

TOWN OF LAKE LURE • P. O. BOX 255 • LAKE LURE, N.C. 28746
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**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN
COUNCIL HELD TUESDAY, SEPTEMBER 22, 1992 AT FAIRFIELD
MOUNTAIN'S BALD MOUNTAIN CLUB AT 7:30 P.M.**

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

ABSENT: N/A

CALL TO ORDER

Mayor Doyle called the meeting to order at approximately 7:30 p.m.

APPROVAL OF MINUTES

Commissioner Lehner moved, seconded by Commissioner Bush, to approve the minutes of the August 25, 1992 regular Council meeting, the minutes of the September 9, 1992 recessed Council meeting, and the minutes of the September 16, 1992 recessed Council meeting. The vote of approval was unanimous.

Mayor Doyle recognized the Town Manager for his service to the Town of Lake Lure for one year. Mayor Doyle spoke of her admiration for Mr. Hord's integrity, intelligence, decency, foresight, and wished Mr. Hord and Lake Lure many happy years and a very long successful relationship. The Town Council showed their appreciation by presenting Mr. Hord with a painting of

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Lake Lure from the Council and staff by Mrs. Jean Hough, a local artist.

AUDIENCE OF CITIZENS

Charles Hayes, President of the Lake Lure Volunteer Fire Department's Board of Directors, spoke on the donations by individuals in Lake Lure to the hurricane relief fund. The department collected approximately \$14,000 in goods and approximately \$723 in cash. \$254 was spent on bug spray and can openers and \$469 was presented to Father Hindle of the Church of the Transfiguration to be distributed to the Miami Bishops Fund.

Mr. Hayes thanked everyone for their help and support, and gave special thanks to Eddie Griffin for his many hours of service in helping to collect and deliver the goods.

**CALL FOR PUBLIC HEARING -
ZONING AMENDMENT (REMOVAL OF SECTION 801
CONDITIONAL USES ON U.S. HIGHWAY 64/74
BUFFALO CREEK ROAD, AND OTHER THOROUGHFARES)**

After a study of the present development trends along U.S. Highway 64/74 and other Town thoroughfares, and in keeping with the intent of the land Development Plan, which discourages strip commercial development and recommends designated cluster-type commercial centers, the Planning and Zoning Board recommended to Council the deletion of section 801 from the Zoning Ordinance of the Town of Lake Lure.

Notice of the public hearing was published in the Daily Courier on September 9, 1992 and September 17, 1992. A letter notifying approximately

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350 effected or adjacent property owners of the public hearing on the proposed zoning amendment was mailed first class September 15, 1992.

Commissioner Lehner moved, seconded by Commissioner Karr, to enter into the public hearing. The vote of approval was unanimous.

Among persons speaking against the proposed deletion of section 801 were: Katie Burch on behalf of Dr. Burch, Frankie Queen, Bill Frykberg, Jim Barrett, Lee Walke, Charles Blackwell, and Mr. Lusk.

After citizens spoke on their feelings and concerns, Commissioner Lehner moved, seconded by Commissioner Bush, to come out of the public hearing and re-enter the regular session of the meeting. The vote of approval was unanimous.

Assuming (1) that a study initiated now can be completed in a "reasonable amount of time", which might be in the six-months time frame, and (2) that the conditional use overlay (Section 801) has proven to be cumbersome to interpret and difficult to enforce, particularly in the past several months, Commissioner Bush moved, seconded by Commissioner Lehner, that the Town of Lake Lure declare a moratorium on the application for and issuing of conditional use permits by temporarily suspending the applicability of Section 801, of the Town of Lake Lure Zoning Ordinances. The three applications received by the Town prior to this action would be continued through the review process by the Board of Adjustment.

<p>RESOLUTION AUTHORIZING THE LEASE OF TOWN PROPERTY IN FRONT OF THE ARCADE BUILDING FOR USE AS LOCATION FOR A SIGN</p>
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A Public Notice was published Tuesday, August 18, 1992 in regard to the consideration at the regular Council meeting September 22, 1992 of a resolution authorizing the lease of Town property for the sum of one dollar per year. Said property is described as follows: A portion of a traffic island that is approximately 20 feet from the southeasterly side of the right-of-way for

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Highway 64/74 and approximately 40 feet east of the Lake Lure Inn property line and at a depth of approximately 40 feet from the northerly most curb line adjacent to the public right-of-way which adjoins and becomes Highway 64/74.

After discussion, Commissioner Karr moved, seconded by Commissioner Bush, to approve the following resolution authorizing the lease of Town property in front of the Arcade Building for use as a location for a sign. The vote of approval was unanimous.

RESOLUTION

A RESOLUTION AUTHORIZING THE LEASE OF TOWN PROPERTY IN FRONT OF THE ARCADE BUILDING FOR USE AS A LOCATION FOR A SIGN

WHEREAS, the Town of Lake Lure Board of Adjustments did on March 11, 1992 grant a variance to permit a sign to be erected on Town property in front of the Arcade Building; and,

WHEREAS, the Lake Lure Town Council did on August 4, 1992, approve the concept of leasing a small portion of Town owned property to Premiere Properties for the purpose of constructing an identification sign; and,

WHEREAS, public notice of this proposed lease was published in the Forest City Daily Courier on Tuesday, August 18, 1992 in accordance with Administrative and Financial Laws for Local Government in North Carolina, Chapter 160A, Article 12; and,

NOW, THEREFORE, BE IT RESOLVED, by the Lake Lure Town Council, meeting in regular session on Tuesday, September 22, 1992, with a majority of the Councilmen voting in the affirmative that the Mayor of Lake Lure is authorized to sign the lease agreement attached to this Resolution between the Town of Lake Lure and Premiere Properties as agent for the owner.

ATTEST:

Anita H. Taylor, Town Clerk

Mayor Priscilla Doyle

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**A REQUEST BY NANCY AND BILL MCNARY
AND NEIGHBORS TO CHANGE THE NAME OF
ROAD 25 TO SUNSET COVE ROAD**

Nancy and Bill McNary, who live in Sunset Cove, have requested that Road 25 be renamed Sunset Cove Road. Mr. and Mrs. McNary wrote letters to their neighbors and the effected property owners responded in agreement on the proposed road name change. Mr. Hord recommended that Council approve the request since the name does not conflict with any other Town street name. Therefore, Commissioner Karr moved, seconded by Commissioner Bush, to grant the request of Mr. and Mrs. McNary and neighbors by changing the name of Road 25 to 25 Sunset Cove Road. The vote of approval was unanimous.

**REQUEST FOR ST. JUDE CHILDREN'S
RESEARCH HOSPITAL BIKE-A-THON FROM
10:00 A.M. TO 1:00 P.M., SATURDAY,
OCTOBER 10, 1992**

Mrs. Carole McKay, Coordinator for the St. Jude Children's Research Hospital Bike-A-Thon requested permission from Council to utilize the parking area in front of the Community Center and the paths through the Point as their route on October 10, 1992. This same route was used last year and Mrs. McKay felt that this area proved to be ideal as it is closed to vehicle traffic and assures safety for all riders.

Hours for the Bike-A-Thon would be from 10:00 a.m. until 1:00 p.m. Hotdogs and hamburgers would be served to all volunteers and riders after the event in the picnic area behind the Community Center.

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Mrs. McKay also requested permission from Council to use three tables and six chairs from the Community Center for their registration, refreshment and checkout tables.

Commissioner Bush moved, seconded by Commissioner Karr to honor Mrs. McKay's requests in support of the St. Jude's Bike-A-Thon on Saturday, October 10, 1992 from 10:00 a.m. until 1:00 p.m., with the exception of granting permission to use the tables inside the Community Center which are owned by the VFW. The vote of approval was unanimous.

Council requested that Mr. Hord request permission from the VFW to allow Mrs. McKay to use approximately three of their tables for the Bike-A-Thon.

<p>SUGGESTED AMENDMENTS TO FY 1992-93 CAPITAL IMPROVEMENT BUDGET</p>

Sam Karr, Finance Director, presented the following budget amendment requests to Council:

(1) The Public Works Department purchased a back pack leaf blower for \$365. This may be paid for out of the Capital Budget under the purchase heading "Large New Mower". There is approximately \$9,900 that is left over from this account. According to Tony Hennessee, Public Works Supervisor, this new mower is all that is needed. We could group monies left over from the large mower and the purchase of a new smaller mower into a Public Works "Equipment" heading. This account would then be budgeted

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for \$11,900, (\$9,900 + \$2,000).

(2) To meet various OSHA requirements, the Lake Lure Volunteer Fire Department needs to purchase fire-fighting equipment gear. This cost (\$1,800) would be over and above the original annual contribution of \$30,000 for Fiscal Year 1992-93. We can add this appropriation into the Capital Budget under the purchase heading "Health and Safety Equipment". This expenditure would be off-set by increasing the revenue from the unencumbered fund balance by \$1,800.

Commissioner Bush moved, seconded by Commissioner Lehner, to approve the above budget amendments as presented by the Finance Director and recommended by the Town Manager. The vote of approval was unanimous.

Mr. Hord requested permission from Council to be able to accept informal bids for overhauling Generator #2 at the Hydro-Electric Plant.

Informal bids were made in order to get the information to Council immediately. Approximately five firms were approached and asked to submit a bid on the project. (Bid results attached).

Chris Callahan, Town Attorney, presented to Council for their consideration the following resolution regarding overhaul of Generator #2:

RESOLUTION

Whereas, the Town Council of the Town of Lake Lure saw the need to overhaul a generator on site at the Lake Lure Dam; and

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Whereas, it was estimated that this renovation and overhaul of the generator would cost slightly less than \$50,000 and the Town Council budgeted sufficient money for this renovation; and

Whereas, based upon said estimate by the Town Council informal bids were taken regarding said overhaul pursuant to G.S. 143-129; and

Whereas, five companies were contacted and two bids received specifically for overhaul just of the generator, Darby Electric for \$70,824 and Hayes and Lunsford for \$58,900; and

Whereas, the Town is now in especially urgent need of this renovation in that the only way the Town can manage flood control is by passing lake water through its generator turbines or by raising its floodgates; and

Whereas, the raising of floodgates dumps excessive water downstream and is potentially harmful to property owners downstream by faster raising and lowering of water levels; and

Whereas, the Town of Lake Lure loses tremendous revenue from Duke Power Company by raising floodgates in lieu of passing lake water through two generators; and

Whereas, rains have been above normal recently, and the Town has been required to raise its flood gates; and

Whereas, with two generators the Town would be substantially less likely to have to raise floodgates, and with two generators can substantially make income and better regulate downstream water levels; and

Therefore, the Town believes that a special emergency involving the health and safety of the people and their property downstream dictates that urgent overhaul of the generator at the Lake Lure dam be accomplished; and

The Town therefore resolves to award the contract for overhaul of the generator to Hayes and Lunsford for \$58,900, and the Town of

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Lake Lure has budgeted adequate Capital Improvements Funds to cover this expenditure.

ATTEST:

Anita H. Taylor, Town Clerk

Priscilla Doyle

Mayor Priscilla Doyle

Commissioner Lehner moved, seconded by Commissioner Donovan, to adopt the resolution as prepared and read by the Town Attorney and to approve an additional \$12,500 for the exciter portion. The vote of approval was unanimous.

COUNCIL COMMENTS

Commissioner Bush reported that the Department of Transportation has installed reflectors which are in sight on Highway 64/74.

Commissioner Bush, Co-chairman of the Mussel Review Committee, presented to Council a request that the following persons be appointed to constitute the Zebra Mussel Review Committee:

Co-Chairs:	Jack Powell, Lake Advisory Committee
	Bill Bush, Town Council

Fairfield POA:	Hugo Moirano
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Fairfield Admin:	Roy Frazier
Business Interests:	Will Rowsey Brenda Fisher
Fishing Interests:	Bill Henson
Residents:	Karen Murray Mary Hinkle

The Co-Chairs will gather all required information and organize same in a manner that can be reviewed and discussed by the entire Committee. The Committee will meet approximately once a month for this purpose, with intentions to make recommendations to the Town Council no later than February 1, 1993.

The Committee will consider the following factors:

1. Water conditions (chemistry, temperature, habitat, nutrients, etc.) that are conducive to maintaining the Zebra Mussel.
2. The directions of propagation of the Zebra Mussel, the rate at which they are migrating to "new" waters, and the means of migration.
3. Whatever steps that can be taken to minimize or retard the entry of the Zebra Mussel into Lake Lure with minimal impact on the recreational uses of the lake.

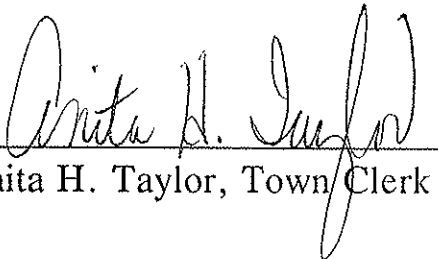
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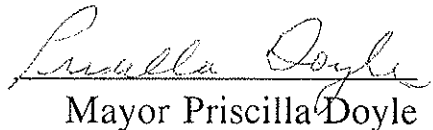
Commissioner Bush also expressed concern over another mussel which is called the Quagga.

Commissioner Lehner moved, seconded by Commissioner Donovan, to appoint the Committee members as nominated and as proposed by Commissioner Bush. The vote of approval was unanimous.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Donovan, to recess to Tuesday, September 29, 1992 at 9:00 a.m. at the Lake Lure Golf Course Clubhouse for the purpose of reviewing the Golf Course. The vote of approval was unanimous. However, this meeting was rescheduled until Thursday, October 22, 1992 at 3:00 p.m.

ATTEST:


Anita H. Taylor, Town Clerk


Mayor Priscilla Doyle