



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 REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, MARCH 26, 1996, 7:30 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Max E. Lehner
Commissioner Bill Bush
Commissioner Carolyn Cobb
Commissioner Beth Rose
Commissioner Bud Schichtel

John R. Strutner, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

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

INVOCATION

Town Attorney Chris Callahan gave the invocation.

AUDIENCE OF CITIZENS

No persons requested to speak under the Audience of Citizens.

Mayor Lehner requested that two additional items be added to the agenda under New Business. Therefore, by unanimous Council consent, a request from Reverend Clarence Correll regarding use of the Beach/Gazebo area July 13, 1996 and Closed Session regarding attorney-client matters was added to the agenda.

APPROVAL OF MINUTES

Commissioner Schichtel moved, seconded by Commissioner Cobb, to approve the minutes of the Tuesday, March 12, 1996, Regular Council meeting and Closed Session, and the

Page 2 - Minutes of the March 26, 1996 Regular Council Meeting

minutes of the Tuesday, March 19, 1996 Council retreat as written and presented by the Clerk. The vote of approval was unanimous.

OTHER OLD BUSINESS

a. Other Old Business

There was no further old business for discussion.

NEW BUSINESS

**a. Request from The Reverend Clarence Correll,
Pastor of Bill's Creek Baptist Church**

The Reverend Clarence Correll, Pastor of the Bill's Creek Baptist Church, requested use of the Lake Lure Beach, Gazebo area, and picnic grounds behind the Community Center on July 13, 1996 to allow the Bill's Creek Softball League to hold a Summer Slam Celebration. Reverend Correll is in the process of organizing local softball leagues to be active through the late spring and early summer months. He estimates 200-300 children and adults would attend. WLFJ, a Contemporary Christian Radio Station, has offered to D. J. on the beach. They would like to place a canopy type tent over their equipment in order to prevent damage in case of rain, and have agreed to keep their music at a low volume.

The group requested to locate on the beach until approximately 7:00 p.m. and then relocate to the picnic area behind the Community Center for hotdogs and refreshments and then to the gazebo for the drama entitled "Truth Slayers". The event would end at approximately 10:00 p.m. and all persons are welcome to attend. The Town Manager pointed out that the Beach closes at 6:00 p.m. Therefore, Council suggested that the event begin at 12:00 p.m., instead of 1:00 p.m., and then close an hour earlier, which would be 9:00 p.m. instead of 10:00 p.m. as originally requested.

With no further items of discussion, Commissioner Schichtel moved, seconded by Commissioner Cobb, to approve the request of Reverend Correll to use the Town's facilities July 13, 1996 and that the Town Manager work with the Reverend to accommodate their request. The vote of approval was unanimous.

Town Council agreed to allow this event as an experiment to determine the impact such a gathering will have on the recreational uses of these facilities by other visitors at a time of high usage.

NEW BUSINESS:

**b. Review Proposed Cash Management Plan for
the Town of Lake Lure**

Page 3 - Minutes of the March 26, 1996 Regular Council Meeting

Sam Karr, Finance Director, presented Council a proposed Cash Management Plan for the Town. Mr. Karr noted that this plan is very comparable to that used in other towns the size of Lake Lure.

The Cash Management Plan establishes a set of policies to increase the amount of idle moneys invested, generating non-tax ensuring safety and liquidity of the Town's moneys. This plan will address the following five areas: Cash receipts, investments, cash disbursements, banking relations, monitoring and reporting on the plan.

Attorney Chris Callahan recommended that the Cash Management Plan be adopted by resolution. Therefore, it was the consensus of Council that with the aid of the Town Attorney, Town Manager, and Finance Director, that a resolution be written and presented to Council at a later date. Therefore, this item was tabled until the resolution is completed.

NEW BUSINESS:

c. Review Proposed Resolution -- Consider Charging all Habitual Felons Who are Eligible with G.S. 14-7.1 (The Habitual Felon Statute)

Commissioner Rose moved, seconded by Commissioner Schichtel, to adopt the Resolution No: 96-3-26, Charging all Habitual Felons who are Eligible with G.S. 14-7.1 (The Habitual Felon Statute). The vote of approval was unanimous. The resolution reads as follows:

RESOLUTION

WHEREAS, a large majority of individuals who are arrested in Rutherford County are repeat offenders, many having committed numerous felony offenses.

WHEREAS, the safety and security for the citizens of Town of Lake Lure are among the top priorities of the Town Council of the Town of Lake Lure, North Carolina.

NOW, THEREFORE, BE IT RESOLVED that effective July, 1996, the Town Council of the Town of Lake Lure, North Carolina, requests that the District Attorney for the 29th Judicial District, the Sheriff of Rutherford County, and the Chiefs of Police from each municipality, strongly consider charging all persons who are eligible with G.S. 14-7.1 (The Habitual Felon Statute).

Adopted and approved this the 26th day of March, 1996, signed by Mayor Max E. Lehner and attested by Anita H. Taylor, CMC/AAE, Deputy Town Clerk.

NEW BUSINESS:

- d. Review Proposed Resolution -- Federal Communications Commission is urged to Investigate the Potential for Seven-digit Dialing within Rutherford County**

Commissioner Bush moved, seconded by Commissioner Cobb, to adopt the Resolution Number: 96-3-26A, Investigating the Potential for Seven-digit Dialing within Rutherford County. The vote of approval was unanimous. The resolution read as follows:

RESOLUTION

WHEREAS, telecommunications products and services have become essential to connecting all citizens and increasing the equality of opportunity in the Information Age; and

WHEREAS, advanced telecommunications networks are essential to economic development as well as necessary for expanding education opportunities, health care services and an increasing wide range of other essential government services; and

WHEREAS, the 1996 Telecommunications Act enacted by Congress would allow local telecommunications companies to provide interLATA service; and

WHEREAS, some citizens of the Town of Lake Lure and Rutherford County have expressed concern that Lake Lure and Chimney Rock are separated from the remainder of the County by the Asheville/Charlotte LATA boundary;

NOW, THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Lake Lure, North Carolina that the Federal Communications Commission and North Carolina Utilities Commission are urged to investigate the potential for seven-digit dialing within Rutherford County.

The foregoing resolution was declared adopted on this the 26th day of March, 1996, signed by Mayor Max E. Lehner and attested by Anita H. Taylor, CMC/AAE, Deputy Town Clerk.

NEW BUSINESS:

- e. Discuss the Problems of Littering along Highway 64/74-A**

Commissioner Cobb reported that she has been in contact with Ken Putnam, Traffic Engineer for the N. C. Department of Transportation, in regard to littering. The State will place littering signs with a maximum fine amount through a letter from the Town Council and Town Manager stating their desired location. Therefore, Commissioner Cobb moved, seconded by

Page 5 - Minutes of the March 26, 1996 Regular Council Meeting

Commissioner Rose, that the Town Manager write a letter, on behalf of the Town Council, requesting "No Littering" signage along US 64/74-A and SR 9 within the corporate limits of the Town.

Town Attorney Chris Callahan informed Council that the North Carolina General Statutes 14-399, promotes stronger punishment for the litter violations than the Town's littering Ordinance. Therefore, Attorney Callahan recommended that Council adopt an ordinance regarding Chapter 82, Littering, which will delete and repeal 82.01 Littering Prohibited, and 82.02, Littering from vehicles from the ordinance. The remainder of Chapter, 82, shall remain in full force and effect. The Town Attorney will prepare this ordinance.

NEW BUSINESS **f. Other New Business**

There was no further new business for discussion.

STAFF REPORTS

Town Manager Strutner reported that he is soliciting quotes for additional bracing on the Town Marina's covered slips. All boats have been removed from the slip area until repairs are completed.

Mr. Strutner requested that Council approve the services of the firm of Douglas McCormick, Jr. to replace approximately 1,900 ft. of existing 2" waterline to customers along Highway 64/74-A from Childs' Restaurant to Chimney Rock Fire Department. The new waterline would be a 6" line and the project will also include the installation of three fire hydrants.

Commissioner Bush moved, seconded by Commissioner Schichtel, to approve the construction of the waterline and three fire hydrants, as presented by the Town Manager, not to exceed \$33,000.00 to be taken from the Capital Reserve Fund, account #608300.7404, for new wells and waterline improvements. The vote of approval was unanimous.

Mayor Lehner announced that the Rutherford County Historical Society has invited Council, Staff and citizens to a celebration of Rutherford County's 217th Anniversary. The celebration will be held April 16, 1996 at 7:00 p.m. at St. John's Church on Main Street, Rutherfordton.

Mayor Lehner also reminded Council of the Duke Power Luncheon to be held at the Rutherfordton Clubhouse April 18th, and the NCLM Regional Meeting to be held in Shelby May 1, 1996.

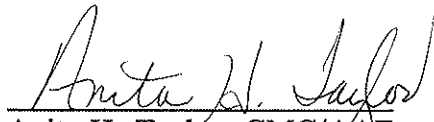
Page 6 - Minutes of the March 26, 1996 Regular Council Meeting


With no further items of discussion in the regular session of the meeting, Commissioner Bush moved, seconded by Commissioner Rose, to enter into closed session for the purpose of discussing Attorney-Client information. The vote of approval was unanimous.

With no further items to be discussed in closed session, Commissioner Cobb moved, seconded by Commissioner Rose, to come out of the closed session and re-enter the regular session of the meeting. The vote of approval was unanimous.

Commissioner Rose moved, seconded by Commissioner Cobb, to adjourn the meeting. The vote of approval was unanimous.

ATTEST:


Anita H. Taylor, CMC/AAE
Deputy Town Clerk


Mayor Max E. Lehner

