

**Minutes of the  
Mineral Springs Town Council  
Public Hearing / Regular Meeting via ZOOM  
November 12, 2020 – 7:30 p.m.**

The Town Council of the Town of Mineral Springs, North Carolina, met in Regular Session in a virtual meeting via ZOOM, Mineral Springs, North Carolina, at 7:30 p.m. on Thursday, November 12, 2020.

**Present:** Mayor Frederick Becker III, Mayor Pro Tem Valerie Coffey, Councilman Jerry Countryman, Councilwoman Janet Critz, Councilwoman Lundeen Cureton, Councilwoman Bettylyn Krafft, and Councilwoman Peggy Neill.

**Absent:** None.

**Staff Present:** Town Clerk/Zoning Administrator Vicky Brooks, Attorney Bobby Griffin [7:41 p.m.], and Deputy Town Clerk Janet Ridings.

**Visitors:** None.

**1. Opening**

With a quorum present at 7:31 p.m. on November 12, 2020, Mayor Frederick Becker called the Regular Town Council Meeting to order.

Town Clerk Vicky Brooks did the roll call of those present [as shown above].

**2. Public Hearing – Proposed Nuisance Ordinance**

Mayor Becker opened the Proposed Nuisance Ordinance Public Hearing at 7:33 p.m. and asked Ms. Brooks if anyone had signed up to speak online or sent in written comments.

Ms. Brooks responded she had not received anything.

Mayor Becker explained the council had the option to close the ZOOM portion of the public hearing, but he believed (under the guidance of the statute) the council has to extend the public hearing for 24 hours from when it was called to order for additional comments to come in.

Mayor Becker closed the ZOOM portion of the Proposed Swimming Pool Nuisance Ordinance Public Hearing at 7:35 p.m. and noted the hearing will be kept open until 8:00 p.m. on November 13, 2020 at 8:00 p.m. Ms. Brooks will be receiving every other comment either by mail, delivered to town hall, or by email, at which point that portion of the public hearing will close.

This item will be back on the agenda for December 10, 2020 for consideration.

**3. Public Comments**

There were no public comments; no requests for public comments were received via text or email.

**4. Consent Agenda – Action Item**

Councilwoman Neill motioned to approve the consent agenda containing the October 8, 2020 Regular Meeting Minutes, September 2020 Tax Collector's Report, and September 2020 Finance Report and Councilwoman Critz seconded. The motion passed unanimously.

## 5. Consideration of Partnering with Union County on a BRIC Grant Application and Authorizing the Planning Director to Sign the Letter of Support – Action Item

### MEMO

To: Town Council  
From: Vicky Brooks  
Date: November 2, 2020  
Re: Agenda Item # 5 – Consideration of Partnering with Union County on a BRIC Grant Application and Authorizing the Planning Director to Sign the Letter of Support

Union County Senior Planner Bjorn Hansen is requesting that the town council confirm whether they want to again participate and recommit their original match amount [\$4,000 for Mineral Springs] that was committed for the BUILD grant Union County applied for earlier this year.

While the county did not receive that grant, they received a solicitation from the NC Department of Public Safety and FEMA for a Building Resilient Infrastructure and Communities (BRIC) program and submitted a Letter of Intent to them in hopes of getting feedback on the relevance and eligibility of their previous BUILD grant application to that program. Mr. Hansen has spoken with the program staff and is optimistic.

The full application deadline for the BRIC program is December 18<sup>th</sup>. In advance of that deadline, Mr. Hansen will need to take it to the Board of County Commissioners for approval to submit, which will be done on November 16<sup>th</sup>. In advance of that meeting, Mr. Hansen is seeking confirmations from all that want to participate and for them to recommit their original match amount.

The county did receive feedback from the NC Department of Public Safety on their "Letter of Intent". The application was one of the top 12 for the entire state (out of 64) and the county was asked to submit a full application.

The purpose of this grant application submission is the same as the one for the BUILD grant the county was seeking earlier this year. As you recall that grant was to have a stormwater study done in Union County and Lancaster County, SC.

Mr. Hansen will be providing the town with a Letter of Support template soon, which the council will need to authorize me to sign on behalf of the town if you choose to again partner with the county on seeking this grant.

Mayor Becker mentioned Ms. Brooks' memo was self-explanatory. This is converting the BUILD application for which the council sent a letter of intent earlier this year that did not get accepted. This one is a BRIC grant and it is still a joint project with Union County and Lancaster on developing a stormwater plan. Mr. Hansen is asking Ms. Brooks to confirm the council is still interested in sticking with our \$4,000 pledge if and when that becomes adopted.

Ms. Brooks mentioned there were two letters of intent; one goes to Mr. Hansen and one goes to the administrator at FEMA, so the council motion would also allow Ms. Brooks to sign those on behalf of the town.

Councilwoman Critz motioned to direct the planning director, Ms. Brooks, to send two letters, one to Mr. Hansen of Union County and one to FEMA and Councilwoman Coffey seconded. The motion passed unanimously.

## 6. Consideration of a Resolution Opposing a Union County Rezoning – Action Item

### MEMO

To: Mineral Springs Town Council  
From: Rick Becker  
Date: October 30, 2020  
Subject: Resolution Opposing High-Density Oak Grove Estates Development

The Board of County Commissioners (BOCC) of Union County is considering another high-density rezoning of approximately 32.84 acres between and to the east of Wesley Chapel and Mineral Springs. The property is zoned RA-40, or 1 house per acre. Under that current zoning, a maximum of 33 houses could be built on the property.

The rezoning to R-6 CZ would allow a total of 80 single-family houses. That is nearly *triple* the density allowed under the current zoning – at least 47 additional houses! The Union County Planning Board recommended by a vote of 4 to 2 that the BOCC approve the rezoning.

The following page in your agenda packet shows a sketch plan of the proposed development. The property is at 4004 New Town Road near the intersection of Potter Road.

Mayor Becker noted the council may have a resolution every month and explained there was a detailed memo and maps about a smaller subdivision. The intent of the Western Union Municipal

Alliance (WUMA) is to speak out on each and every proposed rezoning near our borders that are going for ultra-high density.

This one is called Oak Grove Estates, which is close to Oak Grove Baptist Church at the corner of New Town and Potter.

Councilwoman Coffey motioned to adopt the resolution and Councilwoman Critz seconded.

Councilwoman Neill referred to the comment Councilwoman Critz made last month during the Park Place development discussion and explained Councilwoman Critz agreed with the resolution, but stated it probably would not do any good, which is exactly the way Councilwoman Neill feels about this one.

Councilwoman Neill thanked the Alliance and Mayor Becker for what they are doing to keep the council informed.

Mayor Becker commented he believed the public hearing for the small rezoning was held on November 2, 2020 and that he dropped the ball, because he would have attended that one to speak personally against it, because the county commissioners were already poised to hear this one. As the memo stated, the commissioners may consider it on the 16<sup>th</sup>. The council can feel free to email the county commissioners or try to contact them by phone.

Councilwoman Critz asked if any of the rezonings had been approved that the town sent in a resolution for.

Mayor Becker responded this was only the second one. The first one (Park Place) is still at the staff level, Mayor Becker believed.

Councilwoman Critz stated the council had discussed several.

Mayor Becker responded this was only the second resolution.

Councilwoman Critz asked if we knew if they had moved forward with the large one the council made the resolution for last month.

Mayor Becker responded it was no where near the commissioners yet and he was not aware of a planning board approval yet.

The motion by Councilwoman Coffey to adopt the resolution, which was seconded by Councilwoman Critz passed unanimously.

Mayor Becker suggested that Ms. Brooks send this resolution to Mr. Jenson and Lynn [West].

The Resolution is as follows:

**TOWN OF MINERAL SPRINGS**

**RESOLUTION REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS  
OF UNION COUNTY DENY A HIGH-DENSITY REZONING APPLICATION FOR THE  
OAK GROVE ESTATES/PIPER MEADOWS SUBDIVISION**

**R-2020-09**

**WHEREAS**, one of the Mineral Springs Town Council's primary purposes is to represent the desires of its citizens and to serve as a voice for the greater good of the community; and

**WHEREAS**, a rezoning application for property located at 4004 New Town Road is being presented to the Union County Board of County Commissioners (BOCC) for approximately 32.84 acres in a residential area between the Village of Wesley Chapel and the Town of Mineral Springs located 1.12 miles from the Mineral Springs town limit and 0.94 miles from the Wesley Chapel town limit, including 80 units of high-density R-6 residential development, known as "Oak Grove Estates" or "Piper Meadows"; and

**WHEREAS**, the subject property abuts and is surrounded on two sides by the RA-40 Winding Creek subdivision with 67 lots on 56.73 acres and the RA-40 Majestic Forest subdivision with 20 lots on 26.28 acres; and

WHEREAS, the proposed subdivision will not be compatible and not be in harmony with the existing residential area; and

WHEREAS, the current county zoning on the property is RA-40 which would allow construction of a maximum of 33 single-family houses on the property rather than the 80 single-family dwelling units proposed; and

WHEREAS, the Mineral Springs Town Council recognizes that a large majority of citizens in Mineral Springs and in the neighboring area are not in favor of high-density development and wish to preserve the current standard of living and not become urbanized; and

WHEREAS, the Mineral Springs Town Council recognizes that high-density development puts a burden on the infrastructure and encourages growth outpacing needed improvements; and

WHEREAS, stormwater issues and flooding are becoming an increasingly severe problem in the area and will be exacerbated by this high-density development; and

WHEREAS, traffic in the area is over capacity on Potter Road, New Town Road, and NC 84; these roads cannot sustain additional impact from high-density residential development and this proposed development will also create impacts that will overwhelm the adjacent minor country roads, all of which will negatively impact existing property owners; and

WHEREAS, the North Carolina Department of Transportation is experiencing critical funding shortages which are expected to persist into the foreseeable future, and several crucial long-planned and already-approved improvements, new highways, and road widening projects in the area have been delayed until 2030 – 2032; and

WHEREAS, the additional demands on county infrastructure and services created by this proposed development, including a need for additional schools, additional public safety personnel and infrastructure, and additional quality-of-life amenities will not be met by the property taxes generated by this development and will create an additional financial burden on existing Union County taxpayers; and

WHEREAS, the BOCC is under no constitutional or statutory obligation to rezone any property to a higher density; and

WHEREAS, no tangible benefit to residents and taxpayers of Union County has been demonstrated to result from approval of this rezoning;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Mineral Springs does hereby request that the Board of County Commissioners of Union County consider the well-being, quality-of-life, financial security, and safety of existing residents and taxpayers in the area of this proposed rezoning; and

BE IT FURTHER RESOLVED that the Town Council of the Town of Mineral Springs does hereby request that the Board of County Commissioners of Union County deny the application to rezone this property to R-6 CZ and leave the current RA-40 zoning in place on the property located at 4004 New Town Road.

ADOPTED this 12th day of November, 2020.

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

ATTEST:

\_\_\_\_\_  
Vicky Brooks, CMC, NCCMC

**7. Determination of Interest in Providing Solid Waste and Recycling Services – Action Item**

**MEMO**

To: Mineral Springs Town Council  
From: Rick Becker  
Date: November 4, 2020  
Subject: Statement of interest in providing solid waste/recycling in Mineral Springs

The Western Union Municipal Alliance (WUMA) doesn't only encourage member municipalities to draft resolutions opposing high-density rezonings in Union County, it also exists as a forum where municipalities can share information about various issues that are of interest to one or more members and even find ways to assist each other by "combining forces" on functions like providing municipal services.

At the October 21, 2020 WUMA meeting, Weddington alternate Anna Pruitt presented information on some studies she has been doing in an effort to determine if it would be beneficial to her residents for Weddington to provide solid waste and recycling services. She mentioned that per-household rates from waste contractors might be lower if two or more municipalities joined together with the same waste contractor, and asked if any other member municipalities might be interested in exploring this service.

"Off the cuff" I stated that solid waste and recycling had never been a service that our town council had considered, and that in resident surveys there was very little interest on the part of residents in adding that service, especially if a tax increase were needed. We agreed that delegates would discuss this with their governing boards and bring back those boards' guidance and decisions at the November 19 meeting.

I believe that municipalities like Weddington and Marvin, with a lot of large subdivisions with active HOA's and suburban-minded residents probably have a high percentage of their residents paying waste contractors individually for solid waste and recycling services, and a property-tax based solid waste service might be financially beneficial to those residents. However, I would guess that at least half of Mineral Springs residents bring their trash and recyclables to the Parkwood convenience center operated by Union County Public Works and pay by the bag for dropoff.

A rough guess at the cost of a municipal contract might be \$12.00/household; with approximately 1,100 households, a solid waste contract in Mineral Springs might cost \$158,400/year. At our current tax base of \$271,560,000, that contract cost would require a property tax increase of 5.8 cents per \$100, a more than tripling of our current tax rate of 2.5 cents per \$100 which is unlikely to be something our residents would want.

I am asking council to consider a motion to say either "yes" or "no" to the idea of the town of Mineral Springs providing solid waste and recycling services so that I can bring that decision back to WUMA.

Mayor Becker explained his memo was self-explanatory and he thought he knew the council's view on it, but Councilwoman Pruitt asked that they [WUMA members] bring comments back from their councils on whether there was any interest in any of the other towns looking at partnering with any of the other municipalities as they study solid waste and recycling pick-up.

Mayor Becker mentioned to the council he did not think Mineral Springs would want to pursue it, because none of the surveys have asked for it.

Mayor Becker explained it would require a property tax increase of 5.8 cents based on a rough estimate of what it would cost, so it would be raising our taxes to 8.3 cents for a service that hasn't been asked for.

The town is not being pressured into it, it is just that this was one of the things that WUMA is looking to do with the member municipalities and Mayor Becker just wanted a statement with a motion on whether the town is interested in going any further with this, so he can pass that along.

Councilwoman Neill commented at least half of her neighborhood takes their trash and recycling to Parkwood, so it would be a bad call for the town to go with this.

Mayor Becker commented it was not the sort of thing he felt the town would want to increase taxes to provide, because we have never had calls from residents to do this.

Councilman Countryman commented if you look up and down Highway 75 there are a lot of individuals that have already made individual arrangements for their trash pick-up with independent companies and he didn't think a tax increase would be beneficial to them without reviewing what the cost is on a per customer basis. Councilman Countryman stated he knew for himself it would not, because of the rate that he is being charged for his garbage service and that may very well be the case with other people up and down Highway 75, so he is opposed to it.

Councilwoman Krafft commented she was opposed to doing it because she travels Nablus Road several times a day and on trash pick-up day every single house has already contracted for services. Councilwoman Krafft thought this was something that people have already done, and she did not see any reason for raising taxes to provide a service that people have already found a way to do much cheaper.

Councilman Countryman and Councilwoman Cureton agreed with Councilwoman Krafft.

Councilwoman Coffey asked if the tax base would absorb it and if the constituents would be approving the tax increase.

Mayor Becker responded that was what the calculation was; based on what our tax base is to pay that \$158,000 a year trash contract, which is why it would require such a big tax increase. It is not

really the cost; we are not the kind of town that it seems it would be cost effective for. It is for some towns, but it does not seem like it for ours.

Councilwoman Coffey stated she agreed 100%.

Councilwoman Critz appreciated Mayor Becker putting the information about the surveys in the memo, because we have asked the question each time and it has never waffled at all that the majority of the people do not want this service throughout our municipality considering we would have to raise taxes to provide it and we have made a commitment to the community to service primarily as a caretaker of our town through zoning and conservation-minded zoning. Councilwoman Critz thought the town would be going against too many of the objectives and promises and the vision for the community to entertain this.

Mayor Becker commented it seemed to be a unanimous feeling that this is not something the town needs to pursue.

Councilman Countryman responded, "so, let's don't do it, it's that simple."

Councilwoman Neill motioned to notify WUMA that we oppose pursuing solid waste and recycling.

Mayor Becker recommended not calling it "we oppose", because they are not asking the town to do it, so it might be more like "we are not interested".

Mayor Becker asked Councilwoman Neill if that language was alright.

Councilwoman Neill responded yes.

Mayor Becker clarified the motion was to notify WUMA we are not interested in pursuing solid waste and recycling.

Councilman Countryman seconded the motion by Councilwoman Neill as modified by Mayor Becker. The motion passed unanimously.

## 8. Staff Updates

There were no staff updates.

## 9. Other Business

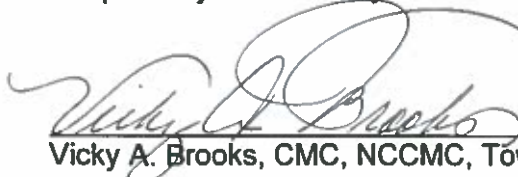
There was no other business.

## 10. Adjournment – Action Item

At 7:51 p.m. Councilwoman Coffey motioned to adjourn the meeting and Councilwoman Cureton seconded. The motion passed unanimously.

The next regular meeting will be on Thursday, December 10, 2020 at 7:30 p.m. via ZOOM.

Respectfully submitted by:

  
Vicky A. Brooks, CMC, NCCMC, Town Clerk



  
Frederick Becker III, Mayor