

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MARCH 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 Hullender to approve the agenda as presented. 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. No one requested to speak.

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 McCallum to approve the following consent agenda items as presented and Commissioner Pressley seconded the motion. Therefore, the

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consent agenda, incorporating the following items was unanimously approved:

- a. minutes of February 11, 2003 (regular meeting);
- b. approved budget amendment as presented by the finance director for lake department (erosion control) by increasing the state grant - RC & D account #103370.0550 \$895.00 and adding \$895.00 to lake department line item #106210.0750 (401(k) lake department); (copy of memorandum attached);
- c. approved request from the Lake Lure Lakefront Owners Association to suspend the town's alcohol ordinance in order to serve beer and wine during their annual meeting in the community hall of the Lake Lure Municipal Center on June 13, 2003, from 4:00 p.m. until 8:00 p.m.; and
- d. approved request from the Dixie Rodder's to: (1) hold a 19th annual car show July 11-12, 2003 on town property; (2) rent the town community center along with the grassy area behind and adjacent to the building which extends toward the town marina; (3) suspend the town peddling ordinance to allow the club to sell t-shirts and other vendors to sell food and car parts; (4) use a P. A. system for playing music and making announcements and (5) suspend the town alcohol ordinance for participants to consume beer and wine only stipulated with restrictions by the Lake Lure police department.

End of Consent Agenda

UNFINISHED BUSINESS

a. Consider Contract to Operate Chimney Rock Village Water System

Town Manager Place read his memorandum of March 6, 2003 into the record regarding interim water agreement with the Chimney Rock Village. (Copy of memorandum attached).

After reviewing and revising the proposed contract to operate the Chimney Rock Village water system, Council members agreed to reconsider the contract at the next town council meeting being held on Tuesday, April 8, 2003.

NEW BUSINESS

a. Approve Budget Amendment for Town Hall Repairs

Town Manager Place read his memorandum of March 6, 2003 into the record regarding a budget amendment for town hall repairs. (Copy of memorandum attached).

G. Carroll Hughes, AIA, Spaceplan /Architecture, Interiors and Planning, answered questions pertaining to the Lake Lure Municipal Center building construction and repairs. Mr. Hughes read into the record a letter of March 11, 2003 received from Bernard M. Feinber, P.E., Sutton-Kennerly and Associates, Inc. regarding Lake Lure town hall roof investigation. (Copy of letter attached). Mr. Feinberg noted in his letter that the lack of damage (tearing) to the wood indicated that the metal splice plates were not properly installed when the truss bottom chord splice was manufactured.

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Council members expressed their concerns and stated that it was unfair for the town to absorb all of the costs for repairing the building. Attorney Callahan stated his opinion on the statute of limitation regarding the town recovering costs for these repairs.

After discussion, Commissioner McCallum made a motion to amend the budget to transfer \$13,000 from the contingency fund for town hall repairs as requested by the town manager. Commissioner Cox seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

b. Request from the Vietnam War Memorial Committee for Donations Toward a Project to Bring a Replica of the Vietnam War Memorial to Rutherford County

Peter McCann, representative of the Vietnam War Memorial Committee, explained that the disabled veterans of Rutherford County are bringing a replica of the Vietnam War Memorial to Rutherford County. He said the traveling wall is a half scale replica of the Vietnam War Memorial (the wall) in Washington, D.C. This memorial will be placed on the grounds of Legion field, located in Forest City. It will be open to the public seven days, beginning November 16, 2003 through November 23, 2003. Mr. McCann asked Council members and citizens for their support. He said the Town Council of Forest City, the Forest City Merchants Association, and the Rutherford County Tourism Development Authority have consented to joining this project. No fee will be charged for visitors to the Memorial.

Council members stated that they would advocate personal donations for this project and suggested that Mr. McCann write an article for the town newsletter detailing where donations can be sent.

NEW BUSINESS

c. Request from the Hickory Nut Gorge Chamber of Commerce Regarding Fireworks, Business After Hours Social, Fishing Tournaments, Halloween Activities, and Boat Parade

C. J. Sands, President of the Hickory Nut Gorge Chamber of Commerce, answered questions on behalf of the chamber regarding fireworks, business after hours social, fishing tournament, Halloween activities, and boat parade.

After discussion, Commissioner McCallum made a motion to approve the request from the Hickory Nut Gorge Chamber of Commerce to hold a "business after hours" meeting on Monday, April 14, 2003, at the Lake Lure Community Center (Youth Center and Visitor Center sides) and suspend the town alcohol ordinance in order to serve beer and wine only during this event with restrictions stipulated by the Lake Lure Police Department. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

Mr. Sands was asked to revise the chamber's request pertaining to fireworks, fishing tournaments, Halloween activities and boat parade to be reconsidered at the next town council meeting on Tuesday, April 8, 2003.

NEW BUSINESS

d. Discussion Regarding Marina Slip Assignments

Council members reviewed a memorandum of March 6, 2003 furnished by Customer Service Supervisor Anita Taylor regarding Marina slip assignments. (Copy of memorandum attached).

After discussion, Commissioner Hullender made a motion to: (1) approve a policy to prioritize boat slip requests as covered, uncovered, or first available; and (2) schedule a joint workshop meeting with the Lake Advisory Committee to discuss: guidelines for marina slip assignments and development of a policy, police and lake patrol activities, and other lake issues. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

Council members agreed tentatively to schedule a joint workshop meeting with the Lake Advisory Committee on Wednesday, April 2, 2003 at 2:00 p.m. or Tuesday, April 8, 2003 at 10:00 a.m., to be held in the Lake Lure Municipal Center town council meeting room.

Mayor Proctor recessed the meeting for five minutes and reconvened the meeting at 8:42 p.m.

STAFF REPORTS

Town Manager Place reported on the following:

1. The Police Chief will receive a John Deer 4 x 6 utility vehicle tomorrow donated by the U.S. Smokeless Tobacco Company.
2. Updated on issues associated with Lynn and Vickie Smith's property located on Boys Camp Road in Lake Lure regarding the excavation of a portion of their property to correct a drainage problem.
3. Mentioned plans to schedule a workshop meeting to review the Capital Improvements Program.
4. Reviewed status of permit to dredge the Tryon Bay Cove area.
5. Requested a budget amendment of \$2,000 from the contingency fund for compensation for the use of Mary Ann Dotson's property for silt disposal as part of the dredging of Tryon Bay Cove.

After discussion, Commissioner Cox made a motion to amend the budget up to \$2,000 from the contingency fund to the lake department silt removal fund for compensation of the use of Mary Ann Dotson's property for silt disposal as part of the dredging of Tryon Bay Cove. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

6. Discussed status of the town dredge.
7. Presented an update regarding the Lake Lure municipal golf course improvements on the

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patio area.

COUNCIL COMMENTS

Commissioner Cox gave an update report on the financial status of the Lake Lure municipal golf course.

Commissioner McCallum commented on the activity at the golf course during the month of February.

Commissioner Pressley reported a safety problem on Boys Camp Road regarding visibility around dangerous curves. He requested that something be done to improve the banks.

NEW BUSINESS

Closed Session

A motion was made by Commissioner Hullender to enter into closed session to discuss personnel matters pursuant to G.S.143-318.11(a)(6). Commissioner Cox seconded the motion and the vote of approval was unanimous.

With no further discussion in closed session, Commissioner Hullender moved, seconded by Commissioner Pressley, to come out of the closed session meeting at 10:34 p.m. and re-enter the regular session of the meeting. The vote of approval was unanimous.

While in closed session, Council members voted to seal the minutes of the closed session meeting in order to avoid frustrating the purpose of the closed session.

ADJOURNMENT

With no further items of discussion, Commissioner Hullender made a motion to adjourn the meeting at 10:35 p.m. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor