

**MINUTES OF A REGULAR MEETING
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
DECEMBER 15, 2009
9:30 A.M.**

The Laurel Park Town Council held its regular meeting in the Laurel Park Town Hall on December 15, 2009 at 9:30 a.m. The following members were present: Mayor Henry T. Johnson, Commissioners Dona M. Mennella, Richard P. Cooke, Robert O. Vickery, and Keith A. Maddox. 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. Attorney Neill requested a closed session be added to the Agenda for the purpose of considering and giving instructions concerning a potential or actual claim, administrative procedure, or judicial action. Commissioner Cooke moved to approve the agenda as amended. 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 17, 2009, Council Regular Meeting
- b) Minutes from the November 17, 2009, Council Closed Session #1
- c) Minutes from the November 17, 2009, Council Closed Session #2
- d) Minutes from the November 17, 2009, Council Special Work Session – Town Ordinances
- e) Minutes from the December 10, 2009, Council Work Session

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

Commissioner Maddox moved to approve the Minutes from the November 17, 2009, Council Closed Session #1. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Maddox moved to approve the Minutes from the November 17, 2009, Council Closed Session #2. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

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

Commissioner Maddox moved to approve the Minutes from the December 10, 2009, Council Work Session. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

ORGANIZATIONAL MEETING

Mayor Johnson stated that, in accordance with North Carolina State Statute 160A-68 entitled Organizational Meeting of Council, an organizational meeting is to be held at any time after the results of the municipal election have been officially determined and published pursuant to Subchapter IX of Chapter 163 of the General Statutes but not later than the date and time of the first regular meeting of the council in December after the results of the municipal election have been certified pursuant to that Subchapter. At the organizational meeting, the newly elected Council members shall qualify by taking the oath of office prescribed in Article VI, Section 7 of the Constitution.

Mayor Johnson welcomed Senator Tom Apodaca to the meeting. Senator Apodaca swore into office J. Carey O’Cain as Commissioner and Dona M. Mennella as Commissioner.

Mayor Johnson officially thanked former Commissioner Maddox for his service to the Town. He stated Mr. Maddox had expressed interest to serve on the Laurel Park ABC Board and, that later in the meeting, would be nominated to serve on the board.

Mayor Johnson asked for nominations for Mayor Pro-Tempore. Commissioner Vickery moved that Council elect Commissioner Cooke as Mayor Pro-Tempore. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson requested Keith Maddox be appointed to the Laurel Park ABC Board. Commissioner Mennella moved to approve the ABC Board appointment. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson requested the following be re-appointed or appointed to the Laurel Park Planning Board:

- Paul Hansen – Re-appoint to 12/31/11
- Ron Rosenberger – Re-appoint to 12/31/11
- Tom Davis – Re-appoint to 12/31/11
- Lou Lunardon – Re-appoint to 12/31/11

Commissioner Vickery moved to approve the Planning Board appointments. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson requested the following be re-appointed or appointed to the Laurel Park Board of Adjustment:

- Frank Riggs – Re-appoint to 12/31/12
- Jeremiah Farrington – Re-appoint to 12/31/10
- Kent Foster – Re-appoint to 12/31/12
- Stephen Braznell – Affirm appointment by Henderson County Board of Commissioners to 12/31/11

Commissioner Cooke moved to approve the Board of Adjustment appointments. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson requested the following be appointed to the Parks and Greenways Board:

- Don McIntyre – Appoint to 12/31/11
- Vicci Bane – Appoint to 12/31/11

Commissioner Mennella moved to approve the Parks and Greenways appointments. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson requested Tim Towner be re-appointed to the Apple Country Greenways Commission. Commissioner Mennella moved to approve the Apple Country Greenways Commission appointment. 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, CHAPTER 1, ARTICLE 1, NOISE ORDINANCE

Mayor Johnson stated Council would continue the process to review all Town Ordinances, during special work sessions scheduled after each Council regular meeting, with the goal to review the ordinances for clarity, applicability, and formatting. As ordinances were revised and updated, a copy would be available for public inspection during normal operating hours in the Town Office and revised ordinances would be posted to the Town's web site.

The ordinance for consideration was Chapter 1, Article 1, Noise Ordinance. Upon Council review of the ordinance, minor wording clarifications were recommended along with formatting.

Commissioner Cooke moved to approve the revisions to Chapter 1, Article 1, Noise Ordinance. 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 Public Works Department was two to three weeks behind with the leaf collection due to the amounts of excessive rain received.

Chief Fisher gave the following police statistics for the month of November: 626 residence checks, 6 arrests, 2 accidents, 241 business checks, 26 citations issued, 1,235 security checks for a total of 2,360 service events for the month.

OTHER ITEMS TO BE BROUGHT BEFORE THE TOWN COUNCIL

There were none.

MAYOR AND COMMISSIONER'S COMMENTS

MAYOR JOHNSON – Mayor Johnson had no comments.

COMMISSIONER MENNELLA – Commissioner Mennella had no comments.

COMMISSIONER COOKE – Commissioner Cooke had no comments.

COMMISSIONER VICKERY – Commissioner Vickery had no comments.

COMMISSIONER O'CAIN – Commissioner O'Cain had no comments.

At the request of Town Attorney, Sam Neill, Commissioner Vickery moved to recess the Regular Meeting and go into Closed Session for the purpose of considering and giving instructions concerning a potential or actual claim, administrative procedure, or judicial action. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Cooke moved to reconvene the Regular Meeting. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

There being no further business, Commissioner Mennella 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, CMC
Town Clerk

Date