Planning Board Chairman Krafft being here she can't participate in the conditional use permit; therefore, there is not a quorum to deliberate on that. Having said that, Mayor Becker commented it probably wasn't fair to the applicant and the interested parties not to have at least a full council. Mayor Becker stated the town would have to put this off for another month and then apologized to Zoning Administrator Brooks, because it has been a lot of work on everybody's part so far, but these things happen; "we have to follow the proper statutory procedures". Mayor Becker again apologized to everybody involved for the delay and invited them to stay and listen to some of the meeting; those two items will be skipped.

2. Oath of Office – Jerry Countryman

- Mayor Becker sworn in Councilman Jerry Countryman.

3. **Public Hearing – Conditional Use Permit – C17-01 – Holden**

- Mayor Becker announced the council would not discuss the applicants permit tonight; however, Attorney Griffin suggested in the interest of moving forward more smoothly he would call for a motion from the council to continue the public hearing and the consideration (without even opening the public hearing).
- **Councilwoman Neill** made a **motion** to continue items #3 and #4 to the next meeting, which is February 8, 2018 at 7:30 p.m. at the Mineral Springs Town Hall and **Councilman Countryman** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Krafft and Neill
Nays: None

4. **Consideration of a Conditional Use Permit – C17-01 – Holden**

- This item has been continued to next month on Thursday, February 8, 2018 at the Mineral Springs Town Hall at 7:30 p.m.

5. **Public Comments**

- Carol Walser – 3004 Low Gap Road, Waxhaw, NC.

6. **Consent Agenda**

- **Councilwoman Neill** made a **motion** to approve the consent agenda as presented containing the following:

- A. December 14, 2017 Regular Meeting Minutes
- B. November 2017 Tax Collector's Report
- C. November 2017 Finance Report

and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill
Nays: None

7. **Consideration of Appointing an Alternate Board of Adjustment Member**

- Mayor Becker commented the town has been looking for a long time for an alternate board of adjustment member and Administrator Brooks has an application from Ms. Rice, which the council has had a chance to see. Although Ms. Rice is not here tonight, the council is free to act on the application and approve her if they feel it's appropriate.
- **Councilman Countryman** made a **motion** to approve her for the position of alternate member on the board of adjustment and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill
Nays: None

8. Audit Report

- Mayor Becker noted that our auditor may be late, because he did tell her there was a public hearing and there could be a rather lengthy deliberation. Councilwoman Neill suggested moving Ms. Kendra Gangal to the next meeting. Mayor Becker suggested the council get through everything else and if they don't see her they'll have to put her on again.
- Ms. Gangal arrived just prior to adjournment and the council allowed her to present the audit report at that time.
- The audit report was distributed to the council.
- Ms. Gangal explained she was a little off in her schedule this year (nothing to do with Mineral Springs), which caused her to be a little bit late; the date on the report was November, not October 31st, but she was able to get everything in on time, before the contracts had to be amended.
- Ms. Gangal reminded the council they talked last year about the lack of separation of duties, which just comes with the idea that this is a small town and there aren't enough people in the accounting department that you can segregate duties, so that will be there every year. To offset that, what they normally do is try to separate things as much as they can. Mayor Becker does do a lot of things, but there are other people approving and looking at it and everything is presented to the council and it is on the website. Ms. Gangal believed trying to make things as transparent as possible is about the only thing that can be done. The LGC (Local Government Commission) understands that the smaller governments aren't going to be able to properly segregate duties; this is not an issue. Last year Ms. Gangal had made some suggestions that were put into place as far as check writing and things like that go. It really helps to resolve any issue she had in trying to make sure things are above board as far as controls go. Mayor Becker commented he thought one that was very significant that we kind of exactly do was to physically give Ms. Brooks (who signs the checks after he prepares them) the entire bill (rather than just a pay stub and check) that goes with that check and pay stub, which she can compare to make sure it is compliant and then initial the bill. That is just one more step in the paper trail that Ms. Gangal had suggested and we have it down to a science and it works out very well. Ms. Gangal commented now that Ms. Brooks sees the whole thing and puts some marking on the actual invoice, which shows she has looked at it. Ms. Brooks should be looking to see that the amount of the check matches the invoice and the timeliness of when it was paid to make sure it is paid on time; this is an improvement.
- Ms. Gangal noted when she comes to do the audit Mayor Becker has a book and everything is laid out there if she needs to find an invoice she can go back to it; it is all put together in a way that she can find it if she needs to get to it. That is the thing auditors look for, especially where it is small, if you have the ability to find things and he is not trying to dig through piles on his desk trying to find an invoice or something. Ms. Gangal has no issues with everything she does here.
- In referring to the audit report, Ms. Gangal explained the summaries are in the front pages and if you go over toward the back you will find the individual fund statements and schedules. The Capital Project fund was finished up last year, so it is still in there for this year (page 38). Mayor Becker noted that was the downtown park and the only expenditure made in the current fiscal year was the sidewalk repair/enhancement. Ms. Gangal explained pages 36 and 37 gives you the detail

of the general fund, which is the town's operating fund; you can see the town stayed under budget. Ms. Gangal thought things were well maintained, which is another thing auditors look for; you are always going to have an unexpected expense now and then, but it feels like as long as you stay on top of it and the council is aware of things then you are able to take care of any problems when they do come up. Page 36 shows mostly the revenues and the bottom of page 36 and all of page 37 shows the expenditures in the operating fund. There was really nothing that stood out that Ms. Gangal had any problems with or anything to note. Everything was really clean once Ms. Gangal had a chance to sit down and look through it and get everything submitted. Ms. Gangal guessed the LGC approved it, because she didn't have any questions back and do, so overall it was good to go.

- **Councilman Countryman** made a **motion** to accept the audit report as presented and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill

Nays: None

9. **Consideration of Proceeding with a Voluntary Annexation**

- Mayor Becker commented this is really a "first of its kind" for us. Mayor Becker introduced Mr. & Mrs. Alan and Gwen Gardner who live in the beautiful Waxhaw Meadows Plantation Subdivision of 10 to 30 acre lots just off of Collins Road abutting Mineral Springs; they back up to several of our subdivisions over there (Forest Green, Jackson Woods, McNeely Ridge). The Gardners contacted the town a little while ago interested in becoming part of the town. Our motto here is "Conservation by Design". Mayor Becker visited Storybook Farm, which is the property the Gardners own; it's a beautiful place and it's the kind of place we'd love to have be part of Mineral Springs and be proud to say it's part of Mineral Springs. Mayor Becker referred to his memo and explained it was relatively simple, but it still required a public notice and a public hearing even though it is a voluntary annexation. If the council chooses to accept this petition and the information on the property and chooses to move forward, then the statute says they direct the clerk to verify the sufficiency of the petition.
- **Councilwoman Neill** made a **motion** to accept the petition for voluntary annexation and direct the clerk to determine the sufficiency of the petition and the information and if sufficient, schedule the public hearing for February 8, 2018 at 7:30 p.m. at the Mineral Springs Town Hall and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Krafft and Neill

Nays: None

- Mr. Gardner commented they love the opportunity to join Mineral Springs and they do welcome guests to their farm; they would welcome anybody in Mineral Springs or anywhere else that would like to come out. Several people have; they have animals and they enjoy that. Mayor Becker mentioned that they also have the "almost-famous" tree house. Mr. Gardner responded they were on TV and they have the tree house. "We are excited, because Mineral Springs mirrors exactly

what we believe in, so thank you”, Mr. Gardner said. Mayor Becker responded he hoped the petition was sufficient; it appears sufficient to him. Next month we will be able to say you are part of Mineral Springs and then they will get a tax bill. Mayor Becker thanked Mr. Gardner.

10. Consideration of a Budget Amendment

- Mayor Becker explained this was a “little” technicality that the estimate by the budget officer for the cost of election in November was off about \$50: even though he estimated it to be more than two years ago, it still wasn’t quite enough. We are very strict about how we operate our budget; even for that small amount we have to do a budget amendment (O-2017-06) of \$100 to authorize paying the bill for the election in November.
- **Councilman Countryman made a motion that we make the required changes in this budget ordinance O-2017-06 to support obviously the previous elections and Councilwoman Krafft seconded. The motion passed unanimously as follows:**

Ayes: Countryman, Krafft and Neill
Nays: None

- The budget amendment is as follows:

STATE OF NORTH CAROLINA
TOWN OF MINERAL SPRINGS

**AN ORDINANCE AMENDING THE BUDGET OF
THE TOWN OF MINERAL SPRINGS
FOR THE FISCAL YEAR 2017-2018
O-2017-06**

WHEREAS, NC G.S. 159-15 authorizes a municipal governing board to amend the annual budget ordinance at any time after the ordinance’s adoption;

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Mineral Springs, North Carolina, the following:

SECTION 1. **Appropriations and Amounts.** Amendment #2017-02:

	INCREASE	DECREASE	
Elections	\$100	Contingency	\$100
Total	\$100	Total	\$100

SECTION 2. **Effective Date.** This ordinance is effective upon adoption.

ADOPTED this 11th day of January, 2018. Witness my hand and official seal:

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, Clerk

11. **Staff Reports**

- There were no staff reports.

12. **Other Business**

- Mayor Becker called the council's attention to the letter by the Congressman about the Interstate 74 designation. It wasn't on the agenda, so if the council wants to discuss it further it can be put on the agenda for an upcoming council meeting.
- Auditor Kendra Gangal arrived to present the audit report – summarization of the presentation can be found under Item #8.

13. **Adjournment**

- **Councilman Countryman** made a **motion** to adjourn and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

Ayes: Countryman, Critz, Krafft and Neill

Nays: None

- The meeting was adjourned at 7:57 p.m.
- The next regular meeting will be on Thursday, February 8, 2018 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