

**MINUTES OF A REGULAR MEETING
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
DECEMBER 16, 2008
9:30 A.M.**

The Laurel Park Town Council held its regular meeting in the Laurel Park Town Hall on December 16, 2008 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 November 18, 2008, Council Regular Meeting
- b) Minutes from the November 18, 2008, Council Closed Session
- c) Minutes from the November 18, 2008, Council Special Work Session
- d) Minutes from the December 11, 2008, Council Work Session
- e) Tax Releases – \$104,500.00 value/\$282.93
- f) Laurel Park Planning Board
 - John Brookshire – Re-appoint to 12/31/10
 - Vanessa Mintz – Re-appoint to 12/31/10
 - Tim Cochran – Affirm appointment by Henderson County Board of Commissioners to 12/31/10
- g) Laurel Park Board of Adjustment
 - Ray Goetsch – Re-appoint to 12/31/10
 - Dick Jones – Re-appoint to 12/31/11
 - Nancy Irving – Re-appoint to 12/31/11
- h) Apple Country Greenway Commission
 - Fred Hoffstadt – Re-appoint to 12/31/10

Commissioner Vickery moved to approve the Minutes from the November 18, 2008, Council Regular Meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the Minutes from the November 18, 2008, Council Closed Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the Minutes from the November 18, 2008, Council Special Work Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the Minutes from the December 11, 2008, Council Work Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the Tax Releases - \$104,500.00 value/\$282.15. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the re-appointments of John Brookshire and Vanessa Mintz to the Laurel Park Planning Board to 12/31/10, and affirm the appointment of Tim Cochran by the Henderson County Board of Commissioners to 12/31/10. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the re-appointment of Ray Goetsch to the Laurel Park Board of Adjustment to 12/31/10, and Dick Jones and Nancy Irving to the Laurel Park Board of Adjustment to 12/31/11. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Vickery moved to approve the re-appointment of Fred Hoffstadt to the Apple Country Greenway Commission 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

There was none.

NEW BUSINESS

CONSIDERATION, AMENDING THE OPEN BURNING ORDINANCE

Mayor Johnson stated Council had begun the process of reviewing all Town Ordinances during special work sessions that are scheduled after each Council regular meeting. The goal is to review the ordinances for clarity, applicability, and formatting. With many of the ordinances being several years old, some need to be updated or eliminated; Council felt the process would take several months. As each ordinance is revised and updated, a copy will be available for public inspection during normal operating hours in the Town Office. Also, as ordinances are revised and updated, they will be posted to the Town's web site.

Mayor Johnson stated the first ordinance to be considered was the Open Burning Ordinance. After Council reviewed the ordinance, only minor wording clarifications had been recommended along with formatting.

Commissioner Cooke moved to amend the Open Burning Ordinance as discussed. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, AMENDING THE REGULATING SMOKING IN MUNICIPAL BUILDINGS ORDINANCE

Mayor Johnson stated the second ordinance to be considered was the Regulating Smoking in Municipal Buildings Ordinance. After Council reviewed the ordinance, only minor wording clarifications had been recommended along with formatting.

Commissioner Mennella moved to amend the Regulating Smoking in Municipal Buildings Ordinance as discussed. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson also noted that, at the special work session following the regular Town meeting, Council would review the following three ordinances:

- Animal Control and Protection Ordinance
- Water Shortage and Conservation Ordinance
- Water/Sewer Billing Ordinance

TOWN MANAGER'S REPORT

Mr. Ball provided Council with a National Flood Insurance Update. He stated the Town had begun the process of joining the National Flood Insurance Program a couple of years ago. Laurel Park was initially accepted into the program on May 11, 2007, but only under the "Emergency Phase", which limited the amount of coverage a resident or business could insure. The reason for this was the State was updating the flood mapping for Western North Carolina. Mr. Ball stated the flood mapping process had been completed and the Town modified its initial Flood Damage Prevention Ordinance on August 19, 2008, which was submitted to the appropriate State and Federal agencies for final approval. The Town was notified on December 12, 2008 that it was now considered to be in the regular program with an effective date of October 2, 2008. He stated the Town had approximately twenty-five acres of land designated within a flood zone. Mr. Ball stated there would be an article in the January 2009 Town newsletter regarding the program. Mayor Johnson suggested mailing a memo to the Lakemoor Homeowners Association; to inform them of the update. Mr. Ball agreed to send the memo.

Chief Fisher gave the following police statistics for the month of November: 5 arrests, 6 alarm activations, 348 business checks, 21 citations, 2 domestic, 826 residence checks, 2 domestics, and 5 suspicious persons for a total number of 2,592 events for the month. Mayor Johnson asked Chief Fisher if there had been an increase in County-wide holiday thefts. Chief Fisher said yes.

OTHER ITEMS TO BE BROUGHT BEFORE THE TOWN COUNCIL – John Crook, of 3290 Laurel Park Highway, and chairman of CFRAC, gave the following cable/video programming update: as of the third quarter, the Town's video programming revenue was \$800 up from where it was back in the 2006 average quarter the trend was continuing to go up. Morris Communication's acquisition of Mediacom was moving forward. The Attorney General's office had a "Welcome to North Carolina" discussion with Craig Mitchell, General Manager of Morris Communication's. Macon County Government had not signed off on the Mediacom/Morris Communication's transfer yet; John Howell was negotiating with Morris on the transfer. Maggie Blythe had been transferred to Morris Communications as Director of Customer Service. To date, the closing date for the sale of Mediacom to Morris Communication had not been set.

Attorney Neill gave an update to Council on the lakebed property condemnation. Mr. Ball confirmed the Town had received 91 signed deeds out of 111 mailed to property owners, and that two owners had called to say theirs were in the mail. Attorney Neill said the response had been unexpectedly remarkable/dramatic and that the process was moving further along much faster than he had anticipated. He suggested the Town contact any remaining property owners who had not responded.

Mr. Ball stated his plan was to wait one more business day, and then try to contact property owners who had not responded. He stated Attorney Neill had worked on a few deeds that had some problems.

Mayor Johnson suggested that, once the Town had all of the signed deeds to take to the Henderson County Courthouse, the Town should proceed in filing condemnation on those property owners who did not return signed deeds. Mayor Johnson also stated that he had spoken with Attorney Randy Romeo,

Hasan Mansouri's attorney, who said he had given the packet to Mr. Mansouri. Mr. Mansouri looked at the packet and said he wasn't interested in signing the deed.

MAYOR AND COMMISSIONER'S COMMENTS

MAYOR JOHNSON – Mayor Johnson wished everyone a Merry Christmas and Happy New Year.

COMMISSIONER MENNELLA – Commissioner Mennella had no comments.

COMMISSIONER MADDOX – Commissioner Maddox had no comments.

COMMISSIONER COOKE – Commissioner Cooke had no comments.

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