

**MINUTES OF A REGULAR MEETING
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
MARCH 16, 2010
9:30 A.M.**

The Laurel Park Town Council held its regular meeting in the Laurel Park Town Hall on March 16, 2010 at 9:30 a.m. The following members were present: Mayor Henry T. Johnson, Commissioners Dona M. Mennella, Robert O. Vickery, Richard P. Cooke, and J. Carey O'Cain. 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. Commissioner Cooke 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 February 16, 2010, Council Regular Meeting
- b) Minutes from the February 16, 2010, Council Special Work Session – Town Ordinances
- c) Minutes from the March 11, 2010, Council Work Session
- d) Tax Releases - \$29,780.00 value/\$83.22

Commissioner Vickery moved to approve the Consent Agenda. 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 2, ARTICLES 4, MANUFACTURE, SALE, AND USE OF PYROTECHNICS 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 first ordinance for consideration was Chapter 2, Article 4, Manufacture, Sale, and Use of Pyrotechnics Ordinance. Upon Council review of the ordinance, minor wording clarifications were recommended along with formatting.

Commissioner Mennella moved to approve the recommended revisions to Chapter 2, Articles 4, Manufacture, Sale, and Use of Pyrotechnics Ordinance. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, CHAPTER 2, ARTICLE 5, STATES OF EMERGENCY ORDINANCE

The second ordinance for consideration was Chapter 2, Article 5, States of Emergency Ordinance. Upon Council review of the ordinance, minor wording clarifications were recommended along with formatting.

Commissioner O’Cain moved to approve the recommended revisions to Chapter 2, Article 5, States of Emergency Ordinance. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, CHAPTER 2, ARTICLE 6, ALCOHOLIC BEVERAGES ORDINANCE

The third ordinance for consideration was Chapter 2, Article 6, Alcoholic Beverages Ordinance. It was a new ordinance and regulated consumption of alcoholic beverages in public vehicular areas, on Town property, and Town facilities. The ordinance also addressed open containers in the same areas.

Commissioner Vickery moved to approve Chapter 2, Article 6pm, Alcoholic Beverage Ordinance. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

CONSIDERATION, DECEMBER 2009 PAVEMENT CONDITION SURVEY

Mayor Johnson stated that, over the past decade, the Town of Laurel Park had used pavement condition surveys to assist the Town in establishing its maintenance and resurfacing prioritizes. The Town-maintained street/road system presently consists of 32.19 miles of roadway. Past surveys were conducted through the Institute for Transportation Research and Education (ITRE) in June 2000 and January 2005.

William G. Lapsley & Associates (WGLA) was contracted by the Town, in August, 2009, to complete a pavement condition survey. Council received an overview of the study at the Council Work Session on March 10, 2010. Each road was ranked based on the actual conditions observed during the survey and provided with a sufficiency rating. Mayor Johnson stated having an outside engineering firm rank Town roads took the politics out of who got his/her road paved next.

Commissioner Cooke moved to approve the December 2009 Pavement Condition Survey as prepared by William G. Lapsley & Associates. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Johnson stated a copy of the 2009 Pavement Condition Survey would be available for public inspection during normal operating hours in the Town Office.

CONSIDERATION, TO SET A SPECIAL BUDGET WORK SESSION FOR APRIL 22, 2010 AT 9:30 A.M. AT THE HENDERSONVILLE COUNTRY CLUB

Mayor Johnson stated the Town was nearing the start of preparing the FY 10-11 budget. Council has, in the past, set a special work session, with staff, to review and provide preliminary guidance in areas that impact the coming year’s budget. During the session, Council would review 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. Other areas to be discussed were analyzing growth patterns affecting the community, federal and state legislation that impact the Town’s community, and other sources of revenue received by the Town outside property taxes. He stated the big issue, in addition to limited growth patterns within the community, was the overall state of revenue sources, such as sales taxes and unplanned expenses the Town had incurred from the winter weather and ice storm clean up.

At the Council Work Session on Thursday, March 10, 2010, Council discussed setting a Special Work Session on budget issues and other items, as needed, for April 22, 2010 at 9:30 a. m. at the Hendersonville Country Club.

Commissioner Mennella moved to set a Special Budget Work Session for April 22, 2010 at 9:30 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 Asplundh would continue the cleanup from the ice storm and planned to initially clear the two main accesses up the mountain before branching out; beginning Monday, March 22, 2010, a third crew from Asplundh would join the existing two crews. Mr. Ball estimated another five to six weeks to finish the cleanup.

Chief Fisher gave the following police statistics for the month of February: 774 residence checks, 2 arrests, 6 accidents, 1,170 area security checks, 20 citations, 9 suspicious persons, and 3 business alarm activations, for a total of 2,425 service events for the month.

Chief Fisher also stated the Laurel Park Police Department planned to work with every business in Town to ensure handicapped spaces were properly marked so they could be enforced. The Police officers also plan to volunteer and work with Meals on Wheels, on March 24, 2010, to heighten awareness of seniors and handicapped issues across the community.

OTHER ITEMS TO BE BROUGHT BEFORE THE TOWN COUNCIL

Mayor Johnson welcomed Henderson County Commissioner Chuck McGrady and asked if he wanted to comment on any areas of interest at the County – in particular, any that affected Laurel Park. Commissioner McGrady stated the County was in the middle of preparing next year's budget. He stated the County already had a budget workshop and that the budget would be presented in early May. He stated he did not anticipate a property tax increase, it was a good time to borrow money, and the County would continue to be committed to a range of school projects.

Commissioner McGrady also stated a big capital project likely to be addressed was a new Law Enforcement Center. He added that the County had been working on the project for years and it looked like it would be able to fund a Law Enforcement Center, which would be part of the bigger campus at the courthouse itself. The intent was to combine the Sheriff's Department, which was now located in four or five different buildings.

Commissioner McGrady also stated the County had been looking at a Stormwater Ordinance. Currently, the stormwater is handled by the State. The County would be looking to see if the State Ordinance is something they will simply adopt or whether they will modify it some to reflect the particular topography here.

Finally, Commissioner McGrady stated there were significant changes occurring at the Henderson County Landfill. The County was committed to implementing a different set of recycling programs and would need to sign a new contract next year. The County was expecting a significantly more expensive contract next year unless it does something to reduce the waste. He stated the County was hoping to force private haulers, across the board, to pick up recycling. The County was also planning to make some structural changes at the landfill within the next year, by separating commercial traffic from residential traffic area.

Mayor Johnson asked if the County was to take over or adopt the State Stormwater Ordinance, would the municipalities have the option for the County to administer that for them. Commissioner McGrady said yes.

Mayor Johnson stated he noticed the fee to dump trash at the landfill had gone up and that when government fees up, it becomes easier for residents to dump their trash along the side of the road to avoid paying to dump at the landfill.

Commissioner McGrady stated the County had not raised fees, but that the State had raised its fees; the new fees were used to enforce State regulations.

Dianne Nowack, of 234 Central Drive, stated one thing that surprised her was the amount of litter along I-26. Mayor Johnson asked Chief Fisher what the fee was for littering. Chief Fisher stated \$200 to \$500 or even up to \$1,000, depending on what was littered.

Commissioner McGrady stated if it weren't for the litter pickup programs around the County, which routinely cleaned up areas, litter would be much worse.

MAYOR AND COMMISSIONER'S COMMENTS

MAYOR JOHNSON – Mayor Johnson had no comments.

COMMISSIONER MENNELLA – Commissioner Mennella had no comments.

COMMISSIONER VICKERY – Commissioner Vickery had no comments.

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

COMMISSIONER COOKE – Commissioner Cooke had no comments.

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