



# Town of Lake Lure

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Incorporated 1927

## MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, MAY 27, 1997, 7:30 P.M. AT THE LAKE LURE MUNICIPAL CENTER

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

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

**ABSENT:** Commissioner Carolyn Cobb

### CALL TO ORDER

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

### INVOCATION

Town Attorney Callahan gave the invocation.

### AUDIENCE OF CITIZENS

Harry Locklair, resident of Lake Lure, expressed his concern about the problem of clear-cutting trees in Lake Lure. He asked Councilmembers to consider adopting regulations to prohibit individuals from the clear-cutting of trees. Mayor Lehner, along with Town Attorney Callahan and Commissioner Bush, explained the complexities associated with controlling or denying clear-cutting on private property, but indicated that efforts were underway to allow the Town some control over such activities.

### CONSENT AGENDA

Mayor Lehner presented the consent agenda and asked if any item should be removed before calling for action. There being no requests for removal, Commissioner Schichtel moved, seconded by Commissioner Rose, to approve the consent agenda and each item presented. Therefore, the consent agenda, incorporating the following item(s) was unanimously approved:

Page 2 - Minutes of the May 27, 1997 Regular Council Meeting

- a. Approved Minutes of April 22, 1997 (Regular), May 2, 1997 (Budget Workshop and Closed Session), May 16, 1997 (Budget Workshop), and May 20, 1997 (Budget Workshop).
- b. Adopted Resolution No: 97-05-27 (Authorizing of an offer to purchase certain Town property).

RESOLUTION NO: 97-05-27

Resolution Authorizing the Advertisement of an Offer  
to Purchase Certain Property

WHEREAS, the Town Council of the Town of Lake Lure, North Carolina desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

1. The following described property is hereby declared to be surplus to the needs of the Town: 1991 Ford F-800 Diesel, Oilmens Fire Tanker Truck (ID #1FDXK84A9MVA07933).
2. The Town Council has received an offer to purchase for the sum of \$ 30,050 the property described above.
3. The Town Council proposes to accept the offer unless an upset bid shall be made.
4. The person making the offer must deposit with the Town Manager a sum equal to five percent (5%) of his or her offer.
5. The Town Clerk shall cause a notice of such offer to be published in accordance with G. S. 160A-269.
6. The Town Manager is directed, should a qualifying upset bid and deposit be received within ten (10) days from the publication of said notice in accordance with G. S. 160A-269, to readvertise the offer at the increased upset bid amount.
7. The Town Council reserves the right to reject any or all bids.

Adopted this 27th day of May, 1997.

ATTEST:

\_\_\_\_\_  
Max E. Lehner, Mayor

\_\_\_\_\_  
Mary A. Flack, CMC/AAE  
Town Clerk

**Page 3 - Minutes of the May 27, 1997 Regular Council Meeting**

- c.     **Approved the following tax releases totaling \$433.80 and tax refunds totaling \$234.34 which was presented by Betty Hinson, Tax Collector.**

**TAX RELEASES**

<b><u>NAME</u></b>	<b><u>REASON</u></b>	<b><u>AMOUNT</u></b>
Fairfield Communities -1996	Billed to D. Glass	\$ 46.80
Fairfield Communities -1996	Billed to W. Bruce	\$ 72.00
Fairfield Communities -1996	Billed to J. Lynch	\$ 6.00
Fairfield Communities -1994	Billed to B. Stead	\$ 39.00
Fairfield Communities -1995	Billed to B. Stead	\$ 39.00
Fairfield Communities -1996	Billed to B. Stead	\$ 45.00
Fairfield Communities -1996	Billed to R. Thompson	\$ 90.00
Fairfield Communities -1996	Billed to J. Gilmore	\$ 6.00
Fairfield Communities -1996	Billed to R. Pouk	<u>\$ 90.00</u>
		\$433.80

**TAX REFUNDS**

<b><u>NAME</u></b>	<b><u>REASON</u></b>	<b><u>AMOUNT</u></b>
R. Waddell - 1996	Value Reduced by NCPTC	\$ 39.00
R. Waddell - 1995	Value Reduced by NCPTC	\$ 33.80
Fairfield - 1994	Double listed	\$ 51.22
Fairfield - 1995	Double listed	\$ 51.22
Fairfield - 1996	Double listed	<u>\$ 59.10</u>
		\$234.34

**End of Consent Agenda**

**OLD BUSINESS**

- a.     **Board Appointments - Lake Lure Board of Adjustment/Lake Structures Appeals Board**

Mayor Lehner presented a ballot to Councilmembers listing nominees available for appointment to fill two positions for Board of Adjustment/Lake Structures Appeals Board currently held by Priscilla Doyle (term expires December 1999) and Jack Donovan (term expires December 1997).

## **Page 4 - Minutes of the May 27, 1997 Regular Council Meeting**

Town Council voted by ballots on the following nominees to the Lake Lure Board of Adjustment/Lake Structures Appeals Board:

- |                       |                           |
|-----------------------|---------------------------|
| 1. Fred Boehmer       | 5. Jack W. Lawrence       |
| 2. Russ Lloyd         | 6. Dick Lorenzen (Alt).   |
| 3. Jim Proctor        | 7. Mary Ann Dotson (Alt). |
| 4. Robert (Bob) Beach |                           |

Town Manager Strutner announced the following results after counting the ballots:

### Appointments

- |                             |                              |
|-----------------------------|------------------------------|
| 1. Dick Lorenzen            | Term expires - December 1999 |
| 2. Fred Boehmer             | Term expires - December 1997 |
| 3. Russ Lloyd (Alt. member) | Term expires - December 1997 |

### **OLD BUSINESS**

#### **b. Other Old Business**

There was no other old business for discussion.

### **NEW BUSINESS**

#### **a. Request by Hickory Nut Gorge Chamber of Commerce Regarding Proposed Payphone/Drink Machine, & Fireworks for July 4th, 1997**

President Richard Coley of the Hickory Nut Gorge Chamber of Commerce presented a letter of May 8, 1997 to Councilmembers requesting approval from the Town to install a pay telephone and drink machine outside of the Visitors' Center. (Letter attached).

After discussion, Commissioner Bush moved, seconded by Commissioner Rose, to approve the installation of a pay telephone outside the Visitors' Center, but to refuse to consider their request for installing a soft-drink machine in the same location. The vote of approval was unanimous.

Mr. Coley also submitted a letter of request on behalf of the HNG Chamber of Commerce on May 5, 1997 to Councilmembers requesting approval to hold a fireworks display on Town property on the evening of July 4, 1997. (Letter attached).

**Page 5 - Minutes of the May 27, 1997 Regular Council Meeting**

Ron Morgan, Fire/Emergency Management Coordinator and Jake Gamble, Police Chief, also presented Councilmembers with a memorandum of May 21, 1997 in response to the Hickory Nut Gorge Chamber of Commerce fireworks display. (Memorandum attached).

After discussion, Commissioner Bush moved, seconded by Commissioner Rose, to approve the request by the Hickory Nut Gorge Chamber of Commerce to hold a fireworks display on Town property on the evening of July 4 and instruct the Town Manager to coordinate with administrative units to support this event. The vote of approval was unanimous.

**NEW BUSINESS**

**b. Discuss Tree Ordinance**

Discussion regarding tree ordinance was post-poned, due to the absence of Russell Meade, who had requested to be put on the agenda for this meeting to speak on this subject.

**NEW BUSINESS**

**c. Request from Camp Care to Waive the Boat Permit Fee**

Town Manager Strutner read aloud a letter of request on April 29, 1997, from Donna Creasey for Campcare requesting to waive the boat permit fee. (Letter attached).

Commissioner Schichtel moved, seconded by Commissioner Bush, to waive the boat permit fee for Camp Care from June 8 to June 14. The vote of approval was unanimous.

**NEW BUSINESS**

**d. Street Name(s) Changes Regarding E-911**

Commissioner Bush moved, seconded by Commissioner Rose, to instruct the Town Manager to coordinate the necessary changes in road names with the Rutherford County E-911 addressing department before July 1, 1997. The vote of approval was unanimous.

**NEW BUSINESS**

**e. Other New Business**

It was the consensus of Town Council to add the item of "Closed Session to the regular agenda for the purpose of discussing Attorney Client Privilege/Legal Matters (G.S. 143-318.11 (a) 3).

**Page 6 - Minutes of the May 27, 1997 Regular Council Meeting**

Town Manager Strutner said that he had receive a letter of May 3, 1997 from Mary Ann Hollifield representing "The Crafty Tarheels" requesting to suspend the appropriate ordinances on August 30-31, 1997, 9:00 a.m. until 6:00 p.m., in order to hold a craft show on Town property. They would also like to rent the Lake Lure Community Center and use the kitchen area to provide some food during the craft show for the same days of the shows. (Letter attached).

Strutner said that "The Crafty Tarheels" is an organization of people that make handmade crafts. A one-million dollar blanket insurance policy has been obtained to assure coverage for the members and the public.

After discussion, Commissioner Schichtel moved, seconded by Commissioner Rose, to do the following:

1. Approve the request by "The Crafty Tarheels" to use Town property (grassy area from the Community Center to the lake) and the Lake Lure Community Center in order to hold a craft show on May 30-31, 1997, 9:00 a.m. until 6:00 p.m.
2. Approve the use of the kitchen area in the Community Center to provide some food during the craft show.
3. Suspend the Town's Peddling Ordinance for this event.
4. Denied request to grant permission in advance for next year. Permission must be requested on an annual basis.

The vote of approval was unanimous.

<b>STAFF REPORTS</b>
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Town Manager Strutner reported that paving had been contracted out for Boys Camp Road, Chapel Point Road, and a number of other roads to be repaved out of the allocation of Powell Bill Funds.

Strutner said that Town personnel had removed approximately 25 truck loads of debris out of the lake recently.

### COUNCIL COMMENTS

Mayor Lehner said that he had received notification in a letter of May 20, 1997 received from the State of North Carolina Department of Environment, Health and Natural Resources stating that the Parks and Recreation authority had met earlier this month to consider local government applications and award the first round of grants from the Parks and Recreation Trust Fund. During the course of the meeting, 121 proposals were submitted requesting over \$14 million. As a result of those deliberations, 29 grants were awarded for a total of \$4,113,306. Also, a priority list of 25 additional projects to be funded from the fourth quarter receipts if the revenues are sufficient. The Town of Lake Lure's Point Park Development project is on the list for funding from the fourth quarter revenues. The projects will be funded in the order in which they appear on the priority list. Mayor Lehner said that the Lake Lure's Point Park Development project is currently ninetieth on the list. Lehner said that Town has a good chance of getting the funding, but will not know for sure until the later part of the year.

Mayor Lehner announced that a public hearing will be held on Tuesday, June 17, 1997, 7:30 p.m., at the Lake Lure Municipal Center for the purpose of receiving public comment on the proposed budget.

Lehner said that he had received unofficial word that the Town may be getting another year of extension on the contract (which currently expires April 1998), at the same current rate outlined in the contract between the Town of Lake Lure and Duke Power Company. He also publicly thanked the representatives in Raleigh, North Carolina for their efforts in getting this extension on the contract.

### CLOSED SESSION

Commissioner Bush moved, seconded by Commissioner Rose, to enter into closed session for the purpose of discussing Attorney Client Privilege/Legal Matters (G.S. 143-318.11(a) 3) involving the Pamer/Breen case and Powers/Moore case. The vote of approval was unanimous.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Schichtel, to come out of closed session and re-enter the regular session of the meeting. The vote of approval was unanimous. No action was taken in closed session.

### ADJOURNMENT

With no further items of discussion, Commissioner Rose moved, seconded by Commissioner Schichtel, to adjourn the Town meeting at 8:35 p.m. The vote of approval was unanimous.

**Page 8 - Minutes of the May 27, 1997 Regular Council Meeting**

**ATTEST:**



Mary A. Flack, CMC/AAE  
Town Clerk

Mayor Max E. Lehner