



**Town Council  
Regular Meeting Minutes  
October 17, 2023 – 9:30 a.m.**

Mayor O’Cain called the Regular Council Meeting to order at 9:30 a.m. on October 17, 2023, 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 Alex Carmichael
- Town Clerk Tamara Amin
- Finance Officer Kirk Medlin
- Assistant to the Town Manager Jordan Jones
- Police Chief Bobbie Trotter
- Public Works Director Brandon Johnson
- Park Technician Bryan Hensley
- Town Engineer Will Buie
- Fire Chief Tim Garren

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; there were six.

Town Clerk Amin read an email from Mr. Troy Drake of 708 Davis Circle.

- a. Drake Email - The aforesaid email is attached to, and made part of, these minutes as Appendix 1.

Mary Margaret Licisyn of 100 Poplar Trail spoke about the vehicular traffic concerns on Upper and Old Laurel Drives and presented the Town Council with various ideas to mitigate the speeding.

William Mitchell of 306 Upper Laurel Drive also spoke about the dangers of vehicular traffic and speeding on Upper and Old Laurel Drives and presented the Town Council with various ideas to mitigate the speeding.

Jeff Morton of 401 Upper Laurel Drive also spoke about his fear and the dangers of vehicular traffic on Upper and Old Laurel Drives and presented the Town Council with various ideas to mitigate the speeding. Particular concerns were delivery drivers and nonresidents that use Airbnb's.

Robert Fain of 509 Upper Laurel Drive said 20 Miles per hour was too fast on a loop.

Jessie Diamond (no address was provided) said the increase in traffic is due to the hiking trail post and the quarry that welcomes people into the neighborhood. He urged Council to do something physical and the police were not the solution.

John Kwak of 2010 Laurel Park Highway says there is a yellow sign that is confusing people because it says Asheville Highway. He also spoke about illegal dumping from contractors.

### **APPROVAL OF THE AGENDA**

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

### **APPROVAL OF THE CONSENT AGENDA**

- b. September Monthly Report - The aforesaid report is attached to, and made part of, these minutes as Appendix 2.

Commissioner Banta 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**

#### **DRAINAGE AND PAVING AMENDMENT**

Town Engineer Will Buie said they will be meeting with Tarheel today. They will be working on the last bit of work for paving this season until the Spring. Mr. Buie said the change order previously presented by WGLA had a total for additional work of \$639,122.10. However, it mistakenly allocated drainage work to Tarheel Paving.

The amount of the change orders for each contractor will be different as outlined in the attached revised letter. The total for the two projects combined remains the same.

- c. Drainage and Paving Letter - The aforesaid letter is attached to, and made part of, these minutes as Appendix 3.

Council reviewed and discussed the revised change order.

Commissioner Dunn moved to approve the revised change order and authorize the Town Manager to sign the necessary change order documents. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

*Mr. Will Buie departed the meeting at 9:59 am*

#### LITTLE LAUREL GREEN DISCUSSION

Council discussed its vision for the playground at Little Laurel Green as well as grant funding opportunities.

Commissioner Bridges presented the process and discussed taking advantage of the State Budget. Commissioner Bridges said Council needs to figure out the following issues:

1. Agreeing not to change the footprint
2. Wanting to keep the castle and play tower
3. Replacing equipment and adding to them
4. Underserved population of children ages 2-5
5. Surfacing material

Mayor O’Cain asked Commissioner Bridges to get someone from Parks and Greenways to help. Mayor O’Cain spoke to Representative McGrady to look into PaRTF and he suggested get a consultant to come up with a plan.

#### INVASIVE REMOVAL UPDATE

Town Manager Carmichael gave an update on the status of the invasive removal in Town and presented a map of the status.

- d. Invasive Vines Map - The aforesaid map is attached to, and made part of, these minutes as Appendix 4.

He said the red represented treated areas and green were private roads that the Town has no authority over.

Mr. Carmichael said the Town is running out of Funds and only has two weeks left to pay Mr. Gizzi and Mr. Coffee. Mr. Carmichael said they will ask for matching donations in the next newsletter but the last time the Town did that we only received \$35.

Mayor O’Cain said he will talk to the grantor and see if we can get more of a donation.

#### INVASIVE VINES BANNER

Town manager Carmichael said the Invasive Species Committee would like the town to fly a banner to help spread awareness that Laurel Park residents can help fight invasive species on residential property.

Council reviewed the banner.

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

## NEW BUSINESS

### BOARD APPOINTMENTS

Town clerk Amin said the council appoints volunteers to serve on the four (4) standing advisory boards, and any other boards and commissions as needed. Current members may be reappointed, or new applicants appointed.

Town Staff has solicited the public for applications for the Boards in the Town Facebook page and Town Website. We have received 4 new applications.

Town Clerk Amin asked how the Council would like to handle the voting. They said they will go through each Board and vote one at a time.

Town Clerk reviewed the applications for the 2 positions for Board of Adjustments. She said no applications were received for the ETJ position.

Mayor Pro Tem Hansen moved to reappoint Ms. Stover for the Board of Adjustment position, 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.

Town Clerk reviewed the applications for the 5 positions for the Planning Board. She said no applications were received for the ETJ position.

Mayor Pro Tem Hansen moved to reappoint Mr. Gregg, Mr. Rainey, Mr. Wiehe and Mr. Pieper for the Planning Board positions, for a term ending December 31, 2025. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Town Clerk reviewed the applications for the 4 positions for the Parks and Greenways Board. She said the board recommended Mr. John McGregor to fill in for the rest of Ms. Brown’s term.

Commissioner Banta moved to reappoint Ms. Layfield, Mr. Plessel, Ms. Lyons and Mr. Robustelli for the Parks and Greenways positions, for a term ending December 31, 2025. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Banta moved to appoint Mr. McGregor for Parks and Greenways position to finish Ms. Brown’s term ending December 31, 2024. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Town Clerk reviewed the applications for the 1 position available for the ABC Board. Council asked Staff to ask the Board for a recommendation and put this on November’s agenda.

## CHANGE ORDER FOR LAUREL GREEN FENCING

Town Manager Carmichael said the plans for the Creek Restoration Project call for 1,640 linear feet of split rail fence to delineate the wilder space of the conservation easement from the more park-like space. This has been especially important in our conversations with Lakemoor. However, the fence did not make it into the contract with Baker and a change order will be necessary to add it. Baker can install the fence for \$23 per linear foot, totaling \$37,720. There is enough funding in the grant to cover that without charging the General Fund. The fence will be a natural black locust split rail.

Council reviewed and discussed change order one.

Mr. Carmichael said the posts will be rebar and only 3 rails tall, 6 inches in diameter a piece.

Commissioner Bridges moved to approve change order one with Baker Grading and Landscaping, Inc for \$37,720 to install 1,640 linear feet of split rail fencing. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

## ABC LEASE

Mayor O’Cain said at the work session Council asked staff to find out information about the lease of the Laurel Park ABC store. Staff reached out to Mr. John Nall, manager of the store. Mr. Nall provided the lease agreement, which is structured to renew every five years through 2035. Ingles has contacted the ABC Store, but no buyout offer was discussed. They did recognize that the ABC Store’s lease ran for 3 consecutive 5-year periods if Laurel Park opts in.

Council reviewed and discussed the agreement. Council agreed the Town needs more space. Mayor Pro Tem Hansen and Town Manager Carmichael will talk to the ABC store manager on Thursday to get their opinion about the merger.

Mayor Pro Tem Hansen would like to see a Performa or financial assessment of this merger. The cost benefits and overhead charges.

Mayor O’Cain asked staff to get Town Attorney Alexander to continue to tweak the agreement.

## TOWN MANAGER’S REPORT

Town Manager Carmichael said the completion date for Laurel Green should be end of October beginning of November. There will be a partial opening for the Trunk or Treat on October 28. Mr. Carmichael reminded Council that there is an LGCCA meeting today at 3 pm. The Mayor, Town Manager and Town Clerk will be attending.

## DEPARTMENT HEAD REPORTS

### PUBLIC WORKS

Park Technician Bryan Hensley suggested having areas at the park for 2–5-year-olds as well as the older age group because of siblings different in age. Mr. Hensley said he fixed the drainage issues in the park.

Mr. Hensley recommended keeping the swings, putting down rubber in two areas but there were three trees he was worried about. Mr. Hensley spoke about a North Myrtle Beach park at Bearfoot Landing that his kids love and wishes the Town could do the same concepts. Mayor O’Cain asked Mr. Hensley to bring a catalog and pictures of what the company does to the November Meeting.

## FIRE

Fire Chief Tim Garren said the department is so busy with the dry conditions.

*Park Technician Hensley departed the meeting at 10:55 a.m.*

## POLICE

Chief Trotter said there were 46 vehicle stops and 23 citations. Officer Matheu Murray completed radar training. Chief Trotter said the shred event went well and all nonprofits would like to return for another event. Chief Trotter reminded the Town about the Trunk or Treat happening on October 28.

Mayor O’Cain asked Chief Trotter to talk to Staff and come up with a plan for Upper and Lower Laurel Drive and bring to Council in the November meeting. Mayor also suggested pulling the delivery trucks over and giving them warnings.

Chief Trotter said the Town had tabled the noise ordinance discussion. Mayor Pro Tem Hansen asked staff to get with Mr. Chad Meadows and check to see if noise buffers are strong enough in the UDO. Mayor O’Cain asked Staff to respond to Mr. Troy Drake and let him know we are working with Mr. Meadows for a solution.

## ADMINISTRATION

Town Clerk Amin just reminded Staff that Open enrollment is until October 27.

## MAYOR AND COMMISSIONER COMMENTS

### Mayor Comments-

Mayor O’Cain said the Board Appreciation dinner will be held on December 15 at 6 pm, buffet style at the Hendersonville Country Club.

Mayor O’Cain said the Employee Holiday Dinner will be held on December 8 at 6 pm.

Mayor O’Cain asked Commissioners Bridges and Banta to work on the positives and negatives for the ABC merger.

Mayor O’Cain wanted to get the Council’s general thoughts on purchasing a property on Primrose Lane that is 3 acres from Mr. Robertson. Mayor O’Cain asked Staff to reach out to Town Engineer Will Buie about the property and see what the possibility of that property could be. Mayor Pro Tem Hansen suggested having the Commissioners walk it and then discuss it again in another meeting. Commissioner Bridges asked Mr. Jones to screenshot the Town Hall property and the 3 acres.

**Mayor Pro Tem Comments-**


Mayor Pro Tem Hansen thanked Commissioner Banta for planting Autumn Blazed Maples in Rhododendron Lake Nature Park ten years ago. He said they look beautiful.


Council asked Staff to put out an RFP on demolishing for the Highway 64 project.

**ADJOURNMENT**

There being no further business, Commissioner Banta moved to adjourn at 10:27 a.m. Mayor Pro Tem Hansen asked for discussion; there was none. The vote was unanimous in favor of the motion.

ATTEST:

  
\_\_\_\_\_  
Tamara M. Amin, CMC, NCCMC  
Town Clerk/ Deputy Tax Collector

  
\_\_\_\_\_  
J. Carey O’Cain  
Mayor  
11/21/23  
\_\_\_\_\_  
Date

# Appendix - 1

## Tamara Amin

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**From:** Town Manager  
**Sent:** Thursday, October 12, 2023 4:04 PM  
**To:** Troy Drake  
**Cc:** Tamara Amin  
**Subject:** RE: Laurel Park Noise Ordinance

Good afternoon Mr. Drake. Would you like me to enter this email into public comment on Tuesday's Council meeting?

Cordially,

Alex Carmichael  
Town Manager

**Town of Laurel Park**  
441 White Pine Drive, Laurel Park NC 28739  
828.693.4840 (p) 828.696.4948 (f)  
[Townmanager@laurelpark.org](mailto:Townmanager@laurelpark.org) | [www.laurelpark.org](http://www.laurelpark.org)



Pursuant to North Carolina General Statutes Chapter 132 Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public record and as such, are subject to request and review by third parties.

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**From:** Troy Drake <chipdrakeinville@gmail.com>  
**Sent:** Thursday, October 12, 2023 3:55 PM  
**To:** Carey O'Cain <mayor@laurelpark.org>; Paul Hansen <phansen@laurelpark.org>; George Banta <gbanta@laurelpark.org>; Debra Bridges <dbridges@laurelpark.org>; Kristin Dunn <kdunn@laurelpark.org>  
**Cc:** Town Manager <TownManager@laurelpark.org>; Bobbie Trotter <btrotter@laurelpark.org>; Assistant <assistant@laurelpark.org>  
**Subject:** Laurel Park Noise Ordinance

**Be Advised: This email originated from outside of the Laurel Park network. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Folks,

I Just wanted to inquire again to request that an additional review to tighten the noise ordinance for Laurel Park to protect residential neighbors and other business properties. It is a great time to do this. It appears changes could be in the works that might occur in the future because of the Ecusta Trail, sale of the Coats Manufacturing and possible sale and change of the Laurel Park Shopping Center property. Our neighborhood saw the profound effects of loud music venues from Cocola in 2022 and we requested a review then. I sent 2 or 3 videos of the events that shows the loud noise created upon our neighborhood. Nothing was done and we didn't hear from any Town Council member why no change was made. I've attached a copy of a map that shows the residential properties that could be affected if brewery,



bars or restaurants move into the Laurel Park Town Center affecting both Laurel Park residents, the ETJ and county residents if they decide to hold outside music events. Why not fix this issue now? A decibel measure could be used and easily enforced by the Laurel park Police Department and further restrict hours of outside venues. Keep in mind if the business has large open doors it's often the same as outside events. I kindly ask you again to review the noise ordinance to prevent intrusion on the neighborhoods around Laurel Park Town Center.

Regards,  
Troy Drake  
708 Davis Cir.  
Hendersonville, NC 28791



From: Troy Drake [chipdrakeinville@gmail.com](mailto:chipdrakeinville@gmail.com)  
Sent: Friday, July 29, 2022 9:32 AM  
To: 'Bobbie Trotter'  
Cc: 'Town Manager'  
Subject: RE: Cocula Band Tonight

Chief Trotter,

Thank you so much for getting involved and talking with Cocula. It has been a difficult nuisance for our neighborhood. It is great news that he will no longer have these outside bands at his restaurant. Hopefully, you and the Town Manager will be able to get a stronger Noise Ordinance approved that would protect both home owners living in and near Laurel Park in the future. I'm sure this will become an even more common issue in the future as new businesses open up in Laurel Park.

Best regards and thanks again for all your help,

Troy Drake  
828-290-6696

From: Bobbie Trotter [btrotter@laurelpark.org](mailto:btrotter@laurelpark.org)  
Sent: Thursday, July 28, 2022 10:33 PM  
To: Troy Drake [chipdrakeinville@gmail.com](mailto:chipdrakeinville@gmail.com)  
Cc: Town Manager [TownManager@laurelpark.org](mailto:TownManager@laurelpark.org)  
Subject: Re: Cocula Band Tonight

Hello, Troy,

I was out tonight and I spoke to Jorge. He did move the speaker and minor adjustments, but as you know, the music was still loud. He stated that he is not going to have any more events at Cocula. He is moving all music events to his business in Hendersonville.

For the future, the ordinance will still be reviewed. Once review is completed, I will make sure to keep you informed.

I do apologize for the inconvenience of this and the garage issues.

Bobbie

Sent from my iPhone

On Jul 28, 2022, at 6:23 PM, Troy Drake [chipdrakeinville@gmail.com](mailto:chipdrakeinville@gmail.com) wrote:  
Be Advised: This email originated from outside of the Laurel Park network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is what my neighbor is hearing from her front porch tonight. Most everyone in our neighborhood can hear the band at Cocula.

Please do something about the Laurel Park Noise Ordinance to protect

residential housing. Later this type of noise could not only affect our neighborhood but others that live near businesses that have outdoor events like this.

Regards,  
Troy Drake  
708 Davis Cir.  
828-290-6696

TOWN OF LAUREL PARK  
PUBLIC COMMENT SIGN-UP SHEET

Town Council  
Reg Mtg

MEETING DATE: 10/17/2023

NOTE: ALL INFORMATION PROVIDED ON THIS FORM IS A PUBLIC RECORD

WE APPRECIATE OUR CITIZENS AND GUESTS EXPRESSING THEIR VIEWS ON THE FUTURE OF LAUREL PARK.

WE OFFER THE FOLLOWING GUIDELINES FOR SPEAKING DURING PUBLIC COMMENT.

- COMMENTS WILL BE LIMITED TO 3 MINUTES IN AN EFFORT TO BE FAIR AND OFFER EVERYONE AN OPPORTUNITY TO SPEAK.
- ATTENDEES ARE REQUESTED TO DESIGNATE A SPOKESMAN FOR GROUPS SUPPORTING OR OPPOSING THE SAME POSITION. IF THE NUMBER OF PERSONS WISHING TO ATTEND THE COMMENT PERIOD EXCEEDS THE CAPACITY OF THE HALL, GROUPS ARE ASKED TO SELECT DELEGATES FROM GROUPS SUPPORTING OR OPPOSING THE SAME POSITION.
- PLEASE BE RESPECTFUL AND COURTEOUS IN YOUR REMARKS.
- PLEASE REFRAIN FROM PERSONAL ATTACKS AND FROM USING PROFANITY.
- PLEASE STATE YOUR NAME AND ADDRESS PRIOR TO SPEAKING.

PLEASE PRINT THE INFORMATION BELOW

	NAME	ADDRESS	SUBJECT
1.	Troy Drake	708 Davis Circle Hendersonville	LP Noise Ordinance
2.	Bill Miller		
3.	William Mitchell	306 Upper Laurel Dr	Upper Laurel Dr. Speeding
4.	Robert Fain	569 Upper Laurel Dr	" " "
5.	Mary Margaret Liasyn	100 Poplar Trail	" " "
6.	Jeff Norton	1401 Upper Laurel Dr	" " "
7.	John Barsoff	310 " "	" " "
8.	Jesse Diamond		
9.	John Decker		
10.	TON KINAT	2010 Lannan Pkwy	Speeding, illegal driving

## Tamara Amin

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**From:** William Mitchell <billmitchell99@gmail.com>  
**Sent:** Friday, October 13, 2023 2:14 PM  
**To:** Tamara Amin  
**Subject:** Speeders on Upper Laurel Drive

**Be Advised:** This email originated from outside of the Laurel Park network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Tamara,

Several of us who live on Upper Laurel Drive would like to speak and follow up on the petition we filed in May. We are planning to come to the next Council meeting, but I just heard it is too late to sign up for public comments. The speeders are getting kind of wild up here, and we have two new walkers with kids in strollers on this street, so it's a bit urgent. I'm going to turn in an application anyway, and hope you can fit us in.

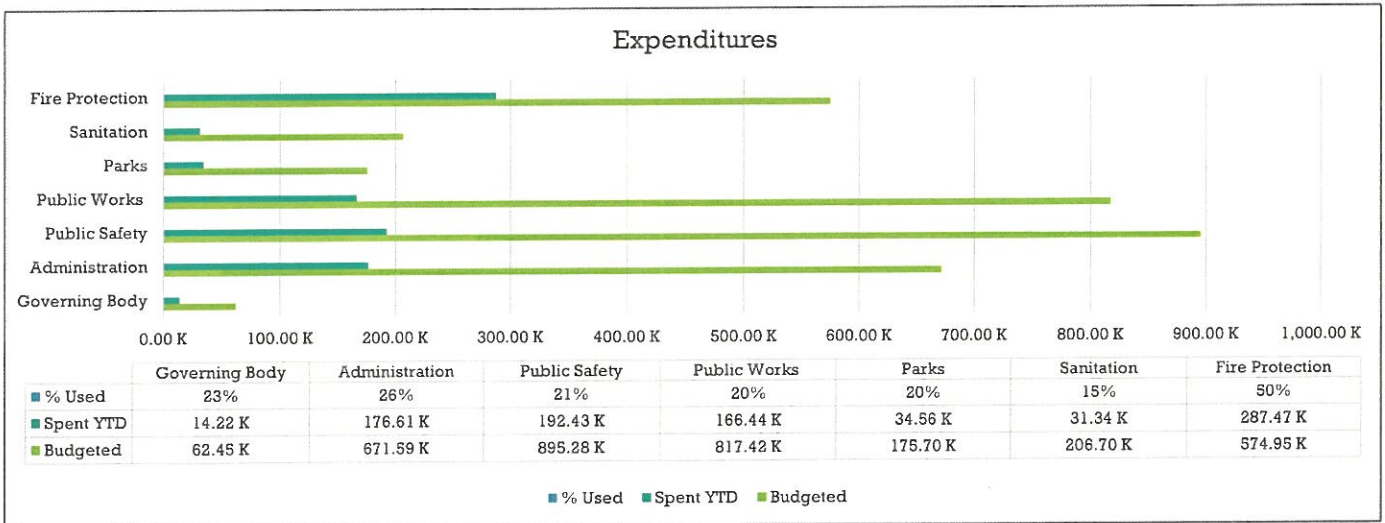
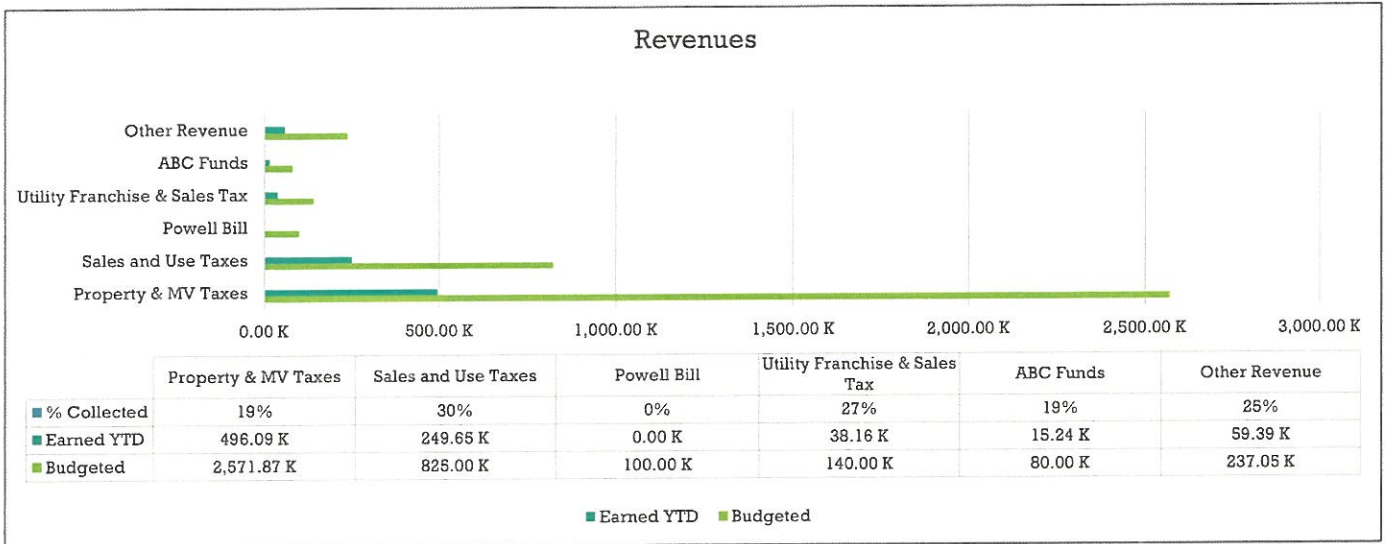
I'd sure appreciate it.

Thanks,  
Bill Mitchell



# Appendix - 2

## September Monthly Report



### Tax Collector's Report (September 30, 2023)

For prior year taxes, a total of \$32,378.34 remains outstanding. The Town received \$331,327.88 from Henderson County for property taxes collected for August and a total of \$559,552.43 since the 2023 bills were mailed. The 2023 tax levy is \$2,574,384.24. The Town currently has a collection rate of 21.741%.



## Planning & Zoning

### Status of Single Family Residential Dwellings (SFRD)

2021-19	212 Beechwood	Jennifer Yost	UC
2022-1	312 Daniel Dr.	Chris St. Onge	UC
2022-23	74 Indian Woods Trl	Jon Skillman	UC
2022-31	10 Fawn Turn Ln	Sigfrid Della Valle	UC
2022-38	209 Ficker Cir.	Sarah Adams	UC
2022-44	945 Somersby Pkwy.	Matt Padula	UC
2023-4	200 Rowland Dr.	Loyd Alexander	LPZCP
2023-5	PIN# 9548467175/Clays Cv.	Josh Youngblood	LPZCP
2023-29	PIN# 9558252937	Chris Brock	LPZCP

### Status Legend

LPZCP = Laurel Park Zoning Compliance Permit

HCBP = Henderson County Building Permit

UC = Under Construction

NC = Nearly Complete

### Monthly Permits Other Than SFRD

Deck	0
Sign	0
Fence	0
Additions or Remodel	0
Accessory Use or Structure	1
<b>Total for September</b>	<b>1</b>



WGLA Engineering, PLLC  
 724 5<sup>th</sup> Avenue West  
 Hendersonville, NC 28739  
 (828) 687-7177 wglA.com

September 27, 2023

Mr. Alex Carmichael, Town Manager  
 Town of Laurel Park  
 441 White Pine Drive  
 Laurel Park, NC 28739

RE: Town of Laurel Park 2023/2024 Paving and Drainage Improvements  
 Summary of Pricing for Additional Work

Dear Mr. Carmichael:

As reported previously, we have received pricing from Austin Construction (drainage) and Tarheel Paving (paving) for the 2023/2024 improvements that were discussed at the Council meeting July. Attached is a combined cost spreadsheet that provides the general construction costs and a road by road cost for the project. The total combined cost for the improvements is \$886,435.10.

Per our conversations, we understand the Town has \$720,000.00 available for the additional work. In addition, the Town has allocated \$60,000.00 for contingency for paving and \$15,000.00 for geotechnical/materials and testing services. This leaves \$645,000.00 available for construction. Based on this budget, we recommend the following work be added to the paving and drainage contracts via change order:

Paving:

Escalation	\$25,000.00
Mobilization, Bonds and Insurance	\$20,000.00
Arbutus Lane	\$36,852.50
Sabine Drive (Apple Ln to 458 Sabine)	\$83,307.60
Orchard Circle (East Ramp to Sky Village Ln)	\$25,134.00
Laurel Park Hwy (McCarson Dr. to Indian Woods)	\$27,382.50
Timber Creek (Hebron to Finley Cove)	\$294,075.50
<b>TOTAL</b>	<b>\$511,752.10</b>

Drainage:

Mobilization, Insurance and Const. Staking	\$9,100.00
Clearing and Grubbing	\$12,900.00
Restoration of Surfaces	\$12,900.00
Laurel Park Hwy (Roberts Dr. to Breckenridge Ct.)	\$64,285.00
Laurel Park Hwy (McCarson Dr. to Indian Woods)	\$13,020.00
Timber Creek (Hebron to Finley Cove)	\$15,165.00
<b>TOTAL</b>	<b>\$127,370.00</b>



Mr. Alex Carmichael  
September 27, 2023  
Page 2

This would be a total addition to the construction contracts of \$639,122.10. If contingency and escalation is not used, we would recommend converting those funds to completing drainage improvements and paving on roads that have been deferred. We would recommend that the Town Council approve change orders in the amounts noted above and authorize you to sign the necessary change order documents.

If you have any questions about this information, don't hesitate to contact our office. We look forward to discussing further at the Council meeting.

Sincerely,  
WGLA Engineering, PLLC

*William R. Buie*

William R. Buie, P.E.

# Appendix - 4

