



**Town Council
Regular Meeting Minutes
November 19, 2024 – 9:30 a.m.**

Mayor O’Cain called the Regular Council Meeting to order at 9:29 a.m. on November 19, 2024, in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739 and electronically through Teams platform.

The following attended in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739:

- Mayor Carey O’Cain
- Mayor Pro Tempore A. Paul Hansen
- Commissioner George W. Banta
- Commissioner Deb Bridges
- Town Manager Cara Reeves
- Town Clerk Tamara Amin
- Public Works Director Brandon Johnson
- Crew Leader Matthew Pearce
- Parks Operation Coordinator Bryan Hensley
- Kaitland Finkle- Land of Sky

Attended via Teams Platform:

- Police Chief Bobbie Trotter

Absent:

- Commissioner Kristin Dunn
- Fire Chief Tim Garren

Mayor O’Cain opened the Regular Meeting and led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor O’Cain asked if there was any public comment; there were 8 public comments.

Jackie Holloman of 138 Olds Lane sent an email to the Town about the deer population.

- a. Holloman Email - The aforesaid email is attached to, and made part of, these minutes as Appendix 1.

David and Anne Hartig of Laurel Park Highway sent a letter to the Town about aircraft noise.

- b. Hartig letter - The aforesaid letter is attached to, and made part of, these minutes as Appendix 2.

Charles Burge of 161 Birchwood Drive spoke to Council about mudslides. Town Manager Reeves asked Mr. Burge to contact Town Engineer Will Buie.

Kevin Tierney of 31 Old Pasture Way and Conrad Wrobel are the legal representatives for the Shaws Creek Farm HOA tasked to be the main contacts for FEMA. Mr. Tierney talked about the devastation of residents in the Shaws Creek Farm area. Mr. Tierney presented Council with handouts of the site map and visuals of the landslide. Mr. Kierney, Mr. Wrobel, Mayor O'Cain and Town Manager Reeves will be meeting at 1 p.m. after the Council Meeting.

- c. Shaws Creek Farm Report - The aforesaid report is attached to, and made part of, these minutes as Appendix 3.

Lisa Friedman of 322 SCF Road presented Council with pictures of the landslide that made them lose their \$800K home. Ms. Friedman is begging Council for help for the neighborhood.

- d. Friedman pictures - The aforesaid report is attached to, and made part of, these minutes as Appendix 4.

Blaine Byers of 162 Timbercreek Road asked to pass his time.

Jeffrey Leibovitz of 216 Camelia Way said he submitted documents and pictures and put the Town on notice in April. Mr. Leibovitz said there has been an ongoing issue regarding the culverts that drain Timbercreek Road. He said the culvert is not on the list and is a negligence on the Town. He said there are two culverts that need to be replaced, and sediment cleaned.

Blaine Byers interrupted the meeting and asked if he could have his time back. Mayor O'Cain allowed it. Mr. Byers reiterated the two culverts that need to be replaced. He specifically asked the Town to look at the Wake Robin culvert.

Mayor O'Cain said there are procedures for how and when things get repaired. The Town will be doing emergency repairs, then go back and fix. The Town did the initial emergency repair on Camelia Way. The Town is not ignoring any road, but the priority is life safety and health. The Town is lucky we didn't lose anyone.

APPROVAL OF THE AGENDA

Commissioner Bridges moved to approve the agenda. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

APPROVAL OF THE CONSENT AGENDA

Commissioner Banta moved to approve the consent agenda. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

- e. October Monthly Report - The aforesaid report is attached to, and made part of, these minutes as Appendix 5.

PROCLAMATION OF APPRECIATION

Mayor O'Cain said Hurricane Helene brought unprecedented challenges and hardships to our community, testing our resiliency and unity. During this disaster, your dedicated Town of Laurel

Park employees stepped forward with unwavering courage and commitment, embodying the spirit of compassion and solidarity. In the first three weeks of the storm, these recognized employees worked over 3,000 hours and they continued to work tirelessly to ensure the start of the recovery process for our community.

Mayor Pro Tem Hansen moved to approve a proclamation recognizing employees for their work and efforts to help the Town in its recovery process from the damage of Hurricane Helene. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

- f. Proclamation - The aforesaid proclamation is attached to, and made part of, these minutes as Appendix 6.

RESOLUTION 2024-5

Town Manager Cara Reeves said in the wake of Hurricane Helene, the North Carolina General Assembly took action with recovery legislation, enacting the Disaster Recovery Act of 2024 (Part I), Session Law 2024-51, and the Disaster Recovery Act of 2024 – Part II, Session Law 2024-53. Understandably these bills cover a wide range of topics from recovery funding to criminal justice to education requirements to regulatory relief. Some of the changes are specific to planning, permitting, and development regulation.

Permit Fees. Section 16.2 of Disaster Recovery Act, Part I, limits permit fees for development. The act provides that local governments “shall not impose any fee associated with a permit, inspection, or certificate of occupancy required by law for construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of a manufactured home, building, dwelling, or structure damaged as a direct result of Hurricane Helene.” The moratorium applies in the counties designated under the presidential disaster declaration and runs from September 26, 2024, to December 31, 2024.

Mayor Pro Tem Hansen moved to approve Resolution 2024-5 waving all zoning and floodplain development fees related to repairs or rebuilding of structures and properties damaged by Hurricane Helene. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

- g. Resolution - The aforesaid resolution is attached to, and made part of, these minutes as Appendix 7.

OLD BUSINESS

Public Hearing- UDO Amendments

Open Public Hearing

Commissioner Banta moved to open the public hearing at 10:05 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Staff Presentation

Ms. Finkle said the initial suggestions were to create specific regulations for previously excluded sign types. In accordance with NCGS 160D-604(c) the amendment was reviewed and commented on by the Planning Board. Discussion with the Planning Board and comments by Town Council Liaison Paul Hansen, amended the proposal for new sign regulations to instead add to the previously listed sign exclusions. This will allow Town Council to be the approving body for additional sign types which allows discretion instead of staff being required to issue a Sign Permit when standards are met.

7.8.2: APPLICABILITY

Except for the sign types exempted from these standards identified in Section 7.8.3: Exclusions, all signs shall be constructed, erected, affixed, placed, posted, painted, repainted, hung, or otherwise established only in accordance with the standards in this section.

The text amendment proposes changes to UDO section 7.8.3: Exclusions as follows:

7.8.3: EXCLUSIONS

The following forms of signage shall not be subject to these signage standards but may be subject to other applicable standards in this Ordinance, such as the requirement to obtain a building permit. Applicants shall be responsible for securing all required permits prior to erecting or modifying any of the following forms of excluded signage:

- A: Fence-wrap signs affixed to fences surrounding a construction site in accordance with the standards in Section 160D-908 of the North Carolina General Statutes;
- B: Legal notices required by governmental bodies, public utilities, or civic associations;
- C: Governmental signage, including flags, street signs, traffic warning signs, and other signage provided solely by governmental agencies for public health and safety;
- D: Building cornerstones, historical plaques, or grave markers;
- E: Signage associated with public transit stops;
- F: Holiday displays on lots within all zoning districts;
- G: Historic markers/plaques, trail markers, and places of interest with Town Council approval;
- H: Signage that is not visible from any off-site areas (e.g., entirely enclosed by opaque walls that prevent the visibility of signage from any off-site areas); and
- I: Signage associated with off-street parking spaces or the prohibition of parking in certain locations like fire lanes, bus lanes, or loading zones.

Public Comment

Mayor O'Cain asked if there are any public comments. There was one.

Ms. Ann McFadden said if Council gave residents a way to come to them, they would do just that.

Close Public Hearing

Mayor Pro Tem Hansen moved to close the public hearing at 10:09 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Council Discussion

Mayor O’Cain asked if Council had any further discussion; there was none.

Mayor Pro Tem Hansen said he thinks all has been addressed.

Commissioner Bridges moved to approve the UDO signage text amendment. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

WXZ PROGRESS UPDATE

Mr. Charles Ellison from WXZ gave an update to Council. He said Dominion Energy front section has been completed. Gas, power and AT&T have all been in. Pump House/sewer system lines are in place. There are meetings happening with the city. The city has brought in a consultant just for this project, but there is still no timeline yet. Once WXZ gets answers from the city they can move within 30 days because they have everything required.

Ms. Kaitland Finkle said there have been four zoning permits filed with the Town with no payments made to get structure put in. She said an initial landscaping plan in 2018 is what needs to be done to get a C.O. If there is a revised plan that needs to be applied.

Town Manager Reeves said a new plan was sent to Hunter Marks, she will check in this.

BOARD APPOINTMENTS

Town Clerk Amin said the Town Council appoints volunteers to serve on the four (4) standing advisory boards, and any other boards and commissions as needed. Current members may be reappointed, or new applicants appointed.

Town staff has solicited the public for applications on the Town’s Facebook page and website, and the bimonthly newsletter. We have received 11 applications.

Board of Adjustments - 3 positions - 3-year term, term ending December 31, 2027. One position is for the ETJ.

Board of Adjustments - 1 position- Term ending December 31, 2025

Board of Adjustments - 1 ETJ position- Term ending December 31, 2026

Board of Adjustments - 1 Alternate position- Term ending December 31, 2026

Mayor Pro Tem Hansen moved to reappoint Susan Laborde and Mark Morse for the 3- year terms ending on December 31, 2027, and appointing Paul Bell for the term ending on December 31, 2025, and Mark Packard as an alternate for the term ending on December 31, 2026. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Planning Board - 3 positions: Each is a 2-year term (ending December 31, 2026). One position is for the ETJ.

Mayor Pro Tem Hansen moved to reappoint Luke Costlow and Mary Margaret Licisyn for the 2-year terms ending on December 31, 2026. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Parks and Greenways Board- 3 positions: Each is a 2-year term (ending December 31, 2026).

Commissioner Banta moved to reappoint John McGregor and appoint Pat LaSalle for the 2-year term ending on December 31, 2026. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Council would like another recommendation from the Parks and Greenways Board after soliciting other applicants to fill the remaining position.

Steering Committee for the Comprehensive Plan

Town Council will need to determine who and how many to include on this Committee.

Commissioner Bridges moved to appoint Mayor O’Cain, Mayor Pro Tem Hansen, Town Manager Reeves, Mary Margaret Licisyn, Mark Morse, Denise Layfield, Philip Wiehe, Luke Costlow, Nancy McKinley, and Stephanie Eaves on the Steering Committee. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Council will go out to solicit 2 business owners to complete the required twelve committee members.

NEW BUSINESS

RATIFICATION OF CONTRACT WITH LAND OF SKY FOR GRANT MANAGEMENT

Mrs. Reeves said following the devastating Hurricane Helene, Laurel Park is contracting with Land of Sky for comprehensive disaster recovery management services, including FEMA Public Assistance, Engineering and Architectural Assessment, Federal /State policy advisory services, HUD CDBG-DR Support, FEMA 404 and 406 Hazard Mitigation Expertise, Financial and Grant Management Support, and Data Systems and Data Reporting.

Commissioner Banta moved to approve the Ratification of Contract with Land of Sky for Grant Management. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

- h. Contract - The aforesaid contract is attached to, and made part of, these minutes as Appendix 8.

DISCUSSION ON CHRISTMAS CARD DISTRIBUTION

Town Manager Reeves said Town Council sent Christmas cards to current board members and various volunteers. This discussion is to explore the interest in purchasing Christmas cards for all residents. We currently have 1352 residents, and the cost would be about \$3K.

Mayor O'Cain thinks this would be a nice gesture on behalf of the Town after all the residents have been through.

Commissioner Bridges moved to approve sending Christmas cards to all residents. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

TOWN MANAGER REPORT

Town Manager Reeves gave an update on FEMA and Public Assistance. Mayor O'Cain, Mayor Pro Tem Hansen, and Town Manager Reeves met with representatives last week. They are reprioritizing and focusing on grant administration with Land of Sky doing everything legally within out public assistance. Ms. Finkle reiterated that the Town can only apply as a public entity for public assistance, everyone else needs to apply for individual assistance which has not been pushed out to January.

Mayor O'Cain said Davis Mountain Road is potentially collapsing and to assist places like Shaws Creek, the Town can write a letter of support for their efforts. Mayor O'Cain asked Town Manager Reeves and Ms. Finkle to draft a letter properly worded for residents to take from the Town.

Commissioner Bridges asked about reaching out to other HOA's that may need help. Town Manager Reeves said she will send a letter to each HOA president. This way HOA's can apply for individual assistance like businesses.

Town Clerk Amin said she will put information about Hazard Mitigation on the website.

Ms. Finkle said they received word that they are releasing private debris removal next week.

Commissioner Bridges said Board Member Luke Costlow has lots of great information on his site.

Ms. Finkle suggested holding informational classes like what the Police Chief Trotter was doing.

Town Manager Reeves said Mr. Mark Pace is coming to test the asbestos and lead at Town Hall. The mold results were sent to NCLM and the Rough Order of Magnitude (ROM) estimate is about \$200K.

- i. ROM- The aforesaid ROM is attached to, and made part of, these minutes as Appendix 7.

Town Manager Reeves discussed with Council the comp time owed to the Police Department and Administration department.

Commissioner Bridges moved to approve three years of back pay. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Town Manager Reeves presented Council with the Christmas Bonus for employees. After much discussion Council asked Town Manager Reeves and Commissioner Banta to come up with and bonus for the Hurricane for all employees.

Commissioner Bridges moved to approve the \$500 bonus for holiday pay and an extra Hurricane Helene bonus to show our appreciation for all Town employees' hard work with a number that Commissioner Banta and Town Manager Reeves come up with. Mayor O'Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

DEPARTMENT HEAD REPORTS

PUBLIC WORKS

Public Works Director Johnson said the department put tarp in some areas where there were mudslides and put tons of sandbags. They also cleared out several culverts and drains. The department continues to clean after the hurricane.

POLICE

Chief Trotter said there is nothing major to report. She is still working on some options for the deer conversation to follow up on next month.

FIRE

Fire Chief Tim Garren was not present.

ADMINISTRATION

Town Clerk Amin said the State of the Town dinner on October 3rd was postponed to March 1st. She will be checking with the Country Club about holding a History Presentation hors d'oeuvres dinner for May 22 per the Centennial Committee.

Also, per the Centennial Committee we are looking to hold a tree lighting and centennial bear reveal maybe on December 14. More details to come.

Town Clerk Amin is excited to have Ms. Courtney Kidd join us on December 9 as the new finance officer. As well as having a female public works staff member for the hybrid position.

A couple of reminders, the office will be closed for Staff in service on November 26 and closed on the 28 and 29 for the Thanksgiving Holiday. And last but not least a reminder of the employee appreciation dinner on December 6.

MAYOR AND COMMISSIONER COMMENTS

Mayor Pro Tem Hansen asked if Public Works can put lights out before December 14.

Mayor O’Cain asked Staff to put out a message no to feed wild animals.

Commissioner Bridges asked Town Manager Reeves to send the FEMA information to her.

CLOSED SESSION

Mayor Pro Tem Hansen moved that the Council enter Closed Session at 11:14 a.m. pursuant to [N.C.G.S. 143-318.11(a) (3)] consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor Pro Tem Hansen moved to reconvene the Regular Meeting at 11:28 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

The following were present at Town Hall:

- Mayor J. Carey O’Cain
- Mayor Pro-Tempore A. Paul Hansen
- Commissioner George Banta
- Commissioner Bridges
- Town Manager Cara Reeves
- Town Clerk Amin

ADJOURNMENT

There being no further business, Commissioner Banta moved to adjourn at 11:28 a.m. Mayor O’Cain asked for discussion; there was none. The motion carried unanimously.

ATTEST:

Tamara M. Amin, CMC, NCCMC

J. Carey O’Cain
Mayor

Date

Town Clerk/ Deputy Tax Collector