



Incorporated 1927

Town of Lake Lure

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MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, AUGUST 26, 1997, 7:30 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Pro-tem Bill Bush
Commissioner Carolyn Cobb
Commissioner Beth Rose
Commissioner Bud Schichtel

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

ABSENT: Mayor Max E. Lehner

CALL TO ORDER

Mayor Pro-tem Bush called the meeting to order at 7:30 p.m. He explained that Mayor Lehner was unable to attend the meeting due to recovering from retinal surgery.

Town Manager read aloud G.S. 160A-70 (Mayor pro-tempore; disability of mayor). He explained that at the organizational meeting, Council shall elect from among its members a mayor pro-tempore to serve at the pleasure of the Council. A councilman serving as mayor pro-tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present.

INVOCATION

Attorney Callahan gave the invocation.

AUDIENCE OF CITIZENS

No one requested to speak under audience of citizens.

CONSENT AGENDA

Mayor Pro-tem Bush presented the consent agenda and asked if any item should be

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removed or added before calling for action. Commissioner Cobb moved, seconded by Commissioner Schichtel, to add an item for approval to hold the Annual Lake Lure Fine Arts Festival on Town property to the consent agenda, approve the consent agenda and each item presented. Therefore, the consent agenda, incorporating the following item(s) was unanimously approved:

- a. **Approved Minutes of July 22, 1997 (Regular Meeting).**
- b. **Adopted Resolution No: 97-08-26 (Corporate Authorization between the Town of Lake Lure and Lincoln Bank of North Carolina). (Resolution attached).**
- c. **Adopted Resolution No: 97-08-26A (Authorizing the Disposition of Certain Personal Property by Private Sale). (Resolution attached).**
- d. **Approved the 13th Annual Truck Show to be held on September 19-21, suspended the peddling prohibition provision in the Town Code of Ordinances (Section 61.01) during the term of the show so that t-shirts and truck parts might be sold on-site during the show, and suspended Section 63.01 of the Town Code of Ordinances (Consumption of Malt Beverages and Unfortified Wine, Spirituous Liquors, or Mixed Beverages) on Friday evening, September 19, 1997 so that beer can be served during the cookout.**
- e. **Approved the use of the lawn area in front of the Arcade Building for the Lake Lure Fine Arts Festival on October 18, 1998; required a \$100.00 security deposit to ensure clean-up of the area following the event, with the understanding that this will be refunded in full if the area is returned to its pre-festival condition; and suspended the peddling prohibition provision in the Town Code of Ordinances (Section 61.01) so that art work and refreshments may be sold on-site during the event.**

End of Consent Agenda

<p>OLD BUSINESS</p>

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| <p>a. Discussion Regarding the Purchase and Installation of Town Street Signs</p> |
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After discussion, Commissioner Schichtel moved, seconded by Commissioner Cobb, to hold the Town of Lake Lure financially responsible for the purchase and installation of all new street signs, in private communities and on private roads, as well as on public streets within Town of Lake Lure City Limits. Authorize the Town Manager to be responsible for the purchase and installation of the appropriate signs as requested by E-911. The vote of approval was unanimous.

OLD BUSINESS

b. Other Old Business

There was no other old business for discussion.

NEW BUSINESS

a. Proposal to Timber Town Property (Island Creek Road)

Melvin Owensby presented Council members a proposal to timber Town property (Island Creek Road area).

After discussion, Commissioner Rose moved, seconded by Commissioner Cobb, to table any action on the proposal from Mr. Owensby for further review so that Council members may visit the site being proposed for timbering, and to put this item back on the Town meeting agenda in September. The vote of approval was unanimous.

NEW BUSINESS

b. Discuss Ordinance Amendment (Process to Appeal Decisions of the Lake Structures Appeals Board.

Town Attorney Callahan presented Council members with a memorandum of August 26, 1997 regarding the appeal process of the Lake Structures Appeals Board for their review. No action was taken. (Memorandum attached).

NEW BUSINESS

c. Set Date to Lower/Raise Lake Level

Commissioner Bush moved, seconded by Commissioner Schichtel, to begin lowering the lake on December 1, 1997 and begin returning the lake to full pond on March 1, 1998. Also, requested that an article be placed in the Town's Newsletter regarding the dates of lowering/raising the lake level. The vote of approval was unanimous.

NEW BUSINESS

d. Approval to Sell Town Stock

Town Manager Strutner provided Council members a memorandum of August 25, 1997 with supplemental information regarding the Fairfield stock. (Memorandum attached). He explained that the Town holds 366 shares of Fairfield Communities, Inc. common stock issued on October 1, 1992. In addition, Fairfield Communities declared a 3-for-2 stock split to stockholders of record effective July 15, 1997 which resulted in the Town receiving an additional 183 shares.

After discussion, Commissioner Bush moved, seconded by Commissioner Schichtel, to authorize the Town Manager to sell the 549 shares of common stock in Fairfield Communities, Inc. owned by the Town. The vote of approval was unanimous.

NEW BUSINESS

e. Other New Business

There was no other new business for discussion.

STAFF REPORTS

Town Manager Strutner introduced David C. Weatherman as the Town's new Zoning Administrator.

Mr. Strutner reported on the following:

1. FEMA is still reviewing the request for funding to clear sediment from the Rocky Broad River. The project area extending from behind the Town's Municipal building to the mouth of the river is where the major lake sediment removal project was terminated earlier this year. Per last discussion on August 19, 1997, with FEMA staff, the Town's chance of receiving funding for this project appears favorable.

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2. The Town is still awaiting word on another FEMA funding request to relocate the sewage lift station to a safer point near the Town's sewage treatment plant. The Town is presently seeking funding under the Hazard Mitigation portion of the Public Assistance Program. If the Town is unsuccessful there, it may still submit under the regular Hazard Mitigation Program. However, that program's requirements are much more stringent and the timeline for approval/receipt of funding is much longer.
3. This past winter's major sedimentation removal project received its project closeout meeting last week. All documentation was presented to FEMA and was in order. The State Department of Emergency Management will release the remaining funds due the Town. Several minor items of documentation must be submitted to DEM and the Finance Director will prepare those requested.
4. The final costs amounted to Glover Construction \$1,202,001 and McGill Associates \$71,499.
5. Announced that the Lake Lure Beach would close for the season after Labor Day and the Town's Marina would cut back their hours of operation.

COUNCIL COMMENTS

Mayor Pro-tem Bush reported that the Town received notice from Governor Jim Hunt that the Town had been awarded \$10,000 from the Parks and Recreation Trust Fund for the purchase and construction of new playground equipment. He explained that this is a cost-sharing project, with local sources providing the necessary additional funds.

Mr. Bush said that the Town received two letters of commendation for actions by members of the Lake Lure Police Department. (Letters attached).

Commissioner Cobb thanked those who helped with contributions/support for the new Lake Lure Playground equipment.

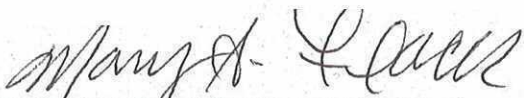
Council members discussed the problem of visitors abusing the restrooms at the Lake Lure Marina.

ADJOURNMENT

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



ATTEST




Mary A. Flack, CMC/AAE
Town Clerk



Mayor Pro-Tem William R. Bush

MEMORANDUM

TO: Mayor Pro Tem and Town Commissioners
FROM: Town Manager 
SUBJECT: Supplemental information RE: Fairfield stock
DATE: 25 August 1997

1. The Town holds 366 shares of Fairfield Communities, Inc. common stock issued October 1, 1992. In addition, Fairfield Communities declared a 3-for-2 stock split to stockholders of record effective July 15, 1997 which resulted in the Town receiving an additional 183 shares.

2. I contacted the North Carolina Institute of Government and discussed the requirements for the Town to dispose of this stock. I was advised that such stock should be sold in accord with the usual and customary established methods. The use of a broker is permissible and no competitive bids need be obtained for either the stock or the broker's services. In short, the sale should be conducted through a licensed broker and the fee for the broker's services can be negotiated, much like any professional service the Town retains.

3. Mayor Lehner has held preliminary discussions of an exploratory nature with Mr. Harris F. Allen of Prudential Securities in Greenville, SC (who resides in Lake Lure) regarding possible retention of his services. Mr. Allen indicated his fee for this service would be \$283.52, and possibly even lower. This quote was based upon the trading price for the 549 shares of stock as of July 21, 1997 which was \$15,303.37.