



**Town Council
Work Session Minutes
December 14, 2023 – 9:30 a.m.**

Mayor O’Cain called the Work Session Council Meeting to order at 9:30 a.m. on December 14, 2023, in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739.

The following attended in person at Town Hall:

- Mayor Carey O’Cain
- Mayor Pro Tempore A. Paul Hansen
- Commissioner George W. Banta
- Commissioner Deb Bridges
- Commissioner Kristin Dunn
- Town Manager Alex Carmichael
- Town Clerk Tamara Amin
- Public Works Director Brandon Johnson
- Finance Officer Kirk Medlin
- Police Chief Bobbie Trotter
- Dave Swindell- Ecusta Crossing Representative

The following were absent:

- Fire Chief Tim Garren

APPROVAL OF THE AGENDA

Mayor O’Cain would like to add Highway 64 Corridor Images to the agenda and move item 4B to Tuesday’s meeting, Mayor Pro Tem Hansen moved to approve the amended agenda. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

OLD BUSINESS

STATUS OF SEWER PIPE AT LAUREL GREEN PARK

Town Manager Carmichael said the Town Council asked for a status update on the aerial sewer line crossing the creek in Laurel Green and serving Lakemoor I.

Staff reached out to Lakemoor I and their representatives. They responded by saying that the application and design had been submitted to the City of Hendersonville months ago and they had not received a response. Laurel Park staff then reached out to Brendan Shanahan at the City on 11/22/23 and were informed that the application was under review, and they expected to have an update soon. As of 12/7/2023, we have not received an update.

Mayor O’Cain asked Staff to have a weekly call with the City to remind them that the Town is still waiting to hear back from them about the sewer pipe.

BOARD APPLICATIONS- ABC BOARD MEMBER

Town Clerk Amin said Mr. Robert Dulmage will not be renewing his term on the ABC Board. At the November 28th, ABC Board meeting it was recommended that Mr. Mark Pace represent the Board.

Mayor O’Cain shared with Council that Mr. Pace is his brother-in-law and lives above Mayor Pro Tem Hansen.

Mayor Pro Tem Hansen moved to appoint Mr. Mark Pace for the ABC Board as a member, for a term ending December 31, 2026. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

NEW BUSINESS

ECUSTA CROSSING STAGE 1 FINAL PLAT

Town Manager Carmichael said WXZ Residential Group/Arcadia One, LLC is seeking to secure approval of a final plat for the subdivision known as the Ecusta Crossing. The Ecusta Crossing Subdivision, formerly known as The Cottages at Arcadia Views was granted a Conditional Use Permit (CUP) (2018-2) on January 16th, 2018, to construct 56 residential units on the property identified by PIN 9559-21-7758. This CUP was permitted under the old Laurel Park Zoning and Subdivision Ordinance.

According to Order Number 2018-2, Exhibit A, page 3, List of Conditions, item number 2: Guarantee of Performance from section A states, “The applicant shall provide a Guarantee of Performance as required in 1103.8 of the Zoning Ordinance prior to Town Council’s issuance of approval of the Final Residential Planned Unit Development.” Section B states, “The value of such guarantee, which shall be subject to review and approval by the Town Manager, shall be 125% (one hundred and twenty five percent) of the true cost of construction of the following:

- 1) On-site public water and wastewater infrastructure, as well as any off-site public water, wastewater.

- 2) Site access and off-site roadway improvements which may be necessitated by the project.

As of November 28th, 2023, the developer has made efforts to install site access and wastewater infrastructure. However, two items identified in section B.1&2 above have yet to be installed. The developer has installed roughly 70% of curb and gutter. An estimated 35% of asphalt paving needs to be completed as well as the installation of the sanitary sewer lift station. The developer has provided an improvement guarantee agreement in accordance with the Zoning Ordinance in the amount of 125% of the total cost in the amount of \$384,220 through a surety

bond with Great Midwest Insurance Company. The developer will, on or before June 30th, 2024, complete the installation of 18” concrete curbs and gutters, pave remaining site-access roads, and install the sanitary sewer lift station. The final plat meets all other administrative requirements and required data.

Staff has reviewed the final plat and all required documentation for conformance with the approved preliminary plat and the provisions of the Laurel Park Zoning and Subdivision Ordinance. Staff recommends conditional approval of the final plat contingent upon execution of the improvements guarantee agreement to install said improvements.

Council reviewed and discussed the final plat application for the Ecusta Crossings Subdivision. Council had many concerns about setbacks, buffers, noise, landscaping etc.

Mayor Pro Tem Hansen moved to approve the Ecusta Crossings Subdivision improvements guarantee agreement in order to receive their performance bond contingent on coming back on Tuesday to present a final plat with the correct setbacks due to changing over from rentals to townhouses. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mr. Swindell departed the meeting at 10:05 a.m.

UPDATE ON CAR LEASING AGREEMENT

Town Manager Carmichael said Town staff have been dissatisfied with the fleet management of Enterprise and Council requested an update. Below are summary points detailing issues that we have faced:

- Turnover: Turnover has been considerable, and communication has been difficult as a result. Our current manager is helpful, but as of this month we are getting a new fleet manager.
- Communication: We were under the impression Enterprise would handle the fleet account; however Public Works and the Police Department have had to put a good bit of time into managing Enterprise. Staff has had to contact multiple departments within Enterprise to accomplish tasks.
- Upfitting: We received vehicles before any upfitting. The vehicles should have been sent to upfitters first.
- Extended timeframes for delivery of the vehicles: Locating vehicles as well as the delivering of vehicles has been untimely, crossing fiscal years. In one case, Laurel Park staff were able to find vehicles for sale and refer them to Enterprise.

- Delivery of the Wrong PW Truck: A lease agreement was signed for more equipped model than what was received.
- Disposal order forms: Public Works and the Police Department turned in disposal forms many months ago and we had to resubmit all requests again.
- Multiple attempts to pick up the same vehicle: Once finally picked up we received three additional calls from transport companies to pick up the 2013 Ford Escape.
- Public Works and the Police Department received many temporary tags before receiving permanent plates.
- Registration: We were sent an incorrect registration for one vehicle.

Mayor O’Cain suggested looking at lease agreements with dealerships and asked Staff to give Council a recommendation in February at the Budget Retreat.

Commissioner Dunn asked Staff to see who else locally is using them and what their experience is.

Mayor O’Cain asked Staff to reach out to Mr. Harrison Hunter who can give a recommendation. He owns Hunter Auto.

RENAMING OF LAUREL PARK HIGHWAY- DISCUSSION ONLY

Council has received a request to consider renaming Laurel Park Highway from Mr. David Hartig. Mr. Hartig proposes “Laurel Park Parkway” as an alternative. He feels changing the name would help slowdown traffic and provide a residential and sophisticated connotation.

Renaming roads would have to be approved by the County Planning Department. Staff reached out to the County and learned that 101 addresses would have to be changed. A Public Hearing before the County Commissioners would have to be conducted before the County could act on it.

Mayor O’Cain said he would like to present it to the residents. He will work on a survey with Staff.

LAND OF SKY CONTRACT AND BUDGET ADJUSTMENT

Town Manager Carmichael said, after the departure of the Assistant to the Town Manager/Zoning Administrator was announced, staff were contacted by the Land of Sky Council of Governments. The Land of Sky has planners on staff that they contract out to small towns for planning and zoning. They offered to do a contract for interim Zoning Administration/Code Enforcement with the Town of Laurel Park while we seek a permanent hire.

The proposed contract is for two days a week, at \$4,437 per month. If we move budget from the personnel line items to contracted services, no new funds will be required.

Mr. Carmichael said Kaitland Finkle can start on Tuesday. Mr. Carmichael said the only application the Town has gotten is for a part-time planner that would be retiring from the County.

Council was concerned about the other duties listed in the Job Description if a part time planner was to be hired.

Council reviewed and discussed the contract for the provision of Technical Service Assistance from the Land of Sky and Budget Amendment #2 in the amount of \$8,192.

Commissioner Dunn moved to approve the Land of Sky contract for the provision of Technical Service Assistance in the amount of \$4,437 and Budget Amendment #2 in the amount of \$8,192. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONCEPTUAL IMAGES FOR HIGHWAY 64

Town Manager Carmichael said he reached out to Mr. Chad Meadows about finding someone to do the conceptual images for Highway 64. The person he recommended can do it for \$2K per picture. The Town would need four pictures for approximately \$8K. Staff would like direction from Council whether to pursue this or not.

Mayor Pro Tem Hansen recommended considering this since Ingles purchased property in Town. This could be something the Town can present to them to consider what the Town wants to increase the Town’s tax base.

Council unanimously voted to pursue this.

AGENDA REVIEW FOR THE COUNCIL REGULAR MEETING SCHEDULED FOR DECEMBER 19, 2023

Mr. Carmichael said the Town Council will hold their regularly scheduled Town Council meeting on the third Tuesday of the month, December 19, 2023, at 9:30am. The Town Council reviewed the draft agenda.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Public Comment**
- 4. Approval of the Agenda**
- 5. Consent Agenda**
 - A. November Monthly Report**
 - B. Minutes for the November 16, 2023 Work Session**
 - C. Closed Session Minutes for November 16, 2023**

- D. Minutes for the November 21, 2023 Regular Meeting
- E. Closed Session Minutes for November 21, 2023
- F. Audit Contract Amendment
- G. Budget amendment for matching invasive grant (FOLP)

6. Old Business

7. New Business

- A. Organizational meeting
 - 1) 2024 Town Council Schedule of Meetings/Holidays
 - 2) Review of Council board representatives
 - 3) Mayor Pro Tem Nomination
 - 4) Budget Calendar

B. LGCCA Items to be discussed on January 16, 2024

C. BOA Rules of Procedure

D. Bee City Brochure and Stamp

8. Town Manager's Report

9. Department Head Reports

- A. Public Works
- B. Fire Department
- C. Police
- D. Administration

10. Mayor and Commissioner Comments

11. Adjournment

Council asked Staff to have the Budget Retreat on February 21, 2024.

Staff said they will replace Bee City Brochure and Stamp with Bee City Signs.

Commissioner Banta asked Staff to find out if a Commissioner can also be on the ABC Board.

Commissioner Hansen asked about the ABC document agreement. Town Manager Carmichael said Attorney Alexander is drafting the agreement to the City.

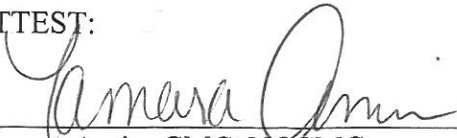
Mayor O'Cain said Mr. Fain has written an article for the newsletter asking for donations for the Invasive Species cause and he would like 100% contribution from Council.

Commissioner Bridges said she met with two residents from Somersby and Mr. Steve Pettis about having a workshop on Wildlife Mitigation and Firewise. They were thinking of having a community-wide event in February or March and have the Town promote it.

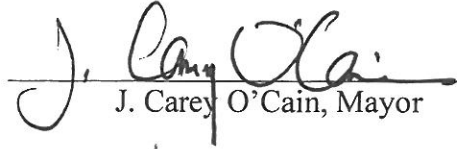
ADJOURNMENT

There being no further business, Commissioner Bridges moved to adjourn at 10:54 a.m. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

ATTEST:



Tamara Amin, CMC, NCCMC
Town Clerk/Deputy Tax Collector



J. Carey O'Cain, Mayor

1/16/24

Date