

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, FEBRUARY 11, 2003, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

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

ABSENT: N/A

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 amended by removing item 5c. (approve temporary interim agreement to operate the Chimney Rock Village water system) off the consent agenda for discussion as item 6a. Commissioner Cox seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non agenda item. Dennis Demcho, a Lake Lure resident, requested that more detail be published in the newspaper regarding Lake Lure 911 calls and activities. Mr. Demcho said the public would like to know what is going on in their community.

Town Manager Place said he would inform Police Chief Mike Bustle about Mr. Demcho's request for more detail in the police reports.

Commissioner McCallum explained that the Forest City Daily Courier writes their own article pertaining to Lake Lure Police 911 calls and activities in their newspaper.

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

- a. minutes of January 14, 2003 (regular meeting) and February 4, 2003 (special workshop meeting); and
- b. approved request from Sharon Theiss on behalf of the Hickory Nut Gorge Youth to waive the community hall rental fee on February 14, 2003, from 7:30 p.m. until 10:00 p.m. for a "Valentine's Day Sock Hop."

End of Consent Agenda

UNFINISHED BUSINESS

- a. Approve Temporary Interim Agreement to Operate the Chimney Rock Village Water System**

Town Manager Place explained the reason for a temporary interim agreement to operate the Chimney Rock Village water system.

After discussion, Commissioner Hullender made a motion to ratify approval of an interim agreement to operate the Chimney Rock Village water system. Commissioner McCallum seconded the motion and the vote of approval was unanimous. (Copy of interim agreement attached).

NEW BUSINESS

- a. Renew Contract with Southern Soil Builders, Inc. for Sludge Removal Project**

Town Manager Place read his memorandum of January 30, 2003 into the record regarding a contract with Southern Soil Builders for Sludge Removal. (Copy of memorandum attached).

A motion was made by Commissioner Cox to approve the contract with Southern Soil Builders, Inc. for sludge removal as presented by Town Manager Place. Commissioner Pressley seconded the motion and the vote of approval was unanimous. (Copy of contract attached).

NEW BUSINESS

- b. Approve Lease Agreement with Alvin Coggins, Classic Custom Golf, to use a Portion of the Municipal Golf Course Club House**

Town Manager place read his memorandum of February 3, 2003 into the record regarding an agreement to lease a portion of the Lake Lure Municipal Golf Course club house to Classic Custom Golf.

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After review, Commissioner Pressley made a motion to approve the lease agreement with Alvin Coggins, Classic Custom Golf, to use a portion of the Lake Lure Municipal Golf Course club house as presented by Town Manager Place. Commissioner Hullender seconded the motion and the vote of approval was unanimous. (Copy of agreement attached).

NEW BUSINESS

c. Clarify Commercial Boat Permit Rate Regarding Non-Motorized Boats

After discussion, a motion was made by Commissioner Cox to revise the boat permit fee for commercial boats to include a \$50 surcharge to only apply for motorized boats. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

STAFF REPORTS

Town Manager Place reported on the following:

1. Announced that the town's application for enhancement funds under the TEA-21 (Transportation Equity act for the 21st Century) program for the "Lake Lure Town Center Walkway - Phase I" has been approved by the North Carolina Board of Transportation. Mr. Place said the town should receive \$94,801 in federal funds, assuming that all of Phase I was approved. The town will be receiving information from Raleigh detailing the approval and time schedule.

Mr. Place explained that Phase I runs from Boys Camp road to the Lake Lure ABC store. He said funding has been requested for Phase II running from the Lake Lure ABC store to the Lake Lure post office, but that was not funded at this time. He says the town can apply for Phase II next fall.

2. The Rutherford County selection committee will review this Thursday, the town's application submitted to Rutherford County for a grant of \$75,000 ("local match" of the county's utilities extension program). This grant money will be used to pay for upgrades at the wastewater treatment plant.
3. Bill Rabbino, construction manager for Space Plan, and Ben Poss, Structural Engineer with Sutton-Kennery & Associates, have spent considerable time examining the roof of town hall to determine the extent of damage to the supporting structure. They inspected the entire flat-roofed portion of the building as well as the area over the council meeting room. There were no problems with most of the trusses in the building, except for the ones over the council meeting room which are experiencing progressive deterioration. Those trusses are constructed of wooden 2 x 4's which are longer than standard boards. The top and bottom chords are made of 2 x 4's that are butted together and connected with metal splice plates. An examination of the bottom chords of many of these trusses show that the splice plates have come loose, allowing the 2 x 4's to separate. This has caused the center of the roof and ceiling to sag as much as one inch. Mr. Place said this is a very hazardous condition and the engineer has designed a 6 x 6 temporary shoring system which was installed by the town's maintenance crew. The AC unit was removed by the town crew from the roof over that part of the building to reduce the load. The town's engineer is designing a repair for these

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trusses, but says that more inspections will be needed. Mr. Place said the engineer's initial opinion seems to be that the existing parallel chord roof trusses are not adequate to safely support the existing dead load and minimum live load in addition to the mechanical unit AC#3 in its current location. According to the town's engineer, several of the failed splices were located where the weight of the mechanical unit would not have contributed to the failure.

Mr. Place said after he receives the final report and recommendations from the engineer, he plans to have a licensed contractor to do the repairs. He explained that this will cost the town more but limit the town's liability. Mr. Place said Finance Director Sam Karr had checked the town's insurance to determine applicable coverage, but it appears that the town's policy does not cover design or construction flaws. Mr. Place said he would talk to the architect to determine responsibility for the cost of this project.

4. Deck Sand continues to dredge the river with their new dredge which is more efficient than their old one. Mr. Place said things seem to be going well.
5. The North Carolina Rural Communities Assistance Project, Inc. informed Mr. Place that they are offering free training for local water system officials.

After discussion, Council members scheduled a water system officials training class, sponsored by the North Carolina Rural Communities Assistance Project, to be held in the municipal hall of the Lake Lure Municipal Center, 2:00 p.m., on February 25, 2003 or March 4, 2003 (tentative dates).

6. Mr. Place said he recently received the survey for the Lake Lure municipal golf course property adjacent to Camp Lurecrest that Town Council authorized back last fall. Mr. Place said he is now waiting for the appraisal of that property and the river front parcel next to the Lake Lure RV Park before advertising for their sale.
7. Steve Greenlee, golf course employee, has submitted his resignation to the town. Golf Course Manager Chris Shute is currently interviewing applicants for this position.
8. Mr. Place said he was in the process of reviewing the draft CIP submissions from staff members. He plans to meet with them in the next week or so. Mr. Place said he would like to schedule a workshop meeting with Council members sometime during March to review proposed CIP.
9. Mr. Place mentioned that he had the opportunity to talk to several managers and listen to others at the North Carolina City and County Management Seminar last week. Mr. Place said he received a lot of positive feedback about the town's plans to work together with Chimney Rock Village regarding utilities systems.
10. Mr. Place read the following excerpt from Otis White's Urban notebook, related to the town's approval of a supplemental grant for a walkway.

'Auto Recovery Zones' A Perilous Place to Walk

What are sidewalks for? If you think they are for pedestrians to walk safely, then welcome to Atlanta, where the state Department of

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Transportation considers them to be “auto recovery zones.” As the DOT sees it, the sidewalk is a buffer, so if a driver veers off the road while talking on his cell phone, he has a chance to yank the car back on the road. This startling piece of information came out when a developer tried to get the DOT's permission to plant trees between his development's sidewalks and the street, to give the walkways a shaded appearance. Absolutely not, the DOT said. If a car hit a tree, one official said, it would surely hurt the car. But if a car roars up on a sidewalk, there's a chance it won't hit any pedestrians. “It's kind of like asking the question, which is the lesser of two evils? We want to protect the pedestrian, but we want to protect the drivers as well,” the official said. Pedestrian advocates are amazed. “The DOT would rather have a pedestrian killed by a car than have a car fender dented,” said one.

Footnote: Atlanta is routinely ranked as one of the most dangerous cities in the country for pedestrians. In 2001, 64 pedestrians were killed there. Some of them, apparently, were walking on auto recovery zones.

COUNCIL COMMENTS

Council members briefly talked about storm management policies.

Bill Bush, former Council member and resident of Lake Lure, reported an incident where he had an accident in Lake Lure and it took approximately 20 minutes before Rutherford Central Communications 911 responded to his call for help. Mayor Proctor said he would inquire about this incident.

Commissioner Cox and Town Manager Place agreed to draft a resolution supporting the Rutherford Realize program.

Commissioner Cox asked for a status report regarding the Zoning/Planning Board looking into a “Ridge Law” for the Town of Lake Lure and an ETJ process. Zoning/Planning Board member Bill Bush stated that it was scheduled to be reviewed at their next meeting.

ADJOURNMENT

With no further items of discussion, Commissioner Cox made a motion to adjourn the meeting at 8:25 p.m. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor