

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MARCH 14, 2006, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Jim Proctor
Commissioner Dick McCallum
Commissioner Jeanine Noble
Commissioner Russ Pitts
Commissioner Chuck Watkins

Sam A. Karr, Assistant Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: H. M. Place III, Town Manager

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 Watkins made a motion to approve the agenda as presented. 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 the following requested to speak. Paul Laque, Yvonne Anderson, and Bill Bush voiced their concerns about the traffic problem on Boys Camp Road. Bill Bush asked Council members to consider widening Boys Camp Road. Yvonne Anderson thanked Council members for the stripping of Boys Camp Road. Paul Laque said he was concerned about the continual problem of dump trucks causing damage to Boys Camp Road. Mr. Laque informed Council members that the dump trucks are having to drive over the yellow lanes because Boys Camp Road is too narrow.

COMMITTEE REPORTS

Commissioner Watkins reported on the activities of the Board of Adjustment/Lake Structures Appeals Board.

Page 2 - Minutes of the March 14, 2006 Regular Council Meeting

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board. Commissioner Noble said she is trying to get the Parks and Recreation Board active once again.

Commissioner Pitts reported on the activities of the Lake Advisory Committee.

Commissioner McCallum reported on the activities of the Lake Lure ABC Board and Zoning/Planning Board. Commissioner McCallum read into the record a memorandum addressed to Town Council dated March 7, 2006 from Community Development Director Shannon Baldwin regarding camp zoning district. (Copy of memorandum attached).

After discussion, a motion was made by Commissioner McCallum to table the directive formerly made by town council to the town manager and the zoning and planning board to look into another classification for camps and bring back their recommendations to town council until after the results have been received from the comprehensive plan regarding this issue. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

CONSENT AGENDA

Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action. Commissioner Noble moved, seconded by Commissioner Pitts, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. minutes of February 14, 2006 (regular meeting);
- b. a request from H. M. Place on behalf of the Hickory Nut Gorge Kiwanis to: (1) suspend the town's peddling ordinance for "Memorial Days Festival" being held on May 27-29, 2006 and the "Autumn Festival" held on October 21-22, 2006; (2) close a portion of town street temporarily during these events (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 these events;
- c. a request from the Dixie Rodder's to: (1) hold a 22nd annual car show on July 14-15, 2006 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 alcohol (beer and wine only) as stipulated with restrictions by the Lake Lure Police Department;
- d. a fabric structure permit for the Lake Lure Golf and Beach Resort as submitted;(Copy of permit attached); and
- e. a request from Bob Keith on behalf of the Hickory Nut Gorge Olympiad Committee regarding the Olympiad being held on September 7-10, 2006 as outlined in the memorandum from Mr. Keith to waive the rental fees for the use of certain town property and facilities; also, waive the permit fees for signage.

Page 3 - Minutes of the March 14, 2006 Regular Council Meeting

End of Consent Agenda

UNFINISHED BUSINESS:

a. Other Unfinished Business

There was no other unfinished business for discussion.

NEW BUSINESS:

a. Consider Approval of a Performance Guarantee and Agreement Between the Town of Lake Lure, BB&T, and High Road Mountain, LLC

Community Development Director Shannon Baldwin read excerpts from his memorandum addressed to town council dated March 7, 2006 regarding a performance guarantee and an agreement between the Town of Lake Lure, BB&T, and High Road Mountain, LLC. (Copy of memorandum and agreement attached).

Afer discussion, Commissioner McCallum made a motion to approve the performance guarantee as submitted and authorize the mayor to sign an agreement between the Town of Lake Lure, BB&T, and High Road Mountain, LLC. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

b. Consider a Request from Don Henderson, Scoutmaster on Behalf of the Edneyville Boy Scout Troop 605 to Waive Boat Permit Fees for their Troop

Tyrone Phillips spoke on behalf of the Edneyville Boy Scout Troop 605 asking Council members to do the same as last year in regards to waiving boat permit fees.

After discussion, Commissioner Pitts made a motion to approve the request from the Edneyville Boy Scout Troop 605 to do the same as last year waiving boat permit fees for two motorized boats and two non-motorized boats. Additional boat permits purchased by the Edneyville Boy Scouts will be charged at a resident rate. Commissioner Noble seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

c. Consider a Request from Mary Ann Dotson to have the Town Quit-Claim Certain Land Adjacent to Her Property on Tryon Bay Circle

Mary Ann Dotson answered questions pertaining to her request for the town to quit-claim certain land adjacent to her property on Tryon Bay Circle.

Page 4 - Minutes of the March 14, 2006 Regular Council Meeting

After discussion, Commissioner McCallum made a motion to authorize the mayor to sign a quit-claim deed on behalf of the town to Mary Ann Dotson for land adjacent to her property on Tryon Bay Circle. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

d. Consider Awarding a Bid Offer from Jerry Martin on Behalf of Camp Lurecrest to Purchase Certain Golf Course Property Adjacent to the Lake and Authorize the Town Attorney to Prepare the Appropriate Documents to Finalize the Sale

Assistant Town Manager Sam Karr reviewed a memorandum addressed to town council dated March 8, 2006 furnished by Town Manager H. M. Place regarding an offer to purchase golf course property adjacent to the lake. (Copy of memorandum attached).

After discussion, Commissioner Watkins made a motion to accept the bid offer of \$276,200 from Jerry Martin on behalf of Camp Lurecrest to purchase certain golf course property adjacent to the lake and authorize the town attorney to prepare the appropriate documents to finalize the sale. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

e. Consider a Request from Bo Williams on Behalf of the Lake Lure Tours, Inc. Regarding Boat Permit Fees

Bo Williams, Operations Manager of Lake Lure Tours, asked council members to consider approving the same structured discount of boat permit fees as outlined in the town council minutes of March 16, 2005. He said Lake Lure Tours would pay a total of \$3,230 for 2006 commercial boat permits. He explained that the total was calculated by applying the base rate for the four class 1 and four class 5 permits approved by the Lake Lure Marine Commission as stated in their letter to the Lake Lure Tours dated January 9, 2006, in lieu of the graduated rate for each additional vessel in those classes. Also, the appropriate payments will be made as each vessel is put into operation as agreed upon last year. Mr. Williams said due to a mis-communication in the 2006 application process for commercial boat permits, Lake Lure Tours is petitioning the Town of Lake Lure, through the Lake Lure Marine Commission, to increase the number of non-motorized commercial boat permits to 25. He said this would change the total from \$3,230 to \$3,475.

Council members asked Mr. Williams to make sure that the Lake Lure Tours staff abide by the restrictions of operation concerning lightening storms, prohibition of towing behind a livery boat and no-wake areas on the lake. Mr. Williams stated that he has no enforcement authority, but he would address these concerns.

After discussion, Commissioner Pitts made a motion to approve the request from Bo Williams on behalf of the Lake Lure Tours, Inc. regarding boat permits to use the same structure as last year with regards to payment arrangements as outlined in the town council minutes of March 16, 2005. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Page 5 - Minutes of the March 14, 2006 Regular Council Meeting

STAFF REPORTS

Sam Karr spoke briefly about the meetings with staff members regarding the budget for fiscal year 2006-2007.

COUNCIL COMMENTS

Commissioner Watkins asked for an update on the retirement of Police Chief Mike Bustle and about the selection process for a replacement of the police chief.

A motion was made by Commissioner Pitts to authorize the town manager and the mayor to sign an agreement on behalf of the town with Wiggins Environmental Services, LLC for professional services regarding the Lake Lure Boating Capacity Management Plan (Phase II Project) for an amount not to exceed \$10,940 and amend the budget transferring \$10,940 out of the hydro-electric fund to the lake department for contractual services to cover the cost of the lake study for the Phase II Project of the Lake Lure Boating Capacity Management Plan as recommended by the Lake Advisory Committee. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

Commissioner Noble asked Finance Officer/Assistant Manager Sam Karr to respond to a concern mentioned in the auditor's report relating to the town's expenditures for fiscal year 2005-2006. Commissioner Noble also distributed to council members a copy of a magazine article titled "Once Unique, Soon a Place Like Any Other" by Abe Whaley for their review as it relates to Lake Lure.

Commissioner McCallum reported on the HGTV Dream House tours.

Commissioner McCallum requested that Mayor Proctor prepare a proclamation on behalf of the town council expressing condolences for the recent death of Jimmy and Mary Hinkle including a statement of what Jimmy and Mary Hinkle meant to the town for several years and send a copy of this proclamation to the Hinkle Family.

Mayor Proctor thanked volunteers for their work on the preparation of the Town of Lake Lure 2006 comprehensive plan survey and Lake Lure 2006 boating use survey being sent to all Lake Lure residents. He also thanked the Washburn family for the use of their facility, mailer equipment and bulk mail stamp used for the mailing of these surveys. Mayor Proctor urged citizens to fill out their surveys and return them to the town.

The Mayor read into the record proposed Resolution No. 06-03-14 (urging the 2006 General Assembly to enact legislation authorizing a bond referendum to increase conservation spending by \$200 million per year for five years). A motion was made by Commissioner Pitts to adopt Resolution No. 06-03-14 as presented by the mayor. Commissioner Noble seconded the motion and the vote of approval was unanimous.

RESOLUTION NO: 06-03-14 BY LAKE LURE TOWN COUNCIL

The following resolution was introduced by Jim Proctor. Commissioner Russ Pitts moved that it be adopted, the motion was seconded by Commissioner Jeanine Noble, and the resolution was unanimously carried;

Page 6 - Minutes of the March 14, 2006 Regular Council Meeting

WHEREAS, the Town of Lake Lure is concerned about protecting lands critical to North Carolina's drinking water, economy, and quality of life; and

WHEREAS, the North Carolina's tourism industry can only survive with natural beauty, clean water and scenic vistas; and

WHEREAS, there is currently inadequate funding for protecting stream banks and flood plains, legacy forests, prime farmland, local parks, state parks, game lands, natural, scenic and historical places, and

WHEREAS, additional state funding will leverage twice as much funding from federal, private and local sources.

NOW, THEREFORE, BE IT RESOLVED that the Town of Lake Lure Council urges the 2006 General Assembly to enact legislation authorizing a bond referendum to increase conservation spending by \$200 million per year for five years.

Adopted this 14th day of March, 2006, at Lake Lure, North Carolina.

CLOSED SESSION

A motion was made by Commissioner McCallum to enter into the closed session meeting to discuss employment contracts and personnel matters pursuant to G.S. 143-318.11(a)(5 & 6). Commissioner Watkins seconded the motion and 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.

With no further items of discussion in closed session, Commissioner Watkins made a motion to come out of the closed session meeting and re-enter the regular session of the town council meeting. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

ADJOURNMENT

With no further items of discussion, Commissioner Watkins made a motion to adjourn the meeting. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor