

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, DECEMBER 9, 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 Chuck Watkins

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

Town Attorney Callahan gave the invocation.

APPROVE AGENDA

Commissioner Watkins made a motion to approve the agenda as amended: revising item 7e. to include a discussion regarding the town marina boat slip policy and review a request from William Breen, Jr. regarding this policy; adding an item as 7f. to consider a request from Don Duffy on behalf of Mr. and Mrs. Jim Grant for permission to alter the shoreline for the purpose of renovating an existing single slip boathouse in deteriorated condition into a new double slip boathouse; adding an item as 7g. to consider a request from Vicki Smith on behalf of the Lake Lure La La Queens for permission to store a mobile trailer on town property throughout the year to be used as a "Mad Maze" for a fund-raising event from which proceeds will be used toward the Lake Lure Youth Center; and adding an item as 7h. to consider a request from Janda L. Carter to lease a portion of the Lake Lure Golf Course Club House for a café and deli. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non-agenda item and 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 Hullender to approve the following consent agenda items as presented and Commissioner Cox seconded the motion. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. minutes of November 18, 2003 (regular meeting);
- b. a request from Mary Ann Hollifield for the Crafty Tarheels to: (1) hold craft shows on July 3-4, 2004, September 4-6, 2004, and October 9-10, 2004; (2) suspend the town peddling ordinance to allow vendors to sell crafts and food; (3) use the town community center kitchen area and the grassy area adjacent to the town community center/visitor center and between the town marina; (4) suspend the town ordinance prohibiting overnight camping for these events to allow two self-contained campers to stay on town property located on the grassy area adjacent to the town community center/visitor center; and (5) the Crafty Tarheels understand they will be billed for the grassy area, the kitchen facility of the community center and for a dumpster fee; and
- c. Ordinance No. 03-12-09C requiring the delayed harvest of fish (catch and release) to be caught in Lake Lure between December 1, 2003 and March 1, 2004.

ORDINANCE NO. 03-12-09C

**AN ORDINANCE PROVIDING FOR THE
DELAYED HARVEST OF FISH TO BE
CAUGHT IN LAKE LURE**

WHEREAS, from time to time, the Lake Lure Town Council causes the lake to be stocked with trout, bass and other species for the enjoyment of sport fishermen; and

WHEREAS, historically, many of the newly stocked fish are caught and removed before they are acclimated to the lake; and

WHEREAS, the Town Council of the Town of Lake Lure, upon recommendation by the Lake Advisory Committee and after due consideration, has determined that it is appropriate to institute a program of delayed harvesting of fish to be caught in Lake Lure during the period of December 1, 2003, through March 1, 2004;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE: There shall be in effect from December 1, 2003, through March 1, 2004, a program of delayed harvesting of fish to be caught in Lake Lure. During this time period, all fish caught in Lake Lure shall be released and all fishing shall be done with artificial lures having single barbless hooks.

SECTION TWO: Each violation of this ordinance shall be punishable by a fine not to exceed \$100.

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SECTION THREE: This ordinance shall be effective upon its adoption.

Adopted this 9th day of December, 2003.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

APPROVED AS TO FORM:

J. Christopher Callahan
Town Attorney

End of Consent Agenda

Commissioner Cox suggested that Town Council consider adopting a policy requiring individuals who hold large events on town property such as the Crafty Tarheels to provide portable potties.

NEW BUSINESS

a. Adopt Ordinance No. 03-12-09A Amending Chapter 94 (The Lake Structures Regulations) of the Code of Ordinances Revising Sections: 94.02 Definitions, 94.05 Design and Construction Standards, and 94.07 Sea Walls

Town Manger Place read into the record his memorandum of December 3, 2003 regarding revisions to Lake Structure Regulations changing the definition of the shoreline. (Copy of memorandum attached.)

After review, Commissioner Cox made a motion to adopt Ordinance No. 03-12-09A as presented. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

ORDINANCE NO. 03-12-09A

AN ORDINANCE AMENDING CHAPTER 94 (THE LAKE STRUCTURES REGULATIONS) OF THE CODE OF ORDINANCES FOR TOWN OF LAKE LURE

WHEREAS, the Lake Lure Town Council adopted Chapter 94 of the Code of Ordinances, commonly known as the lake structures regulations, for the purpose of regulating all structures erected or maintained within the lake boundary of Lake Lure within the corporate limits of the town; and,

WHEREAS, the Lake Lure Town Council has determined that it is desirable to amend said chapter to clarify the definition of the term "shoreline";

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH ALL COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

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SECTION ONE: To revise the definition of “Shoreline” in Section 94.02 to read as follows:

“Shoreline.” The line where the land and waters of the lake meet. ~~most of the year which is at the elevation of 990 feet MSL. For the purpose of these regulations, the normal lake level of 990 feet MSL as it exists for the majority of each year shall be used to establish the shoreline. The official benchmark for MSL Datum shall be as marked on the Lake Lure dam.~~

SECTION TWO: To revise Section 94.05 (F) to read as follows:

(F) Height

- (1) Except as provided below, lake structures shall not exceed 15 feet in height above the shoreline elevation of 990 feet MSL. This does not include the additional height of railings (no greater than 42") around a rooftop deck. ~~Establishing the shoreline elevation of 990 feet MSL can be achieved by using a surveyor's level to shoot an elevation from the top of one or more of the sewer manholes which are all at 995 feet MSL or by calling the Town Office for the lake level reading at the dam on that particular day. As actual lake levels may vary, establishing the 990 MSL on any particular day can be achieved by calling the town hall for the lake level reading at the dam on that day. The maximum allowable height of structures above the shoreline elevation can then be calculated. As an example, if the lake level is 1 foot below 990 MSL, then the maximum allowable height is 16 feet above the actual level of the lake on that particular day.~~

SECTION THREE:

To change the parenthetical note in Section 94.07 (B) to read as follows:

(Note: Refer to § 94.05 ~~(E)~~ (F) for details on how to establish the shoreline elevation of 990 feet MSL.)

SECTION FOUR: This ordinance shall be effective upon its adoption.

Adopted this 9th day of December, 2003.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

APPROVED AS TO FORM:

J. Christopher Callahan
Town Attorney

NEW BUSINESS:

b. Adopt Ordinance No. 03-12-09A Amending Title IV, Public Works, of the Code of Ordinances by Creating a New Chapter 42 Relating to Street Names and Property Addressing

Ron Morgan, Lake Lure Fire Coordinator, reviewed his memorandum of December 4, 2003 and answered questions pertaining to the proposed addressing ordinance. (Copy of memo attached.) Mr. Morgan showed a sample of the proposed lakefront property address sign and said the cost for this type of sign is approximately \$10.00 each.

After discussion, Commissioner McCallum made a motion to adopt Ordinance No. 03-12-09B as amended. Commissioner Watkins seconded the motion and the vote of approval was unanimous. Town Manager Place agreed to make the revised changes.

ORDINANCE 03-12-09B

**AN ORDINANCE TO AMEND TITLE IV,
PUBLIC WORKS, OF THE CODE OF
ORDINANCES BY CREATING A NEW
CHAPTER 42 RELATING TO STREET NAMES
AND PROPERTY ADDRESSING**

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens of the Town of Lake Lure for all property to be clearly and readily identifiable to public safety and emergency services providers; and

WHEREAS, under the provisions of N.C.G.S. 160A-296, the Town of Lake Lure has general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits; and

WHEREAS, the it is the intent of the Town Council of the Town of Lake Lure to ensure a uniform system of addressing for all buildings in the town in order to facilitate provision of adequate public safety and to minimize the difficulty for emergency services and the general public in locating any building in the town;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH ALL COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE: Title IV, "Public Works," of the Code of Ordinances of the Town of Lake Lure is amended by adding a new Chapter 42, "Street Name and Addressing," which shall read as follows:

CHAPTER 42: STREET NAME AND ADDRESSING

§ 42.01 PURPOSE AND INTENT.

The purpose and intent of this chapter is to ensure a uniform system of addressing for all buildings in the Town of Lake Lure in order to facilitate provision of adequate public safety and to minimize difficulty for emergency services and the general public in locating any building in town.

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§ 42.02 DEFINITIONS.

The following words and phrases when used in this chapter shall have the meanings respectively ascribed to them in this section.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, chattels, or equipment. When separated by divider walls from the ground up without openings, each portion of such building may be deemed a separate building. For the purpose of this chapter, the term Building may also include other man-made structures.

Developer: Any person, firm, trust, partnership, association or corporation engaged in the development of purposed development of a subdivision, commercial complex, mobile home park, or planned unit development.

House/Building Number: Number assigned to any house, business, structure or other structure or property in a sequential manner.

Mobile Home Park: Any premises where two or more mobile homes are parked for living and sleeping purposes, or any premises used or set apart for the purpose of supplying to the public parking space for two or more mobile homes for living and sleeping purposes, and which include any building, structures, vehicles or enclosures used or intended for as part of such mobile home park.

Roadway: Any road, street, drive, land, easement, right-of-way, access area, thoroughfare, highway, boulevard, or any other corridor used for or having the potential use as a means of conveyance by a motor vehicle.

Rutherford County E911 Department: The official department of Rutherford County charged with the administration of countywide addressing.

Street Name: The official name of any roadway, approved by the Town of Lake Lure and the Rutherford County E911 Department.

Street Sign/Signage: Signage placed at the roadway intersection, which indicates the street name, direction, and where appropriate, the state road number and block number.

§ 42.03 STREET NAMES.

(A) Every street in the town is assigned an official name and is entered in the Rutherford County E911 Department's database by the county addressing department. New street names or requested name changes inside the Town of Lake Lure will be reviewed and approved by the town before approval by the County E911 Department. The review by town will be by a committee appointed by the town manager.

(B) New street names shall not be the same as or sound similar to existing street names in the county. Names recommended by property owners will be given consideration first if no conflicting street names exist. Requests to change an existing street name must take the following issues into consideration:

(1) 75% or more of property owners on this road must sign a petition to change the road name.

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- (2) Suggested street name must not conflict with existing street names.
- (3) Reason to change name must outweigh the fact that changing name will make all existing maps inaccurate and could severely delay emergency services locating anyone on that street.

If name is changed, property owners must bear cost of changing street signs, including labor. The town shall notify all emergency agencies responding in Lake Lure of name change.

§ 42.04 SIGNAGE.

- (A) The developers of new subdivisions shall erect signage consistent with town street signs. Existing signs installed by the Town of Lake Lure will be maintained by the town. Signs installed in new developments by the developer will be the responsibility of the property owners association of that community. The property owners association shall replace damaged or stolen signs within 60 days of receiving written notification from the town.
- (B) Street signs and post shall be of aluminum construction to resist corrosion. Signs shall be green with white reflective letters. Letters shall be minimum of 3 5/8" tall with minimum of 1/2" stroke letters. Optional color signs may be considered by town but shall have white letters.

§ 42.05 HOUSE/BUILDING NUMBERING.

This chapter requires the owner of any residential, commercial, or other structure to post numbers on said structure for the health, safety, and general welfare of the citizens of Lake Lure. In the posting of numbers on structures the following standards shall be used:

- (A) The height of the number for a one or two family dwelling shall be a minimum of 3" with a 1/2" stroke. The building number for multi-family dwellings and commercial structures shall be a minimum of 6" with 3/4" stroke. The number shall be placed facing the roadway, within three feet of the entrance, when the building is easily seen from the roadway. For buildings not visible or more than 75 feet from roadway centerline, numbers shall be posted at the roadway adjacent to the drive. Numbers shall also be posted on the structure to be visible as you travel along the driveway.
- (B) For mobile home parks or properties having only one address and individual lots the entrance shall have 6" numbers and each lot shall have 3" numbers. The lot numbers shall be marked uniformly and easily visible from driveway.
- (C) Numbers shall be mounted on contrasting background to be easily visible and reflective numbers are recommended.
- (D) The town may approve an alternate method of displaying address numbers on a case by case basis when these standards cannot be reasonably met.

§ 42.06 LAKEFRONT PROPERTY NUMBERING.

- (A) All lakefront lots having structures thereon shall have the address assigned to the property posted abutting the lakeshore.

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- (B) Lakefront property addresses shall include the name of the street to which the property has access and street number (for example: 123 Charlotte Drive). Approved lakefront property signs must be ordered through the town.
- (C) Lakefront property address signs will be aluminum construction with black finish, 4" high and as short as the address allows. The letters and numbers shall be a minimum of 3" tall and reflective.
- (D) Where a boat house exists on the property, the address sign shall be posted on the boat house a minimum of 6' above normal water level. For lots on the main channels, the sign must be on the side facing the channel. For lots in coves, the sign must face the main body of water in the cove.
- (E) Signs shall be ordered before the annual boat permit is obtained beginning in 2004 for existing structures. For new structures the sign must be in place before final inspection by the zoning official.
- (F) The property owner shall be responsible for maintaining lakefront property address signs.

§ 42.07 GENERAL REQUIREMENTS.

It shall be unlawful without the written consent of the Town of Lake Lure for any person(s) to:

- (A) Name or designate the name of any public road, neighborhood public road, private subdivision street or private mobile home park road in the town;
- (B) Erect any street sign on any public road, neighborhood public road, private subdivision street or private mobile home park road in incorporated areas of Lake Lure, without approval of the Town of Lake Lure;
- (C) Erect any street sign on any roadway, public or private, in the Town of Lake Lure, which does not meet the current town street sign specifications;
- (D) Remove, deface, damage, or obstruct a street sign;
- (E) Number or assign a number to any structure without the approval of the Town of Lake Lure;
or
- (F) Name a private street or road that duplicates or is substantially similar to the name of an existing street or road within Rutherford County.

§ 42.08 ENFORCEMENT.

- (A) The Fire Inspector may withhold Certificate of Occupancy for new commercial structures until proper numbers are posted.
- (B) The County Building Inspector or Town Zoning Administrator may withhold Certificate of Occupancy for structures until proper address is posted.
- (C) Owners or occupants of buildings already constructed which do not comply with this chapter, will be notified and requested to meet the requirements within 60 days from the date of the

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notification. A warning notice will be issued after 60 days if the requirements have not been met. If the owner or occupant does not comply voluntarily with this chapter within 30 days of delivery of a warning notice by registered mail or by hand delivery to the building in violation, enforcement action pursuant to North Carolina General Statutes 160A-175 may be initiated.

§ 42.99 PENALTY.

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and shall be subject to a fine of not more than \$50.00 or imprisonment not more than 30 days, as provided by North Carolina General Statutes 14-4C.

Any violation of this ordinance may be subject to civil remedies as set forth in North Carolina General Statutes 160A-175.

SECTION TWO. This ordinance shall be effective upon its adoption.

Adopted this 9th day of December, 2003.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

APPROVED AS TO FORM:

J. Christopher Callahan
Town Attorney

NEW BUSINESS:

c. Discussion of Compensation for ABC Board Members

Commissioner McCallum recommended that Town Council consider increasing the compensation pay for the Lake Lure ABC board members and the chairman.

After discussion, Commissioner McCallum made a motion to adopt Resolution No. 03-12-09 authorizing the increase of compensation pay for the Lake Lure ABC board members to \$75.00 per month and \$150 per month for the Lake Lure ABC board chairman. Commissioner Cox seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 03-12-09

AUTHORIZING THE INCREASE OF COMPENSATION PAY FOR THE LAKE LURE ABC BOARD MEMBERS AND CHAIRMAN

WHEREAS, the Lake Lure Town Council desires to increase the compensation pay for the Lake Lure ABC board members and chairman;

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NOW, THEREFORE, BE IT RESOLVED by the Lake Lure Town Council that the compensation pay for the Lake Lure ABC board members and chairman shall be as follows:

1. Lake Lure ABC board members shall receive \$75.00 per month compensation pay during their term serving on the Lake Lure ABC board.
2. The Lake Lure ABC chairman shall receive \$150 per month compensation pay during his/her term serving on the Lake Lure ABC board.

Adopted this 9th day of December, 2003

ATTEST:

Mary A. Flack, MMC
Town Clerk

Jim Proctor
Mayor

APPROVED AS TO FORM:

J. Christopher Callahan
Town Attorney

NEW BUSINESS:

d. Board Appointments - Lake Advisory Committee, Board of Adjustment/Lake Structures Appeals Board, Lake Lure Zoning/Planning Board, Golf Course Advisory Committee, Lake Lure ABC Board and Parks/Recreation Board

Town Council voted by ballot and the town manager announced the following results.

Ross Worden was reappointed to serve on the Lake Advisory Committee with a term expiring on December 31, 2005. Garry Hasenfus, Russell Pitts, and John Kilby were appointed to serve on this committee with terms expiring on December 31, 2005.

Mary Ann Dotson was reappointed to serve as regular member on the Board of Adjustment/Lake Structures Appeals Board with a term expiring on December 31, 2006. Harvey Jacques was reappointed to serve as an alternate member on this board with a term expiring on December 31, 2006.

Anthony Brodfuhrer and Jack Lawrence were reappointed to serve on the Lake Lure Zoning/Planning Board with terms expiring on December 31, 2006.

Woody Price, John Thompson, and Jerry Wright were reappointed to serve on the Lake Lure Golf Course Committee with terms expiring on December 31, 2005.

Harold Harper was appointed to serve on the Lake Lure ABC Board with a term expiring on December 31, 2006.

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Mary Karr was reappointed to serve on the Parks/Recreation Board with a term expiring on December 31, 2005. Martyn Watts was appointed to serve on this board with a term expiring on December 31, 2005.

NEW BUSINESS:

e. Review Proposed Town Marina Boat Slip Rental Fees Schedule and Policy; Request from William R. Breen, Jr. regarding the Town's Marina Boat Slip Policy

Commissioner Lea Hullender reviewed the proposed town marina boat slip rental fees schedule for 2004 as outlined in a memorandum of December 4, 2003 furnished by Customer Service Supervisor Anita Taylor. (Copy of memo attached.)

After discussion, Commissioner Hullender made a motion to increase the town marina boat slip annual rental fees for 2004 as outlined in the memorandum furnished by Customer Service Supervisor Anita Taylor. The uncovered boat slip annual rate for property owners would increase from \$600 to \$700 and the uncovered boat slip annual rate for non-property owners would increase from \$1,000 to \$1,100. The covered boat slip annual rate for property owners would increase from \$800 to \$1,000 and the covered boat slip annual rate for non-property owners would increase from \$1,400 to \$1,600. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

Council members held a discussion regarding a request from William R. Breen, Jr. asking Town Council to reconsider revising the town marina boat slip policy so that he may be able to keep his boat slip at the town's marina. After discussion, Town Council members decided not to change the town's marina boat slip policy at this time. Commissioner Hullender agreed to contact Mr. Breen and inform him about Town Council's decision.

NEW BUSINESS

f. Request from Don Duffy on Behalf of Mr. and Mrs. Jim Grant for Permission to Alter the Shore Line for the Purpose of Renovating an Existing Single Slip Boathouse in Deteriorated Condition into a New Double Slip Boathouse

Don Duffy furnished a letter dated November 3, 2003 requesting on behalf of Mr. and Mrs. Jim Grant for permission to alter the shore line for the purpose of renovating an existing single slip boathouse in deteriorated condition into a new double slip boathouse. In addition, pictures and drawing were distributed by Mr. Duffy pertaining to his request. (Copy of letter, pictures, and drawings of plans attached.) Mr. Duffy explained the justification for his request and reviewed his plans.

After discussion, Commissioner Watkins made a motion to grant permission on Mr. Duffy's request on behalf of Mr. and Mrs. Jim Grant to alter the shoreline for the purpose of renovating an existing single slip boathouse in deteriorated condition into a new double slip boathouse as outlined in Mr. Duffy's letter and plans as submitted. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

g. Request from Vicki Smith on behalf of the Lake Lure La La Queens for Permission to Store a Mobile Trailer on Town Property throughout the Year to be used as a “Mad Maze” for a Fund-Raising Event

Sharon Eakett, member of the Lake Lure La La Queens, answered questions pertaining to a letter of October 29, 2003 submitted from Vicki Smith on behalf of the Lake Lure La La Queens requesting permission to store a mobile trailer on town property throughout the year to be used as a “Mad Maze” for a fund-raising event from which proceeds will be used toward the Lake Lure Youth Center. (Copy of letter attached.)

After discussion, Commissioner Cox made a motion to approve the request from Vicki Smith on behalf of the Lake Lure La La Queens for permission to store a mobile trailer on town property throughout the year to be used as a “Mad Maze” for a fund-raising event from which proceeds will be used toward the Lake Lure Youth Center. Also, authorize the town manager to determine the location of storage, parking, and the appropriate signs required. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

h. Request from Janda L. Carter to Lease a Portion of the Lake Lure Golf Course Club House for a Café and Deli

Janda L. Carter briefed Town Council members on her proposal to lease a portion of the Lake Lure Golf Course club house for a café and deli. Ms. Carter also distributed copies of a menu developed by her detailing items to be available for sale at the café and deli. (Copy of menu attached.)

Town Manager Place stated that the Lake Lure Golf Course Manager Chris Shute had several concerns regarding Ms. Carter’s proposal to lease a portion of the Lake Lure golf course club house for a café and deli. Some of the concerns included: loss of revenue for concession sales, need for additional bathrooms, and need for another meter to be installed for the purpose of separate electric bills.

After discussion, Commissioner Cox made a motion to authorize the town manager to proceed with investigating and gathering input from the Lake Lure Golf Course Committee members to draft a lease for consideration. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

STAFF REPORTS

Town Manager Place reported on the following:

1. Betty Hinson is currently training Anita Taylor for her new position as Personnel Officer and Tax Collector effective the end of February, 2004. Ms. Hinson plans to retire effective February 27, 2004. Linda Ward is currently being trained to fill the position of Customer Service Supervisor formerly held by Anita Taylor. Ms. Ward will assume her new duties

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effective January 5, 2004. Vicki Coggins will be leaving her position as Administrative Assistant at the Lake Lure Police Department and transferring to the Administrative Department filling the Customer Service Clerk position formerly held by Linda Ward. Daniel T. Denton will be filling the Administrative Assistant's position at the Lake Lure Police Department formerly held by Vicki Coggins. Mr. Denton plans to fill this position on a temporary basis. He plans to become a patrol officer.

2. Town employees heard a presentation several weeks ago from Security Benefit Group on the Section 457 retirement plan. Mr. Place explained that Section 457 plan is similar to the Section 401 (k) plan, but is designed specifically for government employees. Mr. Place said the main advantage of the 457 plan is that it is more locally administered ; has a higher level of personal service and financial advise as compared to the 401k under Prudential Insurance. Several employees have signed up for this plan, however, all of the town's contribution is still going into the 401 (k) plan. Mr. Place requested that town council authorize the distribution of the town contribution to either the 401(k) plan and/or the 457 plan at the option of each employee. He said this would not affect the contribution for police officers since their program is established by state statute.

After discussion, Commissioner Hullender made a motion to authorize the distribution of town contribution for town employees toward the 401 (k) plan and/or the 457 plan per the choice of each employee. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

3. Mr. Place said Hydro Plant Operator William Grimes reported that the power plant is running okay and still continues to produce income at record levels. Mr. Grimes has started lowering the lake level and will continue to lower it at an average depth of 4 ½ feet below normal pond. Mr. Place said Mr. Grimes intends to maximize revenue during the lowering of the lake level. Mr. Grimes plans to run both generators at full blast rather than open the gates to let water out. At that rate, Mr. Grimes expects to reach the desired depth in about one and one-half to two weeks, depending on the amount of rainfall in the lake. Mr. Place said Mr. Grimes will open the gate to speed the lowering of the lake level contingent upon the amount of rain received in the lake.
4. Mr. Place said the dredge renovation is proceeding slightly slower than originally anticipated, but he expects it to be completed by this Friday or soon thereafter. Mr. Place said the town needs to determine how to set the cables in the river and the means, as well as, determining the cost to clean out the impoundment berms.
5. Mr. Place mentioned that he will be meeting with representatives about the North Carolina Department of Transportation enhancement program tomorrow afternoon to discuss the scope of the town's pedestrian walkway project. Mr. Place said a grant contract was signed by the town sometime back in August, but he was informed to hold off until the town heard back from them.
6. The town's new file server computer finally arrived.
7. Mr. Place said he is currently reviewing town employee evaluations submitted by the department heads and he will establish the amount of merit increases based on the results of these evaluations. Mr. Place said he will report further in January, 2004.
8. Mr. Place reminded Council member about the tour of town facilities scheduled for Thursday. He informed Council members that their itinerary for this tour was placed in their distribution

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boxes yesterday. The tour will begin at town hall at 9:00 a.m. and then proceed from there according to the itinerary schedule.

9. Gary Roberts from the Public Works Department was complimented on for the new beautiful table which he custom made for Mr. Place to be used during town council meetings.
10. Expressed his best wishes to everyone for a merry Christmas and a very happy new year from him and the town staff members!

COUNCIL COMMENTS

Commissioner Hullender said that she would be gone during the month of January, 2004.

Commissioner Watkins reported that some of the Christmas lights in Lake Lure were not working and needed to be replaced. Town Manager Place said that he had talked to Duke Power about the getting these lights fixed.

Mayor Proctor mentioned that he was waiting on the Village of Chimney Rock to make final revisions to their proposed noise ordinance in order to draft a similar noise ordinance for the Town of Lake Lure.

Commissioner Cox complimented and applauded those participating in the annual Lake Lure boat parade.

Commissioner Cox announced that a meeting was taking place on January 8, 2004 at the Cool Springs Administration building with the superintendent to discuss the possibility of getting a school in Lake Lure. Commissioner Cox said Bill Frykberg, a Lake Lure resident, has requested that Town Council members and citizens attend this meeting to show their support for a school in Lake Lure.

ADJOURNMENT

With no further items of discussion, Commissioner McCallum made a motion to adjourn the meeting at 9:15 p.m. Commissioner Cox seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor