



**Town Council
Work Session Minutes
February 15, 2024 – 9:30 a.m.**

Mayor O’Cain called the Work Session Council Meeting to order at 9:30 a.m. on February 15, 2024, 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
- Public Works Director Brandon Johnson
- Interim Planner Kaitland Finkle
- Finance Officer Kirk Medlin
- Police Chief Bobbie Trotter
- Mr. Jay Egolf

The following were absent:

- Town Clerk Tamara Amin
- Fire Chief Tim Garren

APPROVAL OF THE AGENDA

Mayor Carey O’Cain asked to move comments by Jay Egolf (Item 4A) to follow the approval of the agenda. Mayor Pro Tem Hansen asked to add a discussion on Hwy 64 to New Business. Commissioner George Banta moved to approve the agenda. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

COUNTY CONCERNS- JAY EGOLF

Mr. Jay Egolf introduced himself stating he is running for County Commissioner. He is currently Chair of the Henderson County School Board. His platform is farmland preservation, smart/managed growth and ensuring representation of the municipalities. There was a question from the audience regarding development in floodplains. Mr. Jay Egolf stated this type of development should never have happened and he would like to reverse the regulations allowing it to continue. He was vocal about the need for voter turnout. Mayor Carey O’Cain explained that Laurel Park and Zirconia are in the same voting district and that David Hill is currently representing this area. The Mayor added that Town Council can’t endorse a specific candidate or party. Council discussed Town and County-wide concerns with Mr. Jay Egolf.

OLD BUSINESS

MAYOR PRO TEM OATH

Mayor O’Cain swore in Commissioner Hansen as Mayor Pro Tem.

UDO AMENDMENTS

Town Manager Carmichael said a public hearing was held on January 16, 2024 for proposed text amendments with a motion made to adopt. However, no official vote was taken. In addition, Section 3.1.4.B.3 allowing 5% land disturbance for driveway/access was provided in the presentation by Chad Meadows of Code Wright Planners but was not included in the previously drafted ordinance.

Commissioner Banta re-motoned to approve UDOTA 2-23 finding the text amendment is consistent with the Comprehensive Plan. The vote was unanimously approved.

NEW BUSINESS

AMENDED AUDIT CONTRACT

Town Manager Carmichael said due to staff turnover issues and subsequent extra testing in AP and payroll, the annual audit was not completed by the January 31st deadline. Additionally, the Town’s grant expenditures exceeded the threshold for a Yellow Book audit, which was not anticipated. This necessitates filing an extension with the State and an increase in audit fees of \$3,800 over the original \$20,000.

Council reviewed and discussed the contract amendment.

Commissioner George Banta stated that he took this as a good thing due to receiving too much grant money!

Mayor Pro Tem Hansen moved to approve the contract amendment as presented. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

FISHER SUBDIVISION

The proposal is to subdivide 4.51 acres off Parent PIN 9558828737 (approximately 40.87 acres) creating a new lot on Willow Road. Another part of the proposal is to add .9 acres from Parent PIN 9558828737 to PIN 9558910990 (currently 7 acres) resulting in a 7.9-acre tract. This is referred to as a lot line adjustment and is not up for review.

Divisions of land that qualify as subdivisions in accordance with Section 160D-802 of the North Carolina General Statutes, but that do not qualify as an expedited subdivision, shall be reviewed and decided as a preliminary plat in accordance with UDO 6.3.14. Step 7 of the Preliminary Plat Procedure requires Town Council to review and make a decision.

Steven and Charles Fisher own approximately 40.87 acres identified on the records of the Henderson County Mapping Office as PIN# 9558828737. The attached Subdivision Plat shows the proposal is to subdivide 4.51 acres and create a new lot on Willow Road. Another part of the proposal (not up for review) is to add .9 acres to PIN 9558910990 (currently 7 acres) resulting in a 7.9 acre tract as a lot line adjustment approved administratively.

The attached Official Zoning Map shows that this area is located in the ETJ (Extra-Territorial Jurisdiction) and is zoned R-20 (Moderate Density Residential). Given the proposed lot has slope less than 15%, the dimensional requirements for the new lot are as follows:

- Minimum Lot Area (sq. ft.) 30,000
- Minimum Lot Width (feet) 100

Council reviewed the proposed subdivision.

Commissioner Deb Bridges moved to approve the subdivision as proposed. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

HWY 64 DISCUSSION

Mayor Pro Tem Hansen stated that he, Commissioner Banta, and Town Manager Alex Carmichel met with NCDOT yesterday, February 14th. The Hwy 64 project has a let date of July. They are in the process of clearing trees which will take 6-8 weeks.

Mayor Pro Tem Hansen stated the current plans show 54 lights. NCDOT says 170 are needed at the bare minimum, in the mile stretch. The Town’s portion is from Westbrook to White Pine. With the 170 suggested by NCDOT, the Town would be responsible for paying \$54,000 per year for electricity.

Mayor Pro Tem Hansen stated his main concerns are cost and light pollution.

Commissioner George Banta stated NCDOT has been responsive thus far and Division 14 has offered to go to Raleigh previously on the Town’s behalf.

Mayor O’Cain wants to add the Hwy 64 presentation to the Regular Meeting Agenda on February 20th.

Commissioner Deb Bridges stated that the Council, at the January meeting, decided not to proceed until contact had been made with Ingles.

Town Manager Alex Carmichael said he is awaiting a response from Ingles’ legal representative.

Mayor Pro Tem Hansen stated that the current Ingles shopping center brings in \$17,000 in property taxes each year. This does not include additional sales taxes. Commissioner Deb Bridges agrees but questions the amount of money being discussed on these presentations without having contact with Ingles.

Mayor O’Cain shared that he has spoken to Bill McKibben who owns the gas station, Dixie Diner, and the car wash along Hwy 64. Having renderings of concepts compliant with the UDO makes it easier for private property owners.

Commissioner Deb Bridges wants Ingles to have a clear point of contact before proceeding with spending any money.

Commissioner Kristin Dunn explains the worst-case scenario of spending time and money and Ingles disregarding the presentations.

Commissioner George Banta says we must be prepared in conversations with Ingles, stating last time Ingles was not aware of new UDO requirements.

AGENDA REVIEW FOR THE COUNCIL REGULAR MEETING SCHEDULED FOR FEBRUARY 20, 2024

Mr. Carmichael said the Town Council will hold their regularly scheduled Town Council meeting on the third Tuesday of the month, February 20, 2024, 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. January Monthly Report
 - B. Minutes for the January 16, 2024 Regular Meeting
- 6. Old Business**
 - A. Sidewalk Agreement

Town Manager Alex Carmichael stated this agreement is with Hendersonville and NCDOT. There is an outstanding question about domes. NCDOT typically uses yellow plastic. Hendersonville has requested costs for upgrading to cast iron. Town Manager Alex Carmichael has also requested these cost estimates.

B. Tree City/Bee City Signs

Town Manager Alex Carmichael stated the Bee City Signs can be smaller but must be proportional.

- 7. New Business**
 - A. Audit Presentation

Town Manager Alex Carmichael stated this will take up the bulk of time.

8. Town Manager’s Report

9. Department Head Reports

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

10. Mayor and Commissioner Comments

Mayor O’Cain stated Town Manager Carmichael is up on his two year anniversary and Council will need to perform his review in Closed Session.

Town Manager Alex Carmichael stated his thought was to have this occur in March.

11. Adjournment

Town Manager Alex Carmichael stated the approval of Yoga at Jump Off Rock requested by Friends of Laurel Park, and the Highway 64 Rendering discussion has been added to the agenda per Commissioner feedback.

Commissioner Deb Bridges asked about the detailed financial report.

Finance Officer Kirk Medlin apologized for the delay and stated they would be available. However, Town Hall experienced multiple technical difficulties yesterday. He stated he would have the year-to-date budget to actual information ready later today. All numbers have been input; he just needs to format it into a readable document.


ADJOURNMENT

There being no further business, Commissioner Bridges moved to adjourn at 10:04 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

ATTEST:



Kaitland Finkle
Interim Planner


J. Carey O’Cain, Mayor

3-19-2024

Date