



Incorporated 1927

Town of Lake Lure

P. O. Box 255 • Lake Lure, NC 28746-0255 • 704/625-9983 • FAX 704/625-8371

MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, APRIL 18, 1995, 7:30 P.M. AT THE LAKE LURE COMMUNITY CENTER

PRESENT:

Mayor Max E. Lehner
Commissioner Bill Bush
Commissioner Bill Church

John R. Strutner, Town Manager

ABSENT:

Mayor Pro-tem Bud Schichtel
Commissioner Jack Donovan

INVITED GUEST:

Charles D. Himelrick, Phoenix American, Inc.

CALL TO ORDER

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

INVOCATION

Commissioner Church gave the invocation.

PUBLIC HEARING--RECEIVE CITIZEN COMMENTS REGARDING PRESENT CATV FRANCHISE'S PERFORMANCE AND FUTURE CATV NEEDS IN LAKE LURE

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

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Mayor Lehner stated the purpose of the Public Hearing is to allow the public an opportunity to express their views concerning the performance of Phoenix American, Inc. under its current television franchise in Lake Lure and the community's future cable television needs and interests. The public hearing was required as part of the renewal process regarding the town's franchise agreement with Phoenix American, Inc. which expires in 1997.

Mayor Lehner introduced Assistant Vice President Charles D. Himelrick, Phoenix American, Inc. and said that Mr. Himelrick would be answering questions concerning cable service in Lake Lure.

Mayor Lehner invited citizens who wanted to speak during public hearing. The following citizens requested to speak:

1. Nancy McNary, a resident of Lake Lure, commended the cable service in Lake Lure. Ms. McNary asked the question why subscribers here get South Carolina Public TV, rather than North Carolina.

2. Russel Maze, a resident of Lake Lure, reported that he had audio and video problems in his reception of channel 5 and channel 18. Mr. Maze also stated that during a previous storm he was without cable service for five (5) days and did not receive a credit on his bill.

3. Marsha Hardy, a resident of Lake Lure, stated that she would like to see infomercials bumped and the History Channel added to the cable selection. Ms. Hardy asked the question does a petition from Lake Lure residents speed up the response from the cable company. Ms. Hardy also asked why commercials were louder than other programs.

4. Riley Hardy, a resident of Lake Lure, asked what would be the cost to install cable service to the neighborhood of the Lake Lure Village Resort. Mr. Hardy also suggested that the cable company spend more time marketing and soliciting new customers.

Commissioner Bush spoke on behalf of residents of Lake Lure Village Resort and asked what would it take to get cable service installed in their neighborhood.

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Mayor Lehner stated that he would like to enter into the record that Jack Hinte, a resident of Grandview, Lake Lure, had called and would like to know when will the cable service come to his neighborhood.

Town Manager Strutner asked why Channel 7 was designated for the use of Fairfield Mountains and are they paying for this service.

Council members said that they are interested in using one of the two available channels for public access in order to broadcast important messages regarding Town functions and during crises.

Assistant Vice President Charles D. Himelrick responded to various questions and noted them. Mr. Himelrick stated the following responses:

1. New federal regulations require cable companies to carry the signals of all public TV stations broadcasting within a 50-mile radius of the cable system. South Carolina Public TV is the only ones within the zone. The nearest public TV station in North Carolina is Charlotte and would require special permission from the Federal Communications Commission.

2. Phoenix services approximately 75 percent (792) of Lake Lure's residents. Phoenix Cable has added eight new channels without increasing the rates and switched to an ABC affiliate in Seneca, South Carolina because the signal from Asheville's WLOS was frequently fuzzy.

3. Customers must put their requests in writing or may place a note on their bill and each correspondence will be reviewed. Phoenix cable is on-call 24 hours. If a customer is without cable service because of power outage there will be no charge to the customer for the days without service.

4. A cost of \$40,000 is estimated to install 2.2 miles of cable lines to bring cable service the Lake Lure Village Resort neighborhood. If Phoenix provides the lines, the Lake Lure Village Resort homeowners in that area would pay an installation fee of around \$300 each. Another alternative would be to install an 1,800 foot underwater cable to the neighborhood, but the line could be snagged by fishermen, boats, or the town's dredge.

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5. The reason why commercials are too loud on the family channel is because of audio problems.

6. Fairfield Mountains has a written agreement and does not pay a fee for the use of channel 7 (amended 4/25/95 Regular Council Meeting).

7. Allocating a channel to the town could be drafted as part of the franchise renewal agreement, but will have to be used for public access.

With no further items of discussion within the public hearing, Commissioner Bush moved, seconded by Commissioner Church, to come out of the public hearing and re-enter the regular session of the meeting. The vote of approval was unanimous.

ADJOURNMENT

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Church, to adjourn the meeting. The vote of approval was unanimous.



Mary A. Flack, CMC/AAE
Town Clerk

Mayor Max E. Lehner