



**Town Council  
Regular Meeting Minutes  
September 17, 2024 – 9:30 a.m.**

Mayor O’Cain called the Regular Council Meeting to order at 9:31 a.m. on September 17, 2024, in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739 and electronically through Zoom platform.

The following attended in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739:

- Mayor Carey O’Cain
- Mayor Pro Tempore A. Paul Hansen
- Commissioner George W. Banta
- Commissioner Kristin Dunn
- Commissioner Deb Bridges
- Town Manager Cara Reeves
- Town Clerk Tamara Amin
- Police Chief Bobbie Trotter
- Public Works Director Brandon Johnson
- Crew Leader Matthew Pearce
- Fire Chief Tim Garren
- Kaitland Finkle- Land of Sky
- Ed Mattern- Friends of Laurel Park
- Ann McFadden- Resident
- Gary Anderson- Parks and Greenways Chair

Absent:

- Finance Officer Kirk Medlin

Mayor O’Cain opened the Regular Meeting and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Mayor O’Cain asked if there was any public comment; Town Clerk Amin said there were numerous verbal comments that came in by phone. Numerous residences in Timbercreek would like Council to know that Mr. Don McIntyre does not represent them and should not reflect the whole neighborhood.

Mr. Ed Rutherford of 102 Patula Park in Flat Rock said he represents his sister-in-law that is trying to buy in Ecusta Park and asked what the Council was doing. He explained their frustration with WXZ.

## **APPROVAL OF THE AGENDA**

Mayor O’Cain moved Comprehensive Plan discussion up right after Friends of Laurel Park.

Commissioner Banta moved to approve the amended agenda. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

## **APPROVAL OF THE CONSENT AGENDA**

- a. August Monthly Report - The aforesaid report is attached to, and made part of, these minutes as Appendix 1.

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

## **OLD BUSINESS**

### **WXZ PERFORMANCE IMPROVEMENT GUARANTEE EXTENSION & MINOR SITE PLAN AMENDMENT**

Town Manager Cara Reeves said because WXZ Inc. has completed some but not all the roads and infrastructure and their bond is set to expire on 9/30/24 they are required by state law to submit a performance guarantee to the Town. These subdivision regulations commonly include installation of adequate water and sewer, construction and dedication of subdivision streets that meet Town or NCDOT standards, and provision of parks and recreation space.

“To assure compliance with these and other ordinance requirements, the ordinance may provide for performance guarantees to assure successful completion of required improvements.” (NCGS § 160A-372; 153A-331). If such guarantee is required the developer may choose a performance bond, a bank-issued letter of credit, funds held in escrow, or other financial assurances. A performance guarantee could ensure improvements regardless of whether they will be dedicated to the public or remain private.

Additionally, WXZ is requesting a pumphouse structure to be built next to the lift station. This structure shall not exceed 144 square feet.

Mayor Pro Tem Hansen said he, Mayor O’Cain, and Town Manager Reeves met with Mr. Dave Swindell and discussed the length of time and lack of organization heard from potential neighbors and residents. They explained to Mr. Swindell they do not want shortcuts, and they need the project finished.

Mayor O’Cain said they would extend the bond but need a drop-dead date because Council is frustrated.

Mayor Pro Tem Hansen moved to approve the performance improvement guarantee extension for WXZ Inc. to complete all infrastructure related to public utilities by October 31, 2024, and to

approve the minor site plan amendment. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

## **SIGNAGE SIZE DISCUSSION**

Mayor O’Cain discussed the different size signs around Town and said Birds Unlimited would like to come up with a Bird Sanctuary sign. After much discussion, Public Works Director Johnson said there are State Regulations and caution signs need to be 24 x 24 and the Town cannot use the 12 x 12 deer signs.

Commissioner Bridges recommended moving the Bee City signs to a different place.

## **NEW BUSINESS**

### **WALKING TRAIL SIGNS**

Ms. Ann McFadden made a request to the Parks & Greenways committee to place an eco-friendly sign commemorating Heidi Landolt, who recently passed away, and her husband, Paul, for the gift they gave to the town and our community by building the walking trail between Olds Trail and Roberts Drive. The proposal is to place a sign naming the trail as “Landolt Lane” on a rock like those in use at Flat Rock Park. Some issues were raised by P&G about rules that might need to be in place for any future use of similar signage; but the members agreed that Ms. McFadden should bring the proposal to the Town Council to assess their interest and get their comments.

Mr. Gary Anderson said he liked the idea, and the Parks and Greenways generally support it, but the Town needs criteria.

Mayor O’Cain asked to have the Laurel Park logo on it in case it gets stolen. Mayor O’Cain asked Ms. McFadden to come back next month and bring to Council an idea of the criteria or standard.

Town Manager Reeves said Ms. McFadden would need to go to both Planning Board and Parks and Greenways before coming to Council to change the UDO sign standards and it would be a Public Hearing.

### **FRIENDS OF LAUREL PARK 2025 CONCERTS**

Friends of Laurel Park President, Mr. Ed Mattern proposed the following concert dates and rain dates for 2025.

- April 12,13
- May 10, 11
- June 7,8
- Sept 6,7
- Oct 4,5

Commissioner Dunn moved to approve the Friends of Laurel Park proposed concert dates for 2025. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mr. Ed Mattern thanked Town Clerk Amin for all her help with the Friends of Laurel Park.

### **COMPREHENSIVE PLAN DISCUSSION**

Zoning Administer Kaitland Finkle said the existing Comprehensive Plan was adopted by Town Council on July 16, 2016 with a ten year horizon running through 2026. The existing plan suggests needing to be updated every 5 to 10 years in response to land use trends, changes in population, or any major events that may affect Laurel Park’s future. As a condition of adopting and applying zoning regulations, North Carolina General Statute 160D states that a local government shall adopt and reasonably maintain a comprehensive plan. While the statutes do not specifically define the time frame needed to reasonably maintain, the School of Government says in general, professional practice calls for plans to be updated every five to ten years.

Statute requires plans and any subsequent amendments to be adopted by the governing board as a legislative decision with the advice and consultation of the planning board. Some communities may decide to appoint a separate Steering Committee. Unless told otherwise, we suggest the update to the Comprehensive Plan to be led by the Planning Board kicking off at the next regularly scheduled meeting on October 8<sup>th</sup>. Additional support and input will come from other Boards and Committees, stakeholder interviews, and public engagement sessions.

I believe the Town’s desire is to coincide public engagement sessions to update the Comprehensive Plan with the Town’s celebration of the 100th anniversary of the Town’s original charter, from February 28, 1925. If there are certain Town events that can include public engagement, please let me know so we can prepare accordingly.

Mayor Pro Tem Hansen moved to appoint a Steering Committee for the Comprehensive Plan update. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Ms. Finkle asked Council to determine who they would like to serve on this committee.

Mayor Pro Tem Hansen asked Staff to send out messages to residents asking anyone to apply to be on the Committee.

*Ms. Finkle left at 10:15 a.m.*

### **DISCUSSION OF ZOOM SUBSCRIPTION**

Town Manager Cara Reeves said the Zoom subscription is set to automatically renew on 10/5/24. The Town can save \$95 per month by not renewing this and switching to Teams, which is provided through our Microsoft Suite.

Mayor Pro Tem Hansen moved to approve the cancellation of the Town's Zoom subscription and use Teams. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

### **EMAIL TRANSITION FROM .ORG TO .GOV**

Town Manager Reeves this project would be adding the new .gov domain to the current Office 365 tenant and then reconfiguring email profiles to point to the gov. This process would also entail updating the local Active Directory/Azure sync connect in O365 and working with each user to test/confirm the reconfigured profiles.

Council asked Mr. Travis Bonnema to look into this and come back next month with a recommendation

*Mr. Mattern left the meeting at 10:22 a.m.*

### **DISCUSSION OF SB 166 2024 BUILDING CODE REGULATORY REFORM**

Commissioner Bridges discussed the potential impacts of the SB 166 2024 Building Code Regulatory Reform on the Town of Laurel Park's ordinances.

*Mr. Anderson left the meeting at 10:23 a.m.*

The council discussed the effects of SB 166. It is meant to keep construction costs down. It has effect on fire codes, waste water, prohibits local government from maintaining UDOs as written. Building permits and COs can't be denied unless there is a safety issue or applicant fails to finish landscaping.

*Ms. McFadden left the meeting at 10:25 a.m.*

Mayor O'Cain asked Town Manager Reeves to contact Mr. Will Buie, Planning Board members and Board of Adjustment members to look at the Bill and give their opinions. Mayor O'Cain also asked to reach out to Mr. Chad Meadow's and put this on the agenda for October.

### **TOWN MANAGER REPORT**

Town Manager Reeves said there will be shutdowns due to a water project on Laurel Park Highway near Fleetwood. She urges residents to call the City of Hendersonville directly for any questions. Town Manager Reeves said she and Mr. Johnson met with Casey and Steven from WGLA. They discussed different ideas for culvert repairs. Mr. Will Buie said paving unlikely until March or April. Town Manager Reeves said she will be on a call with Mr. Chad Meadows today about the Highway 64 presentations. Town Manager Reeves said Public Works has hired an Invasive Vines employee.

Mayor O'Cain said the Kudzu on Hebron by the Country Club is horrible. Mr. Johnson said they sprayed on Ives Street. Mayor O'Cain said the Town should spray along the easement of the

Country Club and he will talk to Mr. Anthony Chilena of the Country Club to spray the rest of his property.

## DEPARTMENT HEAD REPORTS

### PUBLIC WORKS

Public Works Director Johnson said the department is working on curb repairs, patching, hydra mowing, shoulders and repairing the sinkhole on White Pine Drive. Mr. Johnson said the lower section of Winter Holly Road is in bad shape and he will have Mr. Buie look at it. Water fountain at Laurel Green should be installed this week. Mr. Johnson asked what Council wanted him to do with the bench that was ordered. Mayor O’Cain suggested putting mulch then frame it then more mulch. Mr. Johnson said they are converting catch basins to open throat. They filled one and they have one left.

### POLICE

Chief Trotter said the department had 13,142 events that are mostly security checks, and foot patrols. Thursday was the last community class of the year on scams and fraud. Chief Trotter asked if Council had any suggestions on topics for next year to let her know. Mayor suggested fall prevention for the elderly population as a topic.

Chief Trotter said she has been getting lots of questions on political signs. The NC General Assembly passed Senate Bill 315 that permits campaign signs within the right-of-way. No campaign sign should exceed six square feet in area or 42" in height. The law states signs are only permitted during the period beginning on the 30th day before the beginning date of "one-stop" early voting and ending the 10th day after the primary or election day. Early voting begins on October 17. Therefore, signs are only allowed from September 17 until November 15. Please note, it is a class 3 misdemeanor for a person to steal, deface, vandalize or unlawfully remove a political sign that is lawfully placed.

### FIRE

Fire Chief Tim Garren said he had nothing to report. He told Police Chief Trotter that Chris from the fire department can teach the class on fall prevention for the elderly.

### ADMINISTRATION

Town Clerk Amin said the Bee Committee will be showing “Bees: Tales from the Hive” today at 6:30 at Town Hall.

Town Clerk Amin reminded Council of the State of the Town dinner on October 3. There are 83 tickets left of those tickets 67 total tickets were sold; 31 for employees attending and 36 are for residents. Town Clerk Amin said the last day for tickets to be sold is this Friday.

Town Clerk Amin asked Council when they would like to have the Board Appreciation dinner. She said in previous years it was during the holidays but last year Council did it in February.

Town Clerk Amin suggested combining the State of the Town Dinner and the Board appreciation dinner in order to sell out the remaining tickets and extending those tickets to the 44 board members.

Mayor Pro Tem Hansen moved to invite the board members and combine the two dinners together. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

The Employee holiday dinner is confirmed at the Echo Mountain Inn on Friday, December 6.

Town Clerk Amin said there are 10 Board openings, 3 of which are for ETJ members. Only 5 board members would like to renew their terms.

Open Enrollment for employees will start on September 30 through October 25. Employees will be switching from Blue Cross Blue shield to Aetna.

Staff are currently working on audit items and hoping to finish all the onsite fieldwork from September 30- October 4.

Council asked Staff to get a list of all the ETJ residents and contact them about joining one of the boards.

### **MAYOR AND COMMISSIONER COMMENTS**

Commissioner Dunn said she has been getting lots of complaints about the post office. Mayor O’Cain said he had met with the postmaster, and he said the Town was good.

Mayor Pro Tem Hansen said he received a response from the airport. There were a couple of options:

1. Anytime the weather is bad they must follow the path
2. When there are clear skies, they can reroute traffic
  - a. Mayor Pro Tem Hansen suggested flying over Hendersonville Valley

Council asked Staff to record complaints because they do not want to react if only one or two people complain. They asked staff to take down names, dates, addresses and the complaint, as well as putting something in the newsletter.

Commissioner Banta asked about the bike lane markings. He asked to add mini logos up there to make the Blue Ridge Bicycle Club happy.

### **CLOSED SESSION**

Mayor Pro Tem Hansen moved that the Council enter Closed Session at 11:02 a.m. pursuant to [N.C.G.S. 143-318.11(a) (3)] consult with our attorney to protect the attorney-client privilege.



Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

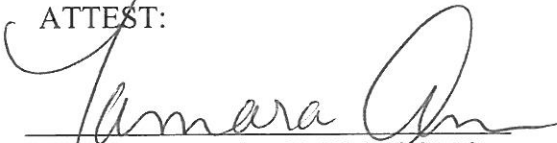
Mayor Pro Tem Hansen moved to reconvene the Regular Meeting at 11:18 a.m. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

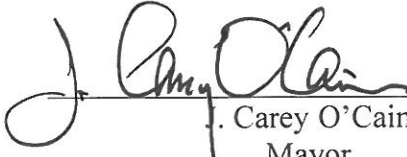
The following were present at Town Hall:

- Mayor J. Carey O’Cain
- Mayor Pro-Tempore A. Paul Hansen
- Commissioner George Banta
- Commissioner Dunn
- Commissioner Bridges
- Town Manager Cara Reeves
- Town Clerk Amin

**ADJOURNMENT**

There being no further business, Commissioner Bridges moved to adjourn at 11:19 a.m. Mayor O’Cain asked for discussion; there was none. The motion carried unanimously.

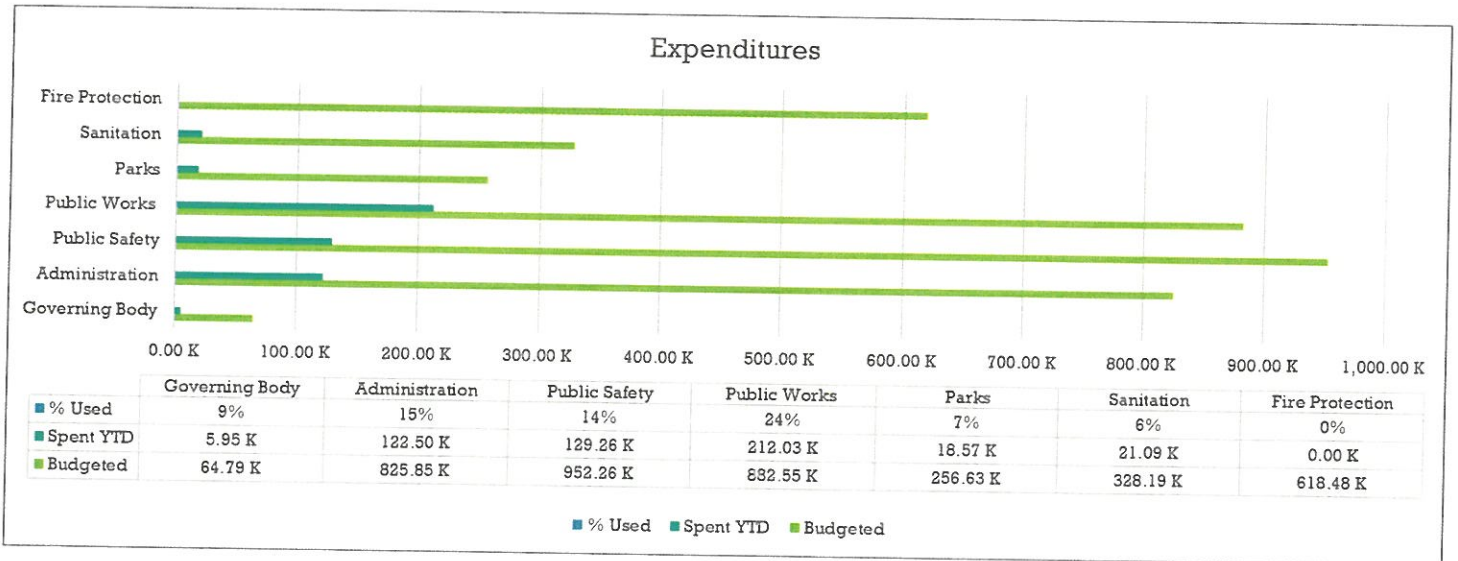
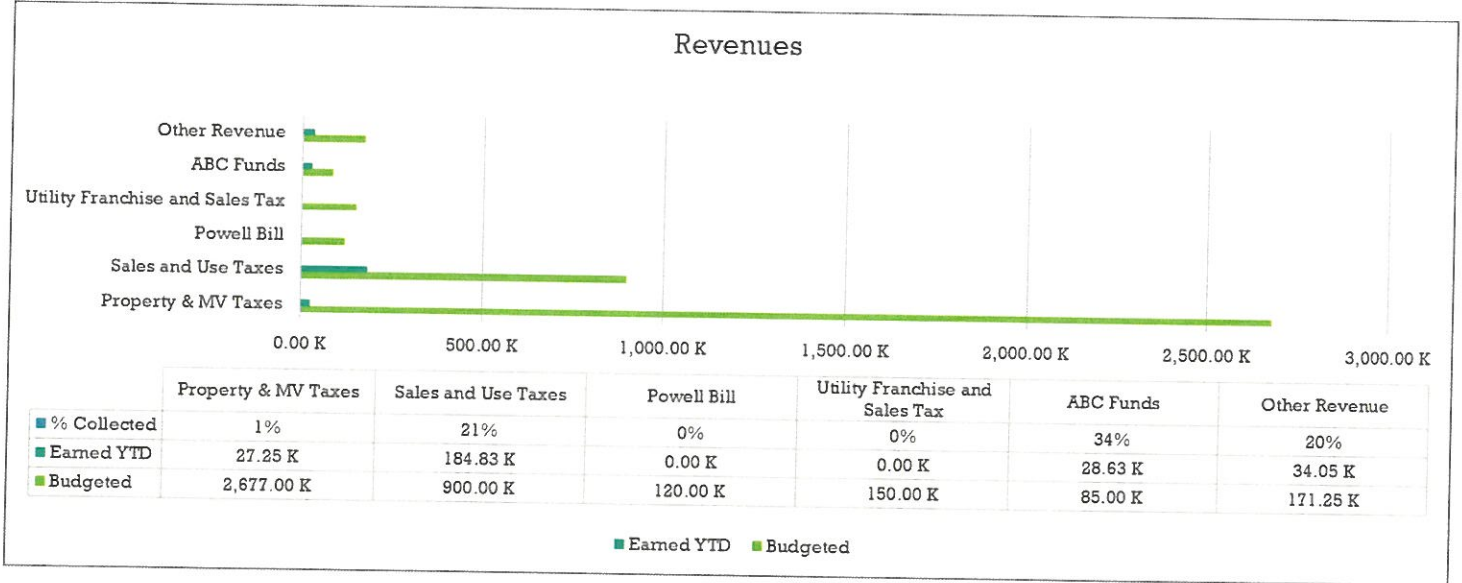
ATTEST:  
  
 Tamara M. Amin, CMC, NCCMC  
 Town Clerk/ Deputy Tax Collector

  
 J. Carey O’Cain  
 Mayor  
 15 Oct. 24  
 Date





# August Monthly Report



## Tax Collector's Report (August 31, 2024)

For prior year taxes, a total of \$29,021.65 remains outstanding. The Town received \$486,082.18 from Henderson County for property taxes collected for August and a total of \$499,995.75 since the 2025 bills were mailed. The 2025 tax levy is \$2,604,389.88. The Town currently has a collection rate of 19.188%.

# 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	155 Sugar Maple Heights, 2241 Willow Road	2
Sign		0
Fence		0
Additions or Remodel	114 South Drive	1
Accessory Use or Structure	2121 Azalea Ridge Road (solar panels)	1
Subdivision	PIN 9558665965 (awaiting signature as of 9/13/24), 2519 Davis Mountain Road	2
<b>Total for June</b>		<b>6</b>