



Incorporated 1927

Town of Lake Lure

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MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, AUGUST 13, 2002, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Jim Proctor
Commissioner Lea Hullender
Commissioner Dick McCallum
Commissioner George Pressley

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

ABSENT: Commissioner Blaine Cox

CALL TO ORDER

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

INVOCATION

Attorney Callahan gave the invocation.

APPROVE AGENDA

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

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non-agenda item. M. B. Huggins, Jr., representative of the Rutherford County Sweep presented the following resolution for Town Council's consideration and a brochure regarding recycling in Rutherford County. (Copy of brochure attached).

RESOLUTION OF THE TOWN OF LAKE LURE, NC

TO DESIGNATE FISCAL YEAR 2002-2003 AS "LAKE LURE RECYCLES"

A YEAR FOR ALL CITIZENS TO MAXIMIZE RECYCLING

Page 2 - Minutes of the August 13, 2002 Regular Council Meeting

Whereas, in the early 1990's North Carolina recommended that 40 percent of the solid waste generated in the state be recycled by 2001; and

Whereas, according to Town of Lake Lure's 2000-2001 Solid Waste Report 7.06 percent of the residential waste was recycled, 32.94 percent below the goal; and

Whereas, thirty-six percent of all residential waste is made up of these recyclable items: aluminum cans, corrugated board, glass, 3 colors, newspapers and plastic, #1 and #2. These recycled items are delivered to GDS to be processed and marketed. Last year only one out of twelve residents of Lake Lure recycled these items leaving thirty-three percent to be land filled; and

Whereas, there is no place for citizens to recycle mixed paper, junk mail, magazines, etc. since the paper bins have been removed from the Forest City First United Methodist Church parking lot. This type of waste makes up more than 20 percent of the residential waste stream; and

Whereas, Rutherford County is seeking a permit that would allow the construction and operation of a Municipal Solid Waste Landfill. Recycling of 40 percent of all solid waste could extend the landfill life to 60 years from 40 years; and

Whereas, Tipping and household fees can be kept the same or lowered only if the volume of solid waste is reduced. Solid waste discharge can be decreased by recycling the appropriate items resulting in saving the tipping fees and earning income from sales of the recyclables; and

Whereas, Every citizen of Lake Lure generates solid waste. It is the one item common to everyone. This recycling campaign provides the unique opportunity for everyone to work together on a city and countywide project to reduce our solid waste discharge; and

Whereas, The Town Council of the Town of Lake Lure supports recycling of solid waste for which there is a market and encourages all citizens to recycle.

NOW THEREFORE BE IT RESOLVED:

1. That the Town Council of the Town of Lake Lure support and help implement the publicity campaign prepared by SWEEP, Rutherford County's Solid Waste Environmental Education Panel. This campaign will inform all citizens about the benefits of recycling by all citizens both now and in the future and will include newspaper and radio publicity, a speakers bureau and training for volunteers who agree to carry the positive message.
2. That Lake Lure's campaign be entitled "LAKE LURE RECYCLES."
3. That all city offices begin recycling and each employee be directed to support this recycling effort in every way.
4. That every citizen interested in helping increase recycling in Lake Lure be encouraged to serve as a volunteer.

After discussion, Town Council agreed by consensus to table the proposed resolution presented by Mr. Huggins for further review and reconsider it at the next Town Council meeting September 17, 2002.

Page 3 - Minutes of the August 13, 2002 Regular Council Meeting

Town Manager Place agreed to make some minor revisions to this resolution.

CONSENT AGENDA

Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action. A motion was made by Commissioner Hullender to approve the following consent agenda items as presented and Commissioner Pressley seconded the motion. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. minutes of July 13, 2002 (regular meeting); and
- b. approved request from Stanley Long to hold the annual F-100 Truck Show "Run to Rock" on town property adjacent to the Lake Lure Community Center on September 20-22, 2002; town will provide a Mayor's choice trophy; and suspend the town's peddling ordinance in order that food, T-Shirts, truck parts, and other items may be sold on site during the show.

End of Consent Agenda

NEW BUSINESS

a. Review Recommendations from the Lake Advisory Committee Regarding Non-Motorized Boat Permits and Lake Issues

Commissioner Pressley reviewed recommendations from the Lake Advisory Committee outlined in a memorandum of August 5, 2002 and August 6, 2002 regarding non-motorized boat permits and lake issues. (Copy of memos of August 5, 2002 and August 6, 2002 attached).

Mr. Place agreed to provide a report as requested by Commissioner Pressley, at the next Town Council meeting detailing the cost associated of testing all populated coves more frequently during the summer and every three months for the rest of the year, sampling for bacteria and fecal coliform to insure a safe swimming environment.

Council members agreed by consensus to delay the adoption of a fee structure for non-motorized boat permits until next year when all boat permit fees are being set.

Police Chief Mike Bustle answered questions regarding lake enforcement issues.

Commissioner Pressley stated that he would like to see more presence and enforcement provided by the police department. Commissioner Pressley agreed to ask the Lake Advisory Committee to provide a list regarding lake enforcement issues including their recommendations to be reviewed at a joint workshop meeting.

After discussion, Council members agreed by consensus to schedule a joint workshop meeting at a later date with the Lake Advisory Committee and Police Chief to address lake enforcement issues and recommendations.

Page 4 - Minutes of the August 13, 2002 Regular Council Meeting

Town Manager Place said he would like to state for the record that the statement made in the memorandum of August 6, 2002 from the Lake Advisory Committee regarding the Town Maintenance Department depositing grass clippings into the lake from Memorial Point was untrue.

NEW BUSINESS

b. Request from Northland Cable Television to Close their Office in Lake Lure

Town Manager Place reviewed his memorandum of August 5, 2002 and a letter of July 2, 2002 from Nick Stover, Regional Manager of Northland Cable Television requesting permission to close the Northland Cable office in Lake Lure. (Copy of memo dated August 5, 2002 and letter of July 2, 2002 attached). Mr. Stover answered questions pertaining to his request.

After discussion, a motion was made by Commissioner Pressley to authorize the town's cable tv consultant David Harris to review and revise the cable franchise agreement between the Town of Lake Lure and Northland Cable Television accordingly to grant permission to close the Northland Cable Office in Lake Lure contingent upon Northland Cable Television paying the town's consultant fee for reviewing this agreement. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

c. Approve Fund and Authorize the Town Manager to Have Certain Town Property Adjacent to the Lake Lure Golf Course Surveyed and Appraised

Town Manager Place read into the record his memorandum of August 9, 2002 regarding authorization for survey and appraisal of town property. (Copy of memo attached).

A motion was made by Commissioner McCallum to authorize the town manager to have town property adjacent to the Lake Lure Golf Course surveyed and appraised. Also, appropriate \$1,000.00 from the contingency fund to be used toward the expense of this survey and appraisal. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

d. Approve Request from the Hickory Nut Gorge Kiwanis Club to Suspend the Town's Peddling Ordinance on October 19-20, 2002 for Oktoberfest; Use of Town Property Surrounding the Lake Lure Arcade Building including Property along Pool Creek for Selling Crafts and Food; Fund Raising, and Music for this Event; and Close a Portion of Town Street Temporarily During Oktoberfest

A motion was made by Commissioner Hullender to approve the request from the Hickory Nut Gorge Kiwanis Club to: suspend the town peddling ordinance on October 19-20, 2002 for Oktoberfest; use of town property surrounding the Lake Lure Arcade Building including property along Pool Creek for selling crafts and food; and close a portion of town street temporarily during Oktoberfest, contingent upon vendors not leaving their vehicles and trailers parked in the closed portion of the street. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

Page 5 - Minutes of the August 13, 2002 Regular Council Meeting

Mayor Proctor recessed the meeting for five minutes and reconvened the meeting at 8:33 p.m.

NEW BUSINESS

e. Amend the Town Council Meeting Schedule

A motion was made by Commissioner McCallum to amend the Town Council meeting schedule changing the date of the next meeting from Tuesday, September 10, 2002 to Tuesday, September 17, 2002, 7:00 p.m., due to a conflict with the Rutherford County Board of Elections holding a primary election in the Community Hall on that same day. Commissioner Hullender seconded the meeting and the vote of approval was unanimous.

STAFF REPORTS

Town Manager Place reported on the following:

1. Mr. Place said the lack of rainfall has affected the lake level and the town's ability to generate electricity. He said Hydro Plant Operator William Grimes estimates that the lake level is down over eight inches. Mr. Grimes is allowing a small amount of water to run through the plant, and he has not run the generators in almost two weeks. Mr. Place explained that the amount running through approximates the flow that normally exists when the plant is not running and is needed to maintain a minimal flow past the sewer plant.

Also, the lower lake level is starting to impact the town's water park at the beach. The bumper boats were closed for part of this past weekend due to insufficient water. In addition, some boat owners are beginning to experience problems with the water level around their boat houses and docks.

Mr. Place stated there is no measurable impact on the water level of the town wells or reservoirs at this time. He encouraged everyone to restrict their water usage to a minimal and cautioned everyone about wild fires which could occur during dry weather conditions.

Mr. Place distributed copies of a public notice for a "State I Water Shortage Condition" declared in the service area of the Broad River Water Authority regarding voluntary water restrictions. This notice was provided to Town Council for informational purpose only. (Copy of notice attached).

2. Announced that all three new pumps have finally been installed at the lift station. Mr. Place said unfortunately, the pump supplier decided to remove the identifying plates from the two newest pumps, therefore voiding the manufacturer warranty. He said at his request, Town Attorney Christopher Callahan wrote a letter to all concerned parties stating that this is unacceptable. Mr. Place said the contractor was informed that he has until August 30, 2002 to rectify this problem.
3. The North Carolina Department of Transportation Enhancement Program grant application for the pedestrian pathway from Boys Camp Road to the Post Office was submitted on June 27th. Mr. Place said he was able to take the application to the newly formed Rural Planning

Page 6 - Minutes of the August 13, 2002 Regular Council Meeting

Organization (RPO) for their endorsement before submitting it. Mr. Place stated that he is not overly optimistic about the town's chances for this grant. He said the state seems to insist that the town either put in a concrete sidewalk with curb and gutter or a 10' wide paved bike/pedestrian path. The former is totally out of character for this rural resort community as is the latter which is the equivalent of an entire additional lane added to the highway. The town should hear the result of the DOT's preliminary review sometime this month.

4. Mr. Place said he and Mayor Jim Proctor met with Mayor Peter O'Leary and Mayor Pro-tem Barbara Meliski of Chimney Rock, and John Orsillo and Denny Martin of Martin/McGill, Associates to discuss the details of a joint utility study. Mr. Place said now that the grant paperwork has been completed, McGill Associates is prepared to proceed with this study. Mr. Place reported during this meeting, Mayor O'Leary asked if the Town of Lake Lure would be able to read their meters and provide billing for them once their new water system is up and running. Mr. Place stated that he has asked staff members to provide him with information regarding all costs and the man power needed to provide this service for the Village of Chimney Rock. Mr. Place also plans to maintain this new system under contract.
5. According to Hope Bleecker at Isothermal Planning Development Commission, the EPA STAG grant has finally been submitted for the town. Mr. Place said he was unsure of the timetable for receiving the funds.
6. Mr. Place mentioned that he had been in contact with both Rick Miller of Lake Norman Dredging and James Deck of Deck Sand about cleaning out the Tryon Bay area and the river this winter. Mr. Place said he would provide further details next month in accordance with the schedule for the silt removal preventive maintenance plan that he submitted last May.
7. Mr. Place said he obtained a professional surveyor as directed by Town Council last month to prepare a survey of the town property adjacent to the Lake Lure Campground. Mr. Place will provide Town Council with information regarding this survey and appraisal once completed.
8. Recognized Deputy Town Clerk Anita Taylor who recently became the 11th municipal clerk in the State of North Carolina and the 220th IIMC (International Institute of Municipal Clerks) member to achieve the Master Municipal Clerk designation.

Town Clerk Mary A. Flack was also recognized for becoming the 1st municipal clerk in the state of North Carolina and the 5th IIMC (International Institute of Municipal Clerks) member to achieve the Master Municipal Clerk designation.

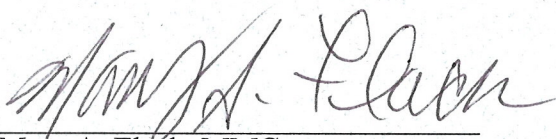
COUNCIL COMMENTS

Mayor Proctor announced that the street dance sponsored by the Lake Lure Diamond Jubilee was being held on Monday, August 19, 2002, adjacent to the Lake Lure Community Center, and invited those interested to attend. Also, Mayor Proctor encouraged support for the Pediatric Brain Tumor Foundation "Ride for Kids" fund raiser event being held on August 25, 2002.

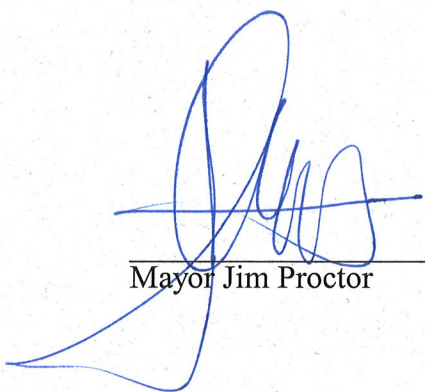
ADJOURNMENT

With no further items of discussion, Commissioner Hullender made a motion to adjourn the meeting at 8:58 p.m. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

ATTEST:



Mary A. Flack, MMC
Town Clerk



Mayor Jim Proctor