

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

June 24, 1986

A regular meeting of the Board of Commissioners of the Town of Lake Lure was called to order at 7:30 in the Community Center on June 24, 1986. Those present were: Mayor Charles F. Hicks, Commissioners Karr, Cashion, Wildman and Price and Town Attorney Chris Callahan.

The invocation was delivered by Rev. Robert Poston.

Commissioner Wildman made a motion, seconded by Commissioner Cashion to accept the minutes of the meetings of May 27, June 3, June 6 and June 7 as read. The motion passed with an unanimous vote.

The first item on the Agenda was a discussion about the repeal of the Town's ordinance prohibiting the sale of beer and wine on Sunday. Commissioner Wildman, seconded by Commissioner Karr moved that while local legislation is being sought to modify for Lake Lure 18B-1004 to delimit alcohol sales on Sunday to on-premise consumption, the Town repealed the present ordinance prohibiting Sunday sales of beer and wine - off premise. The motion passed with an unanimous vote.

Motion was made by Commissioner Price, seconded by Commissioner Wildman to enter into a Public Hearing on the re-zoning of 58 acres of land on Highway 64/74 from R1-A to R1-B. The motion passed with an unanimous vote. Due to the contiguous owners of the property not being properly notified, Commissioner Cashion made a motion, seconded by Commissioner Karr to discontinue the Public Hearing. The motion passed with an unanimous vote.

Commissioner Wildman made a motion, seconded by Commissioner Cashion to enter into a Public Hearing on the expenditure of appropriations from the federal government.

Commissioner Karr made a motion, seconded by Commissioner Wildman to end the Public Hearing. The motion passed with an unanimous vote.

Commissioner Price, seconded by Commissioner Cashion made a motion to expended 1986-87 Federal Revenue Sharing appropriations on the purchase of a police vehicle. The motion passed with an unanimous vote.

Motion was made by Commissioner Cashion, seconded by Commissioner Wildman to enter into a Public Hearing on the Fiscal Budget of 1986-87. The motion passed with an unanimous vote.

Motion was made by Commissioner Wildman, seconded by Commissioner Karr to conclude the Public Hearing on the Fiscal Budget. The motion passed with an unanimous vote.

Motion was made by Commissioner Price, seconded by Commissioner Karr to reappoint Ted Cashion to the Board of Adjustments. The motion passed with an unanimous vote.

Motion was made by Commissioner Karr, seconded by Commissioner Price to recess until Monday, June 30 at 2:00 p.m. The motion passed with an unanimous vote.

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The meeting was reconvened on June 30, 1986 in the Town Hall at 3:00 p.m. Those present were: Commissioners Cashion, Karr, Wildman and Mayor Hicks.

Commissioner Karr made a motion, seconded by Commissioner Wildman to form a "Blue Ribbon Committee", consisting of Hugo Moirano, Gene Michelin and Jim Hook, to study the fire department and submit a report stating problems and offering suggestions on how to resolve them, at the July 22nd regular meeting. The motion passed with an unanimous vote.

Commissioner Cashion made a motion, seconded by Commissioner Karr to adopt the 1986-87 Fiscal Budget as presented. The motion passed with an unanimous vote.

Motion was made by Commissioner Karr, seconded by Commissioner Wildman to set the rate of tax at \$.29 per \$100.00 of valuation. The motion passed with an unanimous vote.

Motion was made by Commissioner Cashion, seconded by Commissioner Wildman for a study to be done on the Golf Course operation and presented to the Council at the July 22, 1986 meeting. The report was to include:

1. Study of possible promotional efforts towards an increase in membership.
2. A study of the rates
3. A study of the golf course's organization and operation, with the emphasis on personnel and costs.

The motion carried with an unanimous vote.

Motion was made by Commissioner Karr, seconded by Commissioner Cashion to adopt a 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 22nd day of July, 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.

The motion passed with an unanimous vote.

An "Ordinance Prohibiting Peddling Within The Corporate Limits of The Town Of Lake Lure was presented and Commissioner Cashion made a motion, seconded by Commissioner Wildman to adopt the ordinance which would supercede Ordinance 86-6. The motion passed with an unanimous vote.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, THAT THE FOLLOWING ORDINANCE PROHIBITING PEDDLING WITHIN THE CORPORATE LIMITS OF THE TOWN OF LAKE LURE, AND THE PENALTY FOR THE VIOLATION THEREOF, BE ESTABLISHED AS FOLLOWS:

SECTION ONE: No person or itinerant merchant shall sell or offer for sale, produce, merchandise or other items of personal property or engage in the general business of peddling within the corporate limits of the town. The sale of produce, merchandise, and other items of personal property, and in general the carrying on of business of peddling from stands, and other temporary structures, trucks, cars, or other vehicles, constitutes a nuisance and is dangerous to the health and safety of the citizens of the town.

Provided, however, that nothing contained herein shall prevent property owners from conducting yards sales on their own property, as long as said yard sales are not held more frequently than one day per month.

SECTION TWO: 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.

Commissioner Wildman made a motion to adjourn. It was seconded by Commissioner Cashion and passed with an unanimous vote.

ATTEST:



Bonnie D. Nelson, Town Clerk



Mayor Charles F. Hicks

TOWN OF LAKE LURE
FISCAL YEAR 1986-87

REVENUES ALL DEPARTMENTS			EXPENDITURES ALL DEPARTMENTS		
ITEM	ACCT #	BUDGET	ITEM	ACCT #	BUDGET
TAXES	100	250.7	ADMINISTRATION	1000	126.2
INTEREST	101	36.0	POLICE	1100	109.9
PERMITS	102	31.0	FIRE	1200	43.0
ABC	103	6.0	PROPERTY MAINTENANCE	1300	97.7
GOLF	200	53.5	GOLF	2000	82.3
BEACH	210	71.5	BEACH	2100	20.8
MARINA	220	14.2	MARINA	2200	8.8
POWER	230	350.0	POWER	2300	38.2
WATER	240	34.0	WATER	2400	45.1
WASTEWATER	250	59.0	WASTEWATER	2500	55.2
BEER AND WINE	300	2.4	CAPITAL	3000	350.2
FRANCHISE	300 - 1	27.0	SAVINGS	4000	108.0
INTANGIBLE	301	9.2			
POWELL BILL	302	30.4			
SALES	303	96.0			
REVENUE SHARING	304	6.5			
MISC.	900	9.0			
			TOTAL		1086.4