

**MINUTES OF THE AGENDA WORK SESSION
OF THE TOWN COUNCIL OF THE
TOWN OF LAUREL PARK, N.C.
September 10, 2009
9:30 P. M.**

The Laurel Park Town Council held an agenda work session in Town Hall on September 10, 2009 at 9:30 a. m. The following members were present: Mayor Henry T. Johnson, Commissioner Robert O. Vickery, Commissioner Keith A. Maddox, Richard P. Cooke, and Commissioner Dona M. Mennella. Town Manager Jim Ball was also present.

Mayor Johnson called to order the September 10, 2009, Council Agenda Work Session.

APPROVAL OF AGENDA

Commissioner Maddox moved to approve the Agenda. Mayor Johnson asked for discussion; there was none. The vote was unanimous in favor of the motion to approve the agenda.

AGENDA REVIEW – The Council reviewed the agenda items for the September 15, 2009 Town Council regular meeting.

- 1) Consent Agenda
 - a) Minutes from the August 18, 2009, Council Regular Meeting
 - b) Minutes from the August 18, 2009, Council Closed Session
 - c) Minutes from the August 18, 2009, Council Special Work Session – Town Ordinances
 - d) Minutes from the September 10, 2009, Council Work Session
 - e) Tax Release
- 2) Public Hearings
None
- 3) Old Business
Chapter 7, Article 2, Concealed Weapons on Municipal Property
- 4) New Business
 - a) Consideration, a Proclamation of September 25, 2009, as Louise Bailey Day
 - b) Consideration, Chapter 5, Article 1, Streets and Sidewalks
 - c) Consideration, Revoke Ordinance Encroachment on Street Right of Way
 - d) Resolution, Declaring Saturday, September 26, 2009 as Big Sweep Day
- 5) Town Manager's Report

COUNCIL UPDATES AND OPEN DISCUSSION – The Council received updates on and discussed the following areas:

UPDATES/NOTES:

1. Discussion, FY 2008-2009 budget close out. Mr. Ball reviewed with Council the close-out status for the FY 2008-2009 budget. He stated that the August 15 sales tax distribution did not make any significant change in estimated revenues. He estimated an approximate \$50,000 shortfall in revenues. The September 15 sales tax distribution was the only item remaining that might change the final revenue projections. He stated that expenditures would be under spent by approximately \$111,000, which was mainly due to several capital projects being eliminated or deferred due to the revenue shortfalls. At the October work session, the auditor will review the draft audit with Council.

2. Discussion, general review of Town ordinances for the Tuesday special work session. Mr. Ball presented a copy of two ordinances that Council would review at the special work session scheduled for Tuesday, September 15, 2009 at 10:00 am.
 - Chapter 5, Article 3, Street Cutting or Excavating on Right-of-Way
 - Chapter 5, Article 5, Tree Trimming on Street Right-of-Way and Town Property
3. Discussion, street survey for FY 09-10. Mr. Ball informed Council that he spoke with Will Buie of William G. Lapsley & Associates, P.A. Mr. Buie stated they had completed 80% of the field work for the street survey. The final report should be completed by the end of October.
4. Discussion, sealing and unsealing closed session minutes. Mr. Ball stated that it was recommended that Council should have a policy or a resolution regarding the sealing and unsealing of closed session minutes. He stated the Town Clerk, Kim Hensley, had received samples from other local governments for review. Mr. Ball stated they would review the statutes and the samples received and draft a resolution for Council consideration regarding the sealing and unsealing of closed minutes.
5. Discussion, Telecommunication Towers. Paul Hansen, Chairman of the Planning Board, asked Council if it favored reviewing the zoning ordinance regarding telecommunication towers. He presented a sample copy of an ordinance from another local government. Commissioner Maddox also stated that the Planning Board should take a look at wind power generators. It was the consensus of the Council that the Planning Board should review the zoning ordinance with regard to both telecommunication towers and wind powered generators. The first priority should be with regard to telecommunications towers.
6. Discussion, water fountain for Jump Off Rock. Mr. Ball discussed with Council several fountain styles that could be used to add a drinking water source at Jump Off. Commissioner Maddox stated regardless of the style selected, the fountain should be handicap accessible. It was the consensus of the Council to add a handicap accessible fountain in the spring of 2010.
7. Discussion, Ethic Code and Education Program for Governing Boards. Mr. Ball stated that during the current session of the General Assembly, an act was passed requiring cities to adopt a code of ethics for their governing board and to require the members of the governing board to receive education on ethics laws applicable to local government officials. The act becomes effective on January 1, 2010 with compliance by January 1, 2011.
8. Discussion, easement request by Robert L. Cannon. Robert L. Cannon, 48 Old Laurel Drive, has requested PNSC Energy to evaluate the possibility of extending natural gas service to his property. The most cost effective option would require an easement across the Town's property located on Crystal Spring. After discussion, the Council stated they would support the easement. Any cost associated with preparation and recording of the easement would be paid the property owner.
9. Discussion, police car. Mr. Ball provided Council with an update regarding the replacement of one police car in the FY 2009-2010 budget year. The police car scheduled to be replaced was having transmission problems and would be replaced earlier in the budget year than planned.
10. Discussion, update Old Lake Property. Mr. Ball stated that because of the financial problems with the Seven Falls development, the Town does not expect the stream mitigation money to be available any time soon for the steam restoration project for the nature park. Mr. Ball had been contacted by Clement Riddle, who stated other funding sources may be available. Mayor Johnson and Mr. Ball would meet with Mr. Riddle to discuss the proposed options.

11. Discussion, sewer project. Mr. Ball informed Council that he spoke with Will Buie of William G. Lapsley & Associates, P.A. in regards to completing a review of a gravity option to adding sewer within the community. The following steps would be completed: the engineer would complete the field work, the work would be reviewed with the sewer committee (early October), the work would be reviewed by the City of Hendersonville, and the final plan would then be reviewed by Council.

KEY DATES – The Council reviewed and discussed the following key dates:

Land of Sky annual dinner at Taylor Ranch – October 7, 2009
NCLM Annual Conference in Greenville, NC – October 25-27, 2009

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

Henry T. Johnson, Mayor

ATTEST:

Kimberly B. Hensley, CMC, Town Clerk

Date