

TOWN OF LAKE LURE • P.O. BOX 255 • LAKE LURE, N.C. 28746 • 704/625-9983 • 704/625-9396

REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY,
JANUARY 28, 1992 AT THE LAKE LURE COMMUNITY CENTER AT 7:30 P.M.

PRESENT: Mayor Priscilla Doyle
Commissioner Bill Bush
Commissioner Jack Donovan
Commissioner Alex Karr
Commissioner Max Lehner

ABSENT: N/A

INVOCATION

Mayor Priscilla Doyle called the meeting to order at approximately 7:30 p.m. Manager Tom Hord gave the invocation.

APPROVAL OF MINUTES

Tom Hord, Town Manager, read aloud the minutes of the recessed meeting of Tuesday, January 14, 1992.

Commissioner Bush moved, seconded by Commissioner Donovan, to approve the minutes of the Tuesday, December 17, 1991 and Tuesday, January 14, 1992 Town meetings. The vote of approval was unanimous.

AUDIENCE OF CITIZENS

Mrs. Billie Dolnick reported on the CPR classes which she taught at the Lake Lure Community Center. Mrs. Dolnick also reported that she would be giving classes on diabetes in February 1992. The classes would meet approximately six times and the sessions would last approximately one hour.

Mrs. Geri Corbin requested that the Council examine the cable contract with the Town of Lake Lure.

Mrs. Mary Karr reported on the Beautification Committee. The Beautification Committee will meet on Friday, February 28, 1992 at 9:00 a.m. at the Lake Lure Golf Course.

Mrs. Veryl Lynn Cox announced there would be a china painting class, hopefully this spring, with a limit on ten participants. The time will be announced at a later date.

APPEAL OF SEWER CHARGES - DR. JERRY SELF

Dr. Jerry Self appealed a charge of \$1,074 for an unauthorized tap-on fee and for back charges. The current policy for sewer penalty rates is twice the tap-on fee plus 24 months of back charges.

Dr. Self purchased a home from Mr. and Mrs. John Evans on October 15, 1991. On November 19, 1991 Mr. Self received a letter from the Town advising him that he owed the sum of \$1,074.

Commissioner Bush moved, seconded by Commissioner Karr, to reimburse Mr. Self in the amount of \$400 to be relieved of the sewer tap penalty. The vote was three to one with Commissioner Bush, Karr, and Lehner voting yes and Commissioner Donovan voting no.

The decision to relieve Mr. Self of the \$400 sewer tap penalty was due to the lack of adequate definition in the sewer policy. Mr. Self was informed by Council that if he could get the name of the owner of the house in 1969, and if the tap-on fee had been paid at that time by the owner, he would be reimbursed for the tap-on fee by bringing this information into the Town Hall.

REVIEW OF RECOMMENDED SCHEDULE OF FEES FOR REZONINGS AND ANNEXATIONS

At the Town's request, the Town Attorney drew up a proposed fee schedule for future annexations and rezonings in the Town of Lake Lure. The Planning and Zoning Board reviewed the proposed fee schedule at their January 7, 1992 meeting and found it appropriate that the Town be reimbursed for legal fees involved in annexations and rezonings. Therefore, the Planning and Zoning Board recommends that the Town Council adopt the fee schedule for annexations and rezonings in the Town of Lake Lure as submitted by the Town Attorney in his letter of April 4, 1991. The fees are as follows:

Annexation/Initial Zoning Legal Fees		
0-1	acres	\$400.00
2-3	acres	500.00
4-7	acres	600.00
8-12	acres	700.00
13-20	acres	800.00
21-30	acres	900.00
30+	acres	1000.00

Recording Costs

0-3	acres	\$12.00
4-20	acres	16.00
21+	acres	20.00

Advertising Costs

0-1	acres	\$140.00
2-3	acres	170.00
4-7	acres	200.00
8-12	acres	225.00
13-20	acres	250.00
21-30	acres	275.00
30-100	acres	300.00
100-200	acres	400.00
200-300	acres	500.00
300+	acres	600.00

Rezoning-Property Legal Fees

0-1	acres	\$250.00
2-3	acres	300.00
4-7	acres	375.00
8-12	acres	435.00
13-20	acres	500.00
21-30	acres	560.00
30+	acres	620.00
Recording costs		None
Advertising costs		$\frac{1}{2}$ of combination annexation and initial zoning costs.

The Lake Lure Zoning Ordinance states that from time to time the Council can set a fee schedule.

Commissioner Bush moved to enact the recommended fees for rezonings and annexations to be collected by the Town. Commissioner Karr seconded the motion, and the vote of approval was unanimous.

RECOMMENDATION FROM PLANNING BOARD
CONCERNING SIGNS ON PUBLIC PROPERTY

The Lake Lure Planning and Zoning Board recommended to Council that the Town not exceed the fifty (50) square foot maximum for any sign for buildings they own or for signs placed on Town property identifying buildings off sight. At the present, the Town of Lake Lure is exempt from the sign regulations as they pertain to sign square footage for governmental signs, including building identification, directional, information, and welcome signs. The Planning Board felt that the sign section of the Zoning Ordinance, as is currently worded, the Town could allow the Town to construct an identification sign for any building, whether town-owned or not, in excess of the fifty (50) square feet requirement of the Lake Lure Zoning Ordinance. The Planning Board feels strongly that if the Town would allow itself a larger sign through this exemption, then to deny an individual land owner of the same right would be arbitrary and illegal.

It was the consensus of the Council to have the Planning and Zoning Board provide a suggested rewording for this particular section of the sign ordinance and present to Council when completed.

APPOINTMENT OF MEMBERS TO THE JOINT
TRANSPORTATION PLANNING COMMITTEE

It was the consensus of the Council to appoint Dick Washburn as a member of the Joint Transportation Planning Committee. The Planning and Zoning Board was requested to come to the next general meeting with nominees from their board to also appoint to this committee.

Chimney Rock has not made their appointments to the committee at this time.

TAX RELEASES

Commissioner Donovan moved, seconded by Commissioner Lehner, to release the taxes in the amount of \$827.58 and refund \$42.25, as presented by the Tax Collector. The vote of approval was unanimous. (copy attached)

REQUEST FROM FAIRFIELD CONCERNING
FINANCIAL SURETY FOR SHUMONT ESTATES
PHASE II-A

Mr. Roy Frazier verbally requested and Ms. Cindy Ross of Fairfield Communities requested in writing, that the letter of credit the Town of Lake Lure now holds and the money the

Town has in escrow as financial security for completion of all improvements in Shumont Estates, Phase II-A be' exchanged for a performance bond with Aetna Insurance.

Council requested that Chris Callahan, Town Attorney, and F. E. Isenhour, Finance Director, get together with the modifications and stipulations for changing to a bond and report this information at the workshop meeting scheduled for Thursday, February 7, 1992.

BUDGET ADJUSTMENTS

F. E. Isenhour, Finance Director, requested two amendments to the Town Budget for the 1991-92 fiscal year. The first is an addition of \$4,000 to the Marina Departmental Budget to construct two open slips connecting to the northernmost point of the existing open slips. These slips may be used by the Showboat for docking if a new lease is signed, or may be rented to the public if no lease is signed. This construction cannot proceed without an amendment, and as the lake is to start up prior to the next Council meeting, the construction should begin as soon as possible.

Commissioner Lehner moved, seconded by Commissioner Donovan, to increase the Marina budget by \$4,000 with the offsetting revenue increases of \$700 to open slip rental in the Marina revenue and an increase of \$3,300 from the unexpensed general fund balance. The vote of approval was unanimous.

The second amendment is to remove the fluid and sludge from the holding tanks at the sewer plant. An early estimate stated that the removal would cost \$5,000. At present, the fluids have been removed and the sludge remains. This has been done at a cost of \$8,000. An estimate to remove the remainder of the sludge stands at \$12,000. This office must request an amendment of \$20,000 to cover the present expenditure and the estimate to remove the sludge. This sludge must be removed, as it is now holding up the construction of Phase II at the wastewater plant. This office recommends that the \$20,000 be taken from the Water and Sewer Fund Balance and shown as an expenditure in the sewer department for Capital Outlay-Construction. The Capital Project Budget will also require a budget amendment of the same amount. The revenue from the Sewer department will be increased \$20,000 and the expenditure for the Capital Outlay-Construction will be increased \$20,000.

Commissioner Bush moved, seconded by Commissioner Lehner, that \$20,000 be taken from the Water and Sewer Fund Balance and shown as an expenditure in the sewer department for Capital Outlay-Construction. The Capital Project Budget will also require a budget amendment of the same amount. The revenue from the Sewer department will be increased \$20,000 and the expenditure for the Capital Outlay-Construction will be increased \$20,000. The vote of approval was unanimous.

STAFF REPORTS

Mr. Hord, Town Manager, reported on several improvements throughout the Town. The kitchen in the Community Center has been renovated and is now approximately 99% complete. The landscaping at the Community Center is approximately 60% complete. The wastewater treatment plant project is now approximately 40% complete. The new signs placed at Town Hall and the Community Center are approximately 99.5% complete.

Mr. Hord announced that smoking of manholes will proceed within the next few weeks.

FAIRFIELD MEETINGS

Commissioner Bush moved, seconded by Commissioner Lehner, to schedule four regular Town Council meetings at Fairfield Bald Mountain Club for 1992. The dates are March 24, June 23, September 22, and December 15, 1992. The vote of approval was unanimous.

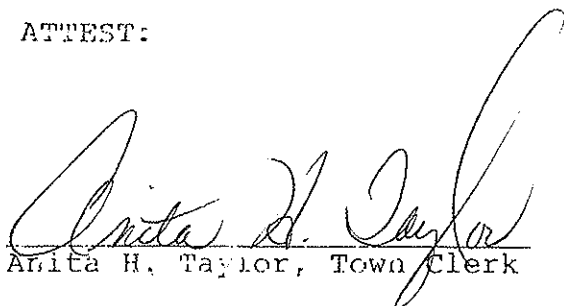
STAFF REPORTS

Mr. Hord announced the resignation as Chief of Police by Frank Fritts. Frank Fritts requested to stay on as a regular police officer.

F. E. Isenhour reported that the Town Hall would be receiving their new computer system within the next few weeks.

Commissioner Donovan moved, seconded by Commissioner Bush, to recess to the workshop meeting on Thursday, February 6, 1992 at 10:00 a.m. at the Community Center. The vote of approval was unanimous.

ATTEST:


Anita H. Taylor, Town Clerk


Mayor Priscilla Doyle