

**MINUTES OF A REGULAR MEETING
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
APRIL 21, 2009
9:30 A.M.**

The Laurel Park Town Council held its regular meeting in the Laurel Park Town Hall on April 21, 2009 at 9:30 a.m. The following members were present: Mayor Henry T. Johnson, Commissioners Dona M. Mennella, Keith A. Maddox, Richard P. Cooke, and Robert O. Vickery. Town Manager Jim Ball and Town Attorney Sam Neill were also present.

Mayor Johnson opened the regular meeting and led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Johnson asked for any additions and/or deletions to the agenda. There were none. Commissioner Maddox moved to approve the agenda. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

APPROVAL OF THE CONSENT AGENDA

- a) Minutes from the March 17, 2009, Council Regular Meeting
- b) Minutes from the March 17, 2009, Council Special Work Session – Town Ordinances
- c) Minutes from the April 16, 2009, Council Work Session
- d) Parks and Greenways Board Appointments
 - Dick Jones – Re-appoint to 12/31/09
 - Fred Hoffstadt – Re-appoint to 12/31/09
 - George Banta – Re-appoint to 12/31/10
 - Paul Hansen – Re-appoint to 12/31/10
 - Tim Towner – Re-appoint to 12/31/10

Commissioner Mennella moved to approve the Minutes from the March 17, 2009, Council Regular Meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Mennella moved to approve the Minutes from the March 17, 2009, Council Special Work Session – Town Ordinances. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Mennella moved to approve the Minutes from the April 16, 2009, Council Work Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Mennella moved to approve the re-appointments of Dick Jones and Fred Hoffstadt to the Laurel Park Parks and Greenways Board to 12/31/09 and George Banta, Paul Hansen and Tim Towner to the Laurel Park Parks and Greenways Board to 12/31/10. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

PUBLIC HEARINGS

There were none.

OLD BUSINESS

CERTIFICATE OF SUFFICIENCY FROM THE TOWN CLERK ON THE VOLUNTARY ANNEXATION REQUEST BY SIDNEY AND ANNE KIRKLEY

Mayor Johnson stated that, on March 3, 2009, the Town received a petition from Sidney and Anne Kirkley requesting voluntary annexation for property located at 641 and 665 Ransier Drive. Prior to any action by the Town Council, G. S. 160A-31 requires the Town Clerk to investigate the sufficiency of the petition before further annexation proceedings may take place. The Council adopted a resolution at the March 17, 2009, Council Regular Meeting, directing the Town Clerk investigate the petition received under the provisions of G. S. 160A-31. Town Clerk, Kim Hensley, stated she had certified the petition.

CONSIDERATION, RESOLUTION FIXING DATE OF PUBLIC HEARING ON THE VOLUNTARY ANNEXATION REQUEST BY SIDNEY AND ANNE KIRKLEY

Mayor Johnson stated the next step was for Council to set a public hearing regarding the voluntary annexation request by Sidney and Anne Kirkley, pursuant to G. S. 160A-31. Mayor Johnson recommended Council set a public hearing, on the question of voluntary annexation by Sidney and Anne Kirkley, for Tuesday, May 19, 2009, at 9:30 a. m. in the Laurel Park Town Hall.

Commissioner Maddox moved to approve a Resolution Fixing Date of Public Hearing on the Voluntary Annexation Request by Sidney and Anne Kirkley for Tuesday, May 19, 2009 at 9:30 a.m. in the Laurel Park Town Hall. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

NEW BUSINESS

CONSIDERATION, REVOKE ORDINANCE AUTHORIZING FINANCE OFFICER TO CHARGE AND COLLECT CERTAIN FEES AND TO DISCONNECT AND RECONNECT SERVICE TO UTILITY CUSTOMERS

Mayor Johnson stated Council was continuing the process of reviewing all Town Ordinances during the special work sessions scheduled after each Council regular meeting. Council's goal was to review the ordinances for clarity, applicability, and formatting. As Mayor Johnson stated in previous Town meetings, some of the ordinances were several years old and needed to be updated or eliminated. As each ordinance was revised and updated, a copy would be available for public inspection during normal operating hours in the Town Office, as well as posted to the Town's web site.

Mayor Johnson stated the ordinance to be considered was revoking an Ordinance Authorizing Finance Officer to Charge and Collect Certain Fees and to Disconnect and Reconnect Service to Utility Customers.

He stated all general guidelines and procedures to be used for water/sewer billing, such as, collection procedures, delinquent account procedures, and tampering with utility connections, to name a few, had been updated, consolidated, and were now contained in the Chapter 9, Utilities, Article 2, Water/Sewer Billing Procedures Ordinance.

Commissioner Cooke moved to revoke the Ordinance Authorizing Finance Officer to Charge and Collect Certain Fees and to Disconnect and Reconnect Service to Utility Customers. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, PROCLAMATION FOR 40TH ANNUAL MUNICIPAL CLERKS' WEEK MAY 3 – MAY 9, 2009

Mayor Johnson stated a proclamation recognizing Municipal Clerk's week had been prepared for Council's approval. Municipal Clerk's week will be observed the week of May 3 – May 9, 2009. The office of the Municipal Clerk is the oldest among public servants and provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels. The Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all. Mayor Johnson stated it was most appropriate the Town

recognize the accomplishments of the Office of the Municipal Clerk, as well as, giving a special thanks to our Town Clerk, Kim Hensley, and Deputy Clerk, Karen Wills, for their hard work and commitment in the performance of their duties. Mayor Johnson also added that all area Mayors will treat their clerk to lunch and a bouquet of flowers during Municipal Clerks' Week. The clerk's luncheon is an annual event that former Mayor Niehoff of the City of Hendersonville began several years ago.

Commissioner Mennella moved to adopt a Proclamation for the 40th Annual Municipal Clerks' Week May 3 – May 9, 2009. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, PROCLAMATION FOR NATIONAL POLICE WEEK, MAY 10 –16, 2009

Mayor Johnson stated a proclamation recognizing National Police Week had been prepared for Council's approval. Law Enforcement Officer's Week will be observed the week of May 10 – May 16, 2009 with May 15, 2009 being recognized as Peace Officers Memorial Day in honor of the Federal, State, and Municipal officers who had been killed or disabled in the line of duty. Mayor Johnson stated it was most appropriate that the Town recognize the accomplishments of law enforcement nationwide, as well as, to say a special thanks to Chief Fisher and the Laurel Park Police force for their tireless dedication to the residents of Laurel Park.

Commissioner Vickery moved to adopt a Proclamation for National Police Week, May 10 – 16, 2009. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, RESOLUTION SUPPORTING LOCAL CONTROL OF LOCAL ABC BOARDS AND OPPOSING FORCED MERGERS OF LOCAL ABC BOARDS

Mayor Johnson stated that, during the current legislative session, bills had been introduced in both the House and Senate that would require all ABC boards in a county to merge, allow the state ABC Commission to merge county-wide boards into regional boards, require the ABC Commission to develop performance standards, allow the ABC Commission to close or merge ABC boards, close ABC stores with low profitability, contract directly with agency stores for the sale of spirits where ABC stores are authorized but not in operation, and require an ABC board to contract with an agency store. The resolution presented opposed forced merger of local ABC Boards.

Commissioner Maddox moved to adopt a Resolution Supporting Local Control of Local ABC Boards and Opposing Forced Mergers of Local ABC Boards. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, RESOLUTION RECOGNIZING SMALL BUSINESS WEEK IN HENDERSON COUNTY, MAY 18 – 22, 2009

Mayor Johnson stated the Henderson County Chamber of Commerce would celebrate Small Business Week from May 18 – May 22, 2009. The Chamber requested Council's support by adopting a resolution recognizing Small Business Week in Henderson County.

Commissioner Cooke moved to adopt a Resolution Recognizing Small Business Week in Henderson County, May 18 – 22, 2009. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, TO SET A SPECIAL BUDGET WORK SESSION FOR APRIL 28, 2009 AT 10:30 A.M. AT THE HENDERSONVILLE COUNTRY CLUB

Mayor Johnson stated Council had begun the budget process for FY 09-10. In previous years, Council set a special work session to review with staff, and provide preliminary guidance on areas that impact the coming year's budget. During the session, Council reviewed the services provided by the Town with respect to areas, such as, staffing needs, capital outlay needs, park maintenance and possible expansion, the Town's water system, fire protection, and solid waste collection to name a few. Council also analyzed growth patterns affecting the community, Federal and State legislation that impact the Towns' community, and other sources of revenue received by the Town outside property taxes.

Mayor Johnson stated that, at the Council work session on Thursday, March 12, 2009, Council discussed setting a special work session on budget issues and other items as needed for April 28, 2009 at 10:30 a. m. at the Hendersonville Country Club.

Commissioner Maddox moved to set a Special Budget Work Session for April 28, 2009 at 10:30 a.m. at the Hendersonville Country Club. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

TOWN MANAGER'S REPORT

Mr. Ball stated the Towns' spring brush collection had begun.

Chief Fisher gave the following police statistics for the month of March: 8 arrests, 143 business checks, 10 citations, 814 area security checks, 1 assault, 48 foot patrols, and 892 residence checks for a total number of 1,994 events for the month.

Chief Fisher also stated the 2007 crime stats had been posted. He stated that out of all 17 mountain counties with populations of 2,700 or less who reported statistics, Laurel Park was the safest Town in Western North Carolina.

OTHER ITEMS TO BE BROUGHT BEFORE THE TOWN COUNCIL – Attorney Neill stated that all deeds for the Lake Drive Lakebed Condemnation, with the exception of Hasan Mansouri, had been recorded.

MAYOR AND COMMISSIONER'S COMMENTS

MAYOR JOHNSON – Mayor Johnson had no comments.

COMMISSIONER MENNELLA – Commissioner Mennella had no comments.

COMMISSIONER MADDOX – Commissioner Maddox had no comments.

COMMISSIONER COOKE – Commissioner Cooke asked if there had been any response from Somersby Park after advertising the 2008 delinquent real property tax in the Times News. Tax Collector, Kim Hensley stated she planned to meet with Somersby Park the afternoon of April 21, 2009 to discuss a payment plan.

COMMISSIONER VICKERY – Commissioner Vickery had no comments.

There being no further business, Commissioner Cooke moved to adjourn the regular meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Attest:

Henry T. Johnson, Mayor

Kimberly B. Hensley, Town Clerk

Date