

Town Council Members

Valerie Coffey – 2019 ~ Jerry Countryman – 2019 ~ Lundeen Cureton – 2017

Janet Critz – 2017 ~ Bettylyn Krafft – 2017

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**Town of Mineral Springs  
Mineral Springs Town Hall  
3506 S Potter Road ~ Mineral Springs  
Town Council  
Regular Meeting  
January 12, 2017 ~ 7:30 PM**

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**Agenda**

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1. **Opening**  
The meeting will be called to order, an invocation will be delivered and the Pledge of Allegiance will be recited.
2. **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.
3. **Consent Agenda**
  - A. December 8, 2017 Regular Meeting Minutes
  - B. November 2016 Tax Collector's Report
  - C. November 2016 Finance Report
4. **Presentation of the Fiscal Year 2015-16 Audit Report – Kendra Gangal**  
Ms. Kendra Gangal will present the FY2015-16 Audit Report.
5. **Review and Discussion on the Changes to the Proposed Nuisance Ordinance and Consideration of Calling for a Public Hearing**  
The council will review the requested change on the proposed nuisance ordinance, discuss the necessity of compiling/approving a policy on the procedure to file complaints and consider calling for a public hearing to receive more public input prior to adopting it.
6. **Discussion and Consideration of a Town Sponsored Clean-Up**  
The council will continue their discussion from December 2016 on a town wide annual clean-up of oversized refuse (i.e. appliances, furniture, televisions and general household items) and consider approving a formalized agreement with RCS Garbage Services.
7. **Discussion of Non-Profit Funding**  
The council will discuss non-profit funding.
8. **Staff Updates**  
The staff will update the council on any developments that may affect the town.
9. **Other Business**
10. **Adjournment**

Town of Mineral Springs  
Town Hall  
3506 S. Potter Road  
Town Council  
Regular Meeting  
December 8, 2016 ~ 7:30 PM

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Minutes Draft

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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, December 8, 2016.

**Present:** Mayor Frederick Becker III, Mayor Pro Tem Peggy Neill (arrived at 7:37 p.m.), Councilwoman Valerie Coffey, Councilman Jerry Countryman, Councilwoman Janet Critz, Councilwoman Lundeen Cureton, Town Clerk/Zoning Administrator Vicky Brooks and Attorney Bobby Griffin.

**Absent:** Councilwoman Bettylyn Krafft and Deputy Town Clerk/Tax Collector Janet Ridings.

**Visitors:** Ms. Crystal Ellis, Mr. John Ganus and Mr. Archie Wallace.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of December 8, 2016 to order at 7:30 p.m.

**1. Opening**

- Councilwoman Cureton delivered the invocation.
- Councilwoman Critz and her granddaughters led the Pledge of Allegiance.
- Councilwoman Critz mentioned that her granddaughters' father, John, is a Captain in the United States Marine Corps and they just celebrated their 241<sup>st</sup> Birthday in November and yesterday was the 75<sup>th</sup> Birthday of Pearl Harbor. In honor of all of our servicemen, they wanted to do the Pledge of Allegiance.

**2. Public Comments**

- There were no public comments.

**3. Consent Agenda**

- **Councilwoman Coffey** made a **motion** to approve the consent agenda with the corrections that have been issued containing the following:

- A. November 10, 2016 Regular Meeting Minutes
- B. October 2016 Tax Collector's Report
- C. October 2016 Finance Report

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

Ayes: Coffey, Countryman, Critz and Cureton

Nays: None

4. **Presentation of Funding to the Parkwood Band Boosters – Councilwoman Cureton**

- Mayor Becker introduced Councilwoman Cureton and the Parkwood Band Boosters to the audience and explained Councilwoman Cureton would be making a presentation. Councilwoman Cureton first commented “given unto God” and “the band is awesome”. Councilwoman Cureton continued she went to the last game and we have a wonderful band; she would like everybody to come to the games next year. Councilwoman Cureton missed two games, because she was away. They are awesome people, so this was not a hard job, it was a working job; Councilwoman Cureton didn’t get exactly what she wanted, but she is going to get it. Councilwoman Cureton thanked Mr. Wallace and Ms. Ellis for coming and for the wonderful job they do and presented them with \$910. Mayor Becker thanked Councilwoman Cureton and congratulated her for the incredible work on the school band program.

5. **Discussion and Consideration of the Proposed Nuisance Ordinance**

- Mr. John Ganus thanked the council for the opportunity to come and join them again and talk to them about the Nuisance Ordinance. Mr. Ganus reminded the council they had looked at some of the different things that could be considered nuisances and chose out of a long list, narrowing it down to seven major area groups of what they consider to be nuisances. What has been done now is that they have taken that list and surrounded it with the actual process of how it will be operated. Enforcement of a nuisance can only be within the corporate limits of the town. The complaints would come into the town and then whoever is going to be administering the ordinance would go out and do a site visit to determine if what is on the property is a condition that is identified in the standards and then from there you would go to “Section C”, which is a complaint investigation of public nuisance. What this does is it determines that once you go and determine that a violation does exist then you are going to send out a notification of violation. As a general rule, you are going to give them 10 days to bring the property back into compliance (to clean up the mess, cut the grass or whatever the violation is). This section also tells you how that notice is going to be mailed or how it is going to be delivered; it can be either delivered personally to the property owner, it allows for a person that is 16 years or older who is a member of the family living in that house be the one you can issue the notice to. The notice will have the property owner’s name and so forth on the actual notice, but you are going to be hand delivering it to somebody in that residence. It may be deposited in first class mail – the Statute does not require the notice to be sent by certified mail. N-Focus recommends when you are dealing with something that the law does not require you to use certified mail, but has a process that allows you to use first class mail, that’s how they recommend you do it. If the situation arrives to where the first class mail returns, then you have the option in Section C to actually reissue the notice with a new deadline and to post it on the property in a conspicuous place, so that it can be visible and it has to be posted giving at least 10 days for the deadline.

- In referring to Item 2, Mr. Ganus explained not every situation is going to be simple (i.e. the property owner can go out there in a weekend and mow the grass or whatever). You may have a situation where you have a hoarder, you may have a situation where you've got a large pile of stuff and it's going to take them a couple of weeks or more to get it out of there or you may have situations where somebody is ill or has been hospitalized and a notice was sent out; they get out of the hospital and come home and here is this notice, they call and explain and ask if it will be a problem if it takes them longer to get the problem resolved. Mr. Ganus would tell them it is not a problem. They want to work with the people. In another situation, if it's a large pile of debris or truckloads of stuff that has to be hauled off, then you have the option here to give them an extended period of time, so you are not locked into the 10 days. There is some flexibility for your enforcement officer to be able to work with the owners based on the situation and conditions that arise.
- Section D – property owners always have the right to appeal a decision. There is a process here that says if they make that appeal in writing within 10 days of the date of the notice that will “stay” the action on the property until such time as the Board of Adjustment has heard the appeal and makes a decision on it.
- Section E – Chronic Violator. This is something that is relatively new in the Statutes. The legislature has played with it a couple of times to fine tune it to where it is today – most of the language seen here [proposed nuisance ordinance] comes straight out of the Statute. When comparing the chronic violator to when the regular notice is issued you'll see that it's required to be sent by certified mail, you are going to give them a reasonable time to go and take care of the situation and bring it into compliance. In this situation, the law now allows that if somebody is identified as a chronic violator (a person who owns property whereupon in the previous calendar year the town gave notice of violation at least three times under any provision of the Public Nuisance Ordinance) no further notice is necessary, the town can just have the property cleaned up. Mr. Ganus further explained if you had three complaints on the same property under the same ownership in the past calendar year and you have sent notices out to the owner three times or more, then at the beginning of the next calendar year you can consider that person to be a chronic violator. Mr. Ganus stipulated the law does not say that the owner had to have his property cleaned up by the town, it says you gave notice, so a violation occurs, you send out a notice of violation, they clean it up – that's still one. A couple of weeks or a couple of months later they violate again, it may not be the same thing, maybe one time it's grass and one time it is a pile of trash/debris or maybe they are a contractor and they brought six water heaters home from job sites and piled them in the backyard, that's three different situations. Three different violations of the nuisance ordinance and three separate times that you issue a written notice of violation, three notices go out whether they clean it up or the town cleans it up, it doesn't matter. Once those three notices have been issued they can be deemed to be a chronic violator. What this step does is the next calendar year if they commit another violation you send them a notice (either certified mail, first class mail or posted on the property), part of the notice says that this is the one and only notice they are going to get this calendar year, the next time they are in violation no notice is required, the town can just contract with somebody to clean it up. This is really helpful when you have abandoned property and really helpful when you have a chronic violator. This has been in play for a two

or three years now and in most of the jurisdictions that N-Focus works in they have not had to use this, because when they send the first chronic violator notice they don't get any more complaints on their property, because the property owners decide to take care of it, because they know you can come on that property immediately without any warning, because you have already given them the one notice they get that year. The interpretation is that the second year (the year they are a chronic violator) they are not going to get three notices, but the following calendar year you start all over. Every time a violation occurs you have to make sure that it's the same property and the same property owner. If the property is sold, it's a different ballgame; it starts all over again.

- Abatement Procedure – Once a notice has been issued and you have given the property owner the appropriate time for the amount of violations there are (minimum of 10 days), then we have the right to go on the property and clean it up by hiring a contractor who has expertise in that area. Any cost related to that (for example, if we put a contractor on the property to mow it), that fee plus an administrative fee for the time whoever your code officer is, whatever time is involved in researching the property, site visits, writing the notices, etc., that time can also be included in the cost. You would then create a lien notice to include costs for the clean-up, mowing, etc., the administrator's time and police officers if they had to be called for some reason. There is the option of being able to issue civil penalties if the property owner does not bring the property into compliance as required by the notice; after that deadline the civil penalties can be issued at a rate of \$50 per day. Each day the violation continues beyond the deadline would be considered a separate violation, so they could receive \$50 a day consecutively through there. The other stipulation here is the misdemeanor violation under General Statute 14.4.; however, the proposed nuisance ordinance stipulates it will not be a misdemeanor violation; it will be civil penalties, which can be retained by the town. It also allows you to continue to not only issue civil penalties, but also to be able to go on and abate the property. You can utilize both avenues of enforcement and abatement; you can use one or the other or both. The notice of violation is considered the warning citation, which gives the property owner notice they are in violation, it tells them they have a specific number of days in which to get the property cleaned up. At the end of that timeframe, civil citations/penalties can be issued and the clean-up could occur. The owner does have the right to appeal within a 10 day period; after the 10 day period they no longer have a right to appeal. Civil citations are issued, which will state they have 15 days from the date the civil citation was issued to pay that penalty amount and that if they are also required to have it cleaned up by that time or civil penalties can be continued beyond that. Just because they come in and pay one civil citation that may have been issued doesn't mean you can no longer issue civil citations to them. You can continue, you can also go onto the property and abate if you have not already done so, but once you do the abatement you would stop issuing civil citations. If they do not pay the civil citations in the required time the town has a couple of options on how to collect that money. One is through small claims court, which currently has a threshold for a maximum of \$10,000 and the other option is through Debt Setoff.
- Mr. Ganus clarified the timeframe on civil citations. While civil citations aren't mandatory, if one is issued the property owner has 15 days from the issue date shown on the citation to pay it. If the violation exists on day two they are

responsible for another \$50 and on day three they are responsible for another \$50; there is no limit on how many [daily] civil citations are issued as long as the violation exists. Mr. Ganus explained for example he issued one today, they have 15 days from today to pay the first one. If he didn't go back and look at the property for three or four days he wouldn't issue the next group of civil penalties until the time he goes out to look at it and it's still in violation (nothing has changed); he has already issued on, he would then on Tuesday issue one for Friday, Saturday, Sunday, Monday, Tuesday, five more with the date of issue of Tuesday, but each of those citations are the date for the day of violation, but the issue date would all be Tuesday, so those four or five would be due in 15 days from that issue date. Each day the citation is "issued" starts the clock on that citation for 15 days. For example, today is the 8<sup>th</sup>, 15 days would be the 23<sup>rd</sup>, a civil citation is issued tomorrow with the deadline for payment being on the 24<sup>th</sup> for that one. Each citation has a 15 day limit. Mayor Becker commented what the town really wants is for the nuisance to be abated. Mr. Ganus responded that's it, we are not in this to make money, but issuing penalties gets the property owners to comply.

- Mayor Becker asked Ms. Brooks and Attorney Griffin if they had some technical questions or comments. It was noted that Attorney Griffin's comments/suggestions were more comprehensive than actual alterations as he was not trying to change anything. For instance, under Section C would it be 10 days from the date of the letter or receipt. Mr. Ganus clarified the way they do it in their letters is the 10 days is a calculation that the code officer should use, but when the notice of violation goes out the deadline should be a specific date deadline. They will calculate 10 days from the notice, plus add two or three days for mail time depending on the calendar. Mr. Ganus commented that they write that into the letter and he would be happy to give the town a copy of the notice they use; you can tailor it to your needs. If you have a person that gets it who has been on vacation, hospitalized, etc. and returns home to receive the letter and they only have three days until the deadline, what N-Focus has routinely had happen is they will call and say "hey, I got your letter, I want to talk to you about it, but I can tell you I can't make this deadline", so our next question is "well, how soon can you get to it". The property owner says "well, I can get to it over the weekend", or "give me another week and I can guarantee I can have it done". Mr. Ganus would say "it's a done deal, you got your week". They will make a note in the case file: the owner called and we extended it, because again the goal is to get it cleaned up and if they are willing to do it and they need a few more days, then by all means. They give a reasonable reason why they can't and we discuss with them and come up with a verbal agreement and make that adjustment. In some cases they will even send them a follow-up notice that says that the deadline has been extended especially if it's going to be a little bit longer. Councilwoman Critz asked if Mr. Ganus could clarify this in writing for the purpose of clarity. Mr. Ganus agreed to change it; what he will probably write it as is a deadline with a specific date "not to be less than 10 days from the date of notice". Attorney Griffin agreed, otherwise it would leave it to the interpretation of the enforcement person to build in when the 10 days is and is not and from an ordinance standpoint the council needs to be clear. Councilwoman Neill felt it was important to have the outgoing notice have the date mailed. Mr. Ganus explained that N-Focus recommends that on the letterhead you put a date of notice, date of issue at the top of the letter and then the property owner's mailing

address and the information on the property and then the body of the letter with a deadline on there and the right of appeal.

- Attorney Griffin commented that the chronic violator is identified as a person and not the condition on the property and asked if the Statute says it's got to be three violations in a calendar year or if it can be 12 consecutive months. Mr. Ganus responded the language in here [proposed nuisance ordinance] is verbatim out of the Statute; it is a calendar year. For example, if the council adopted this tonight the calendar year starts in 23 days, so you wouldn't be utilizing it now, you would start the clock beginning January 1<sup>st</sup>. Any violations on the property by the same owner on the same property during 2017 would be identified as a chronic violator beginning in 2018 through the calendar year of 2018 and then you start all over again. In 2018, you are sending one notice and then you are abating any multiple times it occurs. Then it starts over again in 2019.
- Ms. Brooks asked if the complaint procedure should be in the resolution. Mr. Ganus responded that was up to the town, but he recommended that the procedure itself not be within the ordinance. It should be a written policy or just the policy of the council. The reasoning for this is if it is written in the ordinance you are locked into it and the only way to change it is to amend the ordinance. If it is a written policy the council can make any necessary changes more easily. Mayor Becker commented that the policy might be adopted simultaneously with the ordinance, but it will be a separate thing.
- Ms. Brooks asked if the council would make it mandatory for them [complainant] to provide their name on the form to file a complaint or could it be an anonymous complaint. This could be in the policy. Mr. Ganus responded that is always a possibility. Councilwoman Critz commented anonymity allows people to do one of two things in her opinion: harass an individual, which we don't want to get in the business of that happening; or to make a legitimate complaint without the fear of retribution. Councilwoman Critz asked Mr. Ganus what he has seen work the best in the situations he has been involved in. Mr. Ganus began by saying the goal of any nuisance ordinance is to clean up the areas that are problem areas, it's not to nail down the foot of who wants to complain. At the same time you want to make sure they are legitimate complaints. As a code officer, when Mr. Ganus is working for a town it's his responsibility to go investigate every complaint whether it is anonymous or a signed letter, they have even gotten them as editorial complaints in the paper. Mr. Ganus recommended the town not make it mandatory to give their name. Mr. Ganus has run into a situation where there was a little old lady that lived by herself (she had lived there forever) and a big scary burly guy moved in next door bringing all of his stuff, his yard was a trash dump and her yard was meticulous. She called and was afraid to give her name, because he would get upset and come in and threaten her like he had already done on one occasion, so she wanted to be anonymous. Mr. Ganus has no problem with that. Whoever the code officer is should go out on every single complaint, look at this list, and look at the property to make the decision whether or not it is a violation. It is the code officer's responsibility to make the determination, not the citizen, because the citizen doesn't know all of this and it's not his or her responsibility to make the determination whether it's a violation or not. Mr. Ganus recommended taking the complaint however it comes in and go out and look.

- Ms. Brooks asked who gets fined – is it the tenant or the property owner. Mr. Ganus responded it could be either or both. A property owner is ultimately responsible for what goes on on his property. When you send out the notice of violation you are going to send it to the property owner, because he is responsible. If you have to do abatement on it the lien goes against the real property, you can't put a lien on real property unless you have issued a notice to the person who owns the property. They have run into times when they have no way of figuring out who the person is that is living there, they never answer the door or they are not home, so Mr. Ganus can't send a notice to the tenant, although he may be able to post one on the house to get him/her to respond, but ultimately if he has to end up abating it he needs to have notified the owner. Sometimes a notice of violation is sent to the owner and he calls and says "hey that's my tenant's stuff, why are you sending me the letter", you would explain to him and tell him you would be more than happy to send the notice to his tenant if he would tell you who he is. Then you issue a new notice to the tenant copying the owner and you are basically establishing a new deadline and you are going after both of them. You can issue penalties against the tenant, because you issued notice to him and you can issue penalties against the landlord, because you issue notice to him. If neither of them is willing to clean it up, you can go onto the property and clean it up and put a lien on the property, because you made all of the proper notifications.
- The following is a wrap-up of the final discussions on the presentation by Mr. Ganus:
  - The property owner would be the one found to be the chronic violator (per property), not the property itself. If the property owner changes three times in a year it (the chronic violator rule) starts over with each property owner.
  - A public hearing to adopt a nuisance ordinance is not required; however, it is recommended so citizens have the opportunity to come and speak. It has been the town's intention all along to conduct a public hearing prior to adopting the proposed nuisance ordinance if the council chooses to move forward with it. In addition to advertising the public hearing in the newspaper, notification will be in the town newsletter and will be on the town website.
  - It would be a good idea to have some questions and answers (FAQ) in the newsletter along with the notice of public hearing.
  - Mr. Ganus will make a change to Section C – adding language for a specific deadline.
  - A complaint will be taken whether it is by telephone, email, petition, written or people coming in the office. The complaints will generally come into Ms. Brooks and then will be turned them over to N-Focus.
  - The newsletter will contain a snippet about the town receiving complaints anonymously and the procedure on how to remain anonymous (i.e. no emails, unsigned letters, no return address), because all information becomes public information.
  - This item will be revisited in January and February.

## 6. **Discussion and Consideration of a Town Sponsored Clean-Up**

- Ms. Brooks reminded the council of the special meeting they had where they had mentioned investigating a town wide cleanup (like Waxhaw does twice a year) and explained she contacted RCS [Garbage Service] who provided the town with an



estimate of the cost. Councilman Countryman commented \$8,600 was ridiculous. Councilwoman Neill responded no, she thought it was good for the whole town. Councilwoman Coffey commented they would have dump fees which are exorbitant. Mayor Becker commented it was a lot of money, it may be fair, but it may be ridiculous for the town to want to spend that. Councilwoman Critz commented she thought the council would want to consider the size of our town and do it only once a year as opposed to twice a year like Waxhaw. Councilwoman Coffey responded once a year would be good and it would be a way to show that we are putting our best effort to help our residents not having to absorb these kinds of costs; therefore they would be more likely to get rid of some of this stuff. This is a good thing for our town to do, especially in light of the proposed discussion on the nuisance ordinance; it would help our town out a lot, because people are on limited income and so forth. Councilwoman Coffey believes it would be an awesome addition to services. Councilman Countryman responded if the town does it then he thought it would be most appropriate in conjunction with any discussion around the nuisance ordinance to really inspire these people. Councilwoman Critz offered the town could have the public hearing on the nuisance ordinance done by February/March and do this in the spring. Councilman Countryman responded what he was saying is that it needs to be communicated at the same time, so that people understand that we are spending a lot of money to do them a favor and give them the help that they may need to get rid of some of this stuff. Councilwoman Critz stated "we are spending their money; this is taxpayer money". Councilman Countryman commented the council was responsible to be good stewards of their money. Councilwoman Critz responded it's another way of providing a benefit to the community.

- Councilwoman Critz asked Ms. Brooks if there was a way that RCS can tell the town how successful this was in comparison to other towns they have done, if Mineral Springs does this concurrently with the adoption of the nuisance ordinance. We would certainly want to know in order to have some way to gauge whether we want to ever do it again. Ms. Brooks responded she was pretty sure he would be able to tell her, because he is probably going to be writing the check for the dump fees, so he will have an idea. Councilwoman Critz asked how many other towns they have done this in. Ms. Brooks responded Waxhaw. Mayor Becker noted Waxhaw has very high taxes to pay for this sort of thing. Ms. Brooks continued that he [Mr. Hudson from RCS] told her they provide garbage service to other towns and to some communities with an HOA. Councilwoman Critz asked if it [the fee] was based on the square footage of the community. Ms. Brooks responded he was familiar with Mineral Springs, because he has lived here all of his life, so he felt he gave a good estimate and knew he was familiar with the town.
- Councilman Countryman asked if the figure was at all negotiable. Ms. Brooks responded she did not ask him that. Councilman Countryman commented to Mayor Becker's point, they do it in Waxhaw because their tax base is dramatically higher than ours; they can more effectively afford to do this. Councilwoman Critz commented he is not charging the same; he's gauged his price according to our square footage and our town. Mayor Becker commented he was sure they charge Waxhaw a whole lot more. Councilman Countryman responded he was sure they do too, but his point is our tax base is a lot smaller and this is a lot of money; is there a possibility that it could be done for any less. Attorney Griffin asked if the

negotiability was on the \$2,400, because the other is going to be whatever is charged at the recycle plant. Mayor Becker explained he had actually estimated they were talking three vehicles for two days with probably two drivers in each vehicle; it's a lot of man hours. Mayor Becker wondered how he can do it for \$2,400. Mayor Becker commented he might be taking a risk and wondered if he was doing an estimate and taking the risk. Is it \$8,600 no matter what the dump fees are? Is he promising us that that is all it is going to be, so if we have a huge turnout and he's got 500 tons of garbage instead of 100, then he loses money? We have to make sure of that. We're going to have to execute a service agreement and approve it at a subsequent meeting if the council decides to go forward with it. Councilman Countryman stated it was a good idea to do, he is not opposed to it, he just thought it would work better in conjunction when it is tied to the nuisance ordinance and the population understands that we are doing this as a benefit to assist them. Mayor Becker asked if the council wanted to direct the clerk to get a formal service agreement from RCS that they can consider and a date or several dates that they could then choose from or do we need to wait until we know when our nuisance ordinance will be adopted. Councilwoman Coffey recommended that the council have Madame Clerk go ahead and get a formalized contract; it doesn't have to be a date to start, but a formalized agreement of what we would be looking at in cost.

- **Councilwoman Coffey** made a **motion** for Madame Clerk to go ahead and get a formalized contract, it doesn't need to have a date to start but a formalized agreement of what we would be looking at in cost and **Councilman Countryman** seconded.

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

- Mayor Becker noted we have still not committed to doing it, but we will review any formal agreement.

#### 7. **Discussion of Non-Profit Funding**

- Mayor Becker noted this item would be discussed at the meeting in January. Councilwoman Coffey added the council was looking to put it off until everyone was present as they did last month; January will be the month everyone should be here.

#### 8. **Consideration of New Banners for Downtown**

- Mayor Becker noted the council had the samples of our present banners from SignPro and samples from Phonic Designs. Ms. Brooks began with answers to questions by Councilwoman Critz at a prior meeting about the current banners. Mr. Rorie from SignPro did not say there was anything that could be done about the fading colors; however, he did look at the possibility of putting them on a canvas, but they could only be one-sided. The lifetime of the current banners is two to three years, because they are on vinyl. Ms. Brooks thought some of the green ones that have turned may have been because of their location. Councilwoman Critz stated she thought the town should hang onto some of the ones that are in better condition, because, we might want to display them randomly at some of our festivals or other things like that; they could go on poles.

- After some discussion, the council agreed to have the old banners put back up after the Christmas lights came down until the Steeplechase banners go up in April. This will give the council three months to make a decision on new banners and it will give them time to investigate the new company Phonic Designs; therefore, this item was tabled.

**9. Consideration of a Resolution to Release Copper Run Roads to NCDOT**

- Mayor Becker asked Ms. Brooks if she was satisfied that our procedure in the subdivision ordinance had been followed. Ms. Brooks responded yes.
- **Councilwoman Coffey** made a **motion** to approve the resolution to release the Copper Run roads to NCDOT and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

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

- The Resolution is as follows:

**TOWN OF MINERAL SPRINGS**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF HIGHWAYS**  
**REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM**  
**R-2016-02**

North Carolina  
County: Union

**Road Description: Crofton Drive (0.57 miles) and Springfield Drive (0.33 miles) in the Copper Run Subdivision in the Town of Mineral Springs in Union County, North Carolina.**

**Road Location: Off of SR3885 (Crofton Drive) at the intersection of SR3884 (Huntcliff Drive), as indicated in yellow on the attached map.**

**WHEREAS**, the attached petition has been filed with the Town Council of the Town of Mineral Springs in the County of Union requesting that the above described road(s), the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

**WHEREAS**, the Town of Mineral Springs Town Council is of the opinion that the above described road(s) should be added to the Secondary Road System, if the road(s) meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System; and

**NOW, THEREFORE**, be it resolved by the Town Council of the Town of Mineral Springs that the Division of Highways is hereby requested to review the above described road(s), and to take over the road(s) for maintenance if it meets established standards and criteria.

**ADOPTED** this 8<sup>th</sup> day of December, 2016.

Attest:

\_\_\_\_\_  
Vicky A. Brooks, CMC, CZO

\_\_\_\_\_  
Frederick Becker, Mayor

## CERTIFICATE

The foregoing resolution was duly adopted by the Town of Mineral Springs Town Council in the County of Union at a meeting on the 8<sup>th</sup> day of December, 2016.

WITNESS my hand and official seal this the \_\_\_\_ day of \_\_\_\_\_, 2016.

Clerk, Town of Mineral Springs

**Official Seal**  
Union County, North Carolina

\_\_\_\_\_  
Vicky A. Brooks

### 10. **Consideration of the 2017 Town Hall Holiday Schedule**

- Mayor Becker explained that the 2017 Holiday Schedule was pretty standard and it looked like the entire Christmas week was being proposed, because of the way it falls. Mayor Becker asked if it worked for everybody; if so was there a motion to adopt the schedule for the next calendar year
- **Councilwoman Critz made a motion to adopt the Holiday Schedule for 2017 and Councilwoman Coffey seconded. The motion passed unanimously as follows:**

*Ayes: Coffey, Countryman, Critz, Cureton and Neill*

*Nays: None*

### 11. **Staff Reports**

- There were no staff reports.

### 12. **Other Business**

- Councilwoman Cureton shared the good news that one of the houses she has been fussing about (the one next door to her) in Western Union Park was sold; one of her neighbors bought it for \$2,000.
- Mayor Becker explained what he knew about the news people [which was the cause of the interruption during the meeting]. The reporter told Mayor Becker there is a notice posted on the Sheriff's Department web page warning people that there have been some break-ins in a few neighborhoods in Mineral Springs in the past week; homes and cars are being broken into. The reporter did not say which neighborhoods it was, but Mayor Becker had previously heard that somebody was spotted in Charlton Oaks. Mayor Becker explained the reporter asked the usual questions: What do you think about this? Mayor Becker responded "well, it's terrible, we hate having criminals in our town". Mayor Becker's recommendation was what he always says in these cases "our police department is the Union County Sheriff's Office, we are glad that they posted this notification on their web page, so our citizens are aware and I will say what Eddie Cathey has told us repeatedly to your viewers, if you see anybody suspicious in your neighborhood, a suspicious vehicle, suspicious person, you call 911". Why do you think they are breaking in – do you think it is drugs? Mayor Becker responded "people do that all the time, it could certainly be drugs, who knows why someone wants to steal something, they just want to steal something". Has this happened before? Mayor Becker responded "my recollection is for that five or six years ago there had been a

similar case where there was a small rash of burglaries, we actually met with the Sheriff's Department, with the Sheriff at that time and that was when he first told us to notify our citizens, you call 911 and I said we have had some neighborhood watches setup, that's always a good thing. We're a close-knit community, people know their neighbors, they know who should be in their neighborhood, if it's a strange person wandering around in backyards, it's time to call 911". Mayor Becker stated it was Channel 36 and maybe the interview would be shown on the 10:00 p.m. news.

13. **Adjournment**

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

Ayes: Coffey, Countryman, Critz, Cureton and Neill

Nays: None

- The meeting was adjourned at 9:20 p.m.
- The next regular meeting will be on Thursday, January 12, 2017 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

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Vicky A. Brooks, CMC, NCCMC, Town Clerk

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Frederick Becker III, Mayor

NOVEMBER 2016  
TOWN OF MINERAL SPRINGS  
PERCENTAGE REPORT

<b>NOVEMBER 30, 2016 REGULAR TAX</b>	<b>2016</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>
BEGINNING CHARGE	60086	62154.4	64,347.58	64,906.19	66,101.06
TAX CHARGE					
PUBLIC UTILITIES	1456.31				
DISCOVERIES					
NON-DISCOVERIES					
ABATEMENTS			(3.63)	(6.04)	(3.63)
<b>TOTAL CHARGE</b>	<b>61,542.31</b>	<b>62,154.40</b>	<b>64,343.95</b>	<b>64,900.15</b>	<b>66,097.43</b>
BEGINNING COLLECTIONS	14581.51	61599.6	64,001.72	64,616.44	65,927.99
COLLECTIONS - TAX	21530.14	47.87	2.03	2.00	4.79
COLLECTIONS - INTEREST	0	4.21	0.08	0.57	1.74
<b>TOTAL COLLECTIONS</b>	<b>36,111.65</b>	<b>61,647.47</b>	<b>64,003.75</b>	<b>64,618.44</b>	<b>65,932.78</b>
BALANCE OUTSTANDING	25,430.66	506.93	340.20	281.71	164.65
<b>PERCENTAGE OF REGULAR</b>	<b>58.68%</b>	<b>99.18%</b>	<b>99.47%</b>	<b>99.57%</b>	<b>99.75%</b>
<b>COLLECTION FEE 1.5 %</b>	<b>322.95</b>	<b>0.78</b>	<b>0.03</b>	<b>0.04</b>	<b>0.10</b>

Mineral Springs Prior Years Property Tax Report  
November 2016

November 30, 2016	2011	2010	2009	2008	2007	2006		
<b>BEGINNING CHARGE</b>	<b>\$64,878.42</b>	<b>\$64,737.60</b>	<b>\$63,911.13</b>	<b>\$65,443.06</b>	<b>\$52,276.82</b>	<b>\$51,397.02</b>		
PUBLIC UTILITIES	\$1,319.20	\$1,251.60	\$1,218.28	\$1,112.42	\$1,056.90	\$779.12		
MINIMAL RELEASES	(\$145.21)	(\$152.88)	(\$157.18)	(\$158.76)	(\$150.55)	(\$50.50)		
DISCOVERIES	\$61.82	\$321.61	\$46.46	\$46.72	\$117.44	\$417.27		
ABATEMENTS (RELEASES)	(\$298.84)	(\$473.88)	(\$136.74)	(\$1,329.47)	(\$62.12)	(\$19.42)		
<b>TOTAL CHARGE</b>	<b>\$65,815.39</b>	<b>\$65,684.05</b>	<b>\$64,881.95</b>	<b>\$65,113.97</b>	<b>\$53,238.49</b>	<b>\$52,523.49</b>		
PREVIOUS COLLECTIONS	\$65,706.36	\$65,582.71	\$64,749.33	\$65,029.89	\$53,184.33	\$52,411.07		
<b>PREVIOUS BALANCE DUE</b>	<b>\$109.03</b>	<b>\$101.34</b>	<b>\$132.62</b>	<b>\$84.08</b>	<b>\$54.16</b>	<b>\$112.42</b>		<b>\$593.65</b>
COLLECTIONS - TAX								\$0.00
COLLECTIONS - INTEREST/FEES								\$0.00
GROSS MONTHLY COLLECTIONS								\$0.00
MISC. ADJUSTMENTS								
<b>TOTAL TAX COLLECTED TO DATE</b>	<b>\$65,706.36</b>	<b>\$65,582.71</b>	<b>\$64,749.33</b>	<b>\$65,029.89</b>	<b>\$53,184.33</b>	<b>\$52,411.07</b>		
<b>BALANCE OUTSTANDING</b>	<b>\$109.03</b>	<b>\$101.34</b>	<b>\$132.62</b>	<b>\$84.08</b>	<b>\$54.16</b>	<b>\$112.42</b>		<b>\$593.65</b>
<b>PERCENTAGE COLLECTED</b>	<b>99.83%</b>	<b>99.85%</b>	<b>99.80%</b>	<b>99.87%</b>	<b>99.90%</b>	<b>99.79%</b>		

# Mineral Springs Unpaid Property Taxes - Real and Personal as of November 30, 2016

Name	Tax Map Number	2011	2010	2009	2008	2007	2006
BOND, CELESTE B	06054063			\$27.92			
BRIDGES JAMES CORBETT	50084062						\$1.84
CAROLINA STREET SUPPLY	50103059		\$6.88				
CAROLINA STREET SUPPLY, SHEPPARD JONATHAN	848391	\$6.88					
CMH CONTRACTING INC	50092570						\$14.85
COOMBER CUSTOM MASONRY LLC	1812652	\$10.44					
CURVES OF MINERAL SPRINGS	50092178						\$8.54
CUSTOM DESIGN CONCRETE	50092179						\$8.54
D'AMICO, JAMES L	06054024	\$27.68	\$27.68	\$27.68			
DUNCAN, ROBERT W	50100863			\$2.63			
ELLIOTT, JAMES EDWARD & MARIO JAMES ELLIOTT &	06060006E	\$24.00	\$24.00	\$24.00	\$24.00	\$10.37	\$10.37
EPIC REALTY GROUP INC	50094704			\$10.46	\$9.10	\$8.54	\$7.43
FATHER & SON PAINTERS	50093623		\$2.41	\$2.09			\$1.53
FATHER & SON PAINTERS	264482	\$2.41					
HERRON ENTERPRISES INC	50071162				\$8.78		
HOWARD, ULYSESS	05033036	\$9.43	\$9.43	\$9.43	\$9.35	\$7.90	\$7.90
MATHENY, VERNA	455325	\$2.22					
MCDOUGALL, SHERRY CARTER	06084001L	\$6.86	\$6.86	\$6.86	\$6.86		
METHENY, VERNA	50094323		\$2.22	\$2.44			\$2.38
R & D MASONRY INC	50092552						\$8.54
REALTY INVESTORS INC	50082898						\$1.02
ROBERTO BONILLA CUSTOM FRAMING	50104497		\$2.75				
WAXHAW ALL TILE	50099231				\$6.88		
WENDY GREENE AND ASSOCIATES	50093112						\$12.13
WILLIAMS, RUTH & HUSBAND J C WILLIAMS	05033179	\$19.11	\$19.11	\$19.11	\$19.11	\$27.35	\$27.35
<b>Total</b>		<b>\$109.03</b>	<b>\$101.34</b>	<b>\$132.62</b>	<b>\$84.08</b>	<b>\$54.16</b>	<b>\$112.42</b>



## **Town of Mineral Springs**

# **FINANCE REPORT NOVEMBER 2016**

Prepared for:

The Mineral Springs Town Council

By:

Frederick Becker III  
Finance Officer

**January 12, 2017**

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# Cash Flow Report FY2016 YTD

7/1/2016 Through 11/30/2016

12/12/2016

Page 1

Category Description	7/1/2016- 11/30/2016
<b>INCOME</b>	
Gross Receipts Tax	842.61
Interest Income	532.69
Other Inc	
Festival 2016	
Misc	87.00
Sponsor	800.00
Vendor	585.00
TOTAL Festival 2016	1,472.00
Gross Receipts	0.00
Zoning	2,865.00
TOTAL Other Inc	4,337.00
Prop Tax 2016	
Receipts 2016	
Tax	14,581.51
TOTAL Receipts 2016	14,581.51
TOTAL Prop Tax 2016	14,581.51
Prop Tax Prior Years	
Prop Tax 2007	
Receipts 2007	
Int	12.43
Tax	7.08
TOTAL Receipts 2007	19.51
TOTAL Prop Tax 2007	19.51
Prop Tax 2008	
Receipts 2008	
Int	24.40
Tax	29.10
TOTAL Receipts 2008	53.50
TOTAL Prop Tax 2008	53.50
Prop Tax 2009	
Receipts 2009	
Int	24.21
Tax	29.10
TOTAL Receipts 2009	53.31
TOTAL Prop Tax 2009	53.31
Prop Tax 2010	
Receipts 2010	
Int	21.07
Tax	29.10
TOTAL Receipts 2010	50.17
TOTAL Prop Tax 2010	50.17
Prop Tax 2011	
Receipts 2011	
Int	19.17
Tax	29.10
TOTAL Receipts 2011	48.27
TOTAL Prop Tax 2011	48.27
Prop Tax 2012	
Receipts 2012	

# Cash Flow Report FY2016 YTD

7/1/2016 Through 11/30/2016

12/12/2016

Page 2

Category Description	7/1/2016- 11/30/2016
Int	3.64
Tax	18.00
<b>TOTAL Receipts 2012</b>	<b>21.64</b>
<b>TOTAL Prop Tax 2012</b>	<b>21.64</b>
Prop Tax 2013	
Receipts 2013	
Int	16.37
Tax	30.56
<b>TOTAL Receipts 2013</b>	<b>46.93</b>
<b>TOTAL Prop Tax 2013</b>	<b>46.93</b>
Prop Tax 2014	
Receipts 2014	
Int	9.53
Tax	113.62
<b>TOTAL Receipts 2014</b>	<b>123.15</b>
<b>TOTAL Prop Tax 2014</b>	<b>123.15</b>
Prop Tax 2015	
Receipts 2015	
Int	16.33
Tax	169.42
<b>TOTAL Receipts 2015</b>	<b>185.75</b>
<b>TOTAL Prop Tax 2015</b>	<b>185.75</b>
<b>TOTAL Prop Tax Prior Years</b>	<b>602.23</b>
Sales Tax	
Sales & Use Dist	5,097.04
<b>TOTAL Sales Tax</b>	<b>5,097.04</b>
Veh Tax	
Int 2016	16.55
Tax 2016	2,431.87
<b>TOTAL Veh Tax</b>	<b>2,448.42</b>
<b>TOTAL INCOME</b>	<b>28,441.50</b>
<b>EXPENSES</b>	
Attorney	2,103.54
Audit	4,620.00
Capital Outlay	
Beautification	2,686.60
Greenway	11,480.00
<b>TOTAL Capital Outlay</b>	<b>14,166.60</b>
Community	
Donation	3,300.00
Greenway	9.50
Maint	1,133.50
Newsletter	
Post	610.45
Printing	1,458.60
<b>TOTAL Newsletter</b>	<b>2,069.05</b>
Parks & Rec	
Park	1,001.12
<b>TOTAL Parks &amp; Rec</b>	<b>1,001.12</b>
Special Events	

# Cash Flow Report FY2016 YTD

7/1/2016 Through 11/30/2016

12/12/2016

Page 3

Category Description	7/1/2016- 11/30/2016
Festival	2,450.90
TOTAL Special Events	2,450.90
TOTAL Community	9,964.07
Emp	
Benefits	
Dental	296.00
Life	208.32
NCLGERS	4,748.30
Vision	42.00
TOTAL Benefits	5,294.62
Bond	550.00
FICA	
Med	680.60
Soc Sec	2,910.11
TOTAL FICA	3,590.71
Payroll	615.95
Work Comp	1,681.61
TOTAL Emp	11,732.89
Office	
Bank	15.00
Clerk	14,250.00
Council	3,000.00
Deputy Clerk	3,836.36
Dues	4,974.00
Equip	1,984.54
Finance Officer	
Park Maint	1,315.00
Regular	11,850.00
TOTAL Finance Officer	13,165.00
Ins	3,307.64
Maint	
Materials	407.90
Service	3,478.24
TOTAL Maint	3,886.14
Mayor	2,000.00
Misc	128.10
Post	10.88
Records	4,350.00
Supplies	1,471.27
Tel	3,659.43
Util	1,231.54
TOTAL Office	61,269.90
Planning	
Administration	
Contract	1,117.91
Salaries	12,320.00
TOTAL Administration	13,437.91
Misc	939.06
Ordinance Changes	352.00
TOTAL Planning	14,728.97
Street Lighting	564.99

# Cash Flow Report FY2016 YTD

7/1/2016 Through 11/30/2016

12/12/2016

Page 4

Category Description	7/1/2016- 11/30/2016
Tax Coll	
Contract	292.37
Sal	750.00
TOTAL Tax Coll	1,042.37
Training	
Officials	141.42
Staff	95.00
TOTAL Training	236.42
Travel	351.65
<b>TOTAL EXPENSES</b>	<b>120,781.40</b>
<b>TRANSFERS</b>	
FROM MM Sav ParkSterling	30,000.00
TO Check Min Spgs	-30,000.00
TO Downtown Park Capital Project Fund	-827.76
<b>TOTAL TRANSFERS</b>	<b>-827.76</b>
<b>OVERALL TOTAL</b>	<b>-93,167.66</b>

# Account Balances History Report

(Includes unrealized gains)

As of 11/30/2016

1/3/2017

Page 1

Account	6/29/2016 Balance	6/30/2016 Balance	7/31/2016 Balance	8/31/2016 Balance
<b>ASSETS</b>				
<b>Cash and Bank Accounts</b>				
Check Min Spgs	33,915.89	33,952.73	20,896.71	13,103.41
McNeely Farms Escrow	0.00	21,195.02	21,195.92	21,196.82
MM Sav ParkSterling	525,465.96	525,573.65	505,683.99	495,790.95
NCCMT_Cash	2,241.44	2,242.05	2,242.65	2,243.15
<b>TOTAL Cash and Bank Accounts</b>	<b>561,623.29</b>	<b>582,963.45</b>	<b>550,019.27</b>	<b>532,334.33</b>
<b>Other Assets</b>				
State Revenues Receivable	0.00	61,476.90	58,819.30	57,190.21
<b>TOTAL Other Assets</b>	<b>0.00</b>	<b>61,476.90</b>	<b>58,819.30</b>	<b>57,190.21</b>
<b>TOTAL ASSETS</b>	<b>561,623.29</b>	<b>644,440.35</b>	<b>608,838.57</b>	<b>589,524.54</b>
<b>LIABILITIES</b>				
<b>Other Liabilities</b>				
Accounts Payable	692.76	4,318.90	2,190.76	692.76
Escrows	0.00	21,195.00	21,195.00	21,195.00
<b>TOTAL Other Liabilities</b>	<b>692.76</b>	<b>25,513.90</b>	<b>23,385.76</b>	<b>21,887.76</b>
<b>TOTAL LIABILITIES</b>	<b>692.76</b>	<b>25,513.90</b>	<b>23,385.76</b>	<b>21,887.76</b>
<b>OVERALL TOTAL</b>	<b>560,930.53</b>	<b>618,926.45</b>	<b>585,452.81</b>	<b>567,636.78</b>

# Account Balances History Report

(Includes unrealized gains)

As of 11/30/2016

1/3/2017

Page 2

9/30/2016 Balance	10/31/2016 Balance	11/30/2016 Balance
47,295.27	38,215.59	28,103.14
21,197.70	21,198.60	21,199.47
495,892.55	495,997.57	496,099.22
2,243.63	2,244.18	2,244.72
<b>566,629.15</b>	<b>557,655.94</b>	<b>547,646.55</b>
0.00	0.00	0.00
<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>566,629.15</b>	<b>557,655.94</b>	<b>547,646.55</b>
692.76	692.76	692.76
21,195.00	21,195.00	21,195.00
<b>21,887.76</b>	<b>21,887.76</b>	<b>21,887.76</b>
<b>21,887.76</b>	<b>21,887.76</b>	<b>21,887.76</b>
<b>544,741.39</b>	<b>535,768.18</b>	<b>525,758.79</b>



Mineral Springs Monthly Revenue Summary 2016-2017

TOWN OF MINERAL SPRINGS									
REVENUE SUMMARY 2016-2017									
Source	Budget	Receivable	Rec'd YTD	% of Budget	July	August	September	October	November
Property Tax - prior	\$ 2,400.00	\$ 1,797.77	\$ 602.23	25.1%	\$ -	\$ 388.09	\$ 129.98	\$ 53.50	\$ 30.66
Property Tax - 2016	\$ 61,395.00	\$ 46,813.49	\$ 14,581.51	23.8%	\$ -	\$ 70.85	\$ 2,148.57	\$ 3,731.72	\$ 8,630.37
Dupl. Property Tax	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance Approp.	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Gross Receipts Tax	\$ 960.00	\$ 117.39	\$ 842.61	87.8%	\$ -	\$ 234.10	\$ 242.91	\$ 222.34	\$ 143.26
Interest	\$ 1,200.00	\$ 667.31	\$ 532.69	44.4%	\$ 111.84	\$ 108.36	\$ 102.96	\$ 106.47	\$ 103.06
Sales Tax - Electric	\$ 205,000.00	\$ 205,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
Sales Tax - Sales & Use	\$ 20,200.00	\$ 15,102.96	\$ 5,097.04	25.2%	\$ -	\$ -	\$ 1,734.82	\$ 1,623.52	\$ 1,738.70
Sales Tax - Other Util.	\$ 25,000.00	\$ 25,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
Vehicle Taxes	\$ 5,990.00	\$ 3,541.58	\$ 2,448.42	40.9%	\$ -	\$ 583.73	\$ 631.99	\$ 690.55	\$ 542.15
Zoning Fees	\$ 4,000.00	\$ 1,135.00	\$ 2,865.00	71.6%	\$ 225.00	\$ 800.00	\$ 1,240.00	\$ 250.00	\$ 350.00
Other	\$ 2,000.00	\$ 528.00	\$ 1,472.00	73.6%	\$ 635.00	\$ 555.00	\$ 282.00	\$ -	\$ -
<b>Totals</b>	<b>\$ 328,145.00</b>	<b>\$ 299,703.50</b>	<b>\$ 28,441.50</b>	<b>8.7%</b>	<b>\$ 971.84</b>	<b>\$ 2,740.13</b>	<b>\$ 6,513.23</b>	<b>\$ 6,678.10</b>	<b>\$ 11,538.20</b>
	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>June a/r</b>	
Property Tax - prior									
Property Tax - 2016									
Dupl. Property Tax									
Fund Balance Approp.									
Gross Receipts Tax									
Interest									
Sales Tax - Electric									
Sales Tax - Sales & Use									
Sales Tax - Other Util.									
Vehicle Taxes									
Zoning Fees									
Other									
<b>Totals</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Mineral Springs Budget Comparison 2016-2017

TOWN OF MINERAL SPRINGS									
BUDGET COMPARISON 2016-2017									
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	\$ 7,496.46	\$ 2,103.54	21.9%	\$ 300.00	\$ 300.00	\$ 903.54	\$ 300.00	\$ 300.00
Audit	\$ 4,770.00	\$ 150.00	\$ 4,620.00	96.9%	\$ -	\$ -	\$ -	\$ -	\$ 4,620.00
Community Projects	\$ 31,200.00	\$ 21,235.93	\$ 9,964.07	31.9%	\$ 2,500.66	\$ 1,170.34	\$ 4,173.63	\$ 1,370.79	\$ 748.65
Contingency	\$ 3,000.00	\$ 3,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
Employee Overhead	\$ 26,500.00	\$ 14,767.11	\$ 11,732.89	44.3%	\$ 4,086.61	\$ 1,945.16	\$ 1,924.34	\$ 1,860.78	\$ 1,916.00
Elections	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Fire Protection	\$ 12,000.00	\$ 12,000.00	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
Office & Administrative	\$ 136,346.00	\$ 75,076.10	\$ 61,269.90	44.9%	\$ 23,025.21	\$ 9,900.47	\$ 9,852.68	\$ 9,173.91	\$ 9,317.63
Planning & Zoning	\$ 49,568.00	\$ 34,839.03	\$ 14,728.97	29.7%	\$ 2,923.00	\$ 2,866.87	\$ 2,541.19	\$ 2,464.00	\$ 3,933.91
Street Lighting	\$ 2,000.00	\$ 1,435.01	\$ 564.99	28.2%	\$ -	\$ 143.26	\$ -	\$ 283.21	\$ 138.52
Tax Collection	\$ 3,450.00	\$ 2,407.63	\$ 1,042.37	30.2%	\$ 150.00	\$ 170.70	\$ 197.72	\$ 223.62	\$ 300.33
Training	\$ 3,000.00	\$ 2,763.58	\$ 236.42	7.9%	\$ -	\$ 125.00	\$ -	\$ 95.00	\$ 16.42
Travel	\$ 3,600.00	\$ 3,248.35	\$ 351.65	9.8%	\$ -	\$ -	\$ 95.52	\$ -	\$ 256.13
Capital Outlay	\$ 41,311.00	\$ 27,144.40	\$ 14,166.60	34.3%	\$ 1,460.00	\$ 3,106.60	\$ 9,720.00	\$ (120.00)	\$ -
<b>Totals</b>	<b>\$ 328,145.00</b>	<b>\$ 207,363.60</b>	<b>\$ 120,781.40</b>	<b>36.8%</b>	<b>\$ 34,445.48</b>	<b>\$ 19,728.40</b>	<b>\$ 29,408.62</b>	<b>\$ 15,651.31</b>	<b>\$ 21,547.59</b>
<b>Off Budget:</b>									
Tax Refunds			\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
Interfund Transfers			\$ 827.76		\$ -	\$ 827.76	\$ -	\$ -	\$ -
<b>Total Off Budget:</b>			<b>\$ 827.76</b>		<b>\$ -</b>	<b>\$ 827.76</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

# November 2016 Cash Flow Report

11/1/2016 Through 11/30/2016

12/12/2016

Page 1

Category Description	11/1/2016- 11/30/2016
<b>INCOME</b>	
Gross Receipts Tax	143.26
Interest Income	103.06
Other Inc	
Zoning	350.00
TOTAL Other Inc	350.00
Prop Tax 2016	
Receipts 2016	
Tax	8,630.37
TOTAL Receipts 2016	8,630.37
TOTAL Prop Tax 2016	8,630.37
Prop Tax Prior Years	
Prop Tax 2012	
Receipts 2012	
Int	0.00
Tax	0.00
TOTAL Receipts 2012	0.00
TOTAL Prop Tax 2012	0.00
Prop Tax 2013	
Receipts 2013	
Int	8.57
Tax	0.00
TOTAL Receipts 2013	8.57
TOTAL Prop Tax 2013	8.57
Prop Tax 2014	
Receipts 2014	
Int	0.29
Tax	10.74
TOTAL Receipts 2014	11.03
TOTAL Prop Tax 2014	11.03
Prop Tax 2015	
Receipts 2015	
Int	3.08
Tax	7.98
TOTAL Receipts 2015	11.06
TOTAL Prop Tax 2015	11.06
TOTAL Prop Tax Prior Years	30.66
Sales Tax	
Sales & Use Dist	1,738.70
TOTAL Sales Tax	1,738.70
Veh Tax	
Int 2016	4.86
Tax 2016	537.29
TOTAL Veh Tax	542.15
<b>TOTAL INCOME</b>	<b>11,538.20</b>
<b>EXPENSES</b>	
Attorney	300.00
Audit	4,620.00
Community	

# November 2016 Cash Flow Report

11/1/2016 Through 11/30/2016

12/12/2016

Page 2

Category Description	11/1/2016- 11/30/2016
Maint	533.50
Parks & Rec	
Park	215.15
TOTAL Parks & Rec	215.15
TOTAL Community	748.65
Emp	
Benefits	
Dental	74.00
Life	52.08
NCLGERS	949.66
Vision	14.00
TOTAL Benefits	1,089.74
FICA	
Med	133.87
Soc Sec	572.40
TOTAL FICA	706.27
Payroll	119.99
TOTAL Emp	1,916.00
Office	
Bank	3.00
Clerk	2,850.00
Council	600.00
Deputy Clerk	612.14
Dues	67.00
Finance Officer	
Park Maint	263.00
Regular	2,370.00
TOTAL Finance Officer	2,633.00
Maint	
Service	805.00
TOTAL Maint	805.00
Mayor	400.00
Supplies	616.12
Tel	415.78
Util	315.59
TOTAL Office	9,317.63
Planning	
Administration	
Contract	1,117.91
Salaries	2,464.00
TOTAL Administration	3,581.91
Ordinance Changes	352.00
TOTAL Planning	3,933.91
Street Lighting	138.52
Tax Coll	
Contract	150.33
Sal	150.00
TOTAL Tax Coll	300.33
Training	
Officials	16.42
TOTAL Training	16.42

# November 2016 Cash Flow Report

11/1/2016 Through 11/30/2016

12/12/2016

Page 3

Category Description	11/1/2016- 11/30/2016
Travel	256.13
<b>TOTAL EXPENSES</b>	<b>21,547.59</b>
<b>OVERALL TOTAL</b>	<b>-10,009.39</b>

# Register Report

11/1/2016 Through 11/30/2016

1/3/2017

Page 1

Date	Num	Description	Memo	Category	Amount
11/1/2016	EFT	Debit Card (EventBrite)	Thread Trail Forum (...	Training:Officials	-16.42
11/8/2016	4948	Union County Accoun...	Urban Forester Contr...	Planning:Administration:Contract	-1,117.91
11/8/2016	494...	Municipal Insurance ...	11/16	Emp:Benefits:Life	-52.08
			11/16	Emp:Benefits:Dental	-74.00
			11/16	Emp:Benefits:Vision	-14.00
11/8/2016	4950	Clark, Griffin & McCol...	I/N 5671 11/16 (FY20...	Attorney	-300.00
11/8/2016	4951	Xerox Corporation	I/N 086705368 (FY20...	Office:Supplies	-49.94
11/8/2016	4952	Taylor & Sons Mowin...	I/N 011 11/16 (FY2016)	Office:Maint:Service	-415.00
11/8/2016	4953	R.C.S., Inc.	I/N 89286 Park Restr...	Community:Parks & Rec:Park	-200.00
11/8/2016	4954	Heritage Propane	I/N 3057517482 (FY2...	Office:Util	-147.42
11/8/2016	4955	Union County Public ...	84361*00 (FY2016)	Office:Util	-23.31
11/8/2016	4956	Union County Public ...	91052*00 (FY2016)	Community:Parks & Rec:Park	-15.15
11/8/2016	4957	NC Association Of M...	I/N I00005176 Dues ...	Office:Dues	-67.00
11/8/2016	4958	Jan-Pro Cleaning Sys...	I/N 44878 Janitorial (...	Office:Maint:Service	-195.00
11/8/2016	EFT	Yadkin Bank	Service Charge (Che...	Office:Bank	-3.00
11/10/2016	4959	Kendra Gangal CPA, ...	I/N 832 Audit Pmt #1 ...	Audit	-2,772.00
11/11/2016	EFT	Debit Card (AOL)	AOL Troubleshooting ...	Office:Tel	-7.99
11/14/2016	EFT...	Union County	10/16	Gross Receipts Tax	143.26
			10/16	Prop Tax 2016:Receipts 2016:Tax	8,630.37
			10/16	Prop Tax Prior Years:Prop Tax 2015:Recei...	3.08
			10/16	Prop Tax Prior Years:Prop Tax 2015:Recei...	7.98
			10/16	Prop Tax Prior Years:Prop Tax 2014:Recei...	0.29
			10/16	Prop Tax Prior Years:Prop Tax 2014:Recei...	10.74
			10/16	Prop Tax Prior Years:Prop Tax 2013:Recei...	8.57
			10/16	Prop Tax Prior Years:Prop Tax 2013:Recei...	0.00
			10/16	Prop Tax Prior Years:Prop Tax 2012:Recei...	0.00
			10/16	Prop Tax Prior Years:Prop Tax 2012:Recei...	0.00
			10/16	Tax Coll:Contract	-129.93
11/14/2016	EFT	Point And Pay	Zoning Permit 06057...	Other Inc:Zoning	50.00
11/15/2016	4960	N-Focus Planning & ...	Nuisance Ordinance ...	Planning:Ordinance Changes	-352.00
11/15/2016	4961	Duke Power	1819573779 (Old Sch...	Office:Util	-25.23
11/15/2016	4962	Duke Power	1803784140 (FY2016)	Office:Util	-119.63
11/15/2016	4963	Duke Power	2035221941 (FY2016)	Street Lighting	-138.52
11/15/2016	DEP	Deposit	#524g (FY2016)	Other Inc:Zoning	250.00
11/15/2016	EFT	NC Department of Re...	09/16 (FY2016)	Sales Tax:Sales & Use Dist	1,738.70
11/17/2016	EFT	Deluxe Business Che...	Check forms (FY2016)	Office:Supplies	-306.06
11/21/2016	4964	Sign Pro	I/N 11628 Christmas ...	Community:Maint	-533.50
11/21/2016	4965	Forms & Supply, Inc.	I/N 3931193-0 (FY20...	Office:Supplies	-202.50
11/21/2016	4966	Windstream	061348611 (FY2016)	Office:Tel	-299.51
11/21/2016	EFT...	Union County	Oct 2016	Veh Tax:Tax 2016	540.02
			Oct 2016	Veh Tax:Int 2016	4.86
			Refunds Sept	Veh Tax:Tax 2016	-2.73
			Oct 2016	Tax Coll:Contract	-20.40
11/29/2016	EFT	Debit Card (Office De...	Paper (FY2016)	Office:Supplies	-57.62
11/29/2016	EFT...	Paychex	Salary 11/16	Office:Clerk	-2,679.00
			Supplement 11/16	Office:Clerk	0.00
			Hours 11/16	Office:Deputy Clerk	-612.14
			Salary 11/16	Office:Finance Officer:Regular	-2,227.80
			Salary 11/16	Office:Finance Officer:Park Maint	-247.22
			Salary 11/16	Office:Mayor	-400.00
			Salary 11/16	Office:Council	-600.00

# Register Report

11/1/2016 Through 11/30/2016

1/3/2017

Page 2

Date	Num	Description	Memo	Category	Amount
			Salary 11/16	Planning:Administration:Salaries	-2,316.16
			Salary 11/16	Tax Coll:Sal	-150.00
				Emp:FICA:Soc Sec	-572.40
				Emp:FICA:Med	-133.87
11/29/2016	EFT...	NC State Treasurer	11/16 LGERS contrib...	Office:Clerk	-171.00
			11/16 LGERS contrib...	Office:Finance Officer:Regular	-142.20
			11/16 LGERS contrib...	Office:Finance Officer:Park Maint	-15.78
			11/16 LGERS contrib...	Planning:Administration:Salaries	-147.84
			11/16 employer contri...	Emp:Benefits:NCLGERS	-949.66
11/29/2016	4967	Frederick Becker III	6/16 - 7/16 reimburse...	Travel	-139.86
11/29/2016	4968	Kendra Gangal CPA, ...	I/N 835 Audit Pmt #2 ...	Audit	-1,848.00
11/29/2016	4969	Verizon Wireless	221474588-00001 (F...	Office:Tel	-108.28
11/29/2016	4970	Jan-Pro Cleaning Sys...	I/N 45543 Janitorial (...	Office:Maint:Service	-195.00
11/29/2016	4971	Vicky A Brooks	Mileage reimburseme...	Travel	-116.27
11/29/2016	DEP	Deposit	#524h (FY2016)	Other Inc:Zoning	50.00
11/30/2016	EFT	Paychex Fees	11/16 (FY2016)	Emp:Payroll	-119.99
<b>TOTAL 11/1/2016 - 11/30/2016</b>					<b>-10,112.45</b>
<b>TOTAL INFLOWS</b>					<b>11,437.87</b>
<b>TOTAL OUTFLOWS</b>					<b>-21,550.32</b>
<b>NET TOTAL</b>					<b>-10,112.45</b>

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November 2016

Revenue Details

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## NC Sales & Use Distribution

Sept 2016 Collections

Summary

MUNICIPALITY	ARTICLE 39	ARTICLE 40	ARTICLE 42	ARTICLE 43	ARTICLE 44	ART 44 *524	ARTICLE 45	ARTICLE 46	CITY HH	TOTAL
<b>UNION (AD VALOREM)</b>	1,607,248.81	1,087,182.40	847,969.46	-	18.39	252,960.57	-	-	(235,584.07)	3,559,795.56
FAIRVIEW	693.16	468.86	365.70	-	0.01	109.09	-	-	481.72	2,118.54
HEMBY BRIDGE	-	-	-	-	-	-	-	-	-	-
INDIAN TRAIL	58,174.09	39,350.37	30,692.10	-	0.66	9,155.86	-	-	40,429.55	177,802.63
LAKE PARK	5,301.23	3,585.88	2,796.88	-	0.06	834.35	-	-	3,684.22	16,202.62
MARSHVILLE	7,233.74	4,893.08	3,816.45	-	0.08	1,138.50	-	-	5,027.27	22,109.12
MARVIN	4,553.30	3,079.97	2,402.28	-	0.05	716.63	-	-	3,164.44	13,916.67
<b>MINERAL SPRINGS</b>	<b>568.87</b>	<b>384.80</b>	<b>300.14</b>	<b>-</b>	<b>0.01</b>	<b>89.53</b>	<b>-</b>	<b>-</b>	<b>395.35</b>	<b>1,738.70</b>
MINT HILL *	38.78	26.23	20.46	-	-	6.10	-	-	26.95	118.52
MONROE	167,368.45	113,212.12	88,302.04	-	1.91	26,341.67	-	-	116,316.92	511,543.11
STALLINGS *	30,771.39	20,814.52	16,234.70	-	0.35	4,843.03	-	-	21,385.36	94,049.35
UNIONVILLE	863.61	584.17	455.64	-	0.01	135.92	-	-	600.19	2,639.54
WAXHAW	48,494.75	32,803.04	25,585.38	-	0.55	7,632.46	-	-	33,702.65	148,218.83
WEDDINGTON *	9,014.00	6,097.29	4,755.70	-	0.10	1,418.69	-	-	6,264.50	27,550.28
WESLEY CHAPEL	1,303.52	881.73	687.73	-	0.01	205.16	-	-	905.93	3,984.08
WINGATE	4,603.07	3,113.63	2,428.54	-	0.05	724.46	-	-	3,199.02	14,068.77
<b>TOTAL</b>	<b>1,946,230.77</b>	<b>1,316,478.09</b>	<b>1,026,813.20</b>	<b>-</b>	<b>22.24</b>	<b>306,312.02</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,595,856.32</b>

DATE 10/31/16  
 TIME 11:45:58  
 USER PHH

PAGE 29  
 PROG# CL2138

UNION COUNTY  
 COLLECTIONS BY RGCD/REV UNIT/YR-DATE RANGE  
 DEPOSIT DATE RANGE: 10/01/2016 THRU 10/31/2016  
 REPORT GROUP: 100 REAL AND PERSONAL  
 REVENUE UNIT: 990 TOWN OF MINERAL SPRINGS

YEAR	TAXES & MISC. CHARGES	LATE LIST	INTEREST	TOTAL COLLECTED	COMMISSION	NET OF COMMISSION
2013			8.57	8.57	.13	8.44
2014	10.74		.29	11.03	.17	10.86
2015	7.98		3.08	11.06	.17	10.89
2016	8,629.37	1.00		8,630.37	129.46	8,500.91
TOTAL	8,648.09	1.00	11.94	8,661.03	129.93	8,531.10

Invoice Date	Invoice Number	Description	Invoice Amount
10/31/2016	1704VEHGR	OCT 2016 GROSS VEH RENTAL RECE	\$143.26
10/31/2016	100.1-16/10	Tax/Fee/Int - OCT16	\$8,531.10
Vendor No.			Check No.
10870			00047946
Vendor Name			Check Date
TOWN OF MINERAL SPRINGS			11/14/2016
			Check Amount
			8,674.36



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

Vendor Number    Check Date    Check Number  
 10870            11/14/2016    00047946

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

**\$8,674.36**

Pay Eight Thousand Six Hundred Seventy Four Dollars and 36 cents \*\*\*\*\*

To The            TOWN OF MINERAL SPRINGS  
 Order Of        PO BOX 600  
                      MINERAL SPRINGS NC 28108

**EFT COPY  
 NON-NEGOTIABLE**

AP



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

10870  
 00047946

**ADDRESS SERVICE REQUESTED**

TOWN OF MINERAL SPRINGS  
 PO BOX 600  
 MINERAL SPRINGS NC 28108

Invoice Date	Invoice Number	Description	Invoice Amount
11/17/2016	1704 NCVTS	SEPT 2016 NCVTS REFUNDS	-\$2.73
11/17/2016	VTFN1610-1	Cash Recvd NCVTS OCT/16	\$524.48

Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
10870	TOWN OF MINERAL SPRINGS	00048012	11/21/2016	521.75



**County of Union**

500 North Main Street  
 Monroe, North Carolina 28112

Vendor Number    Check Date    Check Number  
 10870            11/21/2016    00048012

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

**\$521.75**

Pay Five Hundred Twenty One Dollars and 75 cents \*\*\*\*\*

To The            TOWN OF MINERAL SPRINGS  
 Order Of        PO BOX 600  
                      MINERAL SPRINGS NC 28108

**EFT COPY  
 NON-NEGOTIABLE**

AP



**County of Union**

500 North Main Street  
 Monroe, North Carolina 28112

10870  
 00048012

**ADDRESS SERVICE REQUESTED**

TOWN OF MINERAL SPRINGS  
 PO BOX 600  
 MINERAL SPRINGS NC 28108

MINERAL SPRINGS

Jurisdiction # 990

Vendor: **10870-0** Invoice#: 1704-NCVTS  
Description: NCVTS Refunds for the months of September  
Invoice Date: 10/17/2016  
Due Date: 11/15/2016  
Acct# 78 - 220355

	\$	(2.73)
	\$	(2.73)

batch 42716

NCVTS A/P Receipt Distribution For the month ending: 10/31/2016

R/G M/I	Entity	VndNo-R	Inv No	Tax&Fee Amt	IntOnly Amt	Com Cst	Net Amt	Sts
400 001	Union County	0-0		570,911.61	4,546.02	21,470.72	553,986.91	No Chk
400 011	Countywide Fire Tax	0-0		53,469.75	403.30	2,010.85	51,862.20	No Chk
400 012	Countywide EMS Tax	0-0		9,755.69	73.59	366.74	9,462.54	No Chk
400 015	Springs Fire Tax	0-0		4,867.12	30.83	184.88	4,713.07	No Chk
400 020	Stallings Fire Tax	0-0		9,658.46	76.84	366.21	9,369.09	No Chk
400 023	Hemby Bridge Fire Tax	0-0		12,537.75	109.68	438.32	12,170.87	No Chk
400 028	Wesley Chapel Fire Tax	0-0		11,359.51	88.55	438.32	11,009.74	No Chk
400 028	Waxhaw Fire Tax	0-0		6,813.02	57.71	261.03	6,609.70	No Chk
400 101	Village of Marvin	0-0		4,443.30	24.50	170.60	4,297.20	No Chk
400 200	City of Monroe	1832-	VTFN1610-1	171,742.67	923.71	4,687.54	167,978.84	No Chk
400 222	Monroe Downtown Service District	103-7	VTFN1610-1	86.72	.87	3.29	84.30	No Chk
400 300	Town of Wingate	4064-	VTFN1610-1	4,628.97	34.21	174.42	4,488.76	No Chk
400 400	Town of Marshville	5861-	VTFN1610-1	7,422.32	69.50	260.72	7,231.10	No Chk
400 500	Town of Waxhaw	8268-	VTFN1610-1	54,136.73	442.15	2,088.47	52,490.41	No Chk
400 600	Town of Indian Trail	2924-	VTFN1610-1	64,489.19	490.34	2,431.93	62,547.60	No Chk
400 700	Town of Stallings	4860-2	VTFN1610-1	30,036.99	231.25	1,140.72	29,127.52	No Chk
400 800	Town of Weddington	7518-	VTFN1610-1	8,266.27	62.76	317.82	8,011.21	No Chk
400 900	Village of Lake Park	1833-	VTFN1610-1	7,747.42	69.45	297.34	7,519.53	No Chk
400 930	Town of Fairview	19458-	VTFN1610-1	660.10	6.67	24.41	642.36	No Chk
400 970	Village of Wesley Chapel	9262-	VTFN1610-1	1,220.64	9.15	47.23	1,182.56	No Chk
400 980	Town of Unionville	11530-	VTFN1610-1	1,087.13	6.62	40.87	1,052.88	No Chk
400 990	Town of Mineral Springs	10870-	VTFN1610-1	540.02	4.86	20.40	524.48	No Chk
400 999	Schools	0-0		930,659.94	7,086.47	34,993.05	902,753.36	No Chk

Interest Amount	User Keyed Amounts
1,036.46	
56,049.69	
16,224.43	
.00	
347,178.75	
1,561,937.48	
.00	
72,274.12	
1,909,116.23	

A/P Totals	NO A/P Totals	Refund Totals	Grand Totals
356,508.47	1,610,032.85	.00	1,966,541.32
12,472.99			14,849.03
			72,274.12
			1,909,116.23

--- E N D ---



**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE ENACTING THE REGULATION OF  
PUBLIC NUISANCE CONDITIONS, PRIVATE PROPERTY  
THE TOWN OF MINERAL SPRINGS**

**WHEREAS**, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

**WHEREAS**, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-193, authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

**WHEREAS**, the Town Council of the Town of Mineral Springs finds that it is in the public interest to enact an Ordinance to establish requirements for regulating Public Nuisance Conditions; and

**WHEREAS**, the Town Council of the Town of Mineral Springs, after due notice, conducted a public hearing on the \_\_\_\_\_ day of \_\_\_\_\_ 2017, upon the question of enacting this ordinance in this respect.

**THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MINERAL SPRINGS, NORTH CAROLINA:**

**PART ONE.** That an Ordinance entitled “Public Nuisance Conditions, Private Property”, of the Town of Mineral Springs, North Carolina, is hereby written and enacted to read as follows:

**“PUBLIC NUISANCE CONDITIONS, PRIVATE PROPERTY**

**Section (A) Administration.**

For the purpose of this Ordinance, the term "nuisance" shall mean or refer to any condition or any use of property or any act or omission affecting the condition or use of property which threatens or is likely to threaten the safety of the public; adversely affects the general health, happiness, security or welfare of others; or, is detrimental to the rights of others to the full use of their own property and their own comfort, happiness and emotional stability because of decreased property values and the unsightliness and decreased livability of neighborhoods.

**Section (B) Declaration of Public Nuisance**

The following enumerated and described conditions, or any combination thereof, are hereby found, deemed, and declared to constitute a detriment, danger and hazard to the health, safety, morals and general welfare of the inhabitants of the Town. They are hereby found, deemed and declared to be public nuisances wherever the conditions may exist within the corporate limits as

now or hereafter established. The creation, maintenance or failure to abate any nuisances is hereby declared unlawful:

1. Any accumulation of trash, garbage, food waste and other trash which is the result of the absence of, or overflowing of, or improperly closed trash or garbage containers, that attracts or is likely to attract mice & rats, flies & mosquitoes or other pests.
2. An open place, collection, storage place or concentration of combustible items such as mattresses, boxes, paper, automobile tires & tubes, garbage, trash, refuse, brush, old clothes, rags or any other combustible materials collection, which are threatening to cause a fire hazard.
3. Any weeds or other vegetation having an overall height of more than twenty-four (24) inches above the surrounding ground, provided that the following shall not be considered to be a part of this condition: trees and ornamental shrubs; cultured plants; natural vegetation on undeveloped property that is not a threat to the character of surrounding properties; and flowers and growing & producing vegetable plants, including hay production.
4. An open storage place for old worn out, broken or discarded machinery, car parts, junk, tire rims, furniture, stoves, refrigerators, appliances, cans & containers, household goods, plumbing or electrical fixtures, old rusty metal, fencing materials or other similar materials.
5. A collection place for lumber, bricks, blocks, nails, building hardware, roofing materials, scaffolding, masonry materials, electrical supplies or materials, plumbing supplies or materials, heating & air conditioning supplies or materials or any other type of old or unusable building supplies (especially those with nails, staples or sharp objects and edges) unless such conditions are temporary in nature and caused by a current construction project in progress pursuant to a lawfully issued building permit. Exception: In any case where the conditions identified in this subsection are located in the rear yard and entirely concealed from public view from a public street and/or abutting premises by an acceptable barrier such as a wall, a privacy fence, or vegetative barrier providing for complete concealment of the conditions and where such conditions do not cause further violation of any other subsection as described herein Section (B). Further, the storage of such materials, supplies, equipment, and similar items inside a completely enclosed building will not be considered in violation of this ordinance. The Code Administrator shall have the authority to determine whether such concealment is adequate as required by this provision.
6. Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the Code Administrator or his designee can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.
7. Nuisance vehicle: A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
  - a) A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or

- b) A point of heavy growth of weeds or other noxious vegetation which exceeds twenty-four (24) inches in height; or
- c) In a condition allowing the collection of pools or ponds of water; or
- d) A concentration of quantities of gasoline, oil, or other flammable or explosive materials as evidenced by odor; or
- e) An area of confinement which cannot be operated from the inside, such as, but not limited to, trunks or hoods; or
- f) So situated or located that there is a danger of it falling or turning over; or
- g) A collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind; or
- h) One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass; or
- i) Any other vehicle specifically declared a health & safety hazard and a public nuisance by the Code Administrator.

### **Section (C) Complaint; Investigation of Public Nuisance**

1. When any condition in violation of this ordinance is found to exist, the Code Administrator or such persons as may be designated by the Town Council shall give notice to the owner of the premises to abate or remove such conditions. Such notice shall be in writing, shall include a description of the premises sufficient for identification and shall set forth the violation and state that, if the violation is not corrected **prior to a specified date, (no sooner than 10 calendar days after the notice is mailed and/or affixed to the property)**, the Town may proceed to correct the same as authorized by this ordinance. Service of such notice shall be by any one of the following methods.

- (a) By delivery to any owner personally or by leaving the notice at the usual place of abode of the owner with a person who is over the age of sixteen (16) years and a member of the family of the owner.
- (b) By depositing the notice in the United States Post Office addressed to the owner at his last known address with regular mail postage prepaid thereon.
- (c) By posting and keeping posted, for ten (10) days, a copy of the notice, in placard form, in a conspicuous place on the premises on which the violation exists, when notice cannot be served by method (a) and (b).

2. Where the enforcement official of the Town determines that the period of time stated in the original warning citation is not sufficient for abatement based upon the work required or consent agreement, the enforcement official may amend the warning citation to provide for additional time.

### **Section (D) Appeal from a Warning/Notice of Violation.**

An appeal from a warning citation shall be taken within ten (10) days from the date of issue of said warning citation by filing with the Town Clerk and with the Board of Adjustment, a notice of appeal which shall specify the grounds upon which the appeal is based. The Board of Adjustment in considering appeals of warning citations shall have power only in the manner of administrative review and interpretation where it is alleged that the enforcement official has made an error in the application of this ordinance, in the factual situation as it relates to the application of an ordinance or both.

#### **Section (E) Chronic Violator.**

The town may notify a chronic violator of the town's public nuisance ordinance that, if the violator's property is found to be in violation of this chapter, the town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation. The expense of such action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by registered or certified mail. When service is attempted by registered or certified mail, a copy of the notice may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within 10 days after the mailing. If service by regular mail is used, a copy of the notice shall be posted in a conspicuous place on the premises affected. A chronic violator is a person who owns property whereupon, in the previous calendar year, the town gave notice of violation at least three times under any provision of the public nuisance ordinance.

#### **Section (F) Abatement Procedure.**

If the owner of any property fails to comply with a notice given pursuant to this ordinance, **prior to the deadline stated in such notice**, he shall be subject to prosecution for violation of this ordinance in accordance with law and each day that such failure continues shall be a separate offense. In addition, the Town may have the condition described in the notice abated, removed or otherwise corrected and all expenses incurred thereby shall be chargeable to and paid by the owner of the property and shall be collected as taxes and levies are collected. All such expenses shall constitute a lien against the property on which the work was done.

#### **Section (G) General Penalties.**

1. An act constituting a violation of the provisions of this ordinance or a failure to comply with any of its requirements shall subject the offender to a civil penalty of \$50.00, which includes administrative fees. Each day any single violation continues shall be a separate violation. A violation of this ordinance shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct this violation by the prescribed deadline after being notified of said violation, the penalty may be recovered in a civil action in the nature of a debt.

2. In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In

such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.

3. In addition to the civil penalties set out above, the provisions of this ordinance may be enforced by injunction and order of abatement by the General Court of Justice. When a violation of these provisions occur, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.

4. Upon determination of a violation of any section of this ordinance, the enforcement official of the Town of Mineral Springs shall cause a warning citation to be issued to the violator. Such warning citation shall be issued either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County. Such warning citation shall set out the nature of the violation, the section violated, the date of the violation, and shall contain an order to immediately cease the violation. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time must be stated in which the violation must be abated. The warning citation shall specify that a second citation may incur a civil penalty, together with costs, and attorney fees.

5. Upon failure of the violator to obey the warning citation, a civil citation may be issued by the enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of said citation. The citation shall direct the violator to appear in person at the Town Hall to pay the citation within (15) fifteen days of the date of the citation, or alternatively to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid, otherwise further citations may be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated.

6. If the violator fails to respond to a citation within fifteen days of its issuance, and pay the penalty prescribed therein, the Town of Mineral Springs may institute a civil action in the nature of debt in the appropriate division of the North Carolina General Court of Justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law.

## **Section (H) Procedure Is Alternative**

The procedure set forth in this ordinance shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances.”

**PART TWO.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

**PART THREE.** If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

**PART FOUR.** The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing violations.

**PART FIVE.** This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

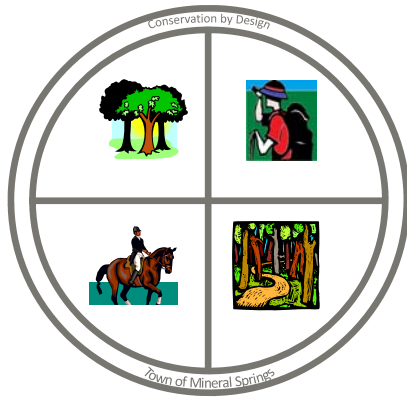
\_\_\_\_\_  
Frederick Becker III, Mayor

ATTEST:

Approved as to form:

\_\_\_\_\_  
Vicky Brooks, Town Clerk

\_\_\_\_\_  
Bobby H. Griffin, Town Attorney



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Zoning Administrator  
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# MEMO

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To: Town Council  
From: Vicky Brooks  
Date: January 9, 2017  
Re: Agenda Item 6 – Discussion and Consideration of a Town Sponsored Clean-Up

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As of this writing we have not received a formalized agreement from RCS Garbage Services. Due to the holidays and the weather, Mr. Hudson has not had the opportunity to prepare it. However, after speaking with him this morning, I do expect to receive it in the next few days, so it will be ready for council review at the meeting on Thursday.