

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 18, 2018

SUBJECT: Henderson County Historic Resource Landmark Ordinance-
Interlocal Agreement with the Town of Laurel Park

PRESENTER: Autumn Radcliff, Planning Director

ATTACHMENTS: 1.) Resolution of Adoption of Ordinance
2.) Interlocal Agreement

SUMMARY OF REQUEST:

On April 15, 2015, the Board of Commissioners adopted the Historic Resources Landmark Ordinance and associated design guidelines. As presented and discussed during this meeting, the Historic Resource Commission's (HRC) next phase would be to reach out to municipalities within the County without an existing Historic Preservation ordinance to determine interest for adopting the County's Ordinance within their jurisdiction. Staff has been working with the HRC's appointed Town Representatives since the adoption of the ordinance. The Town of Fletcher at its meeting on September 12, 2016 voted to adopt the County Historic Resources Landmark Ordinance by resolution, and the Board of Commissioners at its meeting on October 3, 2016 approved the interlocal agreement with the Town of Fletcher.

As a result of the HRC's efforts, the Town of Laurel Park voted to adopt the County Historic Resource Landmark Ordinance at its meeting on March 20, 2018. An interlocal agreement between the County and the Town of Laurel Park is required for the Historic Resource Commission and staff to enforce the ordinance within the jurisdiction of the Town of Laurel Park. The ordinance will be implemented and administered by the County through the HRC. The Landmark Ordinance is voluntary and no fees or costs for service are necessary at this time. Staff does not anticipate more than one to two applications per year.

BOARD ACTION REQUESTED:

The Board is requested to approve the Interlocal Agreement as presented for the Historic Resource Landmark Ordinance.

SUGGESTED MOTION:

I move that the Board approve the attached Interlocal Agreement between Henderson County and the Town of Laurel Park for the Historic Resource Landmark Ordinance.

Town of Laurel Park

J. CAREY O'CAIN, Mayor
ROBERT O. VICKERY, Commissioner
and Mayor Pro Tem
NANCY P. MCKINLEY, Commissioner
A. PAUL HANSEN, Commissioner
GEORGE W. BANTA, Commissioner

ALISON L. ALEXANDER, Town Manager
KIMBERLY B. HENSLEY, CMC, Town Clerk
BOBBIE K. TROTTER, Chief of Police
ANDREW D. GRIFFIN, Public Works Superintendent
SHARON B. ALEXANDER, Town Attorney

Res. 2018-2

RESOLUTION OF THE TOWN OF LAUREL PARK AUTHORIZING THE ENFORCMENT OF THE HENDERSON COUNTY HISTORIC LANDMARK ORDINANCE WITHIN LAUREL PARK

WHEREAS Laurel Park seeks to cooperate with other governing bodies to safeguard the heritage of the County by preserving landmarks therein that embody important elements of its culture, history, architectural history, or prehistory;

WHEREAS Henderson County passed the Preservation of Historic Resources Ordinance, hereinafter "the Ordinance" and this Ordinance recognizes historic properties in the County;

WHEREAS municipalities may adopt this Ordinance and related design standards to protect historic properties within their boundaries; and

WHEREAS Henderson County is desirous of encouraging the protection of historic properties and the creation of a list of all historic properties within Henderson County.

NOW, THEREFORE, BE IT RESOLVED by the Laurel Park Town Council as follows:

1. Laurel Park, through resolution of its governing body, adopts the Ordinance and related design standards.
2. Henderson County, through its Historic Resources Committee Staff Liaison, will provide Laurel Park services under the Ordinance. These services include review of applications, communications with property owners, municipality, and tax department, and present applications to the Historic Resources Committee. The Staff Liaison will also prepare of materials for the Zoning Board of Adjustment, and the Board of Commissioners who approve all applications.
3. Laurel Park will permit Henderson County to enforce the Ordinance within municipal boundaries, as outlined in the Interlocal Agreement.
4. Laurel Park will provide assistance to the County's Staff Liaison when possible or necessary.

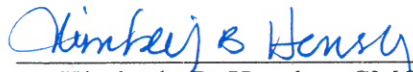
5. This resolution will be effective upon the date of adoption, and Laurel Park adopts any future amendments or changes to the Ordinance. To revoke the Ordinance, the Municipality must adopt a revocation resolution and notify Henderson County.

Adopted this 20th day of March 2018.



J. Carey O'Cain, Mayor

ATTEST:



Kimberly B. Hensley, CMC
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

INTERLOCAL AGREEMENT

THIS AGREEMENT, made this the 20th day of March 2018 by and between Henderson County, hereinafter “the County”, a body politic and corporate by the State of North Carolina, and the Town of Laurel Park, hereinafter “Town”, a duly incorporated municipal corporation and body politic.

WITNESSETH:

WHEREAS the County and Town have adopted the County’s Preservation of Historic Resources Ordinance, hereinafter “Ordinance” and the related design standards;

WHEREAS County staff, tax department, boards and Board of Commissioners are responsible for the approval of historic properties and enforcement of the Ordinance; and

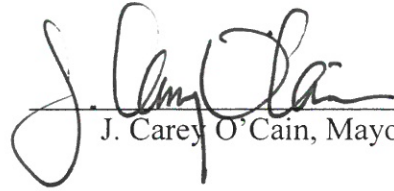
WHEREAS County and Town are desirous of collaborating on the implementation of this Ordinance in the incorporated and unincorporated areas;

NOW, THEREFORE THIS AGREEMENT, that for and in consideration of the mutual promises and other good and valuable consideration as provided for herein below, the parties mutually agree as follows:

- 1) Town agrees to adopt the Ordinance and its design standards. Future amendments or changes to this Ordinance must be presented to and approved by the Town Council.
- 2) Henderson County will provide the following services:
 - a. Review applications
 - b. Work with applicants
 - c. Notify the Town of pending applications
 - d. Prepare materials for Historic Resource Committee, Henderson County Zoning Board of Adjustment and Board of County Commissioners
 - e. Notify tax department when properties are designated
 - f. Enforce Ordinance on participants
- 3) Town permits Henderson County, in conjunction with the Town Manager and Town Council, to enforce the Ordinance on participants within municipal boundaries.
- 4) Henderson County will keep any and all fees collected related to this Ordinance.
- 5) Town and County will work together to promote historic sites, give technical assistance to protect historic properties, and provide information regarding historic properties, upkeep, and designation.
- 6) This Agreement may be revoked by either party with 30-days written notice.

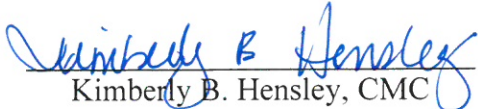
In witness hereof, all parties have caused this Interlocal Agreement to be duly approved, spread upon the minutes of each, and to be executed in duplicate, each to have the force and effect of an original.

FOR THE TOWN OF LAUREL PARK



J. Carey O'Cain, Mayor

ATTEST:



Kimberly B. Hensley, CMC
Town Clerk

HENDERSON COUNTY

BY: _____