



**Town Council
Regular Meeting
August 20, 2024, at 9:30 a.m.**

THIS MEETING WILL BE HELD ELECTRONICALLY AND IN PERSON

Please visit www.laurelpark.org for more information

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83695175030>

or

Telephone:

1-646-931-3860 (US)

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Public Comment**
- 4. Approval of the Agenda**
- 5. Consent Agenda**
 - A. July Monthly Report
 - B. Minutes for the July 11, 2024 Work Session
 - C. Minutes for the July 11, 2024 Closed Session
 - D. Minutes for the July 16, 2024 Regular Meeting/Public Hearing
 - E. Minutes for the July 16, 2024 Closed Session
 - F. Minutes for the July 23, 2024 Special Meeting
 - G. Minutes for the July 23, 2024 Closed Session
 - H. Minutes for the August 1, 2024 Special Meeting
 - I. Minutes for the August 1, 2024 Closed Session
 - J. Minutes for the August 8, 2024 Special Meeting
 - K. Minutes for the August 8, 2024 Closed Session
 - L. Constitution Week Proclamation
- 6. Old Business**
- 7. New Business**
 - A. Bird Sanctuary Presentation – Mike Erwin
 - B. Minor Subdivision – 2519 Davis Mountain Road
 - C. Declaration of State Emergency
- 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. Closed Session- NCGS 143-318.11(a)6-** consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.
- 12. Adjournment**



TOWN OF LAUREL PARK
AGENDA ITEM SUMMARY

Title of Item: Constitution Week Proclamation

Presenter: Mayor J. Carey O’Cain

Attachment(s): Yes/No

- July Monthly Report
- Constitution Week Proclamation

Summary of Item:

The monthly report and the Constitution Week Proclamation are attached.

Council Action Requested:

Staff requests the Town Council review the consent agenda.

Suggested Motion:

Motion to approve the consent agenda.



July Monthly Report

Tax Collector's Report (July 31, 2024)

For prior year taxes, a total of \$31,352.38 remains outstanding. The Town received \$13,913.57 from Henderson County for property taxes collected for February and a total of \$13,913.57 since the 2024 bills were mailed. The 2024 tax levy is \$2,604,770.89. The Town currently has a collection rate of 0.461%.

Planning & Zoning

Status of Single-Family Residential Dwellings (SFRD)			
2021-19	212 Beechwood	Jennifer Yost	CO
2022-31	10 Fawn Turn Ln	Sigfrid Della Valle	NC
2022-38	209 Ficker Cir.	Sarah Adams	CO
2022-44	945 Somersby Pkwy.	Matt Padula	CO
2023-4	200 Rowland Dr.	Loyd Alexander	LPZCP
2023-5	152 Clays Cv.	Josh Youngblood	NC
2024-11	Lot 6 Tudor Lane	DMH Builders Inc.	LPZCP
2024-24	101 Reisha Ln.	Jack Collina	LPZCP
Status Legend			
LPZCP = Laurel Park Zoning Compliance Permit		UC = Under Construction	
NC = Nearly Complete		CO=Certificate of Occupancy Issued	
Monthly Permits Other Than SFRD			
Deck			
Sign			
Fence	312 Daniel Dr.		1
Additions or Remodel	130 Birchwood Dr., 411 Sabine Dr., 273 Ransier Dr., 155 Sugar Maple Heights		4
Accessory Use or Structure	360 Orchard Circle		1
Subdivision	Expedited 2 new lots off Willow Road (PIN 9558923056)		1
Total for June			7

Proclamation

Constitution Week 2024

Whereas, September 17, 2024 marks the two hundred and thirty seventh 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 officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; 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, Mayor of Laurel Park of the state of North Carolina do hereby proclaim September 17 through 23, 2024 to be

CONSTITUTION WEEK

in Laurel Park and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Laurel Park, North Carolina, on this twentieth day of August in the year of our Lord two thousand twenty-four.

J. Carey O'Cain, Mayor

ATTEST:

Tamara M. Amin, CMC, NCCMC

Town Clerk



**TOWN OF LAUREL PARK
AGENDA ITEM SUMMARY**

Title of Item: Bird Sanctuary Presentation

Presenter: Mike Erwin

Attachment(s): Yes/No

Summary of Item:

The Parks and Greenways Committee endorses the idea of posting two new signs announcing that Laurel Park is recognized as a “Bird Sanctuary.” A few decades ago, there was such a sign at the entrance to the community, according to Lutrelle O’Cain. The Committee suggests that two signs be ordered, size and locations to be determined. Bird Sanctuary designation only specifies that residents do not shoot, capture, or harm birds, and do not possess any bird parts without a federal permit.

The Committee suggests the script state “Laurel Park is a Bird Sanctuary” in bold font and that adding a small image of a blue bird or cardinal would be effective. The Wild Birds Unlimited retail store has already offered to handle the design and order of such signs subject to the approval of the Parks and Greenways Board and the Town Council.

Council Action Requested:

Staff requests the Town Council review the proposal for the Bird Sanctuary signs.

Suggested Motion:

Motion to approve/deny the posting of two Bird Sanctuary Signs as presented.



TOWN OF LAUREL PARK AGENDA ITEM SUMMARY

Title of Item: Minor Subdivision 1 lot into 2 – 2519 Davis Mountain Drive

Presenter: Cara R. Reeves- Interim Town Manager

Attachment(s): Yes/No

- Survey
- Septic Records
- Proposed Property Descriptions

Summary of Item:

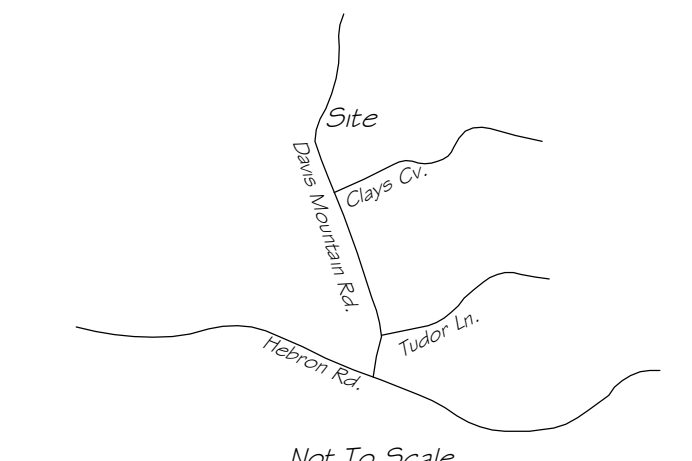
Jessica and Joshua Worthen (owners) are proposing to subdivide a parcel identified on the Henderson County Geographic Information System (GIS) as property identification number (PIN 9548462414). This property is in the ETJ R-30 zoning district. The estimated acreage is 2.33 acres, and the slope of the property is estimated at 10% which is considered a low slope. There are two existing homes on the property, a Manufactured Home at 2515 Davis Mountain Road and a 1 story Stick Built Home at 2519 Davis Mountain Road.

The Laurel Park Unified Development Ordinance (UDO) section 2.5.3: Dimensional Standards for the R-30 zone indicates that lots with low slopes (less than 15%) require a minimum street setback of 35 feet and a minimum side and rear setback of 25 feet. The minimum lot area is 30,000 square feet and the minimum lot width is 100 feet. All requirements have been satisfied for the subdivision to be approved however a legal description detailing each lot and referencing the shared well and shared driveway must be submitted prior to Town Council's review and decision.

This request was commented on by Parks and Greenways and approved by the Planning Board.

Suggested Action: Staff requests Town Council to review the attachments and review criteria.

Suggested Motion: Motion to approve or deny the subdivision request for 2519 Davis Mountain Road.



Vicinity Map

I, Cameron S. Baker, certify that this plat was drawn under my supervision from an actual survey under my supervision, (deed description recorded in Book 4166, Page 655) that the ratio of precision as calculated by latitudes and departures does not exceed 1:10,000 and that this survey was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this day of , 20 .

Professional Land Surveyor No. L-4920

I, Cameron S. Baker, Professional Land Surveyor, certify that this survey creates a subdivision of land within the jurisdiction of Henderson County, which has an ordinance that regulates parcels of land.

Professional Land Surveyor L-4920

I, Cameron S. Baker, Professional Land Surveyor, certify that the lot(s) created by this plat is (are) served and accessed by a recorded driveway easement shown hereon. This easement may or may not meet the standards for roads serving subdivisions in the Henderson County Land Development Code. Neither the undersigned nor Henderson County certify whether this easement meets such standards. This day of , 20 .

Professional Land Surveyor No. L-4920

I, , Subdivision Administrator for Town of Laurel Park certify that this plat plan has been Reviewed and Approved as (a) Minor Subdivision in accordance with the Town of Laurel Park Subdivision Ordinance.

Subdivision Administrator Date

Being all of the property as described in Deed Book 4166, Page 655

Map of Minor Subdivision for

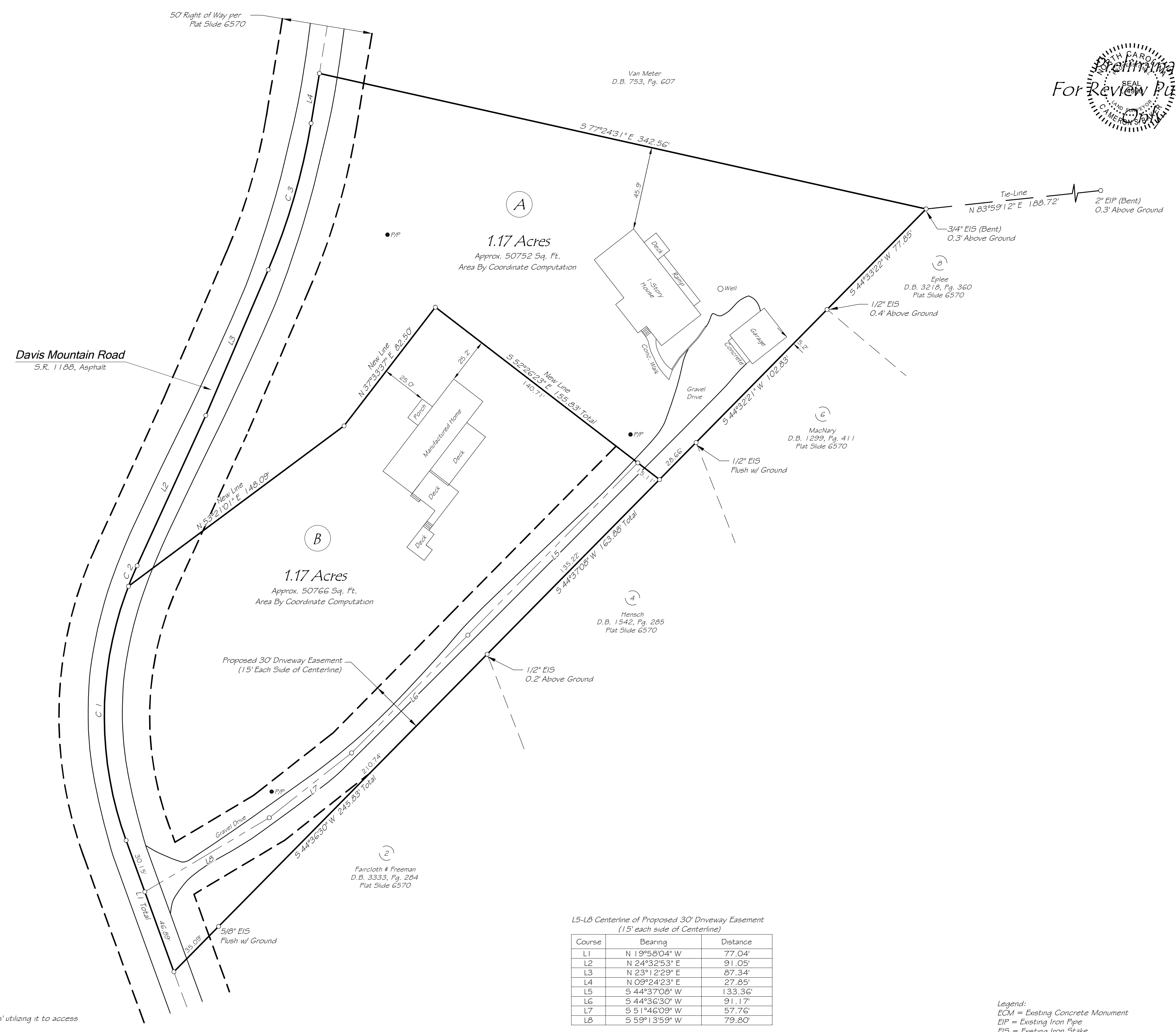
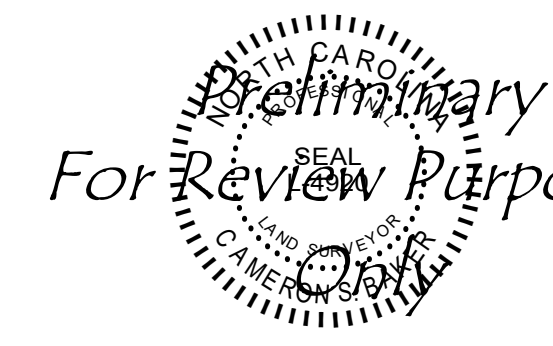
Jessica Worthen
and
Joshua Worthen

-Owners-
D.B. 4166, Pg. 655

Address: 2519 Davis Mtn. Road

Pin: 9548-46-2414

Crab Creek Township	Henderson County, NC
ASSOCIATED LAND SURVEYORS & PLANNERS P.C. P.O. BOX 578 * HORSE SHOE, NC 28742 (828) 890-3507 NC BUSINESS LICENSE NO. C-2774 SCALE: 1 Inch = 30 Feet DATE: June 19, 2024 JOB NO.: S-24-284 DRAWN BY: PCA MINICAO & O	



L5-LB Centerline of Proposed 30' Driveway Easement (15' each side of Centerline)

Course	Bearing	Distance
L1	N 19°58'04" W	77.04'
L2	N 24°32'53" E	91.05'
L3	N 23°12'29" E	87.34'
L4	N 09°24'23" E	27.85'
L5	S 44°37'09" W	133.36'
L6	S 44°36'30" W	91.17'
L7	S 51°46'09" W	57.76'
L8	S 59°13'59" W	79.80'

Curve	Radius	Length	Chord	Chord Bear.
C1	200.00'	143.08'	140.05'	N 00°31'36" E
C2	200.00'	12.31'	12.31'	N 22°47'05" E
C3	350.00'	84.31'	84.11'	N 16°18'26" E

Legend:
ECM = Existing Concrete Monument
EIP = Existing Iron Pipe
EIS = Existing Iron Stake
IPS = Iron Pipe Set
O = Unmarked Point, Unless Otherwise Noted
ROW/MON = Right of Way Monument
ROW = Right of Way
RRS = Railroad Spike
P/P = Power Pole

State of North Carolina, County of Henderson
filed for registration on the day of , 20
at o'clock M and recorded in
slide in the office of the
Register of Deeds of Henderson County.

Register of Deeds
By: , Deputy.

State of North Carolina
County of Henderson
I, Review Officer of Henderson County,
certify that the map or plat to which this certification is affixed
meets all statutory requirements for recording.

Review Officer Date

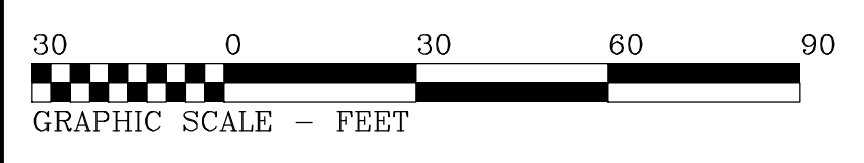
I certify that the final plat shown hereon
complies with the Laurel Park Subdivision
Ordinance and is approved by the Board of
Commissioners for recording in the Henderson
County Register of Deeds office.

Date Mayor - Town of Laurel Park

Building Setbacks as per Town of Laurel Park R-30 Zoning:
Principal Structure:
Front: 35'
Side: 25'
Rear: 25'

Accessory Structure:
Front: 35'
Side: 10'
Rear: 10'

- Notes:
1. Property is subject to all easements, restrictions and right of ways of record.
 2. The locations of underground utilities are based on above-ground structures and record drawings provided to the surveyor. Locations of underground utilities/structures may vary from locations shown hereon. Additional buried utilities/structures may be encountered.
 3. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate title search may disclose.
 4. The certification of survey and plat was prepared for the entity named in the title block hereon and does not extend to any other entity, unless recertified by the professional land surveyor.
 5. All miscellaneous survey related materials, including but not limited to, project plans, deed and ROW research, maps, field notes and data, survey reports, record title report, calculations, working drawings, estimates, and other materials acquired and/or prepared by the surveyor as instruments of service shall remain the property of the surveyor and assigns.
 6. This drawing is not valid unless the original signature and stamp are attached. Any reproduction or variance to this survey by electronic or any other means are not to be considered issued by the professional surveyor.
 7. Property is currently zoned Town of Laurel Park ETJ-R-30 per Henderson County GIS.
 8. Property is located within 1/2 mile of a designated Farmland Preservation District.
 9. Maintenance responsibility of the proposed Driveway Easement shown hereon is conveyed to the homeowners' utilizing it to access their property. Easements must be maintained to allow clear passage for emergency response vehicles.
 10. Property is located in Zone X (Minimal Flood Risk) as per FRIS Map Panel 954B, Map #3700954800J effective date 10/02/2008



2519

HENDERSON COUNTY HEALTH DEPARTMENT

Completion Permit

New Construction
Repair
Pre-Existing Tank

Owner William Greene Date 6-26-85

Building Contractor same

Septic Tank Installer Merrill Grading

Location Davis Mtn Rd

Lot No. 2 Development _____

House Mobile Home Other

No. Bedrooms 3 Garbage Disposal Yes No

Basement Plumbing Yes No

Water Supply — Community Individual private

Lot Size 20,000 sq ft

Site Evaluation — Suitable Provisional

Tank Size 1000 Drain Field 220 sq. Ft. 3 trenches

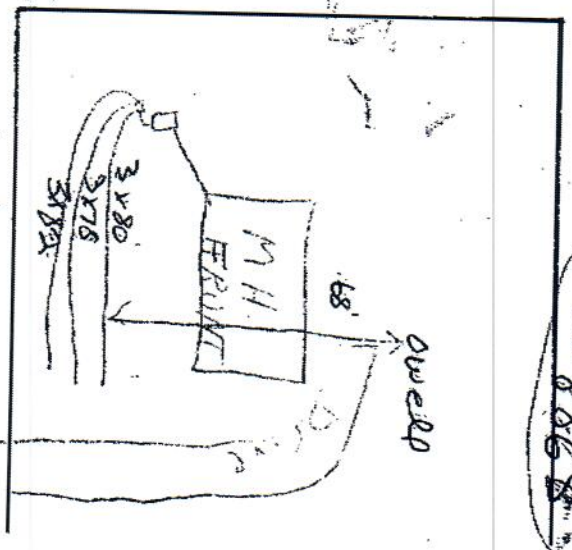
Stone Depth 12 inches 3' x 3'

Valid only for use as described above

Zoning regulations may be in effect in your area, before proceeding with construction, check with the Henderson County Zoning Officer or Inspection Department.

Received by [Signature] Approved for Material & Workmanship Only

Permit Number
C No. 7107
I No. 886



Issued by [Signature] Sanitarian

HENDERSON COUNTY HEALTH DEPARTMENT
SEWER TANK SYSTEM IMPROVEMENTS PERMIT

Call: 692-4223 between 8-12 and 1-4:30 p.m.

Owner W. L. Wain Circuit Date 4-12-85

Building Contractor Same

Location Devils Mt. Rd. 200 ft. on Rt

Development
 House Mobile Home Other
 No. Bedrooms 3

Basement Plumbing Yes No

Water Supply - Community Individual

Lot Size 15,000 sq. ft.

Site Evaluation - Suitable Provisional Unsuitable

Tank Size 250 Drain Field 780 Sq. Ft.

Stone Depth 12 inches

Valid only for use as prescribed above.

Notify department in advance for any changes needed.

Zoning regulations may be in effect in your area, before proceeding with construction, check with the Henderson County Zoning Department or Inspection Department.

Permit valid for 3 years from date of issuance.

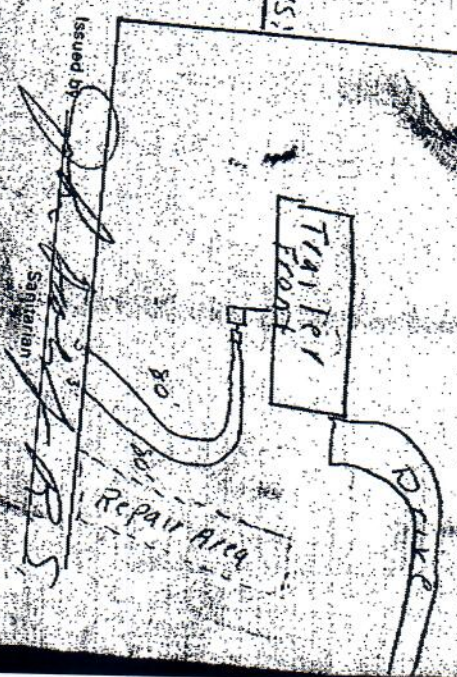
Approved for Material & Workmanship Only
W. L. Wain

Approved
 Disapproved
 New Construction
 Repairs
 Pre-Existing Tank

For Conventional System

Permit Number 8868

Max. Trench Bottom Depth 2ft. App. 0.5



Issued by

2515

EXHIBIT A

BEING all of that 1.17 acres, more or less, shown as tract A on a plat thereof recorded in Plat Book _____ at Page _____, Henderson County Registry, reference to which is hereby made for a more complete metes and bounds description.

ALSO CONVEYED herewith, to be appurtenant to and run with the above-described property, a right of way for purposes of ingress, egress, and utilities across that proposed 30' Driveway Easement as shown on Plat Book _____ at Page _____, Henderson County Registry, with the maintenance of said shared driveway to be shared equally with the owners of tract B of Plat Book ____ at Page _____.

AND SUBJECT to the rights of the owners of tract B of Plat Book _____ at Page _____ to take water from the well located on the above referenced tract for domestic purposes only. Such easement shall be binding upon the owners of tract A and tract B of Plat Book _____ at Page _____, their heirs, successors and assigns. This easement right shall include the right of the owners of tract B to enter upon said tract A for the purpose of maintaining the well, pump and waterlines located thereon with both tract A and tract B to share in the maintenance and repair of said well and waterworks and the cost of electricity to operate the well on a pro rata basis. In the event that either the owner(s) of this tract A or tract B no longer take water from said well, then such owner(s) shall no longer be required to share in the maintain and repair of such well and the cost of electricity to operate the same.

EXHIBIT A

BEING all of that 1.17 acres, more or less, shown as tract B on a plat thereof recorded in Plat Book _____ at Page _____, Henderson County Registry, reference to which is hereby made for a more complete metes and bounds description.

ALSO CONVEYED herewith, to be appurtenant to and run with the above-described property, an easement and right of the owner of the above referenced tract, to take water for domestic purposes only from the well located on tract A of Plat Book _____ at Page _____. Such easement shall be binding upon the Grantee, their heirs, successors and assigns. This easement right shall include the right to enter upon said tract A for the purpose of maintaining the well, pump and waterlines located thereon. Also SUBJECT to the requirement of the Grantee, their heirs, successors and assigns to share in the maintenance and repair of said well and waterworks and the cost of electricity to operate the well with the owner of tract A on a pro rata basis. In the event that either the owner(s) of this tract B or tract A no longer take water from said well, then such owner(s) shall no longer be required to share in the maintenance and repair of such well and the cost of electricity to operate the same.

AND ALSO, to be appurtenant to and to run with the above-described property, right of way for ingress, egress, and utilities for the owners of Tract A in Plat Book ____ Page _____ over that proposed 30' Driveway Easement as shown on Plat Book _____ at Page _____, Henderson County Registry, with the maintenance of said shared driveway to be shared equally with the owners of tract A and tract B of Plat Book ____ Page _____.



TOWN OF LAUREL PARK AGENDA ITEM SUMMARY

Title of Item: Declaration of State of Emergency

Presenter: Cara R. Reeves- Interim Town Manager

Attachment(s): Yes/No

- State of Emergency Declaration

Summary of Item:

July was a very wet month for the Town of Laurel Park. The severe weather event that proved too much for our failing and aging infrastructure occurred on the evening of July 30th. The downpour we received in just two hours measured 5.64” according to a resident, Dave Brown’s official recording station on Echo Mountain. Through July, Laurel Park has recorded 51.80” for the year according to Dave. Unofficially, it is not uncommon to have nearly 90” annually as the Town acts as its own microclimate due to the Blue Ridge mountain’s substantial elevation changes as compared to our neighbors.

Suggested Action: Make a motion.

Suggested Motion: Motion to approve the declaration of state of emergency as a result of the severe weather event that occurred on July 30, 2024.

Proclamation

Town of Laurel Park, North Carolina

DECLARATION OF A STATE OF EMERGENCY

WHEREAS, extensive rain and flash flooding affected the Town of Laurel Park on July 30th, 2024 resulting in widespread impacts and needs emergency repair to Town infrastructure and land; and

WHEREAS, as a result of the above-described emergency, I have determined that there existed an imminent threat of, or conditions which caused, widespread or severe damage, injury, or loss of life or property, and public safety authorities had difficulty maintaining public order or affording adequate protection for lives or property; and

WHEREAS, declaring a State of Emergency and imposing the restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, and to secure property.

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the Town of Laurel Park under Article 1A of Chapter 166A of the North Carolina General Statutes and Chapter 32 of the Town of Laurel Park Code of Ordinances:

Section 1. A State of Emergency is hereby declared within the Town of Laurel Park, North Carolina.

Section 2. I hereby order all law enforcement officers under the command of the Police Chief to cooperate in the enforcement and implementation of the provisions of this Declaration, all applicable local ordinances, state and federal laws, and the Town of Laurel Park Emergency Operations Plan.

Section 3. I hereby order this declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with Clerk to the Town of Laurel Park Town Council; and (c) to be distributed to others as necessary to ensure proper implementation of this declaration.

Section 4. This declaration shall take effect on August 20, 2024 at _____ a.m. and shall remain in effect until modified or rescinded.

DECLARED this the 20th day of August, 2024 at ____ a.m.

Tamara Amin, CMC, NCCMC
Town Clerk

Carey O'Cain
Mayor