

SPECIAL MEETING OF THE BOARD OF COMMISSIONERS
OF THE TOWN OF LAKE LURE

May 14, 1986

A special meeting of the Board of Commissioners of the Town of Lake Lure was called on May 14, 1986 at 7:30 in the Town Office for a budget workshop, and to discuss the following: the Globe Theatre contract, the Swingfest, a peddler ordinance, funding for the E.M.S., a Resolution Designating Law Enforcement Officers' Week, and the organization of the Lake Lure V.F.D.

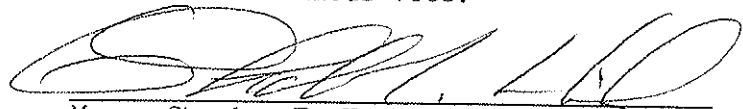
Motion was made by Commissioner Cashion, seconded by Commissioner Karr to dispense with the reading of the minutes of the last meeting. The motion passed with an unanimous vote.

Commissioner Wildman made a motion that the Council presents to the Board of the Globe Playhouse, Inc., the last approved contract with no changes in paragraph #1, and the following changes initialed in: In paragraph #2, sentence #7, insert the word "each" between the words "space" and "and". And in paragraph #14, in the last sentence, after the word "Theatre", add "subject to paragraph #19 below". The motion was seconded by Commissioner Karr and passed with an unanimous vote.

Commissioner Price, made a motion to remove from paragraph #12, in the first sentence "or parcel of land", and from sentence #2, "or of any improved land". The motion was seconded by Commissioner Karr and passed with an unanimous vote.

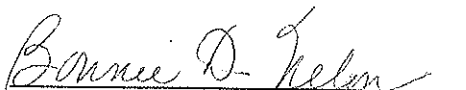
Commissioner Cashion, seconded by Commissioner Karr made a motion to adopt a Resolution Designating May 15th as Peace Officers Memorial Day, and the week which follows after as Police Week. The resolution was unanimously adopted.

Motion was made by Commissioner Cashion, seconded by Commissioner Karr to adjourn. The motion passed with an unanimous vote.



Mayor Charles F. Hicks

Attest:



Town Clerk

RESOLUTION REGARDING EMPLOYEE USE OF VEHICLES OWNED BY THE
Lake Lure, NORTH CAROLINA

TOWN OF

WHEREAS, the 1985 Tax Act enacted by the United States Congress repeals various sections of the Tax Reform Act of 1984, concerning personal use of employer-provided vehicles; and

WHEREAS, the federal legislation defines an employee's personal use of an employer-furnished vehicle as a taxable fringe benefit and includes commuting to and from work within the term "personal use"; and

WHEREAS, the Town of Lake Lure, of North Carolina, provides certain municipal vehicles to its employees for use in municipal business, including commuting to and from work for employees who are "on call"; and

WHEREAS, pursuant to state law (N.C.G.S. 14-247), the Town prohibits its employees from using municipal vehicles for any personal purposes whatsoever.

NOW, THEREFORE, BE IT RESOLVED that the (governing board) of the Town of Lake Lure, North Carolina, hereby adopts the following policy on employee use of municipal vehicles:

Vehicles Not Used For Personal Purposes

Section 1. Vehicles owned by the City/Town may be provided to one or more employees in connection with municipal business and shall be used only on municipal business.

Section 2. When the vehicle is not used in the City/Town's business, it is kept on the municipality's business premises, unless it is temporarily located elsewhere.

Section 3. The municipality's business premises and the residence of any employee using the vehicle are at different locations.

Section 4. Pursuant to state law, neither an employee, nor any individual whose use would be taxable to the employee, may use municipal vehicles for personal purposes.

Section 5. The (governing board) reasonably believes, based upon expressed City/Town policy and on provisions of state law, that none of its employees, nor any individual whose use would be taxable to the employee, use these vehicles for any personal purpose.

Vehicles Not Used For Personal Purposes Other Than Commuting

Section 6. Vehicles owned by the City/Town may be provided to one or more employees in connection with municipal business and shall be used only on municipal business.

Section 7. For bona fide noncompensatory business reasons, the City/Town requires certain employees to commute to and from work in municipal vehicles.

Section 8. Pursuant to state law, neither an employee, nor any individual whose use would be taxable to the employee, may use municipal vehicles for personal purposes other than for commuting.

Section 9. The (governing board) reasonably believes, based upon expressed City/Town policy and on provisions of state law, that none of its employees, nor any individual whose use would be taxable to the employee, use these vehicles for any personal purpose other than commuting.

Section 10. The employees required to use municipal vehicles for commuting are not "control" employees, as defined by the Internal Revenue Service.

Section 11. The City/Town will account for the commuting use by its employees by including an appropriate amount as specified in IRS regulations in the employees' gross income.

Dated this 28 day of Jan, 19 86

Mayor

ALLEGED:

Bonnie W. Nelson
Clerk

RESOLUTION CALLING FOR A PUBLIC
HEARING ON THE QUESTION OF AMENDING THE TOWN
OF LAKE LURE ZONING ORDINANCE AND MAP

WHEREAS, pursuant to the provisions of Section 1300 of Article XIII of the Zoning Ordinance, the Town Planning Board has proposed and recommended that the Zoning Ordinance and Zoning Map be amended as follows:

To redesignate from the R-1A Residential District to the R-1B

Residential District the following tract or parcel of land:

Being that tract of land, described by metes and bounds as Parcel No. 9 in the aforementioned Deed dated January 1, 1953, and recorded in Deed Book 219, Page 178, said Registry and described as follows:

BEGINNING at a point where the southern margin of Robert Louis Stevenson Drive intersects the western margin of the Asheville-Charlotte Highway No. 74, said point located at survey station 113 plus 29.8 of the survey of said Highway 74, the said point also being the beginning point of a 170.5 acre tract of land conveyed by A. D. Warner to H. F. Smart and Martin Nesbitt by deed dated November, 1947, as shown on a map of the property of A. D. Warner located on the waters of Cane Creek and Lake Lure southwest of Highway 74, by Howard B. Miller, Engineer, dated October 18, 1947, the said map being recorded in Plat Book 5, Page 14, of the records of Plats for Rutherford County, North Carolina, and runs thence with the south margin of Robert Louis Stevenson Drive following the curves and tangents thereof, the same being the boundary line of the Smart-Nesbitt 170.5 acre tract as appears on said map, in a general northwesterly direction 2370 feet to a stake, the said stake being a corner of the Smart-Nesbitt tract; thence with the Smart-Nesbitt boundary line South 45 deg. 29 min. West 184 feet to a stake, the said stake being a corner of the 93.88 acre H. D. Nix Tract; thence with the boundary line of the said Nix Tract as follows: North 85 deg. 18 min. West 811.2 feet, North 6 deg. 15 min. East 976 feet, North 16 deg. 58 min. West 728.5 feet and North 16 deg. 54 min. East 470 feet, being the same more or less, to a stake in the southern boundary line of a tract of land designated as Tract No. 5 in a deed from Lureland Realty Corporation to F. M. Edwards, recorded in Book 175, Page 97, of the records of Deeds for Rutherford County, North Carolina; thence with said line South 76 deg. 52 min. East 103 feet to a locust stake and pointers, the said stake also being the southeast corner of Lot 23, Block 23, as shown on a map of Blocks 21 through 25, of Lake Lure, recorded in Plat Book 2, Page 17, of the records of Plats for Rutherford County, North Carolina; thence with the southeast boundary lines of Lots 23 and 22, Block 23, to a stake, said stake being the north easternmost corner of Lot 22, Block 23, the said stake also being the southeast corner of a small tract of land conveyed by A. D. Warner to Ada Laughter by Deed dated October 6, 1945; thence with the eastern boundary line of the Ada Laughter tract North 9 deg. 30 min. West 82 feet more or less to a stake, the said stake being the southwest corner of Lot 31, Block 23; thence with the southern boundary line of Lot 31, Block 23, to a stake

in the southwest margin of Horace Kephart Drive, said stake also being the southeast corner of Lot 31, Block 23; thence crossing Horace Kephart Drive in a northeasterly direction 44 feet, being the same more or less, to a stake, the said stake being the southwest corner of Lot 13, Block 24, as shown on the above map thence following said margin of said Horace Kephart Drive with the southern boundary lines of Lots 13, 14, 15, 16 and 17, and the western margin of or boundary line of Lot 18 of Block 24, 335 feet more or less to a stake, said stake being the southwest corner of Lot 18, Block 24; thence with the southern boundary line of Lot 18, Block 24, 215 feet more or less to a stake in the western margin of Highway 74 (Asheville-Charlotte Highway), the said stake being the southeast corner of Lot 18, Block 24, as shown on the above map; thence with the said margin of the said Highway in a southwesterly, a southeasterly, a northeasterly, a southeasterly, an easterly, a southeasterly, a westerly and southwesterly direction, following the curves and tangents thereof, 4,350 feet, being the same more or less, to the point of the BEGINNING, it being the intention of this description to embrace and include all of the land designated as Blocks 26, 27, 29, and 30, and that portion of Blocks 23, 24 and 28, not appearing on Plat of Blocks 21 through 25 of Lake Lure, recorded in Plat Book 2, Page 17 of the records of Plats for Rutherford County, North Carolina, as shown on a Plat of the Lake Lure General Plan of Development of Luremont Section Plat No. 2, excepting however, any portion shown on said map that might extend into the 93.88 acre Nix Tract.

Excepting from the above described boundary, the following property, to-wit:

EXCEPTION NO. 1: All that certain Lot of land, described in Deed dated April 28, 1954 and described by metes and bounds in said Deed recorded in Deed Book 224, Page 456, Rutherford County Registry.

EXCEPTION NO. 2: All that certain Lot described by metes and bounds in Deed dated July 29, 1954 and recorded in Deed Book 226, Page 103, Rutherford County Registry.

EXCEPTION NO. 3: All that lot of land described in Deed dated July 25, 1955 and recorded in Deed Book 229, Page 189, Rutherford County Registry.

EXCEPTION NO. 4: All that lot of land described in Deed dated July 27, 1957, by metes and bounds and recorded in Deed Book 237, Page 62, Rutherford County Registry.

EXCEPTION NO. 5: All that land containing 2.39 acres, more or less, described by metes and bounds in Deed dated August 12, 1959, and recorded in Deed Book 248, Page 675, Rutherford County Registry.

EXCEPTION NO. 6: All that lot of land containing 1 acre, more or less, described by metes and bounds in Deed dated August 28, 1961, and recorded in Deed Book 259, Page 385, Rutherford County Registry.

EXCEPTION NO. 7: Being all of that certain Lot or tract of land described by metes and bounds in Deed dated November 10, 1965, and recorded in Deed Book 287, Page 30, Rutherford County Registry.

It being the intention of the Grantors herein to convey to the Grantee all of the unsold portion of the above described land containing 58.76 acres, more or less and shown on Rutherford County Tax Map 526, as Lot 2.

And being the same and identical property described as Parcel Three in Deed from John F. Mojjs to John F. Mojjs and wife, Elizabeth F. Mojjs, dated September 20, 1984, and recorded in Deed Book 462, at Page 169, Rutherford County Registry.

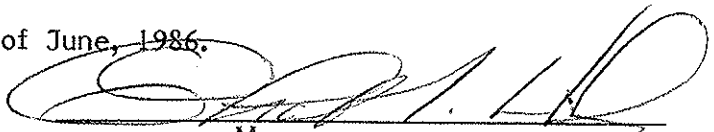
AND WHEREAS, the Town Council desires to give consideration to such proposed amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Lake Lure that:

Section 1. In accordance with the provisions of G.S. 160A-384 and 160A-385, and the provisions of Section 1300 of Article XIII of the Zoning Ordinance a public hearing will be held at the Community Building in Lake Lure, North Carolina, on the 24th day of June, 1986, at 7:30 p.m. for the purpose of considering the proposed amendment of the Town Zoning Ordinance and Map as hereinabove set out.

Section 2. The Town Clerk is hereby directed to publish notice of such public hearing in The Daily Courier once a week for two successive weeks prior to said hearing, the first publication of which shall not be less than ten (10) days nor more than twenty-five (25) days prior thereto. The Town Clerk is also directed to secure publisher's affidavit that publication of such notice was duly made.

Adopted this 3rd day of June, 1986.


Mayor

ATTEST:


Town Clerk

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE,
THAT, THE FOLLOWING ORDINANCE SETTING FEES FOR PEDDLERS AND
ITINERANT MERCHANTS WITHIN THE CORPORATE LIMITS OF THE TOWN OF
LAKE LURE, AND THE PENALTY FOR THE VIOLATION THEREOF, BE ESTABLISHED
AS FOLLOWS:

Section One: There is a fee of \$10.00 for a person engaging in
peddling on foot; and a \$25.00 fee for a person engaged in the business
of itinerant merchant.

Section Two: An itinerant merchant must submit, in writing,
permission from the property owner upon whose property he will be
exposing goods or wares for sale; and included in said permission
must be certification that his property is zoned Commercial.

Section three: Penalty. Violation of this Ordinance shall be
a misdemeanor and punishable on conviction by a fine not exceeding Fifty
(\$50.00) Dollars or by imprisonment not exceeding thirty (30) days, or
both, as provided by Section 14-4 of the General Statutes of North
Carolina.

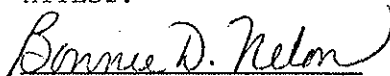
This Ordinance shall become effective upon its adoption.

Adopted this the 10th day of June, 1986.

TOWN OF LAKE LURE,
a Municipal Corporation

By: 
Mayor

ATTEST:


Town Clerk