

Town Council Members

Valerie Coffey - 2011 ~ Janet Critz - 2013 ~ Lundeen Cureton - 2011

Peggy Neill - 2011 ~ Melody LaMonica - 2013

**Town of Mineral Springs
Mineral Springs Town Hall
3506 S Potter Road ~ Mineral Springs
Town Council
Regular Meeting
November 18, 2010 ~ 7:30 PM**

Agenda

1. Opening

The meeting will be called to order, an invocation will be delivered and the Pledge of Allegiance will be recited.

2. Public Hearing – Proposed Text Amendments

3. Public Comments

The Town Council will hear comments from members of the public on any matters of interest to them during this ten-minute period.

4. Approval of Town Council Minutes and Monthly Reports

The Town Council has been mailed copies of the October 14, 2010 minutes, the September 2010 tax report and the September 2010 finance report; the council will approve them if correct.

- A. October 14, 2010 Regular Meeting Minutes
- B. September 2010 Tax Collector's Report
- C. September 2010 Finance Report

5. Consideration of the Proposed Text Amendments

The council will consider approving the text amendments proposed by the Mineral Springs Planning Board, which includes a Petition for a Text Change #10-01 and proposed text amendments to Article 8 – Signs of the Zoning Ordinance, as well as the interrelated amendments to Articles 2, 4, and 7.

6. Code of Ethics Policy

The council will consider adopting a Code of Ethics policy as required by G.S. 160A-86, which is a law passed by the 2009 North Carolina General Assembly.

7. Consideration of Resolution 2010-04 and 2010-05

The council will consider adopting R-2010-04 – Resolution Enrolling in North Carolina Local Governmental Employees' Retirement System and R-2010-05 – Resolution to Enact a Tax Shelter of Employees' Contributions Payable as Members of the North Carolina Local Governmental Employees' Retirement System.

8. Notification of a Planning Board Resignation and Consideration of Publicizing for a Replacement

Zoning Administrator Vicky Brooks will announce the resignation of a planning board member and seek guidance from the council on replacing that member.

9. **Trail Committee Advertisement Update**

Mayor Becker will ask council to decide on the number of members the trail committee should have, and will suggest that staff publicize both the planning board and trail committee openings in an upcoming newsletter rather than through separate mailings.

10. **Other Business**

11. **Adjournment**

MEMO

To: Town Council
From: Vicky Brooks
Date: November 10, 2010
Re: Petition for Zoning Text Change #10-01
Agenda Items #2 and 5

Mr. Joseph Poats submitted a Petition for Zoning Text Change to the town in September of 2010. At the September 27, 2010 planning board meeting, they reviewed the proposed text changes and unanimously voted to recommend approval of the text amendments as shown on the following pages. Some of the text amendments proposed is based on interrelated changes.

The proposed text amendment to Article 4, Section 4.7.1 is an interrelated change and was suggested by town staff in an effort to keep the ordinance uniform. Since we are currently allowing a manufactured home to be used as a temporary use in the event of a disaster, it would seem prudent to also allow a recreational vehicle to be used as a temporary use under the same condition.

The actual bulk of the submitted proposed text amendment can be found as the addition of Section 4.7.5 to Article 4. Mr. Poats expressed an interest in being able to live on his property during the construction of his home; this will allow him to oversee the project and maybe do some "hands-on" work on his own home, as well as allowing his children a unique experience. Mr. Poats approached me with the idea of setting up a recreational vehicle on the property, which would be used temporarily. I did some research on this idea, posted a question to the NCPlan ListServe and received some advice from Mr. Bill Duston of Centralina Council of Governments as well. This proposed text amendment will allow recreational vehicles and manufactured homes (including Class C) under these circumstances with specific guidelines, which will have to be overseen and monitored by town staff.

The proposed text amendments to Article 2 of the Zoning Ordinance (definitions) are #1 to make "recreational vehicle" consistent throughout the Zoning Ordinance (recreational vehicle instead of recreation vehicle) and #2 to include within the definition of recreational vehicle the ability for it to be used as a temporary use.

The proposed text amendments to Article 5 places "Recreational Vehicle, Temporary Residential Use" in the Table of Uses, which will be regulated with the supplemental regulations of Section 4.7.1. or 4.7.5. In addition the placement of 4.7.1 and 4.7.5 is being added to the supplemental regulations of "Manufactured Home, Class C, one unit per lot"; this allows a Class C manufactured home to be used as a "temporary use" as opposed to not being allowed under any circumstances other than as a "replacement" of an existing non-conforming structure.

Proposed Text Amendments

(shown in bold, italic and underline)

Article 4

Section 4.7 Temporary Structures and Uses

4.7.1 In the event of a disaster, the result of which would require the rebuilding of a dwelling, the owner and his family may occupy a manufactured home **or recreational vehicle** on the property. The permit shall be issued for a six (6) month period and may be renewed by the Town Council provided that construction has proceeded in a diligent manner.

4.7.5 Temporary use of a manufactured home or recreational vehicle as a residence shall be permitted in any residential zoning district during the construction of a single family dwelling. All setbacks associated with the principal structure on the lot shall also apply to the temporary use. Any such manufactured home used as a temporary residence must meet the requirements of a Class A, Class B or Class C manufactured home, as herein defined. The recreational vehicle must contain indoor bathroom and cooking [facilities], be attached to a county approved wastewater system and be hooked up to a source of potable water. The manufactured home/recreational vehicle must be used as the principal residence of the owner of the lot which it is being placed. The temporary use permit for the manufactured home/recreational vehicle shall not be issued until the owner of the lot has first secured a building permit for a single family dwelling.

Any temporary use permit issued by the Town for such use shall state that the intended use of the dwelling to be constructed on the lot is for his principal place of residence. If the building permit for construction of the new dwelling becomes invalid, then the temporary use permit for the manufactured home/recreational vehicle shall, at the same time, become invalid and the manufactured home/recreational vehicle shall be immediately removed. The temporary use permit for the manufactured home/recreational vehicle shall initially be granted by the Town for a period of six (6) months. The temporary manufactured home/recreational vehicle permit shall be

extended for one twelve (12) month period provided the dwelling being constructed has received an approved foundation permit by the end of the first six (6) month period. In no instance shall a temporary use permit be valid at the same location for a continuous period of greater than eighteen (18) months.

Article 2

Recreational Vehicle.

A vehicular-type unit without a permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes. A recreational vehicle shall not be considered as being a single-family dwelling, *except as a temporary use permitted by Article 4, Section 4.7.1 or 4.7.5.*

ARTICLE 5

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 9.1.8	AR	RR	RA40	RA20	R20	B-2	B-4	LI		
Manufactured Home, Class C, one unit per lot	7.4.1 <i>4.7.1</i> <i>4.7.5</i>											
<i>Recreational Vehicle, Temporary Residential Use</i>	<i>4.7.1</i> <i>4.7.5</i>											

On September 27, 2010, the planning board unanimously voted to recommend approval of the above text amendments to the town council.

MEMO

To: Town Council
From: Vicky Brooks
Date: November 10, 2010
Re: Planning Board Proposed Text Amendments
Agenda Items #2 and 5

As you will recall, in October of 2009, the town council tasked the planning board with reviewing and revising Article 8 – Signs of the Mineral Springs Zoning Ordinance. At the May 17, 2010 meeting of the planning board, a unanimous vote was made to recommend approval to the town council for the proposed text amendment to Article 8 and Article 4 of the Zoning Ordinance. The town council was presented with the recommended text amendments at their June 10, 2010 meeting. At that time the council instructed the planning board to review amortization on nonconforming home occupation signs and to clarify the definitions of signs referred to in sub-section L (neon tube/LED). In June, the planning board recommended text amendments to add the definition of LED signs and the modification of Illuminated Sign. In July, there was a consensus of the planning board that the amortization schedule should apply to all nonconforming signs rather than just “home occupation” signs. In August, I presented the planning board with a PowerPoint presentation which showed all of the nonconforming signs that would be affected by the amortization schedule; however, several members were absent and the members that were present asked that I present the PowerPoint again at the next meeting. After all planning board members were able to view the PowerPoint presentation in September, there was a unanimous vote to recommend approval of a three-year amortization schedule to all nonconforming signs located in the Town of Mineral Springs, as explained in greater detail later in this memo, signs would have to be removed within three years.

There are 14 proposed text amendments relating to Article 8 – Signs as shown on the attached sheets.

- 1. Article 8 – Section 8.2** Currently Section 8.2 is titled “Signs Permitted Without Permit”, we are proposing the addition of a Section called “Definitions” to Article 8; therefore, “Signs Permitted Without Permit” will drop down to Section 8.3. Within the newly proposed Section 8.2 – Definitions, we are taking all of the definitions from Article 2 that relates to signs (they will remain in Article 2 as well) and adding them to Article 8. In addition there are some new definitions being introduced to the list: Attached Sign, Billboard, Business Sign, Copy, Flag, Ground Level, Height, Illegal Sign, LED Sign, Sandwich Board Sign, Sign Structure, Snipe Sign, Special Event Sign, Subdivision Monument Identification Sign and Shingle Post Sign.

2. **Article 2 – Definitions** The definition of “Sign, Incidental” currently exists in Article 2 and there is a proposed modification to the definition with the addition of “These signs shall not exceed one (1) square foot in size and shall be attached to a freestanding sign or affixed to a wall”.
3. **Article 8 – Section 8.3** The first proposed amendment to this Section is to change the title from “Prohibited Signs” to “Signs Permitted Without Permit”; there is a modification to “C” involving political signs; a spelling correction to “F”; additional language to “I”; and the addition of categories “J”, “K” and “L”.
4. **Article 8 – Section 8.4** The title of this Section will be changed from “General Sign Requirements” to “Prohibited Signs” and additional language is being proposed for “A”. This additional language was prompted by a modification to Section 8.8 (D) where we will be allowing “Temporary Special Event Directional Signs”.
5. **Article 8 – Section 8.5** The title of this Section will be changed from “Attached (On Structure) Signs” to “General Sign Requirements”. There have been no proposed changes to this Section.
6. **Article 8 – Section 8.6** The title of this Section will be changed from “Reserved” to “Attached (On Structure) Signs. There have been no proposed changes to this Section.
7. **Article 8 – Section 8.8** The proposed text amendments to the Section 8.8 “C-1” and “C-2” is the deletion of “event to be held” and a spelling correction to “C-2 – third paragraph – second sentence” lineal mile should be linear mile.
8. **Article 8 – Section 8.8 (D)** The proposed amendment is to add “D” to this Section, which will allow the option of having “Temporary Special Event Directional Signs” in off-premise locations. Specific guidelines will have to be followed and a permit will have to be applied for.
9. **Article 8 – Section 8.9** “Signs on premises of home occupations shall be regulated as follows:” will be added as Section 8.9 (D). Currently a home occupation may have a sign as big as twenty (20) square feet in a residential zoning district. This proposed text amendment will limit the size of a home occupation sign to six (6) square feet and regulate the type (suspended shingle post sign), as well as the materials to be used.
10. **Article 8 – Section 8.9 – Signs Permitted in All Residential Districts** “E” will be added to allow for major subdivision monument signs, which are currently regulated by Article 4 – Section 4.3 Fences and Walls Permitted. Currently there are no specific height or style requirements; however, the developer has to go through the planning board for approval. This proposed text amendment will set guidelines that will have to be followed and approved through the permitting process.
11. **Article 8 – Section 8.9 (F)** This Section was previously known as Section 8.9 “D” and is just being moved down to Section 8.9 “F” will no text amendments.

12. **Article 8 – Section 8.10** The category “C” is being added with language that will allow for an additional bulletin board sign or identification sign on a property that has two principle buildings.
13. **Article 4 – Section 4.3 (d)** This one category will be deleted since it will be regulated by the new Section 8.9 (E) in Article 8. See Text Amendment #10.
14. **Article 7 – Section 7.6 Nonconforming Signs** The proposed text amendment is to remove all of the current regulations for signs that have been “grandfathered” and will eliminate all such signs within the next three years, which will include any signs that become nonconforming based on any of the aforementioned amendments. Signs that will be affected by this text amendment include the Western Union School sign, J & S Meat Processing, Double R Ranch, L & L Auto, Greater Hope Baptist Church, Mineral Springs Fertilizer/Music Barn, Springs Gas & Grocery, Waxhaw Bible Church, Church of Christ, Mineral Springs Methodist Church, Parkdale and the Mineral Springs Tax Collector.

Town of Mineral Springs
Town Hall
3506 S. Potter Road
Town Council
Regular Meeting
October 14, 2010 ~ 7:30 PM

Minutes Draft

The Town Council of the Town of Mineral Springs, North Carolina, met in Regular Session at the Mineral Springs Town Hall, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, October 14, 2010.

Present: Mayor Frederick Becker III, Mayor Pro Tem Jerry Countryman, Councilwoman Valerie Coffey, Councilwoman Lundeen Cureton, Councilwoman Melody LaMonica, Councilwoman Peggy Neill, Town Clerk/Zoning Administrator Vicky Brooks, Deputy Town Clerk Sandara Coates, Attorney Bobby Griffin and Tax Collector Libby Andrews-Henson.

Absent: Councilwoman Janet Critz.

Visitors: Donald Gaddy and Mike LaMonica.

With a quorum present Mayor Becker called the Regular Town Council Meeting of October 14, 2010 to order at 7:34 p.m.

1. **Opening**

- Councilwoman Neill delivered the invocation.
- Pledge of Allegiance.

2. **Public Comments**

- There were no public comments.

3. **Approval of Town Council Minutes and Monthly Reports**

A. **September 9, 2010 Regular Meeting Minutes**

- **Councilman Countryman** made a **motion** to approve the September 9, 2010 minutes as written and **Councilwoman LaMonica** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

- Mayor Becker explained that Councilwoman Critz had contacted him shortly before the meeting to inform him that she had an abrupt family scheduling change and would not be able to attend this evening; she is excused from the meeting.

B. August 2010 Tax Collector's Report

- **Councilwoman LaMonica** made a **motion** to approve the August 2010 Tax Collector's report as written and **Councilwoman Cureton** seconded. The motion by Councilwoman LaMonica passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

C. Tax Release

- **Councilwoman Coffey** made a **motion** to approve the tax release in the amount of \$2.54 and **Councilman Countryman** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

D. August 2010 Finance Report

- **Councilwoman Cureton** made a **motion** to approve the August 2010 finance report and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

4. Mineral Springs Volunteer Fire and Rescue Department Proposal for the Temporary Use of the Old School Building

- Chief Donald Gaddy of the Mineral Springs Volunteer Fire and Rescue Department explained to the council that when the work began on the Old School Building, the mayor and he walked through it. The fire department is currently training on search and rescue in the bay area of their building, which is big enough, but it is not cut up [into separate rooms]; therefore Chief Gaddy asked Mayor Becker if it would be possible for the fire department to use the Old School Building (since it has numerous rooms and is very dark inside) for some training. The training would involve having somebody laying somewhere in the building and the firefighters being brought in with their face pieces blacked out (so that they couldn't see) to go find them. As an FYI (for your information), Chief Gaddy explained that anytime they go on a structure fire the first thing that the firefighters usually do is what is called a "primary search", which is to go through every room in the house to make sure there is nobody in there. Once the fire is under control they may go back and do a "secondary search", which is to look under the beds and in the closets to make sure there is nobody in there; kids and some older adults hide. The search and rescue training teaches the firefighters how to do that. Water will not be introduced in the building; however, sometimes the training will involve the firefighter bringing in a charged line, so they find out that they can't go around three corners with a charged line; the handle would be strapped down on the nozzle so that nobody could open it accidentally. Chief Gaddy explained that if the council approves of the fire department using the Old School Building for a period of time, they are prepared to come help clean it out; that is what they would do for the use

of the building. Mayor Becker explained to the council that the only change from the original plan is that the town was possibly going to strip out some of those unessential interior walls now, but since those interior walls will be of use to Chief Gaddy and the crew for training it is not necessary to do that until it is time to renovate. "Just getting the junk out of there is the big deal, so that's what the chief said he'll get his volunteers to do in exchange for us letting them use the building, that's up to the council if they think they want to authorize", Mayor Becker said. Councilwoman Neill noted that there would be smoke, but it's the kind of smoke they use at concerts. Chief Gaddy responded that it's the same smoke they use to use in houses where he worked to check smoke detectors; it doesn't leave any residue. If the smoke is a problem, they can use wax paper. Chief Gaddy explained that if you wanted to see what a firefighter sees inside a burning structure they can put a piece of wax paper of their face to see what a firefighter sees. Councilwoman Coffey commented that she thought it was an awesome opportunity for the town to have the fire department train in the building; she is glad that it there for them and at the same time they will do some "pro-bono" work.

- **Councilman Countryman** made a **motion** to approve the use of this building by our fire team until such time that we begin the renovation and **Councilwoman Coffey** seconded the motion. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

5. **Union County Transportation Committee Update**

- Mr. Mike LaMonica noted that the council should have received a basic layout of what the group [Union County Transportation Committee] is trying to access from all of the different communities within Union County. The whole idea is to create a prioritization of road improvement by community, so that the whole list can be reprioritized based on need or on critical nature of the item. Indian Trail put together the list of ten; they were the only one at the meeting that had a comprehensive presentation and it brought up a lot of discussion about why the other communities aren't moving forward with this kind of suggested listing for upgrades. The committee discussed the fact that the I-485/Weddington Road interchange will begin and will be a reality next year; they discussed safety considerations on the roads (i.e. bike paths and pedestrian crossings); improvements; and a request that all communities provide a written supportive document to improve widening of Old Monroe Road. Mr. LaMonica explained that widening Old Monroe Road does not affect Mineral Springs, but the committee is looking for maximum visibility from Union County to send up to the State. Mayor Becker noted that many Mineral Springs residents use that road. Mr. LaMonica stated that the idea is to have the council write a letter supporting the effort for widening Old Monroe Road and he would present it at the November meeting of the Union County Transportation Advisory Committee. Mayor Becker stated that he should get a motion from the council to draft that letter if they believe that is a high priority and asked the council if there was anything else they felt that they should instruct Mr. LaMonica to bring back to the committee. Mr. LaMonica noted that one of the things that he sees describing the community is Pleasant Grove Road and Potter Road; there have been a couple of situations where people

haven't stopped coming down Potter Road. Councilwoman Neill pointed out that the campground is another issue; approaching cars that are going above the speed limit can be very dangerous. Mr. LaMonica added that there have been a couple of times where people coming down Billy Howey Road have run into the big barrier in front of that house at the campground. Mayor Becker suggested that there should be some type of better notification at the campground; the council may want to authorize this being placed on the list. Mayor Becker asked Chief Gaddy if the Pleasant Grove Road and Potter Road intersection was a "hot spot" for serious car wrecks. Chief Gaddy responded that he believed there had only been three or four wrecks there in ten years and offered that he believed the stop sign was on the wrong road. Mayor Becker commented that they should either change where the stop sign is or put some kind of better "stop sign ahead" notification. Councilwoman Neill suggested a blinking light. Councilwoman Coffey asked Mr. LaMonica why line item #1 and #6 split for two different roads/names and it's the same road. Mr. LaMonica responded that it was from Wesley Chapel to Rogers and the other one was Sweetbriar; they want to see a widening for bike lanes, etc. Mayor Becker clarified with Mr. LaMonica that they are looking for support from Sweetbriar Drive to Rogers Road. Mr. LaMonica responded all the way down. Mayor Becker added that the council might want to also mention the two intersection notification improvements just from a safety perspective in the letter that Mr. LaMonica will return to the Transportation Advisory Committee.

- **Councilwoman Neill** made a **motion** to draft a letter supporting the prioritization of widening Old Monroe Road from Sweetbriar Drive to Rodger Road (the entire length) and **Councilwoman LaMonica** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

- Mayor Becker noted that a letter would be drafted and emailed or delivered to Mr. LaMonica. Councilwoman LaMonica commented that it was not on our top ten list, but it may look more like a top three list; a year or so back the council discussed a section of Highway 75 as being a security issue with a blind spot or something. That would be something that could be put on the Mineral Springs list. Mayor Becker clarified that was Highway 75 and McNeely Road. Councilwoman Neill commented that was on our list. Mayor Becker responded that it was funded in the so-called "moving ahead project" and then the funding disappeared; other things like paving the road at Stonebridge happened instead. Mayor Becker suggested putting "grade site distance improvements" at McNeely Road and Highway 75 on the list again. Councilwoman Neill concurred. Mayor Becker stated that we'll do a list of three; "we'll type a letter supporting the prioritization of that Old Monroe Road/Old Charlotte Highway widening project, then we'll do our little list of these three recommendations from our board".

6. **NC Local Government Employees Retirement System Update**

- Mayor Becker explained that the NC Local Government Employees Retirement System (NCLGERS) gets more and more complicated; he hoped that the memo [in the agenda packet] was self-explanatory. The council has three options: bail out of

the whole thing and go back to square one; go with the lump sum payoff to get enrolled; or go with the 4.44 percent additional contribution. The numbers that the NCLGERS came up with are based solely on the current salaries of the two eligible employees (Becker/Brooks), salary history is not considered, so the numbers appear quite a bit higher than had we just been paying in earlier on. Most municipalities (even the smaller ones) are members of the NCLGERS; it is one of the better State retirement systems in the country. Mayor Becker commented that his concern with putting it off is that the accrued liability seems to accrue with compounded interest, so if the town were to wait and join five years from now it's going to be a bigger chunk/percentage. Does the council want to "take the plunge" now and if so the council should look at the tables provided in the agenda packet. If the town does not increase employment or anyone's hours at all whether we made the lump sum payment or the additional percentage payments it would pretty much break even over the 24-year period (as shown on the first table). Table two looks at aggressive hiring; Mayor Becker didn't think that would happen, even over the 24-year period, he didn't foresee the town having a public works department, trash pick-up or an administrator/manager. If it did, then that 4.4 percent over the next seventeen or eighteen years, with the hiring of the equivalent of three more employees staggered through that period, all of a sudden at the end of the 24-year period the town would have paid \$272,000 in the percentage as opposed to the time weighted value of the lump sum of only \$110,000. If the council believes that there would be aggressive hiring they may consider the lump sum payment. Table three is playing a "happy medium", it's front loaded. For example, if the town, in two years, added a quarter-time to one of the part-timers and then hired a half-timer the next year and then nothing happened for two years when the council decided to convert another half-time position and then nothing happens for the next ten years, the table shows that we would break even around year 20, 21, or 22. Throughout the 24-year period you're talking a \$92,000 difference and \$92,000 over another 14 years (sounds like a lot of money as a lump sum) is not that big of a difference; the council might wish they had kept the lump sum. Mayor Becker commented that it seems like that unless the council is going for aggressive planning to have a lot of staff they would be better off doing the percentage. Mayor Becker explained that he didn't initially like the idea of a percentage; 4.4 percent for 24 years is a lot of money, but it seems to break even in 10 to 12 years either way. It is hard to predict what the interest rates are going to be in 10 to 12 years, but Mayor Becker figured on them going up one percent to two percent on the money that the town has in the bank, so what is the value of that \$60,000 if the town doesn't pay it to the State in a lump sum now. The interest could get into the four, five or six percent rate world in the next 20 years allowing for a good yield. Mayor Becker tried to be moderate in his projections.

- Councilwoman LaMonica commented that the basic tenet here is that with the retirement system they are applying a retroactive effective date even though we're enrolling employees now. It's retroactive because we have longer term employees; the amount is higher and the accrued liability belongs to the Town of Mineral Springs to bring it current in the event either of the employees were to retire in two years. They want to make sure that what is paid out is retroactive to the date of hire. Mayor Becker responded exactly; this is actually a big benefit to the employee. The municipality is forced, if they enroll to support the retirement

system, to allow these employees to get full credit for their accrued service. The accrued service for the town clerk/zoning administrator goes back to 2004 and the finance officer goes back to 2008. Mayor Becker pointed out that when staff did the research on this benefit they never expected that the town would be granting them a retroactive benefit. Staff cannot opt out of the accrued liability; pension systems have rules that have to be followed, and everything has to be consistent. Councilwoman LaMonica responded that the plan guidelines are the things that she likes, they can't vary and it's unusual that it is retroactive like that; it's usually effective when the folks enroll regardless of whether they enroll on the first day of employment or ten years after they've started. Mayor Becker noted that is what staff expected, because that is how it is with your standard benefits (i.e. the League's health and dental benefits). Mayor Becker explained that he spoke with Weddington and Wesley Chapel about their benefits. Wesley Chapel had somebody with a few months of accrued service and they were ineligible for the lump sum option. The Weddington clerk had worked for the City of Monroe for quite a few years; therefore, she had eligibility with the city and then she went to Weddington (who were not members) and worked for three years at a relatively high salary. Weddington got hit with 3.09 percent for that one employee and they didn't have an option of the lump sum payment. Neither of Mineral Springs' employees has any prior history with the local government system, so they gave us a lump sum option, which they apparently didn't do for those other towns.

- Councilwoman Coffey stated that she knew that the town was going to participate, that is what they believe in their hearts they should be doing for the employees of the town and if it were the council as individuals they would want the same thing to happen for themselves no matter where they were working. Councilwoman Coffey further stated that she would be voting for the 4.4 percent; you never know what could happen and that money would be needed for it. Mayor Becker responded that that was a very good point; the town has capital needs and we're looking at opening that building for community use in two or three years. The economy hasn't affected us that much; our electric franchise has actually continued to climb, but our property tax could take a severe hit when we have a revaluation. Mayor Becker didn't believe that this board really wants to raise the rates, but in 2012 when properties are reevaluated there is a strong chance, with the market the way it is, that they will be lowering the values. This council is very conservative and has a real commitment to keeping taxes low. Councilman Countryman offered that we don't know what the future might hold and that's money in the bank and it needs to stay in the bank. Councilwoman Neill stated that many towns are struggling right now and on the verge of bankruptcy; she has always been proud of this council for making conservatively fiscal decisions. Mayor Becker added that the council can control future retirement fund costs by their hiring practices. Councilman Countryman commented that unless something really remarkable happens in the next several years to make this community flourish, there won't be any need for additional employees; therefore, it is a very wise and prudent decision to work on a very low percentage rather than to disperse a large amount of revenue with nothing that is going to change. Councilman Countryman added that he thought that it was prudent to extend to our employees benefits that are extended by other communities and that it was essential to move forward in a prudent manner.

- **Councilman Countryman** made a **motion** to extend and pursue the benefits that they have suggested that the town employees have and that we use the percentage rate rather than a lump sum payment to pursue that cause and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

- Mayor Becker thanked the council for “wading” through all of those figures and expressed his appreciation, as an employee, for their willingness to keep on top of it. The next enrollment opportunity is January 1, 2011; therefore the 4.44 percent won’t start until then. A budget amendment will be necessary to cover the additional employee overhead costs in that line item.

7. **Godfrey Construction Change Order for Old School Building**

- Mayor Becker explained that he discussed with the contractor that the same crew is willing to do the back windows (which are in some cases in worse shape than the front windows were) cheaper than they usually do, since everyone is looking for work. Two of the sashes are missing on those back windows and the muntin bars have to be remade; Godfrey will actually do that in-house. Mayor Becker further explained that it was decided that we’re not putting good money after bad, because the windows are pretty, they’re authentic and there is no point in replacing them with modern vinyl ones when we can put an interior storm window in for weather performance. Mayor Becker asked that the council consider having the windows repaired now; by waiting two or three years there will probably be an additional amount of weathering and rotting of that wood. The additional cost is \$4,449, which still keeps the total cost quite a bit under the budget ordinance of \$45,000.
- **Councilwoman Cureton** made a **motion** to approve the additional repairs and **Councilman Countryman** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

- Mayor Becker explained that Ms. Brooks had put an additional gutter proposal on the table in front of the council, but he has further discussed this with Mr. Gaddy who had discussed it with the contractor; this is not operative anymore.

8. **Consideration of Purchasing Blinds for the Old School Building**

- Mayor Becker commented that it may sound silly, but if you see the building in the daylight it is so pretty that he wants to put a couple of potted mums on that porch. Venetian blinds for the eight front windows will be \$751; they are old-fashioned off-white Levolor aluminum venetian blinds. This would truly be a visual enhancement; is not an essential and does not improve the weather tightness of the building.
- **Councilwoman Coffey** made a **motion** to approve the purchase of the blinds, since it will be an enhancement to the property, for the eight front windows and **Councilwoman Neill** seconded. The motion passed unanimously as follows:

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

9. **Trail Committee Post Card**

- Mayor Becker explained that he has been so busy with the building and the Boy Scout project on the trail that he is not ready to present trail committee items to the council at this time.

10. **November Meeting Date Reminder and Amendment of the Meeting Schedule**

- Ms. Brooks explained that the regular date for the November 2010 meeting falls on Veteran's Day, which is a Federal holiday. In 2004, the council changed the meeting schedule to allow for a Federal holiday; therefore, the November meeting will be on the third Thursday of November, which is November 18, 2010. Ms. Brooks further explained that in her research on this subject she found that the council had not changed the "meeting place" to the town hall.
- **Councilwoman Coffey made a motion to approve the change of the meeting place, as well as amend the meeting date to November 18, 2010 and Councilman Countryman seconded. The motion passed unanimously as follows:**

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill
Nays: None

11. **Other Business**

- Mayor Becker informed the council that Councilwoman Critz sent a message along to her "friends on the town council" extending an invitation to a bonfire scheduled on Sunday in celebration of her son, a Marine Lieutenant, who is visiting prior to his deployment to Afghanistan.
- Mayor Becker noted that the information from the Catawba Lands Conservancy [that was distributed to the council] was just an "FYI"; he is not asking the town to change or look at their contribution. Mayor Becker suggested that if people are "friends of conservation" and are not members yet, this may be a good opportunity for them to become members.
- Councilwoman Cureton informed the council that a businessman in Mineral Springs asked her if it would not be beneficial for the town to sell beer at the store up there (Councilwoman Cureton explained that she did not drink) and she told him that she would bring it up; "the money of Mineral Springs people is going to Waxhaw". Mayor Becker responded that it's a complicated process. Councilwoman Cureton explained that the businessman believed that if Mineral Springs sold beer that we would get the benefit of the money rather than it going to the Town of Waxhaw (where people buy it). Mayor Becker responded that Mineral Springs would not get very much money (the Kangaroo and Anheuser-Busch get the money); not much goes to the town. The only way it could happen would be for the town to have a referendum on the ballot, so that the voters could vote on it. Mayor Becker further explained that the sales tax collected in North Carolina for the most part is not point-of-sale dependent; if someone buys something at the Wal-Mart in Monroe, Mineral Springs will get the same amount of share of that sales tax as they would get if it were in Mineral Springs. ABC taxes are more point-of-sale related (Mayor Becker believed), which is separate from sales tax.

12. **Adjournment**

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

Ayes: Coffey, Countryman, Cureton, LaMonica and Neill

Nays: None

- The meeting was adjourned at 8:23 p.m.
- The next regular meeting will be on Thursday, November 18, 2010 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

Vicky A. Brooks, CMC, Town Clerk

Frederick Becker III, Mayor

Town of Mineral Springs

FINANCE REPORT SEPTEMBER 2010

Prepared for:

The Mineral Springs Town Council

By:

Frederick Becker III
Finance Officer

November 18, 2010

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Cash Flow Report FY2010 YTD

7/1/2010 Through 9/30/2010

10/30/2010

Page 1

Category Description	7/1/2010- 9/30/2010
INCOME	
Franchise	
Cable	506.00
TOTAL Franchise	506.00
Gross Receipts Tax	220.50
Interest Income	851.17
Other Inc	
Public Records Payment	10.61
Zoning	2,470.00
TOTAL Other Inc	2,480.61
Prop Tax 2010	
Receipts 2010	12,235.40
TOTAL Prop Tax 2010	12,235.40
Prop Tax Prior Years	
Prop Tax 2001	
Receipts 2001	5.93
TOTAL Prop Tax 2001	5.93
Prop Tax 2002	
Receipts 2002	22.66
TOTAL Prop Tax 2002	22.66
Prop Tax 2003	
Receipts 2003	21.87
TOTAL Prop Tax 2003	21.87
Prop Tax 2004	
Receipts 2004	4.54
TOTAL Prop Tax 2004	4.54
Prop Tax 2006	
Receipts 2006	253.18
TOTAL Prop Tax 2006	253.18
Prop Tax 2007	
Receipts 2007	201.10
TOTAL Prop Tax 2007	201.10
Prop Tax 2008	
Receipts 2008	398.03
TOTAL Prop Tax 2008	398.03
Prop Tax 2009	
Receipts 2009	1,729.10
Ret Check 2009	-30.00
TOTAL Prop Tax 2009	1,699.10
TOTAL Prop Tax Prior Years	2,606.41
Sales Tax	
Refunds	510.09
Sales & Use Dist	1,425.43
TOTAL Sales Tax	1,935.52
Veh Tax	
Coll2006	-0.02
Coll2008	-0.06
Coll2009	-3.02
Coll2010	-6.59
Int 2006	0.37

Cash Flow Report FY2010 YTD

7/1/2010 Through 9/30/2010

10/30/2010

Page 2

Category Description	7/1/2010- 9/30/2010
Int 2007	0.00
Int 2008	0.59
Int 2009	7.76
Int 2010	0.83
Tax 2006	1.09
Tax 2007	0.00
Tax 2008	3.61
Tax 2009	191.62
Tax 2010	436.77
TOTAL Veh Tax	632.95
TOTAL INCOME	21,468.56
EXPENSES	
Uncategorized	0.00
Attorney	1,442.17
Community	
Greenway	26.33
Maint	400.00
TOTAL Community	426.33
Dues	3,571.00
Elections	494.00
Emp	
Benefits	
Dental	53.00
Life	46.20
TOTAL Benefits	99.20
Bond	550.00
FICA	
Med	381.88
Soc Sec	1,632.92
TOTAL FICA	2,014.80
Payroll	283.77
Work Comp	814.70
TOTAL Emp	3,762.47
Ins	3,710.82
Office	
Clerk	6,825.00
Council	1,800.00
Deputy Clerk	1,644.49
Equip	684.60
Finance Officer	6,612.00
Maint	
Materials	386.86
Service	1,140.00
TOTAL Maint	1,526.86
Mayor	1,200.00
Misc	20.00
Post	505.54
Supplies	500.97
Tel	2,665.53
Util	402.97

Cash Flow Report FY2010 YTD

7/1/2010 Through 9/30/2010

10/30/2010

Page 3

Category Description	7/1/2010- 9/30/2010
TOTAL Office	24,387.96
Planning	
Administration	5,892.00
Misc	431.00
TOTAL Planning	6,323.00
Street Lighting	276.02
Tax Coll	
Bill	187.67
Bank	5.00
TOTAL Bill	192.67
Post	352.00
Sal	2,364.00
TOTAL Tax Coll	2,908.67
Travel	122.06
TOTAL EXPENSES	47,424.50
TRANSFERS	
FROM MM Sav CitizensSouth	125,000.00
TO Check Min Spgs	-125,000.00
TO Ag Bldg Capital Project Fund	-111,209.21
TOTAL TRANSFERS	-111,209.21
OVERALL TOTAL	-137,165.15

Account Balances History Report

(Includes unrealized gains)

As of 9/30/2010

10/16/2010

Page 1

Account	6/30/2010 Balance	7/31/2010 Balance	8/31/2010 Balance	9/30/2010 Balance
ASSETS				
Cash and Bank Accounts				
Check Min Spgs	18,062.96	3,580.90	4,015.90	59,581.52
Estates at Soen Escrow	27,959.57	27,979.76	27,999.35	28,015.93
MM Sav CitizensSouth	396,392.39	281,728.34	271,972.21	272,177.94
MM Sav Min Spgs	10,500.48	10,503.60	10,506.72	10,509.74
Ag Bldg Capital Project Fund	0.00	0.00	0.00	0.00
CWMTF Grant Project Fund	0.00	0.00	0.00	0.00
TOTAL Cash and Bank Accounts	452,915.40	323,792.60	314,494.18	370,285.13
Other Assets				
State Revenues Receivable	56,305.86	54,638.83	53,395.64	0.00
TOTAL Other Assets	56,305.86	54,638.83	53,395.64	0.00
TOTAL ASSETS	509,221.26	378,431.43	367,889.82	370,285.13
LIABILITIES				
Other Liabilities				
Accounts Payable	1,770.98	0.00	0.00	0.00
Escrows	27,720.00	27,720.00	27,720.00	27,720.00
TOTAL Other Liabilities	29,490.98	27,720.00	27,720.00	27,720.00
TOTAL LIABILITIES	29,490.98	27,720.00	27,720.00	27,720.00
OVERALL TOTAL	479,730.28	350,711.43	340,169.82	342,565.13

Mineral Springs Monthly Revenue Summary 2010-2011

TOWN OF MINERAL SPRINGS									
REVENUE SUMMARY 2010-2011									
Source	Budget	Receivable	Rec'd YTD	% of Budget	July	August	September	October	November
Property Tax - prior	\$ 1,800.00	\$ (806.41)	\$ 2,606.41	144.8%	\$ 1,555.16	\$ 140.50	\$ 910.75		
Property Tax - 2010	\$ 61,695.00	\$ 49,459.60	\$ 12,235.40	19.8%	\$ -	\$ -	\$ 12,235.40		
Dupl. Property Tax	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -		
Franchise Taxes: cable	\$ 2,400.00	\$ 1,894.00	\$ 506.00	21.1%	\$ -	\$ 506.00	\$ -		
Franchise Taxes: utility	\$ 159,000.00	\$ 159,000.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Fund Balance Approp.	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -		
Gross Receipts Tax	\$ 1,000.00	\$ 779.50	\$ 220.50	22.1%	\$ -	\$ 150.93	\$ 69.57		
Interest	\$ 4,000.00	\$ 3,148.83	\$ 851.17	21.3%	\$ 359.26	\$ 266.58	\$ 225.33		
Sales Tax	\$ 41,200.00	\$ 39,264.48	\$ 1,935.52	4.7%	\$ 510.09	\$ 160.39	\$ 1,265.04		
Vehicle Taxes	\$ 4,800.00	\$ 4,167.05	\$ 632.95	13.2%	\$ -	\$ 321.38	\$ 311.57		
Zoning Fees	\$ 3,000.00	\$ 530.00	\$ 2,470.00	82.3%	\$ 175.00	\$ 1,320.00	\$ 975.00		
Other	\$ 500.00	\$ 489.39	\$ 10.61	2.1%	\$ -	\$ 10.61	\$ -		
Totals	\$ 279,395.00	\$ 257,926.44	\$ 21,468.56	7.7%	\$ 2,599.51	\$ 2,876.39	\$ 15,992.66	\$ -	\$ -
	December	January	February	March	April	May	June	June a/r	
Property Tax - prior									
Property Tax - 2010									
Dupl. Property Tax									
Franchise Taxes: cable									
Franchise Taxes: utility									
Fund Balance Approp.									
Gross Receipts Tax									
Interest									
Sales Tax									
Vehicle Taxes									
Zoning Fees									
Other									
Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Mineral Springs Budget Comparison 2010-2011

TOWN OF MINERAL SPRINGS									
BUDGET COMPARISON 2010-2011									
Appropriation dept	Budget	Unspent	Spent YTD	% of Budget	July	August	September	October	November
Advertising	\$ 1,800.00	\$ 1,800.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Attorney	\$ 9,600.00	\$ 8,157.83	\$ 1,442.17	15.0%	\$ 300.00	\$ 300.00	\$ 842.17		
Audit	\$ 3,600.00	\$ 3,600.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Community Projects	\$ 15,500.00	\$ 15,073.67	\$ 426.33	2.8%	\$ -	\$ 226.33	\$ 200.00		
Contingency	\$ 3,000.00	\$ 3,000.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Dues	\$ 4,525.00	\$ 954.00	\$ 3,571.00	78.9%	\$ 3,521.00	\$ 50.00	\$ -		
Elections	\$ 600.00	\$ 106.00	\$ 494.00	82.3%	\$ 494.00	\$ -	\$ -		
Employee Overhead	\$ 12,000.00	\$ 8,237.53	\$ 3,762.47	31.4%	\$ 1,586.73	\$ 1,316.23	\$ 859.51		
Fire Department	\$ 12,000.00	\$ 12,000.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Insurance	\$ 4,500.00	\$ 789.18	\$ 3,710.82	82.5%	\$ 3,416.29	\$ -	\$ 294.53		
Newsletter	\$ 2,400.00	\$ 2,400.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Office	\$ 116,648.00	\$ 92,260.04	\$ 24,387.96	20.9%	\$ 8,415.88	\$ 8,126.01	\$ 7,846.07		
Planning & Zoning	\$ 43,568.00	\$ 37,245.00	\$ 6,323.00	14.5%	\$ 2,395.00	\$ 1,964.00	\$ 1,964.00		
Street Lighting	\$ 1,800.00	\$ 1,523.98	\$ 276.02	15.3%	\$ -	\$ 138.01	\$ 138.01		
Tax Collection	\$ 11,256.00	\$ 8,347.33	\$ 2,908.67	25.8%	\$ 788.00	\$ 1,239.67	\$ 881.00		
Training	\$ 3,000.00	\$ 3,000.00	\$ -	0.0%	\$ -	\$ -	\$ -		
Travel	\$ 3,000.00	\$ 2,877.94	\$ 122.06	4.1%	\$ -	\$ -	\$ 122.06		
Capital Outlay	\$ 30,598.00	\$ 30,598.00	\$ -	0.0%	\$ -				
Totals	\$ 279,395.00	\$ 231,970.50	\$ 47,424.50	17.0%	\$ 20,916.90	\$ 13,360.25	\$ 13,147.35	\$ -	\$ -
Off Budget:									
Tax Refunds			\$ -		\$ -	\$ -	\$ -		
Interfund Transfers			\$ 111,209.21		\$ 110,701.46	\$ 57.75	\$ 450.00		
Total Off Budget:			\$ 111,209.21		\$ 110,701.46	\$ 57.75	\$ 450.00	\$ -	\$ -

September 2010 Cash Flow Report

9/1/2010 Through 9/30/2010

10/30/2010

Page 1

Category Description	9/1/2010- 9/30/2010
INCOME	
Gross Receipts Tax	69.57
Interest Income	225.33
Other Inc	
Zoning	975.00
TOTAL Other Inc	975.00
Prop Tax 2010	
Receipts 2010	12,235.40
TOTAL Prop Tax 2010	12,235.40
Prop Tax Prior Years	
Prop Tax 2006	
Receipts 2006	202.32
TOTAL Prop Tax 2006	202.32
Prop Tax 2007	
Receipts 2007	153.67
TOTAL Prop Tax 2007	153.67
Prop Tax 2008	
Receipts 2008	250.35
TOTAL Prop Tax 2008	250.35
Prop Tax 2009	
Receipts 2009	334.41
Ret Check 2009	-30.00
TOTAL Prop Tax 2009	304.41
TOTAL Prop Tax Prior Years	910.75
Sales Tax	
Sales & Use Dist	1,265.04
TOTAL Sales Tax	1,265.04
Veh Tax	
Coll2006	-0.02
Coll2008	-0.06
Coll2009	-1.17
Coll2010	-3.55
Int 2006	0.37
Int 2008	0.57
Int 2009	3.34
Int 2010	0.83
Tax 2006	1.09
Tax 2008	3.43
Tax 2009	72.39
Tax 2010	234.35
TOTAL Veh Tax	311.57
TOTAL INCOME	15,992.66
EXPENSES	
Uncategorized	0.00
Attorney	842.17
Community	
Maint	200.00
TOTAL Community	200.00
Emp	

September 2010 Cash Flow Report

9/1/2010 Through 9/30/2010

10/30/2010

Page 2

Category Description	9/1/2010- 9/30/2010
Benefits	
Dental	53.00
Life	46.20
TOTAL Benefits	99.20
FICA	
Med	126.90
Soc Sec	542.67
TOTAL FICA	669.57
Payroll	90.74
TOTAL Emp	859.51
Ins	294.53
Office	
Clerk	2,275.00
Council	600.00
Deputy Clerk	521.84
Equip	409.53
Finance Officer	2,204.00
Maint	
Materials	257.27
Service	495.00
TOTAL Maint	752.27
Mayor	400.00
Misc	20.00
Post	5.54
Supplies	96.48
Tel	362.21
Util	199.20
TOTAL Office	7,846.07
Planning	
Administration	1,964.00
TOTAL Planning	1,964.00
Street Lighting	138.01
Tax Coll	
Bill	
Bank	5.00
TOTAL Bill	5.00
Post	88.00
Sal	788.00
TOTAL Tax Coll	881.00
Travel	122.06
TOTAL EXPENSES	13,147.35
TRANSFERS	
TO Ag Bldg Capital Project Fund	-450.00
TOTAL TRANSFERS	-450.00
OVERALL TOTAL	2,395.31

Register Report

9/1/2010 Through 9/30/2010

10/16/2010

Page 1

Date	Account	Num	Description	Memo	Category	Clr	Amount
BALANCE 8/31/2010							4,015.90
9/1/2010	Check Min ... EFT		Debit Card (Postmaster) Stamps (FY2010)	Tax Coll:Post		R	-88.00
9/2/2010	Check Min ... EFT	S	American Community ... 06-054-063	Prop Tax Prior Year...		R	-30.00
			Ret Chk	Tax Coll:Bill:Bank		R	-5.00
9/7/2010	Check Min ... DEP	S	Deposit	#408	Prop Tax 2010:Rec...	R	6,128.94
			#408	Prop Tax Prior Year...		R	103.85
			#408	Prop Tax Prior Year...		R	54.32
			#408	Prop Tax Prior Year...		R	139.26
			#408	Prop Tax Prior Year...		R	60.09
9/7/2010	Check Min ... 3358		Clark, Griffin & McColl... I/N 2281 09/10 (... Attorney			R	-300.00
9/7/2010	Check Min ... 3359		Xerox Corporation I/N 049915214 ... Office:Supplies			R	-29.19
9/7/2010	Check Min ... 3360		Interlocal Risk Financi... Cust #02005 Pr... Ins			R	-294.53
9/7/2010	Check Min ... 3361		Frederick Becker III 7/10 & 8/10 reim...Travel			R	-122.06
9/8/2010	Check Min ... EFT		Debit Card (OfficeMax) Envelopes, Bind... Office:Supplies			R	-55.45
9/8/2010	Check Min ... EFT		Debit Card (Sells Paper) Paper Towels (F... Office:Maint:Materials			R	-35.34
9/8/2010	Check Min ... EFT		Debit Card (Holloway's...Microphone & C... Office:Equip			R	-128.65
9/10/2010	Check Min ... EFT		Debit Card (PCNation) GPS Receiver (... Office:Equip			R	-280.88
9/10/2010	Check Min ... DEP	S	Deposit	#409	Prop Tax 2010:Rec...	R	2,110.36
			#409	Prop Tax Prior Year...		R	25.63
9/13/2010	Check Min ... 3362		Union County Public ... 84361*00 (FY20... Office:Util			R	-13.34
9/13/2010	Check Min ... 3363		Clark, Griffin & McColl... I/N 2290 Mun. A... Attorney			R	-542.17
9/13/2010	Check Min ... 3364		Duke Power 2035221941 (F... Street Lighting			R	-138.01
9/13/2010	Check Min ... 3365		Duke Power 1803784140 (F... Office:Util			R	-185.86
9/13/2010	Check Min ... 3366		Jan-Pro Cleaning Syst... I/N 2627 Janitori... Office:Maint:Service			R	-195.00
9/13/2010	Check Min ... 3367		**VOID**VOID misprint (FY2010)			R	0.00
9/13/2010	Check Min ... EFT	S	Union County	8/10	Veh Tax:Tax 2006	R	1.09
				8/10	Veh Tax:Int 2006	R	0.37
				8/10	Veh Tax:Coll2006	R	-0.02
				8/10	Veh Tax:Tax 2008	R	3.43
				8/10	Veh Tax:Int 2008	R	0.57
				8/10	Veh Tax:Coll2008	R	-0.06
				8/10	Veh Tax:Tax 2009	R	72.39
				8/10	Veh Tax:Int 2009	R	3.34
				8/10	Veh Tax:Coll2009	R	-1.17
				8/10	Veh Tax:Tax 2010	R	234.35
				8/10	Veh Tax:Int 2010	R	0.83
				8/10	Veh Tax:Coll2010	R	-3.55
9/15/2010	Check Min ... EFT		NC Department of Rev...07/10 (FY2010)	Sales Tax:Sales & ...		R	1,265.04
9/15/2010	Check Min ... EFT	S	NC Department of Rev...Electric Franchi...	[State Revenues Re...		R	46,336.00
			Video Sales Tax...	[State Revenues Re...		R	5,395.64
				Telecommunicat...	[State Revenues Re...	R	1,664.00
9/15/2010	Check Min ... EFT		Debit Card (Lowe's)	Bedding Flower...	Office:Maint:Materials	R	-107.70
9/17/2010	Check Min ... DEP	S	Deposit	#410	Prop Tax 2010:Rec...	R	2,255.15
			#410	Prop Tax Prior Year...		R	108.96
			#410	Prop Tax Prior Year...		R	62.83
			#410	Prop Tax Prior Year...		R	14.41
9/17/2010	Check Min ... EFT		Debit Card (OfficeMax)	Receipt Book (F... Office:Supplies		R	-11.84
9/20/2010	Check Min ... EFT		Union County	08/10 (FY2010)	Gross Receipts Tax	R	69.57
9/20/2010	Check Min ... 3368		Conder Flag Company	I/N 143296 Outd... Office:Maint:Materials		R	-84.09
9/20/2010	Check Min ... 3369		Windstream	061345970 (FY... Office:Tel		R	-55.15
9/20/2010	Check Min ... 3370		Windstream	061348611 (FY... Office:Tel		R	-217.76

Register Report

9/1/2010 Through 9/30/2010

10/16/2010

Page 2

Date	Account	Num	Description	Memo	Category	Clr	Amount
9/22/2010	Check Min ...	EFT	Debit Card (WalMart)	Hose Reel (FY2...	Office:Maint:Materials	R	-30.14
9/29/2010	Check Min ...	EFT	S Advantage Payroll	Salary 9/10	Office:Clerk	R	-2,275.00
				Supplement 9/10	Office:Clerk	R	0.00
				Hours 9/10	Office:Deputy Clerk	R	-521.84
				Salary 9/10	Office:Finance Officer	R	-2,204.00
				Salary 9/10	Office:Mayor	R	-400.00
				Salary 9/10	Office:Council	R	-600.00
				Salary 9/10	Planning:Administra...	R	-1,964.00
				Salary 9/10	Tax Coll:Sal	R	-788.00
					Emp:FICA:Soc Sec	R	-542.67
					Emp:FICA:Med	R	-126.90
					Emp:Payroll	R	-90.74
9/29/2010	Check Min ...	EFT	Debit Card (Postmaster)	Certified Mail (F...	Office:Post	R	-5.54
9/30/2010	Check Min ...	DEP	S Deposit	#411	Prop Tax 2010:Rec...	R	1,740.95
				#411	Prop Tax Prior Year...	R	95.97
				#411	Prop Tax Prior Year...	R	133.20
				#411	Prop Tax Prior Year...	R	142.23
9/30/2010	Check Min ...	DEP	Deposit	#411a (FY2010)	Other Inc:Zoning	R	975.00
9/30/2010	Check Min ...	3371	Bill Howie	Books: Mineral ...	Office:Misc		-20.00
9/30/2010	Check Min ...	3372	Donald Gaddy	Supervision 8/2...	[Ag Bldg Capital Pro...		-450.00
9/30/2010	Check Min ...	3373	S Hummingbird Lawn C...		Community:Maint		-200.00
					Office:Maint:Service		-300.00
9/30/2010	Check Min ...	3374	Verizon Wireless	221474588-000...	Office:Tel		-89.30
9/30/2010	Check Min ...	3375	S Municipal Insurance Tr...		Emp:Benefits:Life		-46.20
					Emp:Benefits:Dental		-53.00
TOTAL 9/1/2010 - 9/30/2010							55,565.62

BALANCE 9/30/2010	59,581.52
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TOTAL INFLOWS	69,197.77
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TOTAL OUTFLOWS	-13,632.15
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NET TOTAL	55,565.62
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Ag Building Capital Project Fund

4/1/2010 Through 9/30/2010

10/30/2010

Page 1

Category Description	4/1/2010- 9/30/2010
EXPENSES	
Construction	
In-House	57.75
Outsourced	
Management	450.00
TOTAL Outsourced	450.00
TOTAL Construction	507.75
Land Acquisition Costs	
Purchase	110,678.46
Surveys	23.00
TOTAL Land Acquisition Costs	110,701.46
TOTAL EXPENSES	111,209.21
TRANSFERS	
FROM Check Min Spgs	111,209.21
TOTAL TRANSFERS	111,209.21
OVERALL TOTAL	0.00

Ag Building Capital Project Fund

4/1/2010 Through 9/30/2010

10/30/2010

Page 1

Date	Account	Num	Description	Memo	Category	Clr	Amount
BALANCE 3/31/2010							0.00
4/9/2010	Ag Bldg Ca...		Opening Balance		[Ag Bldg Capital Pro...		0.00
7/1/2010	Ag Bldg Ca...		Union County (Registe... Subdivision Plat...		Land Acquisition Co...		-23.00
7/1/2010	Ag Bldg Ca...		Union County (Registe... Subdivision Plat...		[Check Min Spgs]		23.00
7/29/2010	Ag Bldg Ca...		Clark, Griffin & McColl... Closing 7/29/10 ...		Land Acquisition Co...		-110,678.46
7/29/2010	Ag Bldg Ca...		Clark, Griffin & McColl... Closing 7/29/10 ...		[Check Min Spgs]		110,678.46
8/25/2010	Ag Bldg Ca...		Debit Card (Lowe's)	(FY2010)	[Check Min Spgs]		57.75
8/25/2010	Ag Bldg Ca... EFT		Debit Card (Lowe's)	Window Glazing...	Construction:In-Hou...		-57.75
9/30/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 8/2...	Construction:Outso...		-450.00
9/30/2010	Ag Bldg Ca...		Donald Gaddy	Supervision 8/2...	[Check Min Spgs]		450.00
TOTAL 4/1/2010 - 9/30/2010							0.00
BALANCE 9/30/2010							0.00
TOTAL INFLOWS							111,209.21
TOTAL OUTFLOWS							-111,209.21
NET TOTAL							0.00

September 2010

Revenue Details

Invoice Date	Invoice Number	Description	Invoice Amount
09/08/2010	1102-MVTX CF	MOTOR VEH TAX COLL FEE AUG2010	- \$4.80
09/08/2010	1102-MVTX	MOTOR VEH TAX FOR AUG2010	\$316.37

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
10870	TOWN OF MINERAL SPRINGS	00014149	09/13/2010	311.57



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

Vendor Number Check Date Check Number
 10870 09/13/2010 00014149

"This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act."

\$311.57

Pay **Three Hundred Eleven Dollars and 57 cents *******

To The TOWN OF MINERAL SPRINGS
 Order Of E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

**EFT COPY
 NON-NEGOTIABLE**

AP



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

10870
 00014149

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

DATE 9/01/10
TIME 14:56:07
USER PHH

UNION COUNTY
COLLECTIONS BY RGCD/REV UNIT/YR-DATE RANGE
DEPOSIT DATE RANGE: 8/01/2010 THRU 8/31/2010
REPORT GROUP: 200 REGISTERED VEHICLE
REVENUE UNIT: 990 TOWN OF MINERAL SPRINGS

PAGE 49
PROG# CL2138

YEAR	TAXES, ASSESSMENTS & MISC. CHARGES	LATE LIST	INTEREST (NOT INT3)	STATE INTEREST (INT3)	TOTAL COLLECTED	COMMISSION	NET OF COMMISSION & STATE INTEREST
2006	1.09		.37	.03	1.49	.02	1.44
2008	3.43		.57	.04	4.04	.06	3.94
2009	72.39		3.34	2.13	77.86	1.17	74.56
2010	234.35		.83	1.28	236.46	3.55	231.63
TOTAL	311.26		5.11	3.48	319.85	4.80	311.57

Invoice Date	Invoice Number	Description	Invoice Amount
09/13/2010	1102vehgr	Gross Veh.Rental Recpts-aug10	\$69.57

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
10870	TOWN OF MINERAL SPRINGS	00014272	09/20/2010	69.57



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

Vendor Number Check Date Check Number
 10870 09/20/2010 00014272

This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act.

\$69.57

Pay **Sixty Nine Dollars and 57 cents *******

To The
 Order Of

TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

**EFT COPY
 NON-NEGOTIABLE**

AP



County of Union
 500 North Main Street
 Monroe, North Carolina 28112

10870
 00014272

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS
 E. ANDREWS-HINSON, TAX COLLECT
 PO BOX 600
 MINERAL SPRINGS NC 28108

C:
MINERAL SPRINGS

F:
Direct Deposit Notification

Within three business days, pending agency funding approval, our bank account will receive a direct deposit of \$1265.04 or payment number 45PR0000510885. It is your responsibility to confirm that this deposit was made and is available for your use.

These funds were paid by the following agency:

DEPARTMENT OF REVENUE
TAX DISTRIBUTIONS
PO BOX 971
EVENUE BLDG RALEIGH, NC 27602-0871
Agency Contact Phone: 919-733-6800

Please direct all questions regarding this payment/deposit to the agency contact phone number listed directly above. This agency maintains information regarding your payment records. Any questions concerning payment amount and invoice information/documentation should be directed to the agency's Accounts Payable office and they will be happy to assist you with your inquiries.
PLEASE DO NOT REPLY TO THIS EMAIL.
CONTACT THE PAYING AGENCY AT THE NUMBER LISTED ABOVE.

Invoice Number	Inv Date	Invoice Amount	Discount Amount	Net Amount
SAL090810	09/08/10	\$1265.04	\$00.00	\$1265.04
SALES & USE TAX DIST.-TAX QUESTIONS?: 919-733-7644				
TOTAL:				\$1265.04

This notification was sent from the North Carolina Office of the State Controller. If this notification has been sent in error, please contact the agency listed above to make corrections.

O:
MINERAL SPRINGS

FY 2009-10
(PRIOR YEAR)

E:
Direct Deposit Notification

Within three business days, pending agency funding approval, your bank account will receive a direct deposit of \$53395.64 for payment number 45PR0000510686. It is your responsibility to confirm that this deposit was made and is available for your use.

These funds were paid by the following agency:

DEPARTMENT OF REVENUE
TAX DISTRIBUTIONS
PO BOX 871
REVENUE BLDG RALEIGH, NC 27602-0871
Agency Contact Phone: 919-733-6800

Please direct all questions regarding this payment/deposit to the agency contact phone number listed directly above. This agency maintains information regarding your payment records. Any questions concerning payment amount and invoice information/documentation should be directed to the agency's Accounts Payable office and they will be happy to assist you with your inquiries.
PLEASE DO NOT REPLY TO THIS EMAIL.
CONTACT THE PAYING AGENCY AT THE NUMBER LISTED ABOVE.

Invoice Number	Inv Date	Invoice Amount	Discount Amount	Net Amount
FRANC91510	09/09/10	\$53395.64	\$00.00	\$53395.64
FRANCHISE & UTILITY TAX DIST - TAX QUESTIONS?: 919-733-7644				
TOTAL:				\$53395.64

This notification was sent from the North Carolina Office of the State Controller. If this notification has been sent in error, please contact the agency listed above to make corrections.

ELECTRIC FRANCHISE	46,336.00
VIDEO PROGRAMMING	5,395.64
TELECOMMUNICATION	1,664.00
	<hr/>
	\$ 53,395.64

CONSERVATION
by
DESIGN

Town of Mineral Springs
Zoning Administrator
Vicky Brooks
P O Box 600
Mineral Springs, NC 28108
704-289-5331
704-243-1705 FAX
msvickybrooks@aol.com
www.mineralspringsnc.com

MEMO

To: Town Council

From: Vicky Brooks

Date: November 10, 2010

Re: Agenda Item #5

Prior to adopting any of the proposed text amendments, the council must adopt a statement describing whether its actions are consistent with an adopted comprehensive plan and explain why they consider the actions taken to be reasonable and in the public interest. The planning board has stated that the proposed text amendments are consistent with the town's land use plan adopted October 12, 2006 and the Vision Plan referenced and contained therein, which calls for periodic review of the ordinances to ensure that they are as up-to-date as and consistent as possible.

The following is a suggested language to include with your motion should the council choose to adopt the proposed text amendments:

The proposed text amendment is consistent with the recommendations of the town's comprehensive plan, the town of Mineral Springs Land Use Plan adopted October 12, 2006 and the Vision Plan referenced and contained therein. The Land Use Plan recommends that the town establish a system of periodic review of the town ordinances to be sure that they are up-to-date and effective as possible. The proposed text amendment is reasonable and advances the public interest.

Code of Ethics for the
Town Council
of the Town of Mineral Springs, Union County,
North Carolina

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethic, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of the Town of Mineral Springs, and with obeying the law, and

WHEREAS, [other clauses that jurisdiction may desire]

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Mineral Springs, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Town Council do hereby adopt the following General Principles and Code of Ethics to guide the Town Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Mineral Springs Town Council and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with the board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible and itself unethical.

[Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.] ---- OPTIONAL

[Board members should endeavor to keep up to date, through the board's attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar to meet their legal responsibilities. The board should consider adopting a list of applicable laws and regulations, with appropriate commentary, as a reference document accompanying this Code.] ---- OPTIONAL

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
- Not reaching conclusion on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices

- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it and that the board must take official action as a body

Section 3 a. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

Section 3 b. If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriated, they should be willing to put the board's interest ahead of their own.

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all time in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Censure Procedures. If a majority of the board has reason to believe that one of its members has violated a provision of this Code of Ethics, it [shall] [may] open an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. All information compiled, including the grounds for any finding of probably cause, shall be shared with the member when it is received. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Caroling public

records statutes. If upon investigation the board concludes that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney.

Should the board determine that it wishes to proceed further with censure proceedings, it shall call for a hearing, to be held at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place and purpose shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the jurisdiction. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included, but the day of the hearing shall be included. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the member is available for public inspection and copying in the office of the clerk or secretary to the board.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statutes.

The accused board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses and to offer evidence, including evidence of the bias of any board member or the presiding officer. An audio or video and audio tape of the proceeding shall be prepared. Any and all votes during the hearing shall be taken by the ayes and noes and recorded in the board's minutes.

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion to adopt a nonbinding resolution censuring the member based on specified violations of the code of ethics. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics, the presiding officer shall rule it out of order.

If a motion to adopt a nonbinding resolution of censure stating particular grounds under the code of ethics has been made, the board shall debate the motion. The accused member shall be allowed to participate in the debate [but shall not] [and shall also be allowed to] vote on the motion to adopt the resolution.

At the conclusion of the debate, the board shall vote on the resolution. If the motion to adopt the nonbinding resolution of censure is approved by a [majority] [two-thirds] [three-fourths] vote of those present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted.

The text of the nonbinding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's proceedings shall be approved by the board as a permanent part of the minutes. The proceedings shall then be considered concluded, the board having done all it legal can with respect to the matter in question.

Adopted as a statement of policy by the Mineral Springs Town Council on _____, 2010.

TOWN OF MINERAL SPRINGS

RESOLUTION ENROLLING IN NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM

R-2010-04

WHEREAS, the 1945 General Assembly amended the North Carolina Local Governmental Employees' Retirement System so as to make the benefit of said System available to all counties, Cities, and towns, and

WHEREAS, the governing body of this Unit realizes the necessity of providing its employees with the security and protection provided by a sound retirement plan, and

WHEREAS, Article 3 of Chapter 128 of the General Statutes of North Carolina provides that any governmental unit desiring to enroll its employees in said System shall make application to the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System and shall by resolution elect to participate in said System.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Mineral Springs in regular session,

1. That the Town Council of the Town of Mineral Springs hereby elects to enroll its employees in the North Carolina Local Governmental Employees' Retirement System.
2. That the Town Council of the Town of Mineral Springs hereby agrees to comply with all provisions of the North Carolina Local Governmental Employees' Retirement System as defined in Article 3, Chapter 128 of the General Statutes of North Carolina as amended by the 1945 General Assembly.
3. That the Mayor of the Town of Mineral Springs is hereby ordered and directed to make application to the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System for enrollment of this Unit and its employees in said System.

ADOPTED this 12^h day of August, 2010.

Mayor Frederick Becker III

Attest:

Vicky Brooks, CMC, Town Clerk

Upon motion of _____ and seconded by _____, the above resolution was introduced for passage. The following number voted in the affirmative _____. The following number voted in the negative _____.

CERTIFICATION

This is to certify that:

1. That at a meeting of the Mineral Springs Town Council held in the Mineral Springs Town Hall on the 18th day November, 2010, the attached resolution was duly introduced and legally passed in accordance with the applicable provisions of law relating to the Mineral Springs Town Council, County of Union and the General Statutes of North Carolina.
2. That the meeting at which said resolution was passed was duly constituted, a quorum was present, and that a resolution was publicized in accordance with the applicable provisions of law and General Statutes of North Carolina.
3. That the attached resolution is a true and accurate copy of the resolution passed by the Mineral Springs Town Council as the same appears on Page _____ of the Minute Books. This the _____ day of _____, 20__.

(Clerk of the Board)

TOWN OF MINERAL SPRINGS

**RESOLUTION TO ENACT A TAX SHELTER OF EMPLOYEES' CONTRIBUTIONS
PAYABLE AS MEMBERS OF THE NORTH CAROLINA LOCAL GOVERNMENTAL
EMPLOYEES' RETIREMENT SYSTEM**

R-2010-05

WHEREAS, the 1981 Session (1982 Regular Session) of the North Carolina General Assembly, by a duly ratified bill effective July 1, 1982, enacted North Carolina General Statute 128-30(b1), a copy of which is attached hereto, which under the conditions specified therein permits an employer participating in the North Carolina Local Governmental Employees' Retirement System to tax shelter the contributions payable to this System by its employees who are members of the System; and,

WHEREAS, this employer is an employee participating in the North Carolina Local Governmental Employees' Retirement System with respect to its eligible employees; and

WHEREAS, this employer deems it desirable to tax shelter the contributions payable by its employees as members of the North Carolina Local Governmental Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED BY THE Mineral Springs Town Council in regular session, that as of _____, 20__ the Town of Mineral Springs elects pursuant to the provision of North Carolina General Statute 12/-30(b1) to pick up and pay to the North Carolina Local Governmental Employees' Retirement System by its employees who are members of this System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 128-30(b1).

ADOPTED this 12^h day of August, 2010.

Mayor Frederick Becker III

Attest:

Vicky Brooks, CMC, Town Clerk

Upon motion of _____ and seconded by _____, the above resolution was introduced for passage. The following number voted in the affirmative _____. The following number voted in the negative _____.

NORTH CAROLINA GENERAL STATUTE 128-30(b1)

“(b1) Pick Up of Employee Contributions. --- Anything within this section to the contrary notwithstanding, effective July 1, 1982, an employer, pursuant to the provisions of Section 414 (h)(2) of the Internal Revenue Code of 1954 as amended, may elect to pick up and pay the contributions which would be payable by the employees as members under subsection (b) of this section with respect to the service of employees after June 30, 1982.

The members’ contributions picked up by an employer shall be designated for all purposes of the Retirement System as member contributions, except for the determination of tax upon a distribution from the System. These contributions shall be credited to the annuity savings fund and accumulated within the fund in a member’s account which shall be separately established for the purpose of accounting for picked-up contributions.

Members contributions picked up by an employer shall be payable from the same source funds used for the payment of compensation to a member. A deduction shall be made from a member’s compensation equal to the amount of his contributions picked up by his employer. This deduction, however, shall not reduce his compensation as defined in subdivision (7a) of G.S. 128-21. Picked-up contributions shall be transmitted to the System monthly for the preceding month by means of a warrant drawn by the employer and payable to the Local Governmental Employees’ Retirement System and shall be accompanied by a schedule of the pick-up contributions on such forms as may be prescribed. In the case of a failure to fulfill these conditions the provisions of subsection (f)(3) of this section shall apply.”

CERTIFICATION

This is to certify that:

1. That at a meeting of the Mineral Springs Town Council held in the Mineral Springs Town Hall on the 18th day November, 2010, the attached resolution was duly introduced and legally passed in accordance with the applicable provisions of law relating to the Mineral Springs Town Council, County of Union and the General Statutes of North Carolina.
2. That the meeting at which said resolution was passed was duly constituted, a quorum was present, and that a resolution was publicized in accordance with the applicable provisions of law and General Statutes of North Carolina.
3. That the attached resolution is a true and accurate copy of the resolution passed by the Mineral Springs Town Council as the same appears on Page _____ of the Minute Books. This the _____ day of _____, 20__.

(Clerk of the Board)

MEMO

To: Mineral Springs town council
From: Rick Becker
Date: November 10, 2010
Subject: Trail Committee Notification, Newsletter Content

Council has already approved formation of a trail committee and authorized staff to make the public aware of openings on this committee. The original idea was to communicate this need via direct mail.

However, since there is also a need for another planning board member, it might be wise to consolidate the advertising for both these needs. Also, so many significant developments have occurred in the town since the last newsletter that I believe that it would be a good idea for staff to publish another issue of the newsletter before Christmas. The newsletter would be an excellent place to describe these volunteer opportunities, and would eliminate the need for the cost of separate mailings.

An article in the newsletter about the greenway property and trail development would be an excellent “lead-in” to the trail committee notification. Such an article could include the open house in June, Mitchell Wyse’s eagle scout project, and a description of existing trail locations and access points. Any such article should, I believe, also state some basic interim trail use guidelines. Although ultimately there should probably be a trail use ordinance, which would come out of the trail committee’s work, some interim guidelines would help with some of the “improper” uses that have been occurring on the town’s greenway property. If Attorney Bobby Griffin thinks it would be appropriate, I would suggest that council adopt by motion some simple policies:

- Open for hiking, horseback riding, and mountain biking
- Access is currently through Copper Run and Harrington Hall; the owners/developers of these subdivisions have graciously extended this privilege, and it may be withdrawn if abused
- Motorized vehicles prohibited
- Hunting and other shooting prohibited
- Fires prohibited without advance permission
- Dumping and littering prohibited

I wouldn’t want to publish a newsletter article promoting the greenway without having council approval of some use guidelines for members of the public.