



Incorporated 1927

Town of Lake Lure

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MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, OCTOBER 12, 1999, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Jack Powell
Commissioner Carolyn Cobb
Commissioner Blaine Cox
Commissioner Beth Rose
Commissioner Jack Stanier

H. M. Place III, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Powell called the meeting to order at 7:00 p.m.

INVOCATION

The Mayor asked members of the audience to stand up with Town Council to observe a moment of silence in memory of Mayor Priscilla Doyle and Commissioner Gene Sheffield. He also asked them to remain standing during the invocation and the dedication of the town seal. Attorney Callahan gave the invocation.

DEDICATION OF TOWN SEAL

Mayor Powell explained that Town Council had previously decided to donate to the town a plaque of the Town Seal to be located in the Town Council Meeting room. He said subsequently upon Commissioner Gene Sheffield's illness, Town Council later decided to dedicate this plaque to Commissioner Sheffield.

Commissioners Cobb and Rose were asked to unveil the plaque. Then, Mayor Powell read aloud the following script from the plaque:

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This seal is dedicated in recognition of outstanding service to the Town of Lake Lure by Commissioner Gene Sheffield (1998-1999). Courtesy of Mayor Jack Powell, Mayor Pro Tem Carolyn Cobb, Commissioner Beth Rose, and Commissioner Jack Stanier.

ADDITIONAL AGENDA ITEMS

After discussion, a motion was made by Commissioner Cox to add four items on the agenda for discussion under "other new business" which included: (1) request from Rick Coley to have a Halloween Haunted Boat tour on the lake; (2) request from Police Chief Mike Bustle for a donation to the CrimeStoppers of Rutherford County, Inc.; 3) request from Police Chief Mike Bustle on behalf of the Hickory Nut Gorge Kiwanis Club to use the Lake Lure Community Center for a Youth Activity Center; and (4) request from the Lake Advisory Committee to consider a moratorium regarding fishing on the lake. Commissioner Rose seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Powell invited the audience to speak on any non-agenda item. No one requested to speak during public forum.

CONSENT AGENDA

Mayor Powell presented the consent agenda and asked if any item should be removed before calling for action.

A motion was made by Commissioner Cobb to approve the consent agenda items as presented and Commissioner Stanier seconded the motion. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. Approved Minutes of September 2, 1999 (special meeting/closed session meeting), and September 14, 1999 (regular meeting);
- b. Adopted Resolution No: 99-10-12 (Authorizing the release of the town's share of funds to the Isothermal Planning/Development Commission);

Resolution No: 99-10-12

WHEREAS, in the North Carolina the Lead Regional Organizations, as voluntary organizations serving municipal and county governments, have established productive working relationships with the cities and counties across this state; and

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WHEREAS, the 1999-00 General Assembly recognized this need through the appropriation of \$990,000 to help the Lead Regional Organizations assist local governments with grant applications, economic development, community development, and to support local industrial development activities and other activities as deemed appropriate by their local governments; and

WHEREAS, these funds are not intended to be used for payment of member dues or assessments to a Lead Regional Organization or to supplant funds appropriated by the member governments; and

WHEREAS, in Region C funds in the amount of \$55,000 will be used to assist local governments with state and federal grant applications in community and economic development, provide various support activities to industrial development in the region, develop and expand database essential to community and economic development, provide technical assistance to local governments in planning and growth management issues, assist local governments in resolving solid waste issues, provide staff and other assistance to the Region C Certified Development Corporation, and other activities as requested by local governments and authorized by the Isothermal Planning and Development Commission.

NOW, THEREFORE BE IT RESOLVED, that the Town of Lake Lure requests the release of it's share of these funds (\$156.62) to the Isothermal Planning and Development Commission at the earliest possible time in accordance with the provisions of state law.

Adopted this 12th day of October, 1999.

ATTEST:

Mary A. Flack, CMC/AEE
Town Clerk

Mayor Jack Powell

- c. Adopted Resolution No: 99-10-12A (Municipal agreement between the Town of Lake Lure and the North Carolina Department of Transportation regarding reinspection of bridges on the Municipal street system F A Project BRZ-NBIS (9)); (Copy of agreement attached).

Resolution No: 99-10-12A

WHEREAS, the Town of Lake Lure has requested the Department of Transportation to perform certain work under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the reinspection and analysis of all public bridges on the Municipal Street System in the Town of Lake Lure; and

WHEREAS, the Town of Lake Lure proposes into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a consulting engineering firm retained by the Department of Transportation will reinspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

WHEREAS, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

WHEREAS, under the proposed agreement the Town of Lake Lure shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal highway Administration.

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NOW, THEREFORE, BE IT RESOLVED that the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the Town of Lake Lure and the Mayor and Town Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the Town of Lake Lure and the Department of Transportation.

Adopted this 12th day of October, 1999.

ATTEST:

Mary A. Flack, CMC/AEE
Town Clerk

Mayor Jack Powell

- d. Approved request to waive the Lake Lure Community Center rental fee for the Hickory Nut Gorge Children's Christmas Party; and
- e. Approved request from the Hickory Nut Gorge Chamber of Commerce to (1) suspend the town's peddling ordinance for an annual Halloween festival on Friday, October 29, 1999 and Saturday, October 30, 1999; (2) use town property (grassy median between the Lake Lure Arcade Building and the street for both nights of the Halloween festival; and (3) block off the street area directly in front of and between the Lake Lure arcade area and the median during the Halloween festival.

End of Consent Agenda

UNFINISHED BUSINESS

a. Request Additional Funds for Town Boat Dock

Town Manager Place presented Council members with an estimate from Jimmy's Construction and Boat Storage for constructing an 4' x 80' town boat dock. (Copy of estimate attached). Mr. Place said Town Council had already approved the concept of constructing a 100 ft. boat dock behind the town office not to exceed \$7,000. He asked Council members to approve \$11,170 for this project.

After discussion, a motion was made by Commissioner Stanier and seconded by Commissioner Cobb to (1) accept the bid proposal of \$10,170 from Jimmy's Construction and Boat Storage as presented to be used to construct a 4' x 80' town boat dock; (2) approve \$1,000 to purchase rip-rap for a sea wall; and (3) that the town apply for a variance permit if needed, before constructing a town boat dock/sea wall. Commissioners Cobb and Stanier voted in favor of the motion. Commissioners Cox and Rose voted against the motion. Mayor Powell voted in favor of the motion breaking the tie vote. Therefore the motion passed with a vote of 3 to 2.

UNFINISHED BUSINESS

b. Clarification of Financial Report for Golf Course 1998-1999

Commissioner Cobb asked Mayor Powell to clarify financial figures previously reported by him for the Lake Lure Municipal Golf Course (Fy 1998-1999). Mayor Powell reviewed/distributed copies of a report (produced by him) of the Lake Lure Municipal Golf Course analysis of revenues for the quarter ended September 30, 1999 as compared to the quarter ended September 30, 1998. (Copy of report attached). The Mayor said he was concerned about a decline in cart/green fees from the comparable quarter a year ago and a decline in membership fees.

NEW BUSINESS

a. Recognize Town Clerk for Receiving Third Sustaining Membership in the International Institute of Municipal Clerks for Advanced Education

Mayor Powell read excerpts from a letter of September 16, 1999 received from the International Institute of Municipal Clerks announcing that Town Clerk Mary Flack has become the 7th Municipal Clerk from the State of North Carolina and the 160th out of over 10,000 IIMC Municipal Clerk members to be accepted into the third sustaining level of the IIMC (International Institute of Municipal Clerks) Academy for Advanced Education.

NEW BUSINESS

b. Adopt Town of Lake Lure Emergency Ordinance No: 99-10-12

Fire/Emergency Coordinator Ron Morgan presented Council members with a draft Lake Lure Emergency Ordinance for review. Following discussion, it was the consensus of Town Council to table this item and review it at the October 21, 1999 Special Town Council meeting.

NEW BUSINESS

c. Adopt the Town of Lake Lure Emergency Plan

Fire/Emergency Coordinator Ron Morgan presented Council members with a draft Lake Lure Emergency Plan for review. Following discussion, it was the consensus of Town Council to table this item and review it at the October 21, 1999 Special Town Council meeting.

NEW BUSINESS

- d. Adopt the North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement**

Commissioner Cobb made a motion to adopt the North Carolina Statewide Emergency Management Mutual Aid and Assistance agreement as presented by Fire/Emergency Coordinator Ron Morgan. (Copy of agreement attached). Commissioner Cox seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

- e. Approve Sludge Removal Contract and Budget Amendment**

Town Manager Place read into the record his memorandum of October 4, 1999 addressed to Town Council regarding a sludge removal contract and budget amendment (copy of memo attached).

A motion was made by Commissioner Rose and seconded by Commissioner Stanier to (1) approve the sludge removal contract between the Town of Lake Lure and Southern Soils Builders, Inc. as presented by Town Manager Place; and (2) approve a budget amendment of an additional \$33,000 to be transferred out of the water/sewer fund balance to cover the cost of sludge removal. The vote of approval was unanimous.

NEW BUSINESS

- f. Appoint Representatives to the North Carolina Municipal League 1999 Annual Business Meeting for a Voting Delegate and an Alternate Delegate**

Commissioner Cobb made a motion to appoint Commissioner Rose as the voting delegate and Mayor Powell as the alternate voting delegate to represent the town at the North Carolina Municipal League Annual Business Meeting on Monday, October 25, 1999. Commissioner Cox seconded the motion and the vote of approval was unanimous.

OTHER NEW BUSINESS

- g. Request from Rick Coley to have a Halloween Haunted Boat Tour on the Lake**

A motion was made by Commissioner Cobb to approve a request from Rick Coley to have a Halloween haunted boat tour on the lake October 29-30, 1999 at 6:00 p.m. until 10:00 p.m. and permission for a haunted castle on town property near the town gazebo. Proceeds will be donated to various charities. Commissioner Stanier seconded the motion and the vote of approval was unanimous.

OTHER NEW BUSINESS

- h. Request from Police Chief Mike Bustle for a Donation to the CrimeStoppers of Rutherford County**

A motion was made by Commissioner Stanier to approve a donation of \$150 to CrimeStoppers of Rutherford County, Inc. as recommended by Police Chief Mike Bustle. Commissioner Rose seconded the motion and the vote of approval was unanimous.

OTHER NEW BUSINESS

- i. Request from Police Chief Mike Bustle on Behalf of the Hickory Nut Gorge Kiwanis Club to use the Lake Lure Community Center for a Youth Activity Center**

After discussion, Council members approved the concept of a request from Police Chief Bustle on behalf of the Hickory Nut Gorge Kiwanis Club and Rev. Larry Sanders of Chimney Rock Baptist Church, to use the Lake Lure Community Center on Friday and Saturday nights for a youth activity center. This use is to be strictly under adult supervision and to be further planned as resources are identified, examined and selected.

OTHER NEW BUSINESS

- j. Request from the Lake Advisory Committee to Consider a Moratorium Regarding Fishing on the Lake**

Ross Worden spoke on behalf of the Lake Advisory Committee to consider a moratorium regarding fishing on the lake. Mr. Worden talked about a fish stocking program for Lake Lure.

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Following discussion, a motion was made by Commissioner Cobb to authorize the Town Manager to enact in ordinance form a moratorium on fishing for a 30 day period after the lake is stocked this winter. Commissioner Cox seconded the motion and the vote of approval was unanimous.

OTHER NEW BUSINESS

k. Request from Police Chief Mike Bustle for a Budget Amendment to Purchase Police Video Cameras

A motion was made by Commissioner Stanier to approve a request from Police Chief Mike Bustle for a budget amendment of \$7,500 to be used with matching funds from a grant to purchase four police video cameras. Commissioner Cobb seconded the motion and the vote of approval was unanimous.

STAFF REPORTS

Town Manager Place reported on the following:

1. Deputy Zoning Administrative Stuart Rohrbaugh left the town because of personal reasons. He will be replaced by a temporary interim administrator from the Isothermal Planning Development Commission for three days each week; and
2. Deck Sand Company informed Mr. Place by letter that they would not be dredging the lake this year because there was an insufficient amount of sand.

COUNCIL COMMENTS

Mayor Powell announced that while he was out of town, a decision was made by committee members to cancel the Lake Lure Year 2000 celebration.

ADJOURNMENT

With no further items of discussion, Commissioner Rose made a motion to adjourn the Town meeting at 9:22 p.m. Commissioner Cox seconded the motion and the vote of approval was unanimous.

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ATTEST:



Mary A. Black, CMC/AAE
Town Clerk

Mayor Jack Powell