

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD TUESDAY, SEPTEMBER 13, 2005 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 THE AGENDA**

After discussion, Commissioner Cox made a motion to approve the agenda as amended by moving agenda item 11c (request to authorize the negotiation of an agreement between the Town of Lake Lure and LandDesign Company to assist the town in the development of a comprehensive plan) to item 4 on the agenda. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

**CONSIDER A REQUEST FROM SHANNON BALDWIN TO AUTHORIZE THE  
NEGOTIATION OF AN AGREEMENT BETWEEN THE TOWN OF LAKE LURE AND  
LANDDESIGN, INC. TO ASSIST THE TOWN IN THE DEVELOPMENT OF A  
COMPREHENSIVE PLAN**

Marget Nealon, representative for LandDesign, Inc. gave a brief overview about their proposal to assist the town in the development of a comprehensive plan.

After discussion, Commissioner Cox made a motion to approve the request from Community Development Director Shannon Baldwin to authorize the negotiation of an agreement between the

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Town of Lake Lure and LandDesign, Inc. to assist the town in the development of a comprehensive plan. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

**MAYOR'S PROCLAMATION NO. 05-1 (RECOGNIZING VOLUNTEERS OF THE 2005 HICKORY NUT GORGE OLYMPIAD)**

Mayor Jim Proctor read into the record Proclamation No. 05-1 declared by him recognizing volunteers of the 2005 Hickory Nut Gorge Olympiad. (Copy of Proclamation No. 05-1 attached).

**REPORT ON THE 2005 HICKORY NUT GORGE OLYMPIAD**

Bob Keith and Doug Long gave a brief report on the activities of the 2005 Hickory Nut Gorge Olympiad.

Mr. Keith presented to Fire Coordinator Ron Morgan a check for \$10,000 (to be shared with various fire departments and EMS) from proceeds which were raised from the 2005 Hickory Nut Gorge Olympiad.

**PUBLIC HEARING - ORDINANCE NO. 05-09-13A IMPOSING A MORATORIUM RELATIVE TO THE TOWN OF LAKE LURE ZONING REGULATIONS, SPECIFICALLY THOSE SECTIONS THAT REGULATE PLANNED UNIT DEVELOPMENTS**

Public notices were duly given and published in the Forest City Daily Courier newspaper.

Mayor Proctor opened the public hearing regarding proposed Ordinance No. 05-09-13A imposing a moratorium relative to those sections of the Town of Lake Lure zoning regulations that regulate planned unit developments.

Community Development Administrator Shannon Baldwin gave a brief over of the proposed Ordinance No. 05-09-13A.

The Mayor invited citizens to speak during the hearing. Jeanine Noble and Gary McCall encouraged town council members to grant the moratorium being proposed.

After discussion, Commissioner McCallum made a motion to close the public hearing. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

**ADOPT ORDINANCE NO. 05-09-13A IMPOSING A MORATORIUM RELATIVE TO THE TOWN OF LAKE LURE ZONING**

After discussion, Commissioner Hullender made a motion to adopt Ordinance No. 05-09-13A as presented. Commissioner McCallum seconded the motion and the vote of approval was unanimous. (Copy of Ordinance No. 05-09-13A attached).

<b>PUBLIC FORUM</b>
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Mayor Proctor invited the audience to speak on any non-agenda item and the following individuals requested to speak:

1. Bill Bush informed council members about the problems on Boys Camp Road due to heavy traffic caused by increased new development of properties. Mr. Bush stated this road has several blind spots and lots of curves. Mr. Bush also mentioned other roads including: Cut Away Road, North Shore Drive, Burnt Ridge Road, and Sugar Bush Point Road having similar problems.

Town Manager Place said he would increase the police patrol on the roads mentioned by Mr. Bush and make sure these roads are clearly striped. Mr. Place informed Mr. Bush that a study will be made on these roads and he will try to obtain grant monies for improvements.

2. Chuck Ross encouraged council members to do something about the problem on Boys Camp Road as soon as possible.
3. Paul Everhart and David Ray asked council members to amend the town meeting agenda to consider their offer to purchase certain town property.

After discussion, a motion was made by Commissioner McCallum to amend the town meeting agenda to add an item under new business as 11e to consider an offer from Paul Everhart and David Ray to purchase certain town property. Commissioner Cox seconded the motion and the vote of approval was unanimous.

4. Paula Jordan asked on behalf of the water tower committee that a more detailed cost estimate be provided by McGills Associates to the town.
5. Werner Maringer expressed his concerns about rumors of the town council considering the elimination of the Town of Lake Lure's Board of Adjustment. Mr. Maringer stated the town would be making a big mistake by doing so.
6. Paul Laque stated that he was concerned about the problem of speeders on Sugarbush Point Road. Mr. Laque said Sugarbush Point Road is not wide enough for two lanes of traffic. Mr. Laque asked for more surveillance from the police department.

<b>CONSENT AGENDA</b>
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Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action.

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

- a. minutes of August 9, 2005 (regular meeting);
- b. budget amendment of \$95,163.40 for silt removal as submitted by the finance director;

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transferring \$95,163.40 from the capital reserve fund for silt removal to the lake department account (#10618000697 - silt removal). (Copy of Memorandum dated September 2, 2005 is attached);

- c. request from C. R. Simmons on behalf of the Pediatric Brain Tumor Foundation "Ride for Kids" event and approved a fabric structure permit for this event as presented; and
- d. Resolution No. 05-09-13 (municipal agreement between the Town of Lake Lure and the North Carolina Department of Transportation regarding reinspection of bridges on the Municipal Street System F. A. Project BRZ-NBIS 14) as presented. (Copy of Resolution No. 05-09-13 attached).

**End of Consent Agenda**

**UNFINISHED BUSINESS:**

**a. Other Unfinished Business**

There was no other unfinished business for discussion.

**NEW BUSINESS:**

**a. Adopt Resolution No. 05-09-13A (Designating the National Incident Management System as the Basis for all Incident Management in the Town of Lake Lure)**

Fire Coordinator Ron Morgan reviewed proposed Resolution No. 05-09-13A.

After discussion, Commissioner Watkins made a motion to adopt Resolution No. 05-09-13A designating the National Incident Management System as the basis for all incident management in the Town of Lake Lure as presented. (Copy of Resolution No. 05-09-13A attached). Commissioner Hullender seconded the motion and the vote of approval was unanimous.

**NEW BUSINESS:**

**b. Consider Approval of Letter of Credit and Agreement Between the Town of Lake Lure and The Highlands of Lake Lure, LLC**

Community Development Director Shannon Baldwin gave an overview of the proposed letter of credit and agreement with The Highlands of Lake Lure, LLC.

After discussion, Commissioner McCallum made a motion to approve the letter of credit and agreement between the Town of Lake Lure and the Highlands of Lake Lure, LLC as presented by Community Development Director. Commissioner Watkins seconded the motion and the vote of approval was unanimous. (Copy of Letter of credit and agreement attached).

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**NEW BUSINESS:**

**c. Consider Proposal for Engineering Services with McGill Associates, Inc. to Review Development Plans**

Town Manager Place read into the record his memorandum dated August 30, 2005 regarding engineering review and development plans. (Copy of memorandum attached).

After discussion, Commissioner McCallum made a motion to approve the proposal for engineering services with McGill Associates, Inc. to review development plans. Also, authorize the town manager and the community development director to revise the fee schedule to cover the costs of engineering services for subdivisions. Commissioner Cox seconded the motion and the vote of approval was unanimous.

**OTHER NEW BUSINESS:**

**d. Consider Bid Offer from Paul Everhart and David Ray to Purchase Certain Town Property**

After discussion, Commissioner Cox made a motion to authorize the town manager to advertise the bid offer of \$12,000 from Paul Everhart and David Ray to purchase certain town property (referenced as Map 504, Block 1, Lot 164, a .21 acre lot at the northwest corner of Charlotte Drive and Pleasant Circle across from the town's municipal golf course) for upset bids. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

**STAFF REPORTS**

Town Manager Place reported on the following:

1. Update on the town's dredging project. Mr. Place said this project will be completed on time to comply with FEMA's deadline. He said the town's contract states that all funds must be expended by September 18, 2005 and the actual dredging should be completed by that date or shortly thereafter.
2. Update on the STAG project for the wastewater treatment plant.
3. Update on the town's center walkway project. Mr. Place said the town plans commencement of construction either sometime during late fall or early winter and completed by spring.
4. Repairs at the hydro-electric plant. Mr. Place said the small generator at the hydro electric plant will be out of service for about a week. He explained that due to the lack of rainfall at this time, it seems like a good time to replace the main bearings. Mr. Place said this has been the first time Hydro Electric Plant Operator William Grimes has been able to take this unit down without losing a lot of revenue for the town.
5. Mr. Place said he met with Randy Hintz, engineer of McGill Associates and Tom Massey of the Clean Water Management Trust Fund to discuss the town's pending grant application for the infiltration and inflow study of the sewer system. According to Mr. Massey, the town's application was favorably received contingent upon the match being higher. Mr. Place said he had submitted the town's application for \$96,000. Mr. Place said Mr. Massey

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recommended that the town submit a 20% match. Mr. Place said that he had indicated that the town would pay \$6,000 of that total. Mr. Place recommended that council members consider an increase of \$13,200 over the previously approved amount for a total match of \$19,200.

After discussion, Commissioner Hullender made a motion to approve a budget amendment of \$13,200 to cover costs associated with a matching grant for a study of the infiltration and inflow of the town's sewer system as requested by the town manager. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

6. Update regarding the status for approval of the town's sedimentation control ordinance.
7. Update on the status of the contract renewal with Duke Power Company.
8. Status of new flood maps.
9. Proposal from McGill Associates to prepare a book of "standard Town of Lake Lure details" that can be distributed to other engineering firms. Mr. Place said this would insure that such items such as pipe materials and sizes, valves, joints, fire hydrants, manholes, meters and the like are uniform throughout all projects built in the town and that they comply with the town's standards. Mr. Place said he has received a proposal from McGill Associates in the amount of \$6,500. Mr. Place said this booklet will be a great benefit to the town and developers. He said the town will be able to recoup back some of the cost through the sale of these booklets. Mr. Place asked council members to amend the town's budget in the amount of \$6,500 to be transferred from the contingency fund to the administration account (#4200-400) for professional services to develop a book of standards for the Town of Lake Lure to be distributed to engineering firms.

After discussion, Commissioner Watkins made a motion to approve a budget amendment of \$6,500 from the contingency fund to the administration account (#4200-400) for professional services as requested by the town manager to develop a book of standards for the Town of Lake Lure to be distributed to engineering firms. Commissioner Hullender seconded the motion and the vote of approval was unanimous.

10. Update on the official state demographer's estimate of population. Mr. Place said the estimate of population is 1,056 (an increase of 11 people over last year) as July 1, 2004. Mr. Place disputed the accuracy of this figure.
11. Update on the Lake Lure art festival held during Labor Day weekend. Mr. Place said a lot of people were unhappy and disappointed about the low attendance by exhibitors and customers.

<b>COUNCIL COMMENTS</b>
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Commissioner Hullender suggested that the fee schedule be reviewed for the use of town property and limit large events per year.

Commissioner Cox gave a brief report on the Lake Lure municipal golf course. Mr. Cox said the greens were looking poor.

Town Manager Place said he had spoken with the Golf Course Manager Jeff Hines about the condition of the greens at the golf course.

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Commissioner Cox asked for an update on the status of the town's dredge and water easements being obtained by the town for the new water line expansion.

Town Manager Place said Russ Pitts was overseeing the town's dredge at this time and there has been interest by Rick Miller for use of the town's dredge. Mr. Place briefed Council members on the status of the water easements being obtained for the new water line expansion.

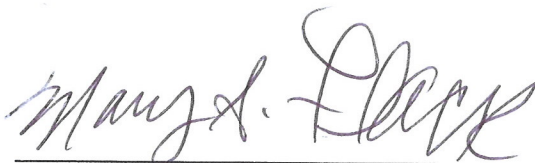
Mayor Proctor reported that over \$92,000 were raised from the "Ride for Kids" event sponsored by the Pediatric Brain Tumor Foundation.

Commissioner Watkins stated that he been receiving complaints on the services provided by staff at the town's marina being leased by Lake Lure Tours, Inc. Town Manager Place agreed to look into this matter and review their contract regarding services being provided.

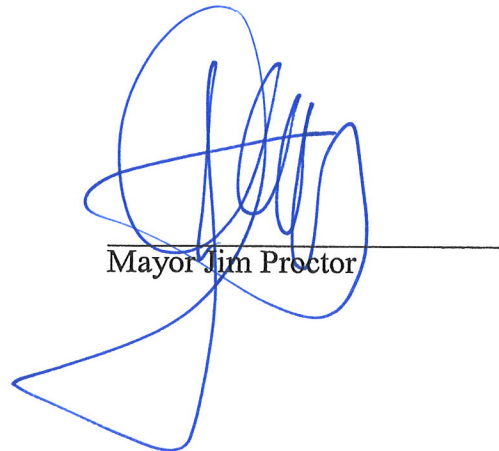
<b>ADJOURNMENT</b>
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With no further items of discussion, Commissioner Cox made a motion to adjourn the meeting at 8:58 p.m. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

ATTEST:



Mary A. Flack, MMC  
Town Clerk



Mayor Jim Proctor