Town Council Members

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

Janet Critz - 2017 ~ Bettylyn Krafft - 2017

Town of Mineral Springs Mineral Springs Town Hall 3506 S Potter Road ~ Mineral Springs Town Council Public Hearing / Regular Meeting September 14, 2017 ~ 7:30 PM

Agenda

1. <u>Opening</u>

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

2. <u>Public Hearing – Proposed Text Amendments</u>

3. <u>Consideration of the Proposed Text Amendments</u>

The council will consider adopting the proposed text amendments to Article 8 and Article 12

4. 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.

5. <u>Consent Agenda</u>

- A. August 10, 2017 Regular Meeting Minutes
- B. July 2017 Tax Collector's Report
- C. July 2017 Finance Report

6. <u>Proclamation for Constitution Week</u>

Mayor Becker will seek the council's approval to proclaim September 17th through the 23rd, 2017 as Constitution Week.

7. <u>Proclamation for Alzheimer's Disease Awareness</u>

Mayor Becker will seek the council's approval to proclaim September 15, 2017 as Alzheimer's Disease Awareness day.

8. <u>Proclamation for National Suicide Prevention Week</u>

Mayor Becker will seek the council's approval to proclaim September 10th through the 16th, 2017 as National Suicide Prevention Week.

9. <u>Consideration of Approving the Town Hall Landscaping Agreement with Taylor</u> and Sons for Fiscal Year 2017-2018

The council will consider approving an agreement with Taylor and Sons for the Fiscal Year 2017-2018 town hall landscaping.

10. Staff Updates

The staff will update the council on any developments that may affect the town.

- 11. Other Business
- 12. <u>Adjournment</u>

WRITTEN CONSISTENCY STATEMENT AND RECOMMENDATION OF THE TOWN OF MINERAL SPRINGS PLANNING BOARD TO THE TOWN OF MINERAL SPRINGS TOWN COUNCIL AS TO PROPOSED AMENDMENTS TO THE TOWN OF MINERAL SPRINGS ZONING ORDINANCE TO AMEND ARTICLE 8 SECTION 8.3

Having reviewed the proposed amendment to the text of the Town of Mineral Springs (the "Town") Zoning Ordinance to amend Article 8, Section 8.3, having considered information from the Town's planning staff and having considered public comments referencing size requirements for business real estate signs, pursuant to Section 160A-383 of the G.S. and Article 12, Sections 12.1.5 and 12.1.6 of the Town's Zoning Ordinance the Mineral Springs Planning Board (the "Planning Board"), at its regularly scheduled meeting on August 28, 2017 hereby adopts one of the following motions (as marked), effective August 28, 2017:

- A) Motion to adopt the following resolution recommending adoption of the proposed amendment: RESOLVED, that the Planning Board hereby advises and comments to the Town of Mineral Springs Town Council that the proposed amendment to the Town's Zoning Ordinance is consistent with the Town's Land Use Plan and the Vision Plan contained therein as adopted by the Town on October 12, 2006. The Planning Board recommends that the Town Council adopt the proposed amendment, the Planning Board having considered the following reasons in making this recommendation: (1) it invites a new standard for businesses to advertise; and (2) it clarifies the difference between commercial and residential; and (3) it allows temporary special event signs an extension of time to advertise; and (4) the "action" under "Community Image" of the Town's Land Use Plan is to establish a system for periodic review of Town ordinances to be sure that they are as up-to-date and effective as possible.
- B) _____ Motion to adopt the following resolution recommending rejection of the proposed amendment: RESOLVED, that the Planning Board hereby advises and comments to the Town of Mineral Springs Town Council that the proposed amendment is not consistent with the Town's Land Use Plan and the Vision Plan contained therein as adopted by the Town on October 12, 2006 and recommends that the Town Council reject the proposed amendment.

This foregoing motion was adopted by a vote of $\underline{7}$ (for) to $\underline{0}$ (against).

Town of Mineral Springs Planning Board

By: Bettylyn Krafft, Cha

WRITTEN CONSISTENCY STATEMENT AND RECOMMENDATION OF THE TOWN OF MINERAL SPRINGS PLANNING BOARD TO THE TOWN OF MINERAL SPRINGS TOWN COUNCIL AS TO PROPOSED AMENDMENTS TO THE TOWN OF MINERAL SPRINGS ZONING ORDINANCE TO AMEND ARTICLE 12 SECTION 12.1.6

Having reviewed the proposed amendment to the text of the Town of Mineral Springs (the "Town") Zoning Ordinance to amend Article 12, Section 12.1.6 (a, b, c), having considered information from the Town's planning staff, and having considered the General Assembly amendments to North Carolina General Statute (G.S.) 160A-383 to add more specificity to the law regarding the mandated plan consistency statements, which will become effective October 1, 2017, pursuant to Section 160A-383 of the G.S. and Article 12, Sections 12.1.5 and 12.1.6 of the Town's Zoning Ordinance the Mineral Springs Planning Board (the "Planning Board"), at its regularly scheduled meeting on August 28, 2017 hereby adopts one of the following motions (as marked), effective August 28, 2017:

- A) V Motion to adopt the following resolution recommending adoption of the proposed amendment: RESOLVED, that the Planning Board hereby advises and comments to the Town of Mineral Springs Town Council that the proposed amendment to the Town's Zoning Ordinance is consistent with the Town's Land Use Plan and the Vision Plan contained therein as adopted by the Town on October 12, 2006. The Planning Board recommends that the Town Council adopt the proposed amendment, the Planning Board having considered the following reasons in making this recommendation: (1) the General Assembly amended G.S. 160A-383 making these new requirements applicable to all zoning amendment applications filed on or after October 1, 2017; and (2) the "action" under "Community Image" of the Town's Land Use Plan is to establish a system for periodic review of Town ordinances to be sure that they are as up-to-date and effective as possible.
- B) _____ Motion to adopt the following resolution recommending rejection of the proposed amendment: RESOLVED, that the Planning Board hereby advises and comments to the Town of Mineral Springs Town Council that the proposed amendment is not consistent with the Town's Land Use Plan and the Vision Plan contained therein as adopted by the Town on October 12, 2006 and recommends that the Town Council reject the proposed amendment.

This foregoing motion was adopted by a vote of $\underline{7}$ (for) to $\underline{0}$ (against).

Town of Mineral Springs Planning Board

Proposed Text Amendment to Article 8 – Section 8.3 of the Mineral Springs Zoning Ordinance

Recommended to the Town Council by Planning Board on August 28, 2017

Section 8.3 Signs Permitted Without Permit

The following signs shall not require a permit:

- a) Signs required to be posted by law. Signs established by governmental agencies. "Warning" signs and "No" Trespassing" signs. Historical markers placed by a governmental agency or a recognized historical society. Private unofficial traffic signs indicating directions, entrances, or exits.
- b) One (1) sign, including a professional name plate, per dwelling unit, denoting the name of the occupant not to exceed one and one half (1-1/2) square feet in area.
- c) Political signs advocating for political action during the period beginning on the 30th day before the beginning date of "one-stop" early voting and ending on the 10th day after the primary or election day. Political signs may be placed in the right-of-way of the State highway system. Permission must be granted by any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs shall not be closer than three (3) feet from the edge of the road pavement, obscure motorist visibility at an intersection, be higher than forty-two (42) inches above the edge of road pavement, be larger than eight hundred sixty-four (864) square inches or obscure/replace another sign.
- d) One (1) sign advertising <u>residential</u> real estate "for sale", "for rent", or "for lease", not greater than six (6) square feet in area located upon property so advertised, and shall be no higher than four (4) feet from grade level. Such signs shall not obstruct visibility for motorists. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.3 <u>4</u>(f) of this Ordinance. Any signs advertising real estate subdivisions shall be limited to one (1) sign, no greater than six (6) square feet in area, located at the entrance of the subdivision.
- e) One (1) sign advertising commercial real estate on properties zoned for business (B-2, B-4, LI, or MUD) "for sale", "for rent", or "for lease", not greater than twelve (12) square feet in area located upon property so advertised, and shall be no higher than four (4) feet from grade level. Such signs shall be removed within seven (7) days after the property has been sold, (upon closing) rented or leased. Any signs erected pursuant to this provision must not violate Section 8.4(f) of this Ordinance. This provision shall not be used in combination with Section 8.3 (d).
- ef) One (1) sign advertising the sale of produce out of a home garden on the premises where the produce is being sold shall be permitted with no more than sixteen (16) square feet in area and no higher than four (4) feet above grade level.
- fg) Churches may have two (2) free standing directional signs only. The signs shall be no larger than two (2) square feet in area and placed off the right-of-way.

- gh)One (1) sign per dwelling unit advertising a yard sale, or for the sale of up to two (2) vehicles, or small pets, or the like for no more than ten (10) days' total duration. All yard sales' signs shall be removed twenty-four (24) hours after the yard sale has been terminated. No such sign shall be greater than four (4) square feet in area. All such signs shall be located off the street right-of-way.
- hi) Temporary directional signs for yard sales' are limited to three (3) in number and may be placed forty-eight (48) hours before the sale, and must be removed twenty-four (24) hours after termination.
- ij) Temporary special event signs, banners, streamers for non-profit agencies are allowed ten (10) <u>fourteen (14)</u> days before the special event and must be taken down two (2) days after the special event. The size shall be no larger than twenty-four (24) square feet and must be located off the street right-of-way, unless otherwise specified by the Department of Transportation.
- jk) Flags of the United States of America, the State of North Carolina, Union County, the Town of Mineral Springs, or any flag adopted or sanctioned by an elected legislative body of competent jurisdiction, as well as flags bearing a logo of corporate, non-profit, or religious origin. Such flags shall not be flown from a pole the top of which is more than 35 feet in height.
- kl) Window signs placed or painted on the interior or exterior of glass windows or door provided that such signs cover no more than thirty (30) percent of the glass area of the entire storefront. Window signs that cover more than thirty (30) percent of the glass shall be considered as wall signs and shall meet requirements for painted wall signs within the appropriate zoning district.
- Im)Neon tube signs or LED signs visible from outside of a building shall be limited to two (2) per business and located on the inside of a window such that no more than ten (10) percent of the window area is covered by the sign area.

Any sign in the Town of Mineral Springs that is found to be in need of repair shall be renovated or removed within thirty (30) days by the owner upon receipt of written notification, or said sign may then be removed by the Zoning Administrator, and the reasonable cost of such removal shall be the owner's responsibility.

Proposed Text Amendment to Article 12 – Section 12.1.6 of the Mineral Springs Zoning Ordinance

Recommended to the Town Council by Planning Board on August 28, 2017 Effective date will be October 1, 2017

- **12.1.6** If the petition is to amend the text of this Ordinance, the Planning Board may make one of the following recommendations to the Town Council.
 - a) Adopt the proposed amendment as written, or <u>A statement approving the</u> proposed zoning amendment and describing its consistency with the plan;
 - b) Adopt the amendment as revised by the Planning Board, or <u>A statement</u> rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
 - c) Reject the amendment. <u>A statement approving the proposed</u> amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning <u>amendment.</u>

The Zoning Administrator shall transmit any decision of the Planning Board to the Town Council.

Proposed Text Amendment to Article 12 – Section 12.1.10 of the Mineral Springs Zoning Ordinance

Typographical Correction

12.1.10 Prior to adopting or rejecting any zoning amendment, the Town Council shall adopt a statement describing whether its action is consistent with and <u>an</u> adopted comprehensive plan and explaining why the Town Council considers the action taken to be reasonable and in the public interest.

TOWN OF MINERAL SPRINGS

WRITTEN CONSISTENCY STATEMENT

Zoning Ordinance – Article 8 – Signs

In reference to the proposed text amendment to Article 8, Section 8.3 of the Mineral Springs Zoning Ordinance.

The Town of Mineral Springs Town Council hereby declares that the proposed text amendment is "*consistent*" with the Mineral Springs Land Use Plan and the Vision Plan contained therein as adopted by the Town Council on October 12, 2006. It invites a new standard for businesses to advertise; it clarifies the difference between commercial and residential; and the "action" under "Community Image" of the Town's Land Use Plan is to establish a system for periodic review of Town ordinances to be sure that they are as up-to-date and effective as possible.

ADOPTED this the <u>14th</u> day of <u>September</u>, 2017.

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, CZO

TOWN OF MINERAL SPRINGS

WRITTEN CONSISTENCY STATEMENT

Zoning Ordinance – Article 12 – Amendment

In reference to the proposed text amendment to Article 12, Section 12.1.6 of the Mineral Springs Zoning Ordinance.

The Town of Mineral Springs Town Council hereby declares that the proposed text amendment is "*consistent*" with the Mineral Springs Land Use Plan and the Vision Plan contained therein as adopted by the Town Council on October 12, 2006. The General Assembly amended G.S. 160A-383 making these new requirements applicable to all zoning amendment applications filed on or after October 1, 2017; and the "action" under "Community Image" of the Town's Land Use Plan is to establish a system for periodic review of Town ordinances to be sure that they are as up-to-date and effective as possible.

ADOPTED this the <u>14th</u> day of <u>September</u>, 2017 to become effective on October 1, 2017.

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, CZO

Town of Mineral Springs Town Hall 3506 S. Potter Road Town Council Regular Meeting August 10, 2017~ 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, August 10, 2017.

- **Present:** Mayor Frederick Becker III, Mayor Pro Tem Peggy Neill, Councilman Jerry Countryman, Councilwoman Janet Critz, Councilwoman Bettylyn Krafft, Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin and Deputy Town Clerk/Tax Collector Janet Ridings.
- Absent: Councilwoman Valerie Coffey and Councilwoman Lundeen Cureton.
- Visitors: Stan Duncan and Vann Harrell.

With a quorum present Mayor Frederick Becker called the Regular Town Council Meeting of July 14, 2016 to order at 7:32 p.m.

1. <u>Opening</u>

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

2. <u>Public Comments</u>

• There were no public comments.

3. <u>Consent Agenda</u>

- **Councilman Countryman** made a **motion** to approve the consent agenda as presented containing the following:
 - A. July 13, 2017 Regular Meeting Minutes
 - B. June 2017 Tax Collector's Report
 - C. June 2017 Finance Report

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

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

4. <u>2017 Property Tax Order of Collection</u>

- Mayor Becker introduced Interim Tax Administrator Stan Duncan and Tax Collection Division Head Vann Harrell. Mr. Harrell commented they have the standard operating procedure (required by statute) at the end of June/July and that sometime in August they come and do their annual settlement with the town before they start collecting the new tax bills. Last year, the town's total billing was \$64,805.83 and there was an outstanding balance of \$747.58. Mr. Harrell noted that everything was in balance as of June; the council should have the audit reports when they come through. They started out the year with a balance on prior years of \$1,817.52 and they now have a balance of \$965.52. They are down to \$97.55 in the town's oldest outstanding year.
- Mayor Becker explained the first order of business is to approve the settlement, because by statute they must receive and approve the settlement before they can charge the tax collector for the upcoming year.
- **Councilwoman Neill** made a **motion** to approve the settlement and **Councilman Countryman** seconded. The motion passed unanimously as follows:

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

- Mayor Becker explained the next order of business was the tax charge for the upcoming fiscal year, which is in the agenda packet. The general tax is \$64,104.17 and the late list (penalties on late listings) is \$17.03 for a total of \$64,121.20. As always, there are two big things that aren't on this charge: public utility property that comes through such as the power companies' infrastructure and the railroad. The town receives approximately \$5,000 worth of taxes (based on \$15,000,000 or so), which is a discovery by the county and it gets added on to this; the charge will be adjusted periodically pending discoveries. Motor vehicles remain collected separately and there are occasional discoveries and releases, so that would be the amount of the charge that they are charging the tax administrator with: \$64,121.20 plus or minus adjustments throughout the year.
- **Councilwoman Critz** made a **motion** to approve the charge and **Councilwoman Krafft** seconded. The motion passed unanimously as follows:

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

 Mr. Harrell announced that the tax bills will hit the mail tomorrow. They had to wait for the county to give them their charge on Monday night and then they had to get them done. Councilwoman Critz commented that they do appreciate their partnership; it has been very helpful. Mayor Becker agreed and commented he thought it has been helpful on the current taxes and then Ms. Ridings has been working very well with the county's delinquent collectors on that angle, so both cases worked out very well for the town.

5. <u>Prior Years' Tax Settlement and Write-Offs</u>

• Mayor Becker explained this was the same process as agenda item #4, which is the delinquent prior years' settlement. The council does not have to recharge Ms.

Ridings, they just have to approve her settlement and then she is just charged with continuing to collect what's due.

• **Councilwoman Critz** made a **motion** to approve the authorization for Ms. Riding to move forward with the delinquent taxes and thank you for your hard work Ms. Ridings and **Councilman Countryman** seconded. The motion passed unanimously as follows:

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

• Mayor Becker pointed out that the town was still responsible for \$424, so it is down to the "bitter end". Ms. Ridings commented it's less than that after today. Mayor Becker announced Ms. Ridings just got a \$60 collection that she thought she would never see. It doesn't apply to this fiscal year, but it applies to reality, so it's an old one off the books; it goes back to 2008, 2009, 2010 and 2011.

6. <u>Consideration of Appointing a New Planning Board Member</u>

- Mayor Becker asked Ms. Brooks if she had spoken with Mr. Rutland; he is not here. Ms. Brooks responded he is not, he is seeing his child off to college, but he is very interested in being appointed. Mayor Becker reminded the council of Michael Rutland who was next in line for the planning board after they got the flurry of applicants, so they can just appoint him since they did agree at the time to go down the line as they needed them.
- **Councilwoman Neill** made a **motion** to appoint Michael Rutland as a planning board member to replace Mr. Richard Marcello and **Councilwoman Critz** seconded. The motion passed unanimously as follows:

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

7. <u>Consideration of a New Janitorial Service Provider</u>

Mayor Becker explained the documentation was in the agenda packet; there are two bids and they are qualified bidders based on the requirement of insurance. The council can decide if they are qualified based on what they have picked up from their qualifications; if they are both qualified the town is almost obligated to take the lower of the two bids, which are extremely close together. Do you have any reason to feel that one or the other is not a qualified bidder? Ms. Brooks responded she did not feel that. Clean Net is a business more like Jan-Pro is and the Mop, Broom and Bucket is more of a local company; they were both very nice gentlemen. Councilman Countryman asked if Ms. Brooks spoke with both of these Ms. Brooks responded yes and they both toured town hall. representatives. Councilman Countryman asked if they left Ms. Brooks with a favorite. Since the council didn't see them and there is \$12.00 that separate the bids, Councilman Countryman was just curious if there was anything through Ms. Brooks direct contact with them that would give her an indication that one would be preferential over the other. Ms. Brooks responded she would go with Bucket, Mop and Broom. Councilman Countryman asked other than the fact that they were local (we do like that) was there another reason. Ms. Brooks responded not because he is the low

bidder, but he just seemed very genuine in his desire to clean. Councilwoman Critz commented she thought one problem we have had with Jan-Pro is that they are not local and it's been hard to make contact and have anything they need done or improved upon. Ms. Brooks reiterated that Clean Net is along that line, which in itself makes her leery; they have employees that come out to the town hall and do a walk-through and check off on their list whether they think this person is doing a good job. Ms. Brooks isn't even satisfied with that. Jan-Pro does that and Clean Net also does that. With Bucket, Mop and Broom it is just him; he is the owner of the company, so the "buck stops with him". Councilwoman Critz asked if you could actually reach him. Ms. Brooks responded she didn't know, because she didn't have that experience, but she would hope that she could call him up and say we need such and such done. Councilman Countryman commented he thought they should give it to him. Councilwoman Krafft agreed and commented she thought they wanted to keep the business local if they could; it is the low bid.

- Councilman Countryman asked if was an annual contract. Mayor Becker responded it is an annual contract and a monthly price; it's on an annual basis, we would renew it. Mayor Becker noted he hadn't looked at the wording, is it selfrenewing if we don't or it will come before the board either way. It says one year, dates will be agreed upon, but we will fill in the dates and make it September 15th through September 15th he thought. Ms. Brooks mentioned they would also need to get him to put in the E-Verify. Mayor Becker responded the council would need to keep in mind that we were going to add the E-Verify and the Iran Divestment Act to the contract, which is language the State requires. Attorney Griffin mentioned he thought that had been changed and Mayor Becker might want to check that out. Mayor Becker responded, "we don't have to do it now"? Mayor Becker stated he would double check and thanked Attorney Griffin for his advice. Attorney Griffin responded it was still a violation, but he was not sure it was required in every little document anymore. Mayor Becker responded, "let's hope not, it's just one more step and if we can avoid it, but we will make sure we comply with the law before signing it".
- **Councilman Countryman** made a **motion** to award the janitorial contract to Bucket, Mop and Broom and **Councilwoman Krafft** seconded, subject to making sure that any State requirement that we normally have are fulfilled in the contract from September 15, 2017 to September 15, 2018 for the time being. The motion passed unanimously as follows:

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

8. <u>Discussion and Consideration of Contacting Companies About Replacing the</u> <u>Zoning and Subdivision Ordinances with a Unified Development Ordinance</u>

• Mayor Becker commented this one is totally for Ms. Brooks to talk about and it's a very long-term thing that has come to her mind, but it is certainly worth thinking about. Ms. Brooks explained since the town adopted their ordinances in 2002 things have changed over time and she has noticed that a lot of municipalities and counties are going to the Unified Development Ordinance (UDO). Ms. Brooks thought it might be a good idea for Mineral Springs not only to create the UDO, but also to get with people who do this for a living and know all of the ins and outs of

what's happened, what changes need to be in there; it would be a great idea for somebody outside of us to come in and look at our ordinances. Mayor Becker noted that would be zoning and subdivision specifically. Ms. Brooks explained that a UDO puts the zoning and subdivision ordinance into one ordinance. Councilwoman Critz expressed concerns with this (which she hoped would be put to rest), because the town spent so much time and energy into our conservation zoning and asked if this is not going to compromise the work they have done. Ms. Brooks responded no, it wouldn't. Mayor Becker added the intent is not to amend the terms of our ordinance, it is more to consolidate. Some language may be cleaned up (changed). You do have things as administrator where they don't mesh up perfectly and the planning board is being called to try and fix little anomalies. Mayor Becker noted there might be things you want to look at; some work on the downtown overlay and light industrial zoning. Councilwoman Critz asked if it would all come before the planning board and council. Ms. Brooks responded yes. Mayor Becker added that it could be a year. Councilman Countryman asked if Ms. Brooks had any conceptual understanding of how long this process might ensue from the time the process begins (council says yes) and she goes to get these folks to look at it. Ms. Brooks responded she would venture to guess a year, because you would first have to have meetings with staff to let them know what we are looking for and then it would go to the planning board multiple times. Councilman Countryman asked Ms. Brooks if she had contact information on agencies ready to contact that do this. Ms. Brooks responded she did have a couple: N-Focus, Centralina Council of Governments and Benchmark (which was recommended by the clerk/administrator in Lake Park). Ms. Brooks commented that Benchmark would probably be her first call, but she would want to go to a couple different ones and get bids. Mayor Becker noted the council had no obligation, this is just for Ms. Brooks to start asking a few questions, to get some insights and come back to the council in several months with some ideas from some potential vendors. Ms. Brooks shared that Lake Park just did theirs for \$26,000. Mayor Becker responded it was not a cheap process, but it's meant to last 10 years plus. Councilwoman Critz commented the town spent less than that, because it was an extraordinary situation with UNC Charlotte, but it has lasted over 10 years now. Councilwoman Critz asked Ms. Brooks (as the administrator) if she felt like it would help her with administration skills, abilities and would be an asset. Ms. Brooks responded yes, it would help very much. Attorney Griffin commented that he would recommend it based on conferences he goes to. It's the bulk of what this town is organized for. this is your main, the others are just frills and thrills, this is what you really are created for and what you do and you want to be as up-to-date as possible, as succinctly stated as possible, so there's no duplication of wordage or meaning and to have it under one umbrella, so you don't have to go here and try and find something and go to there and find something. This is for you as well as potential people who are going to live in this community. Councilman Countryman mentioned having one book that is in conflict with the other or having words that just haven't been updated. Attorney Griffin agreed and noted the laws have changed especially on zoning and court decision. If the town can afford it, Attorney Griffin surely would recommend it.

• There was a consensus of the council to authorize Ms. Brooks to contact potential consultants and bring it back to the council in a few months.

9. <u>Staff Reports</u>

- Mayor Becker asked Ms. Brooks if she had a festival update. Ms. Brooks responded, "we're still having a festival on September 9th". Councilwoman Critz asked if there was a pretty solidified number. Ms. Brooks responded Councilwoman Krafft was doing very well in the children's area. Councilwoman Critz stated she was referring to vendors and everybody. Ms. Brooks responded we have guite a few vendors. Ms. Brooks was having trouble with an ice cream vendor, but we have Pelican's Snoballs now. The fire department will be doing their bar-b-que and Paul's Hot Dogs will be back. We have quite a few craft vendors and a couple different kinds of vendors (i.e. bath enclosures and flu shots). We have a magician who will be doing two shows and a "roaming" balloon twister. David L. Cook from Artists Music Guild has scheduled planist Jonathan Helms and Celtic Rain, plus one other performer that hasn't been named yet. Ms. Brooks mentioned that one of our council members' children will also be performing with Jonathan Helms. Councilwoman Critz asked if David Cook will be here in their tent. Ms. Brooks responded he said he will be here, because "who else is giving away all those prizes Ms. Ridings is pounding the pavement for now"!
- Mayor Becker gave a finance officer update. The June report did have that year end stuff. An explanation was put inside the cover to explain the difference between the accrued and the cash. The auditor, Kendra Gangal, will be coming in to meet with the finance officer in September.
- Ms. Brooks shared that the Social Media course she went to was fantastic and when the council was ready for Twitter and Instagram we're going to get busy with that. The town already has a Facebook page, which we don't do a whole lot with yet. Ms. Brooks pointed out that the instructor made a very good point, if you have a Facebook page you should be posting at least once a day to start reaching all of your people, it's not so much about that, but when you have an emergency or you have lost a child and you put it on Facebook it's reaching more people, because you continue to post on Facebook. Mayor Becker noted people have a habit of looking there. Ms. Brooks added that "boosting" a post was highly recommended for reaching more people; it does cost money, which could be considered "advertising". The town should be "boosting" the festival to reach more people.

10. <u>Other Business</u>

 Councilman Countryman asked where they were in terms of the nuisance ordinance. Councilwoman Critz responded her contact person doesn't return to work until after the 15th of this month and then she will find out from her when she is available and when it's not insane; being near Chapel Hill right now would be insane. Councilwoman Critz thought it would be between August 15th and September (maybe before Labor Day), but since she hasn't been able to talk to her (she left her a voice mail) and has contacted the Institute itself, so it is just a matter of waiting until she returns.

11. <u>Adjournment</u>

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

Ayes: Countryman, Critz, Krafft and Neill

Nays: None

- The meeting was adjourned at 8:06 p.m.
- The next regular meeting will be on Thursday, September 14, 2017 at 7:30 p.m. at the Mineral Springs Town Hall.

Respectfully submitted by:

Vicky A. Brooks, CMC, NCCMC, Town Clerk

Frederick Becker III, Mayor

JULY 2017 TOWN OF MINERAL SPRINGS PERCENTAGE REPORT

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	2047	2046	0045	2014	2013	2012
JULY 31, 2017 REGULAR TAX	2017	2016	2015			
BEGINNING CHARGE		61541.45	62154.4	64,340.51	64,896.71	66,096.20
TAX CHARGE	64,121.20					
PUBLIC UTILITIES						
DISCOVERIES						
NON-DISCOVERIES						
ABATEMENTS	(3.76)					
TOTAL CHARGE	64,117.44	61,541.45	62,154.40	64,340.51	64,896.71	66,096.20
BEGINNING COLLECTIONS		60793.87	61792.69	64,036.44	64,694.52	65,998.65
COLLECTIONS - TAX	250.84	56.45	1.16			
COLLECTIONS - INTEREST	-	2.56	0.17			
TOTAL COLLECTIONS	250.84	60,850.32	61,793.85	64,036.44	64,694.52	65,998.65
BALANCE OUTSTANDING	63,866.60	691.13	360.55	304.07	202.19	97.55
PERCENTAGE OF REGULAR	0.39%	98.88%	99.42%	99.53%	99.69%	99.85%
COLLECTION FEE 1.5 %	3.76	0.89	0.02	-	-	-

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Mineral Springs Prior Years Property Tax Report July 2017

July 31, 2017	2011	2010	2009	2008	
BEGINNING CHARGE	\$64,878.42	\$64,737.60	\$63,911.13	\$65,443.06	
PUBLIC UTILITIES	\$1,319.20	\$1,251.60	\$1,218.28	\$1,112.42	
MINIMAL RELEASES	(\$145.21)	(\$152.88)	(\$157.18)	(\$158.76)	
DISCOVERIES	\$61.82	\$321.61	\$46.46	\$46.72	
ABATEMENTS (RELEASES)	(\$301.25)	(\$473.88)	(\$136.74)	(\$1,329.47)	
TOTAL CHARGE	\$65,812.98	\$65,684.05	\$64,881.95	\$65,113.97	
PREVIOUS COLLECTIONS	\$65,706.36	\$65,582.71	\$64,749.33	\$65,029.89	
PREVIOUS BALANCE DUE	\$106.62	\$101.34	\$132.62	\$84.08	\$424.66
COLLECTIONS - TAX					 \$0.00
COLLECTIONS - INTEREST/FEES					\$0.00
GROSS MONTHLY COLLECTIONS					\$0.00
MISC. ADJUSTMENTS					
TOTAL TAX COLLECTED TO DATE	\$65,706.36	\$65,582.71	\$64,749.33	\$65,029.89	
BALANCE OUTSTANDING	\$106.62	\$101.34	\$132.62	\$84.08	\$424.66
PERCENTAGE COLLECTED	99.84%	99.85%	99.80%	99.87%	

Mineral Springs Unpaid Property Taxes - Real and Personal as of July 31, 2017

Name	Tax Map Number	2011	2010	2009	2008	Total
BOND, CELESTE B	06054063			\$27.92		
CAROLINA STREET SUPPLY	50103059		\$6.88			
CAROLINA STREET SUPPLY, SHEPPARD JONATHAN	848391	\$6.88				
COOMBER CUSTOM MASONRY LLC	1812652	\$10.44				
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	
EPIC REALTY GROUP INC	50094704			\$10.46	\$9.10	
FATHER & SON PAINTERS	50093623		\$2.41	\$2.09		
HERRON ENTERPRISES INC	50071162				\$8.78	
HOWARD, ULYSESS	05033036	\$9.43	\$9.43	\$9.43	\$9.35	
MATHENY, VERNA	455325	\$2.22				
MCDOUGALL, SHERRY CARTER	06084001L	\$6.86	\$6.86	\$6.86	\$6.86	
METHENY, VERNA	50094323		\$2.22	\$2.44		
ROBERTO BONILLA CUSTOM FRAMING	50104497		\$2.75			
WAXHAW ALL TILE	50099231				\$6.88	
WILLIAMS, RUTH & HUSBAND J C WILLIAMS	05033179	\$19.11	\$19.11	\$19.11	\$19.11	
al		\$106.62	\$101.34	\$132.62	\$84.08	\$424.66

Agenda Item	
#	
9/14/17	

Town of Mineral Springs

FINANCE REPORT July 2017

Prepared for:

The Mineral Springs Town Council

By:

Frederick Becker III Finance Officer

September 14, 2017

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TOTAL EXPENSES	35,439.55
OVERALL TOTAL	-34,418.29

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ASSETS			
Cash and Bank Accounts			
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	22_021	212117	22001
TOTAL Cash and Bank Accounts	665,471.99	665,132.92	632,592.8
Other Assets			
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TOTAL Other Assets	0.00	61,246.70	58,470.0
TOTAL ASSETS	665,471.99	726,379.62	691,062.8
LIABILITIES			
Other Liabilities			
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TOTAL Other Liabilities	21,887.76	22,786.24	21,887.7
TOTAL LIABILITIES	21,887.76	22,786.24	21,887.7
OVERALL TOTAL	643,584.23	703,593.38	669,175.09

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Appropriation dept	Budget	Unspent	Spent YTD	% of BudgeJul	y	August	September	October	November
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Totals	\$ 343,310.00	\$ 307,870.45	\$ 35,439.55	10.3% \$	35,439.55	\$-	\$-	\$-	\$-
Off Budget:									
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Total Off Budget:			\$-	\$	-	\$-	\$-	\$-	\$ -

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Totals	\$ 343,310.00	\$ 342,288.74	\$ 1,021.26	0.3%	\$-	\$-	\$-	\$-	\$ -
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TOTAL EXPENSES	35,439.55
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TOTAL TRANSFERS	1,878.17
OVERALL TOTAL	-32,540.12

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TOTAL INFLOWS	3,668.65
TOTAL OUTFLO	-36,338.03

NET TOTAL -32,669.38 This page has been intentionally left blank.

July 2017

Revenue Details

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NC Sales & Use Distribution (accrued to FY2016-17)

May 2017 Collections

MUNICIPALITY	ARTICLE 39	ARTICLE 40	ARTICLE 42	ARTICLE 43	ARTICLE 44	ART 44 *524	ARTICLE 45	ARTICLE 46	CITY HH	TOTAL
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Summary

DATE 6/30/17 TIME 16:04:05 USER PHH

UNION COUNTY COLLECTIONS BY RGCD/REV UNIT/YR-DATE RANGE DEPOSIT DATE RANGE: 6/01/2017 THRU 6/30/2017 REPORT GROUP: 100 REAL AND PERSONAL REVENUE UNIT: 990 TOWN OF MINERAL SPRINGS

TAXES, ASSESSMENTS YEAR & MISC. CHARGES LATE LIST INTEREST TOTAL COLLECTED COMMISSION NET OF COMMISSION 2012 34.03 11.44 45.47 44.79 .68 27.32 2013 20.65 6.67 .41 26.91 2014 21.84 6.48 28.32 .42 27.90 2015 7.36 .16 .89 8.41 .13 8.28 .61 .77 2016 84.04 5.89 90.54 1.36 89.18 TOTAL 167.92 31.37 200.06 3.00 197.06

Note: Accrued to FY2016-17

PAGE 27 PROG# CL2138

County of Union, Monroe, NC 28112

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Invoice Date		Descripti	on		Invoice Amount	
06/30/2017	100.1-17/06	Tax/Fee/Int - JUN17			\$197.06	
	Note: accrued to FY2016-17					
Vendor N	No.	Vendor Name	Check No.	Check Date	Check Amount	
10870) TOW	N OF MINERAL SPRINGS	00050928	07/10/2017	197.06	
L	1		•	•		



County of Union

500 North Main Street Monroe, North Carolina 28112 Vendor Number Check Date Check Number 10870 07/10/2017 00050928

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

\$197.06

Pay One Hundred Ninety Seven Dollars and 06 cents ******

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

EFT COPY NON-NEGOTIABLE

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County of Union 500 North Main Street Monroe, North Carolina 28112 10870 00050928

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS PO BOX 600 MINERAL SPRINGS NC 28108
FY 7

- - - NCVTS A/P Receipt Distribution - - - For the month ending: 06/30/2017

---Date--- --Time-- Page 07/12/2017 10:08:14 1

R/G M/IEntity	VndNo-RInv No	Tax&Fee	IntOnly Amt	Cmn Cst	Net Amt	Sts
400 001 Union County 400 003 Approved Fond Tax 400 011 Countywide EMS Tax 400 012 Countywide Fire Tax 400 015 Springs Fire Tax 400 020 Stallings Fire Tax	0-0 0- VTFN1706-1 0-0 0-0 0-0	642,142.98 5.43 /.83 71,677.30 6,118.10		17,317.27- .00 1,933.22- .00	630,053.85 5.43 70,293.43 4.62	No AP1TM No Chk No Chk
400 020 Stallings Fire Tax 400 023 Hemby Bridge Fire Tax 400 026 Wesley Chapel Fire Tax <u>400 028 Maxhaw Fire Tax</u> 400 101 Village of Marvin	0-0 0-0 0-0 0-0 1832- VTFN1706-1	10,795.89 13,930.60 12,368.70 7,617.05 4,207.66	78.49 127.71 98.16 59.15	168.86- 297.28- 381.24- 338.83- 211.77-	5,999.01 10,577.10 13,677.07 12,128.03 7,464.43	No Chk No Chk
400 200 City of Monroe 400 222 Monroe Downtown Service District 400 300 Town of Wingate 400 400 Town or Marshville	103-7 VTFN1706-1 103-7 VTFN1706-1 4064- VTFN1706-1 5861- VTFN1706-1	4,207.86 213,452.40 369.92 5,307.50 9,606.66	25.42 935.71 4.09 30.98 52.76	$ \begin{array}{r} 117.35 - \\ 4,109.57 - \\ 9.28 - \\ 136.58 - \\ 136.58 - \\ \end{array} $	4,115.73 210,278.54 364.73 5,201.90	
400 500 Town of Waxhaw 400 600 Town of Indian Trail 400 700 Town of Stallings 400 800 Town of Weddington	8268 - VTFN1706-1 2924 - VTFN1706-1 4860-2 VTFN1706-1 7518 - VTFN1706-1	60,677,91 70,467,79 36,690,18 8,687,66	52.76 511.91 571.76 289.16 68.43	243.44- 1.704.36- 1.922.93- 1.017.52- 238.79-	9,415,98 59,485,46 69,116,62 35,961,82 8,517,30	
400 900 Village of Lake Park 400 930 Town of Fairview 400 970 Village of Wesley Chapel 400 980 Town of Unionville	1833 - VTFN1706-1 19458 - VTFN1706-1 9262 - VTFN1706-1 11530 - VTFN1706-1	8,087.47 965.03 1,477.13 1,328.22	87.83 9.15 9.42 7.29	<u> </u>	7,948.73 948.43 1,446.46 1,300.85	
400 990 Town of Mineral Springs 400 999 Schools User Keyed Amounts	10870- VTFN1706-1 0-0	799.64	7.17 8,079.36	22,74-	1,034,825.70	No Chk
Interest Amount: 1,559.08	A/P Totals					
Credit Card Cost.: 18,625.91	No A/P Totals: Refund Totals:			49,104.41-	1,785,023.24	
Total Costs: 58,954.04 (Y NOTE: This batch contains errors and c			16,881.21	58,954.04-	2,199,915.29	
	and not be processed.	Dee Deb corulari				

--- END ----

Note: Accrued to FY2016-17

County of Union, Monroe, NC 28112

Check Number:	00051222
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Invoice Date 06/30/2017		Description CASH RECVD NCVTS JUNE 2017		Invoice Amount \$784.07	
		Note: Accrued to FY20	16-17		
Vendor N	No.	Vendor Name	Check No.	Check Date	Check Amount
10870		TOWN OF MINERAL SPRINGS		07/21/2017	784.07

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County of Union

500 North Main Street Monroe, North Carolina 28112 Vendor Number Check Date Check Number 10870 07/21/2017 00051222

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

\$784.07

Pay Seven Hundred Eighty Four Dollars and 07 cents ******

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

EFT COPY NON-NEGOTIABLE

AP



County of Union 500 North Main Street Monroe, North Carolina 28112 10870 00051222

ADDRESS SERVICE REQUESTED

TOWN OF MINERAL SPRINGS PO BOX 600 MINERAL SPRINGS NC 28108



Elizabeth R. Gibson

John Foster Chapter North Carolina Society Daughters of the American Revolution 1300 West Franklin Street, Monroe, NC 28112-4506 (704) 283-4791 elizabeth_gibson@msn.com

August 10, 2017

Town of Mineral Springs Mayor Rick Becker III 3506 S. Potter Road Mineral Springs, NC 28108

Dear Mayor Becker,

Once again the John Foster Chapter Daughters of the American Revolution in Monroe is working to promote patriotism in our community. The week of September 17-23 is designated as Constitution Week by Public Law 915 which was signed by President Dwight D. Eisenhower on August 2, 1956. Therefore every year we want to bring to the attention of our citizens this anniversary of the signing of the Constitution of the United States of America. I am thrilled to report to you that 100% of the Union County municipalities participated in this project last year! I have included with this letter an attachment of a sample proclamation that I hope you will complete, sign, and impress with the Seal of the Town of Mineral Springs. After the proclamation has been signed, we encourage you to display it in your town hall, put it on your website or add just a simple statement that says "Celebrate Constitution Week Sept. 17-23" to your home page.

We are most appreciative of your cooperation as we work every year to remind the public of the importance of this document!

Sincerely,

Elizabeth R. Gibson John Foster Chapter NCSDAR Monroe, NC

HISTORY OF CONSTITUTION WEEK

Miss Gertrude S. Carraway, while President General of the National Society Daughters of the American Revolution, was responsible for the annual designation of September 17-23 as Constitution Week. The DAR made its own resolution for Constitution Week which was adopted April 21, 1955.

Members of the United States Congress received the DAR resolution and on June 7, 1955, the resolution was discussed in the Senate. The first resolution to observe Constitution Week was made June 14, 1955, by Senator William F. Knowland of California. Following passage of the resolution by both Houses of Congress, President Eisenhower issued his proclamation on August 19, 1955.

The first observance of Constitution Week was so successful that on January 5, 1956, Senator Knowland introduced a Senate Joint Resolution to have the President designate September 17-23 annually as Constitution Week. The resolution was adopted on July 23 and signed into Public law 915 on August 2, 1956. This is the 60th anniversary of the first resolution by the U.S. Congress to observe Constitution Week.

For his patriotic aid and interest, Senator Knowland received an Award of Commendation from the NSDAR Continental Congress in April of 1956.

North Carolina has a special interest in the story of how Constitution Week came to be signed into law because Miss Gertrude S. Carraway is the only North Carolinian ever to be elected to the position of President General of the National Society Daughters of the American Revolution. She served from 1953-1956. She was a lifelong resident of New Bern, North Carolina.

Town of Mineral Springs Proclamation

Constitution Week September 17th – 23rd, 2017

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

Whereas, September 17, 2017, marks the two hundred thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

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

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

Now, Therefore, I, Frederick Becker, III, by virtue of the authority vested in me as Mayor of the Town of Mineral Springs in the State of North Carolina do hereby proclaim the week of September 17 through 23, 2017 as

~ Constitution Week ~

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

In Witness Of, I have hereunto set my hand and caused the Seal of the Town to be affixed this <u>14th</u> day of <u>September</u> of the year of our Lord two thousand seventeen.

Frederick Becker III, Mayor Town of Mineral Springs

ATTEST:

Proclamation Town of Mineral Springs

WHEREAS, Alzheimer's disease is a progressive degenerative disease of the brain causing deterioration in memory and thinking, as well as judgment and reasoning ability; it also affects behavior, emotions and the ability to perform self-care; and

WHEREAS, according to the Center for Disease Control and Prevention, Alzheimer's is the sixth leading cause of death for older adults; and

WHEREAS, according to the North Carolina Department of Health and Human Services, Alzheimer's is the 5th leading cause of death of citizens 65 and older; and

WHEREAS, according to the Center for Disease Control and Prevention, approximately 5 million people in the United States are living with Alzheimer's; and

WHEREAS, Alzheimer's is the most common form of dementia; and

WHEREAS, according to the Alzheimer's Reading Room, 1,232 Americans are diagnosed daily and 8,634 Americans are diagnosed weekly with Alzheimer's disease, and by 2050 over 13 million Americans could have the disease; and

WHEREAS, Alzheimer's disease costs the United States \$100 billion per year in diagnosis, extended care, family caregiver illness and lost wages according to the National Institute on Aging; and

WHEREAS, neither Medicare nor most private health insurance covers the long-term services and support most people with dementia need; and

WHEREAS, The Town of Mineral Springs recognizes individuals, families, friends and caregivers dealing with the devastating effects of Alzheimer's disease, the researchers who are seeking a cause or causes and cure, and the educational programs and support services provided by North Carolina Alzheimer's organizations;

NOW, THEREFORE I, Frederick Becker III, Mayor of the Town of Mineral Springs, North Carolina, and the town council, do hereby proclaim September 15, 2017 as "ALZHEIMER'S DISEASE AWARENESS day" in Mineral Springs and encourage its observance to all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this Seal of The Town of Mineral Springs to be affixed this the 14th day of September, 2017

Frederick Becker III, Mayor

Attest:

Vicky A. Brooks, CMC, Town Clerk

Proclamation

Town of Mineral Springs

WHEREAS, suicide is the 10th leading cause of death in the United States and the 2nd leading cause of death among individuals between the ages of 10 to 34; and

WHEREAS, in the United States, one person completes suicide every 12.3 minutes, resulting in more than 44,000 suicides each year (Centers for Disease Control; 2015 data); and

WHEREAS, suicide is the only leading cause of death in the United States that has increased every year for the past decade; and

WHEREAS, it is estimated that there are over 1.1 million suicide attempts each year; and

WHEREAS, in 2015, North Carolina experienced 1,406 deaths by suicide; and

WHEREAS, over 90% of the people who die by suicide have a diagnosable and treatable mental health condition, although often that condition is not recognized or treated; and

WHEREAS, suicide results in an estimated \$51 billion in combined medical and work loss costs nationally (Centers for Disease Control; 2015 data); and

WHEREAS, suicide results in an estimated \$1.39 million in combined medical and work loss costs in North Carolina annually (Centers for Disease Control; 2015 data); and

WHEREAS, the stigma associated with mental health conditions and suicidality works against suicide prevention by discouraging persons at risk for suicide from seeking life-saving help and further traumatizes survivors of suicide loss and people with lived experience of suicide; and

WHEREAS, organizations such as The American Foundation for Suicide Prevention envision a world without suicide, and are dedicated to saving lives and bringing hope to those affected by suicide, through research, education, advocacy and resources:

NOW, THEREFORE, I, Frederick Becker, do hereby proclaim September 10-16, 2017, as

"NATIONAL SUICIDE PREVENTION WEEK"

In the Town of Mineral Springs, North Carolina and commend its observance to all citizens.

WITNESS MY HAND and the official Seal

Frederick Becker, III Mayor

LANDSCAPE MAINTENANCE AGREEMENT – TOWN HALL

This Landscape Maintenance Agreement is entered this the <u>1st</u> day of <u>July</u>, 2017 by and between TOWN OF MINERAL SPRINGS, a municipal corporation organized and existing under the laws of the State of North Carolina (the "Town") and RICKY D TAYLOR D/B/A TAYLOR & SON LANDSCAPING & MOWING, a citizen and resident of the County of Union State of North Carolina (the "Contractor") (collectively, the "Parties").

WITNESSETH:

WHEREAS, the Town desires to contract with the Contractor for the provision of certain landscaping and maintenance services on the Town's property, as more particularly described in Exhibit A, (the "Services"), which is incorporated by reference as if fully set forth herein;

WHEREAS, the Contractor wishes to contract with the Town to provide the Services; and

WHEREAS, the Town and the Contractor desire to reach an agreement for the Contractor to provide the Services subject to the terms and conditions of this Agreement.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. <u>Term</u>. The term of the Agreement shall be for a period of one (1) year, beginning July 1, 2017 and ending June 30, 2018 (the "Term"). This Agreement shall not automatically renew under any circumstances.

2. <u>Scope of Services</u>. During the Term, Contractor shall care for and maintain the Town Hall and the immediately surrounding area. All Services rendered shall be completed with the highest standard of care and workmanship prevailing in the field of landscape maintenance in the general geographic area in which the Town is located. The Contractor agrees to perform the Services set forth on "Exhibit A" as attached.

3. <u>Termination</u>. This Agreement may be terminated, by either party, upon thirty (30) days prior written notice.

4. <u>Independent Contractor</u>. The parties agree that the Contractor's relationship to the Town is that of an independent contractor and that nothing contained in this Agreement shall be construed as creating any other type of relationship. The Contractor may adopt such arrangements as it desires with respect to the means, method, and manner of performing the Services under this Agreement, provided that those arrangements are consistent with the proper accomplishment of those Services.

5. <u>Billing</u>. Billing shall occur on a monthly basis and the Town shall endeavor to remit all payments within thirty (30) days after receipt of a correct invoice.

6. <u>Payment Schedule</u>. The Town shall compensate the Contractor for providing the Services pursuant to this Agreement by paying the Contractor the following amounts during the Term of this Agreement:

- a) Three Hundred Sixty-Five Dollars (\$365.00) per month for the Services as outlined in Exhibit A.
- b) Actual invoiced amount(s) upon receipt of a correct invoice for additional materials and supplies required such as Seed, Fertilizer, Weed Killer, etc.

7. <u>Indemnification</u>. The Contractor shall indemnify, defend and hold harmless the Town from and against any and all actions, causes of action, claims and demands and from all damages, losses, costs or expenses of any nature which arise from or occur in connection with the performance by the Contractor, its employees or agents, of any Services under this Agreement, unless such loss or damage results from the Town's gross negligence or willful misconduct.

8. <u>Notices</u>. All notices and other communications required or permitted under this Agreement shall be made in person or to the following addresses:

If to the Contractor:	Taylor & Son Landscaping & Mowing P o Box 631
	Monroe, North Carolina 28111
	Telephone: 704.283.6286
If to the Town:	Town of Mineral Springs 3506 S Potter Road P.O. Box 600 Mineral Springs, North Carolina 28108

Fax:

9. <u>Governing Law</u>. This Agreement shall in all respects be construed in accordance with and governed by the laws of the State of North Carolina.

Telephone: 704.243.0505

704.243.1705

10. <u>Binding Effect; Assignment</u>. This Agreement and the various rights and obligations arising hereunder shall inure to the benefit of and be binding upon the parties and their respective successors and permitted assigns. This Agreement may not be assigned by either party without the prior written consent of the other party.

11. <u>Counterparts</u>. This Agreement may be executed simultaneously in multiple counterparts, each of which shall be deemed an original but all of which taken together shall constitute one and the same instrument.

12. <u>Entire Agreement</u>. This Agreement and the attached Exhibits embody the entire agreement and understanding of the parties with respect to the subject matter and supercede all prior and contemporaneous agreements or understandings, whether oral or written, related to its subject matter.

IN WITNESS WHEREOF, the parties have caused their authorized representatives to execute this Agreement as of the day and year first above written.

TAYLOR & SONS MOWING & LANDSCAPING

By: _____ Proprietor

riopricioi

TOWN OF MINERAL SPRINGS

By: _____

Mayor

EXHIBIT A

Areas to be covered:

Approximately 90,000 square feet of lawn area. A minimum of three tree areas. Town Hall sign landscaping area. One parking lot tree landscaping area.

I. LANDSCAPING AND MAINTENANCE:

A. <u>Mowing</u>

- 1. Lawn shall be mowed weekly during the growing season and as required during the winter months.
- 2. The height of cutting shall be maintained consistently to prevent scalping or burn. The mowing height shall be appropriate to the turf species.
- 3. Excessive grass clippings shall be collected and disposed of; adjacent sidewalks and streets shall be clean of clippings.
- 4. Mowing patterns shall be alternated each week to avoid creating ruts and compaction.
- B. <u>Edging</u>
 - 1. All lawn edges along sidewalks and curbs shall be edged before each mowing during the active growing season (March through October) and as required for appearance for the remainder of the year.
 - Edging shall be performed with a blade type mechanical edger at least once a month; a monofilament line trimmer may be used at all other times on a weekly basis.
 - 3. A monofilament line trimmer shall be used to trim around obstacles within the lawn area. Care shall be taken to insure that the bark of trees and shrubs are not damaged or stripped by the line trimmer.
 - 4. Areas where the grass meets buildings, planters and other vertical surfaces shall be trimmed in a manner to maintain a clean and even meeting point. Herbicides may not be used as a substitute for proper trimming.
 - 5. Edging and trimming is not required around natural un-mulched wooded areas or property boundaries.
- C. Debris Removal
 - 1. Litter and trash (including leaves, rubbish, paper, bottles, cans, rocks, gravel, pine cones, sticks), and other debris shall be removed from all areas on a weekly basis.
 - 2. All refuse resulting from the maintenance operation of properties shall be disposed of by the contractor.
 - 3. Hardscape (i.e. sidewalks, driveways, paved surfaces) shall be swept or blown off with a power blower to keep the grounds free of debris on a weekly basis during the growing season. During winter months all grounds shall be policed periodically for trash and debris and blown clear.

- 4. Paved surfaces and sidewalks shall be weeded as often as necessary to discourage unsightly weed growth. This control shall be accomplished through the selective use of herbicides and mechanical means.
- D. Fertilization, Aeration and Reseeding
 - 1. Conduct annual soil tests of representative lawn areas within the first month of the contract.
 - 2. Apply fertilizer and lime, with type, quantity and frequency determined by soil test results.
 - 3. Aerate and seed in the fall (between September 15 and October 31).
- E. <u>Weed Control</u>
 - 1. A pre-emergent shall be applied based on season and targeted weeds.
 - 2. All areas shall be kept free of weeds. Chemical and/or mechanical means may be used as appropriate. If any weeding is not performed, maintenance will be considered unsatisfactory.
 - 3. Before applying herbicides, the type of weed shall be identified and the control selected accordingly, using the most effective control for the species, the location and the season.
 - 4. Weeds shall not be allowed to grow in paved areas such as driveways, walks, curbs, gutters, etc. Weeds may be removed manually or sprayed with an herbicide. Dead weeds shall be removed from the paved and mulched areas.

F. <u>Pesticides</u>

- 1. Shall be applied as necessary.
- 2. Apply ant control annually.
- G. <u>Shrubs</u>
 - 1. Pruning of shrubs shall be done to maintain growth within space limitations, to maintain or enhance the natural growth habit, or to eliminate diseased or damaged growth.
 - 2. Mulching of the shrub and tree beds shall be maintained with fresh mulch in the spring and fall season. Shrub and tree beds shall be kept weed free. Weed control will be accomplished with herbicides when possible and by hand pulling when danger to desirable plant material may exist.
 - 3. Shrubbery should be fertilized in the spring season as needed, unless otherwise agreed to.
 - 4. If mulch is more than 4" in beds, top layer should be removed before new mulch is added to prevent over mulching. Beds should not contain more than 4" of mulch. Mulch shall not be applied to plant stems. Root flare should be visible on all plants.
- H. <u>Replacement Plantings</u>
 - The Contractor shall report to the Town any perennial plant material not exhibiting normal growth and vigor. If it has been determined that the material is beyond reviving, a written report recommending replacement shall be given to the Town Clerk. This report shall include: (a) Identify the location, size and type of plant; (b) Identify the reason for the decline; (c) Cost of replacement. No

replacement plantings are to be done without consent of the Town with the exception of annual ornamental plants and flowers.

2. Annual flowers appropriate to the season shall be planted in front of the town hall sign during the months of April and October.