

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, APRIL 8, 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 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. Tyron Phillips, a Lake Lure resident and Boy Scout leader invited Council members and anyone interested to attend and support the Edneyville Boy Scout Troop 605 6th annual barbeque and silent auction being held at the Bub Hyder Ranch in Edneyville on Saturday, May 3, 2003, from 3:00 p.m. until 7:00 p.m. He said the cost for advance tickets is \$7.00 each and \$8.00 at the barbeque dinner. There will be no charge for children under the age of five. Mr. Phillips said tickets could be obtained by contacting Don Henderson.

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 Hullender seconded the motion. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. minutes of March 11, 2003 (regular and closed session meeting);
- b. budget amendment as presented by the finance director for reserve police officers salaries totaling \$2,000 by transferring \$1,000 from automotive supplies account and \$1,000 from dues and subscriptions' account to part-time salaries' account (copy of finance director's memorandum attached);
- c. a request from the Lake Lure Newcomers group to suspend the town's alcohol ordinance in order to serve beer and wine during their annual meeting held in the community hall of the Lake Lure Municipal Center on June 28, 2003, from 3:30 p.m. until 7:30 p.m.;
- d. a request from Heather Monday to suspend the town alcohol ordinance in order to serve champagne during a wedding reception inside the community hall of the Lake Lure Municipal Center on June 5, 2004, from 9:30 a.m. until 9:00 p.m.;
- e. a request from Vicki Smith on behalf of the Vulcan Rider's group to suspend the town's peddling ordinance from May 1-4, 2003 in order to allow vendors associated with this group to sell their products in the back yard of the Geneva Riverside property;
- f. a request from Butch Sprague on behalf of the Vintage Auto show to: (1) hold their annual car show on October 4, 2003, from 8:30 a.m. until 4:00 p.m., on town property (grassy area between the visitor's center and the town marina); (2) suspend the town peddling ordinance to allow the club to sell T-shirts and food; and (3) use a P. A. system for playing music and making announcements;
- g. a fabric structure permit submitted by Mike King on behalf of the Fairfield Mountains property owners association (copy of the permit attached);
- h. a request from the Hickory Nut Gorge Kiwanis Club to: (1) suspend the town's peddling ordinance on May 24-26, 2003 for the "Memorial Day Festival"; (2) close a portion of a town street temporarily during this event (contingent upon vendors not leaving their vehicles and trailers parked in the closed portion of the street); and (3) use of town property surrounding the Lake Lure Arcade Building including property along Pool Creek for selling crafts and food, fund raising and music during this event; and
- i. a request from Quanette Setzer to suspend the town alcohol ordinance in order to serve beer, champagne, and wine during a wedding reception inside the community hall of the Lake Lure Municipal Center on May 31, 2003, from 9:00 a.m. until 9:00 p.m.

End of Consent Agenda

UNFINISHED BUSINESS

a. Consider Contract to Operate Chimney Rock Village Water System

After discussion, Commissioner Pressley made a motion to approve the contract to operate the Chimney Rock Village water system as amended. Commissioner McCallum seconded the motion and the vote of approval was unanimous. (Copy of the contract attached).

UNFINISHED BUSINESS

b. Discussion Regarding a Marina Boat Slip Policy

Council members reviewed and revised a proposed boat slip policy for the Town of Lake Lure which was presented by Commissioner Lea Hullender. It was the consensus of Town Council that the town attorney, town manager, town staff members and each Council member submit their recommended changes to Commissioner Hullender to be incorporated into the proposed policy and then continue discussion on the revised proposed policy at the next town council meeting being held on May 13, 2003.

Council members thanked Commissioner Hullender for her work on the proposed marina boat slip policy.

NEW BUSINESS

a. Request from the Pediatric Brain Tumor Association Regarding "Ride for Kids" Event on August 24, 2003

After discussion, Commissioner Pressley made a motion to approve the request as outlined in the letter from Larry Moore, National Ride for Kids Manager, to hold the annual Asheville "Ride for Kids" fund raiser event on August 24, 2003; space to set up a 60 ft. by 80 ft. tent with a stage and 400 chairs; space for a 20 ft. by 30 ft. frame tent for premiums; space for eight portable toilets, electrical power to operate a sound system and fans (they will supply extension cords); trash removal instructions (during past events they removed all trash from the park and deposited it in an off-site dumpster); and assistance with traffic control to allow motorcyclists safe entry into the parking area. Commissioner Cox seconded the motion and the vote of approval was unanimous. The tents, chairs and stage will be setup on Thursday or Friday, August 21 or 22, 2003 and will be removed on Monday, August 25, 2003. The portable toilets will also likely be delivered on Friday, August 22, 2003. The motorcyclists will be leaving Biltmore Square Mall Asheville at 9:00 a.m. and will travel with a police escort to Lake Lure. They anticipate that the motorcyclists will arrive in Lake Lure approximately 10:15 a.m. (Copy of letter attached).

An application for a fabric structure permit will be required prior to the "Ride for Kids" event subject to town council's approval.

Commissioner McCallum encouraged individuals to support the "Ride for Kids" fund raiser event. Mayor Proctor said he would be participating in this event and he asked for donations supporting the Pediatric Brain Tumor Foundation.

NEW BUSINESS

b. Request from the Edneyville Boy Scout Troop 605 to Waive Boat Permit Fees

Don Henderson, Edneyville Boy Scoutmaster of Troop 605, asked Council members to waive permit fees for three canoes and four boats for the Edneyville Boy Scouts (non-profit organization). (Copy of a letter from Don Henderson attached).

After discussion, Commissioner Cox made a motion to do the same as last year for the Boy Scouts which was to waive boat permit fees for two motorized and two non-motorized boats. Additional boat permits purchased by the Edneyville Boy Scouts will be charged at a resident rate. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

c. Adopt Resolution No. 03-04-08 Supporting Armed Service Members and their Families

Town Manager Place asked Council members to consider adopting Resolution No. 03-04-08 supporting armed service members and their families. After review, Commissioner Cox made a motion to adopt Resolution No. 03-04-08 as presented by Town Manager Place. Commissioner Pressley seconded the motion and the vote of approval was unanimous.

RESOLUTION No. 03-04-08

**SUPPORTING OUR ARMED SERVICE MEMBERS
AND THEIR FAMILIES**

WHEREAS, the Town of Lake Lure and the communities of this great State together live in freedom because of the contributions and sacrifices made by those who serve in the Armed Forces of the United States in time of national peril; and

WHEREAS, there are approximately 120,000 active duty personnel stationed on North Carolina bases, more than 25,000 residents of North Carolina stationed at bases outside the State, and approximately 25,000 civilians serving in the United States Reserve Forces and National Guard components; and

WHEREAS, their continued devotion to the highest ideals of citizenship constitutes a foundation of both the strength and progress of this State; and

WHEREAS, it is a privilege and in the best interest of our State and local communities that we express our gratitude to the military personnel whose sacrifices should serve as constant reminders of the high price of liberty; and

WHEREAS, it is also fitting and proper that we support the loved ones, family members and children of these service men and women who are forced to leave behind as they are deployed to defend freedom here and around the world;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Lake Lure Commissioners do hereby proclaim April 2003, as ***“SUPPORT MILITARY FAMILIES AND COMMUNITIES***

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MONTH” in Lake Lure, and urge our citizens to honor those who are currently serving, their families and their communities.

ADOPTED the 8th day of April, 2003.

ATTEST:

Mary A. Flack , MMC
Town Clerk

Mayor Jim Proctor

NEW BUSINESS

d. Consider Revisions to Water System Capital Budget

Town Manager Place read into the record his memorandum of March 26, 2003 regarding revisions to the water system capital budget and the application to the state revolving loan fund. (Copy of the memorandum attached).

A motion was made by Commissioner Pressley to approve Town Manager Place’s request as outlined in the memorandum of March 26, 2003 which included: a reduction of \$62,400 in the capital improvement expenditures in the water and sewer fund for this year, \$30,500 to connect to the Chimney Rock reservoir, and \$72,000 for engineering design and plans for upgrading lines and the Washburn reservoir connection; authorized the town manager to transfer funds within the water and sewer fund and move the surplus to water and sewer reserve account. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS

e. Discussion Regarding Town Boards and Committees Dinner

Town Council members discussed plans for a town boards and committees dinner to be held in May 2003. Tentative dates (May 2th, May 16th, or May 30th) were set for this event. Town Manager Place said he would get office staff members to find out what dates are available and make the reservations for this dinner.

STAFF REPORTS

Town Manager Place reported on the following:

1. Repairs to the town hall roof structure have been completed. Patrick McCarthy Construction finished just over one week. Deck Sand pulled their dredge out of the river a few days later and their crane was used to install the A/C unit on the town hall roof. The roofers were able to fix the leak in the roof membrane, but there is still some undesirable ponding on the roof which the town will need to be corrected. Mr. Place said he doesn’t have a final cost for these repairs, but should know the amount soon. As of this date, the town has spent \$12,985. The cost of replacing and reconnecting the A/C unit and the final bill from the roofing company is pending at this time.

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2. Mr. Place said he spoke with James Deck about plans to dredge the river next year. Mr. Deck indicated to him that he is satisfied enough to come back next year. Mr. Deck informed him that they didn't do as well as they expected due to a late start and personnel problems.
3. Dredging in the Tryon Bay Cove will begin sometime next week and according to Rick Miller should take no more than two weeks to complete.
4. Mr. Place met with Hydro Plant Operator William Grimes, Tom Brown of Brown Utilities, Mike Warsak and John Sullivan of McGill Associates last week concerning the warranty of the two pumps installed without serial numbers at the town's lift station.

After discussion, Council members agreed to place an item on the agenda for the next town council meeting being held on May 13, 2003 to address the concerns regarding the warranty for these two pumps installed without serial numbers at the town's lift station and authorize the town manager to notify the parties involved to attend the next town council to address this matter.

5. Fire Coordinator Ron Morgan informed Mr. Place that a bid opening for the new fire boat will take place sometime next week.
6. Mr. Place asked Council members to schedule a workshop meeting with town staff members to review the capital improvements plan. Council members agreed to schedule a town council workshop meeting on Friday, May 2, 2003, at 9:00 a.m. as requested by Mr. Place to review the capital improvements plan.
7. Plan to schedule a budget workshop meeting sometime in May.
8. Mr. Place said the town maintenance department crew installed bright yellow plastic wheel stops at the new parking lot by the town marina. He explained these stoppers were placed there to discourage drivers from parking their vehicles and boat trailers on the grassy median and to prevent damage to sapling trees. The railroad ties were removed because of kids using them as skate board ramps.

COUNCIL COMMENTS

Commissioner Cox gave an update report on the financial status of the Lake Lure municipal golf course. He also requested that the town put in writing their commitment to support the Rutherford Realize Program.

Mayor Proctor presented Proclamation No. 03-1 declaring the first Thursday in May 2003 to be designated as "A Day of Prayer in Lake Lure" and encouraged the citizens of Lake Lure to observe the day in ways appropriate to its importance and significance.

PROCLAMATION NO. 03-1

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of national

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purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, It is fitting and proper to give thanks by observing a day of prayer in lake Lure when all may acknowledge our blessings and express gratitude for them; and

NOW, THEREFORE, I, Jim Proctor, mayor of the town of Lake Lure, do hereby proclaim the first Thursday in May, 2003, to be designated as

"A DAY of PRAYER in LAKE LURE"

and encourage the citizens of Lake Lure to observe the day in ways appropriate to its importance and significance. Proclaimed this the 8th day of April, 2003.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor

Mayor Proctor, also presented Proclamation No. 03-2 recognizing the week of April 27, 2003 through May 3, 2003 as "Municipal Clerks Week" and further extended appreciation to Town Clerk Mary A. Flack and Deputy Town Clerk Anita Taylor and to all Municipal Clerks for the vital service they perform and their exemplary dedication to the communities they represent.

PROCLAMATION NO. 03-2

WHEREAS, the office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, the Municipal Clerk has pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, the Municipal Clerk continually strives to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

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WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Jim Proctor, Mayor of the Town of Lake Lure, North Carolina, do recognize the week of April 27- May 3, 2003, as

MUNICIPAL CLERKS WEEK

and further extend appreciation to our Town Clerk Mary A. Flack and Deputy Town Clerk Anita Taylor and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

WITNESS my hand and seal of the Town of Lake Lure this 8th day of April, 2003.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor

ADJOURNMENT

With no further items of discussion, Commissioner Pressley made a motion to adjourn the meeting at 8:50 p.m. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor