



Incorporated 1927

Town of Lake Lure

P. O. Box 255 • Lake Lure, NC 28746-0255 • 828/625-9983 • FAX 828/625-8371

MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, APRIL 10, 2001, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Jim Proctor
Commissioner Blaine Cox
Commissioner Dick McCallum
Commissioner George Pressley
Commissioner Jack Stanier

ABSENT: N/A

CALL TO ORDER

Mayor Jim Proctor called the meeting to order at approximately 7:00 p.m.

INVOCATION

Attorney Chris Callahan gave the invocation.

PUBLIC FORUM

No persons signed up to speak under public forum.

APPROVE AGENDA

Council members agreed to add an item on the agenda under new business to consider a request from Camp Lurecrest and recommendations from the Lake Advisory Committee regarding mooring floating platforms.

Also, Town Council agreed to remove item e (approve Resolution No. 01-04-10 requesting legislators to oppose House Bill 514 regarding closed sessions) from the consent agenda for discussion.

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A motion was made by Commissioner Stanier to approve the agenda as amended. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

CONSENT AGENDA

Commissioner Cox made a motion to approve the following consent agenda items as presented and Commissioner McCallum seconded the motion. Therefore, the consent agenda, incorporating the following items were unanimously approved:

- a. approved minutes of March 7, 2001 (special workshop meeting), March 13, 2001 (regular meeting) and March 20, 2001 (special workshop meeting);
- b. approved request from the Edneyville Boy Scout Troop #605 (non-profit organization) to waive permit fees for four boats and five canoes;
- c. approved request from Camp Care (non-profit organization) to waive the weekly boat permit fee June 9-16, 2001 during the week at Camp Lurecrest for children with cancer; and
- d. approved request from the Lake Lure Lakefront Owners Association to Suspend Section 63.01 of the Town Code of Ordinances in order to serve wine during their annual meeting in the Community Hall of the Lake Lure Municipal Center on July 6, 2001, from 5:00 p.m. until 9:00 p.m.

End of Consent Agenda

UNFINISHED BUSINESS

a. Request for Funding of Music Events Held at Memorial Point in Morse Park

Hal Herman, Chairman of the Parks and Recreation Board presented Council members with a proposal outlining three options of funding "Music on the Point" events. (Copy of proposal attached).

Greg Hils, representative for HMG, answered questions pertaining to the proposal submitted. Mr. Hils said it is important to have sufficient lead time for publicizing.

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Commissioner Cox stated that he would like the Parks and Recreation Board to seek funding from other sources than just the town for music events.

Bill Bush, a resident of Lake Lure, said he was disappointed in the town for not pursuing financial support from the community for these events. Mr. Bush said perhaps some events could be planned in conjunction with groups like the Kiwanis Club. Also, a business plan is needed before spending too much money.

A motion was made by Commissioner Pressley to approve the request from the Parks and Recreation Board for funding of \$2,000 (transfer from the contingency fund to governing boards/committees account) to be used toward music events held at Memorial Point in Morse Park. Also, requested that the Parks and Recreation Board seek additional funding from businesses and other sources. The Parks and Recreation Board were asked to address the production costs of these events. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

- a. Approve Resolution No. 01-04-10A & Resolution No. 01-04-10B
Recognizing Chuck Watkins and Joselyn Watkins for their Volunteer
Service to the Town**

A motion was made by Commissioner Cox to approve Resolution No. 01-04-10A Recognizing Chuck Watkins for his volunteer service to the town as presented. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 01-04-10A

RECOGNIZING CHUCK WATKINS

WHEREAS, Chuck Watkins has volunteered his service to the Town of Lake Lure developing a Standard Operating Procedure Manual for the Lake Lure Hydro Electric Plant; and

WHEREAS, the Town will benefit greatly from his contribution to this manual;

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Lake Lure does hereby express our sincere appreciation and thanks to Joselyn Watkins;

ADOPTED by unanimous vote of the Town Council on the 10th day of April, 2001.

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ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

Commissioner Pressley made a motion to approve Resolution No. 01-04-10B recognizing Joselyn Watkins for her volunteer service to the Town. Commissioner Cox seconded the motion and the vote of approval was unanimous.

**Resolution No. 01-04-10B
Recognizing Joselyn Watkins**

WHEREAS, Joselyn Watkins has volunteered her service to the Town of Lake Lure developing a Standard Operating Procedure Manual for the Lake Lure Hydro Electric Plant; and

WHEREAS, the Town will benefit greatly from her contribution to this manual;

NOW, THEREFORE, BE IT RESOLVED that the Town Council for the Town of Lake Lure does hereby express our sincere appreciation and thanks to Joselyn Watkins;

ADOPTED by unanimous vote of the Town Council on the 10th day of April, 2001.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

Mayor Proctor presented plaques to Chuck Watkins and Joselyn Watkins recognizing their volunteered service to the town.

Chuck Watkins thanked town employees William Grimes and Linda Ward for their contribution to the Standard Operating Manual for the Lake Lure Hydro Electric Plant.

NEW BUSINESS:

b. Approve the Committee for the Town's 75th Anniversary

A motion was made by Commissioner Cox to approve the following listed as recommended by Co-chairs Carolyn Cobb and Bill Bush to serve on the committee planning the town's 75th anniversary celebration. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

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Mary Ann Dalton, Landscape Advisor of Earth Connections
Faye Bishop, Manager of First Charter Bank
Edith Bond, Manager of Mountain Bank
Jim Hinkle, Owner of Lake Lure Inn and Lake Lure Conference Center
Mary Jaeger-Gale, Vice President of Sales and Marketing at Chimney Rock Park
Vickie Smith, President of the Hickory Nut Gorge Chamber of Commerce

NEW BUSINESS:

c. Approve Budget Amendments for the Lake Lure Municipal Golf Course

Sam Karr, Finance Director, submitted his memorandum of March 3, 2001 requesting budgets amendments to increase revenues and expenditures at the Lake Lure Municipal Golf Course by \$26,500. Mr. Karr stated in his memo that this should cover the short fall in the golf course department for the balance of this fiscal year. The breakdown is as follows:

REVENUES

	BUDGETED	AMENDED
CART FEES	\$ 65,000	\$ 71,000
GREEN FEES	\$ 45,000	\$ 50,000
MEMBERSHIP	\$ 15,000	\$ 20,000
CONCESSIONS	\$ 0	\$ 8,500
RANGE	\$ 1,000	\$ 3,000
TOTAL	\$126,000	\$152,500

EXPENDITURES

Increase the following line items: M & R Bldg./Grounds by \$3,000, M & R Grounds by \$3,200, M & R Equipment by \$6,800, M & R - Golf Carts by \$2,500, supplies-fuels by \$2,000, and supplies-dept. by \$1,000 and create a new line item - concessions for \$8,000.

A motion was made by Commissioner Cox to approve budget amendments mentioned above for the Lake Lure Municipal Golf Course totaling \$26,500 to be transferred from the contingency fund to increase revenues and expenditures as requested by the Finance Officer. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

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Town Manager Chuck Place read into the record a memorandum of April 9, 2001 addressed to Town Council from the Lake Lure Golf Course Advisory Committee regarding the lease agreement between Club Car, Inc. and the Town of Lake Lure. (Copy of memo attached).

Jack Donovan, Lake Lure Golf Course Committee member, asked questions about the terms and conditions stipulated in the lease agreement for golf carts.

After discussion, Commissioner Cox made a motion to transfer \$11,000 from the contingency fund to the golf course expenditure budget and revise the date of the current agreement with Club Car, Inc. up to May 16, 2001 provided the golf carts can be delivered by this date. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

d. Capital Improvements Program for Fiscal Year 2001-2007

Town Manager Chuck Place presented the Capital Improvements Program for Fiscal Year 2001-2007 for approval. He said the CIP will serve as a plan for the upcoming budget.

A motion was made by Commissioner McCallum to approve the Capital Improvements Program for Fiscal Year 2001-2007 as presented by Town Manager Place. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

e. Review Revised Rules of Procedure for the Lake Lure Town Council

Mayor Proctor presented to Council members a revised rules of procedure for review. After discussion, Commissioner Cox made a motion to approve the revised rules of procedure for the Lake Lure Town Council as amended. Commissioner Stanier seconded the motion and the vote of approval was unanimous. (Copy of rules of procedure for Town Council attached).

NEW BUSINESS:

f. Moored Floating Platforms

Jerry Martin, a representative of Camp Lurecrest, answered questions pertaining to his request for approval of a moored inflatable recreational platform commonly referred to as a "blob." Mr. Martin said the "blob" would only be used for Camp Lurecrest.

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Carolyn Cobb, a former liaison to the Lake Advisory Committee, stated these type of requests need to be addressed by the town before granting approval.

Jack Donovan, a Lake Lure resident, voiced his concern about the insurance liability to the town concerning these moored inflatable recreational floating platforms.

Jerry Martin stated that Camp Lurecrest has major medical, an umbrella for a million dollar policy, workman's compensation and insurance coverage by the children's parents.

A motion was made by Commissioner Cox to direct the Town Manager to work with staff members to draft an ordinance permitting the use of moored inflatable recreational platforms referred to as a "blob." Also, include a provision requiring proper supervision by lifeguards when using these moored inflatable floating platforms. The use of these type of moored platforms will require Town Council approval on a case by case. Commissioner Dick McCallum seconded the motion and the vote of approval was unanimous.

Council members reviewed a recommendation from the Lake Advisory Committee to make changes to the Lake Structures Regulations pertaining to moored floating platforms.

Dennis Demcho, a resident of Lake Lure, cautioned Council members about allowing these type of moored floating platforms because of their appearance.

Chuck Watkins, a resident of Lake Lure, said he had no problem with these type of moored floating platforms as long as safety and dimensional requirements are satisfied with the town.

Town Manager Place explained the town already has an ordinance in effect allowing the Town to assess a violation of \$500 per day to any person not getting a permit first.

After discussion, Commissioner Pressley made a motion to direct the town manager to work with town staff to incorporate into an ordinance form the recommendation made by the Lake Advisory Committee. Also, schedule a public hearing prior to the adoption of this ordinance. Commissioner Cox seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

- g. Approve Resolution No. 01-04-10 Requesting Legislators to Oppose House Bill 514 Regarding Closed Session Meetings**

A motion was made by Commissioner Cox to approve Resolution No. 01-04-10 requesting Legislators to Oppose House Bill 514 Regarding Closed Session Meetings as presented. Commissioner Stanier seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 01-04-10

**A RESOLUTION REQUESTING LEGISLATORS TO OPPOSE HOUSE
BILL 514 REGARDING CLOSED SESSION MEETINGS**

WHEREAS, the General Assembly has enacted legislation to define the purpose and procedure of the Closed Session; and

WHEREAS, by construction, the existing legislation curtails unwarranted secrecy by public bodies while allowing a balance to be struck between the rights of open government and the rights of privacy; and

WHEREAS, this proposed amendment would require ALL Boards and Committees who are subject to the Open Meetings Laws to video-tape or audio-tape record their closed sessions; and

WHEREAS, Counties, Cities, Towns and Municipalities each have a multitude of Boards and Commissions that hold Closed Sessions and are subject to the Open Meetings Laws, all of whom would be required to bear the additional and continuous expense of recording equipment, tape media, media storage, and information management.

WHEREAS, the North Carolina League of Municipalities stated in the Legislative Bulletin No. 10, that "The League's position is to support reasonable provisions for closed session when such limitations are in the public interest. League believes that the existing law meets that standard and that no changes are needed."

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Lake Lure request its Legislative Delegation to vote AGAINST House Bill 514 as described herein, and authorizes the Town Manager, H. M. Place III to make this request to the Legislative Delegation.

This resolution shall be effective upon its adoption.

Adopted this 10th day of April, 2001.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

APPROVED AS TO FORM:

J. Christopher Callahan
Town Attorney

STAFF REPORTS

Town Manager Place reported on the following:

1. Lake Norman Dredging has completed about 80% of dredging in the harbor area and the project should be completed on May 13th as scheduled. Dredging of the river is proceeding, but still slow. Deck Sand has added a booster pump to allow them to work farther down the river. Mr. Place said it is doubtful they will be finished by the end of the month.
2. The number one turbine at the Hydro-Plant began producing power last Tuesday. Consultant Ed Thomas wrote in a letter to Carl Riley of Duke Power, they were not happy with the fact that they originally said the town would down only for just a few hours while the final connection to the new transformer was made. The town had not been able to generate power since March 8 which resulted in a considerable loss of income. This loss of income was caused by the fact that the town had a lot of precipitation during this period and all of the extra water had to be run out through the flood gates instead of generating power at the hydro-plant.
3. Updated Council members about the pump issues involving the new sewer lift station. Mr. Place said he is currently working with the town's engineers to ensure that this system is as trouble free as possible. At present, all three pumps are in place and working, although there is still a problem with maintaining the pumps prime. The entire system is still under warranty and the problem will be resolved.
4. Mr. Place said he met with representatives from McGill to discuss alternative sources of funds for the town's water and sewer projects. He stated that the Town Council had consented to sending a letter on behalf of the town addressed to the state asking for another review of the town's water and sewer grant applications based on a report in the newspaper. According to this report, the Infrastructure Committee has recommended a different allocation of the third round funds that would be more equitable for the western communities. Mr. Place said John Orsillo with McGill Associates, will research other sources of funding for the town and he will submit a report later for Town Council's consideration.
5. Mr. Place mentioned that he recently attended a SE Conference of the North American Lake Management Society in Knoxville and he was hoping to talk to consultants about the lake study project. The Louis Berger Group of Needham Massachusetts was only one such consultant at the trade show. This is the same firm with whom Beth Rose spent a lot of time two years ago. Mr. Place said he had spoken with a representative from this firm at length about submitting a proposal and they have agreed. Also, Mr. Place is still looking for other consulting firms.

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6. The application to sell beer and wine at the golf course clubhouse has been delayed. Due to a referendum passed in Lake Lure close to 20 years ago, no one in the Town of Lake Lure, can have just a beer and wine license. A "mixed drink" license must also be approved. Because of a new series of requirements along with costs associated, it is unlikely the town will be selling beer and wine at the golf course anytime soon.
7. Briefed Council members about a Preliminary Parity Report recently distributed by a committee of the Western North Carolina City and Managers Association. The purpose of the research leading to this report was to determine if the western portion of this state has been receiving a fair share of grants; is being fairly represented on state boards and committees which affect statewide spending.
8. Officer Tabatha Flynn-Hill has resigned from the Lake Lure Police Department to work with the Town of Forest City Police Department. Police Chief Mike Bustle has hired Shauna Lynn Crater as a replacement. Shauna has two years experience as an officer with the Town of Columbus.

COUNCIL COMMENTS

After discussion, Commissioner Dick McCallum made a motion to adopt Resolution No. 01-04-10C regarding the inadequacy of pumps recently installed at the lift station. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

Resolution No. 01-04-10C

WHEREAS, the Town of Lake Lure unanimously supports the position taken by the Town Manager concerning the adequacy of three pumps installed at the hydro-electric lift station.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Lake Lure, direct McGill Associates, as the town's engineering representative in the influent pump station project, to insure that the problems are taken care of immediately and at no additional cost to the town.

Approved by the Lake Lure Town Council on the 10th day of April, 2001.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

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The Mayor recommended that a moratorium be placed on new sewer connections for properties which are not located inside the Town of Lake Lure or Chimney Rock Village.

Town Manager Place explained that Council has the right to adopt a policy, amended at any time, prohibiting certain areas from sewer. This may help developers want to become part of Lake Lure or Chimney Rock.

A motion was made by Commissioner Cox to adopt a policy prohibiting water and sewer applications for service outside the boundaries of Lake Lure and Chimney Rock. Commissioner Stanier seconded the motion and the vote of approval was unanimous.


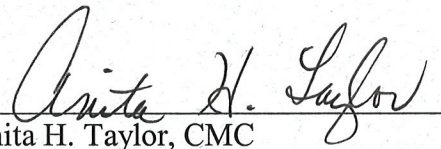
Bill Bush, Lake Lure resident, stated that the town needs to get better coverage with the Forest City Daily Courier newspaper and the Hendersonville Times Newspaper. Mr. Bush asked the Mayor to contact the appropriate representatives of these newspapers to seek a better working relationship.

Town Manager Place announced that the Rutherford County Board of Commissioners will hold a meeting in Chimney Rock on Monday, May 7, 2001.

ADJOURNMENT

With no further items for discussion, Commissioner Cox made a motion, seconded by Commissioner Stanier, to adjourn the meeting at 9:35 p.m. The vote of approval was unanimous.

ATTEST:



Anita H. Taylor, CMC
Deputy Town Clerk


Mayor Jim Proctor