

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, FEBRUARY 13, 2007, 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

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 THE AGENDA

After discussion, Commissioner McCallum made a motion to approve the agenda as amended by revising the order of the agenda to move staff reports as item 5 and moving item 8e. (discussion regarding objectives of extra territorial jurisdiction (ETJ) area map) as 9a under new business, and adding a closed session to (1) discuss employment contracts and personnel matters and (2) discuss attorney client/matters regarding ongoing litigation between the Town of Lake Lure vs. Patricia Hyatt pursuant to G.S. 143-318.11(a)(3, 5 & 6). Commissioner Watkins seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Proctor invited the audience to speak on any non-agenda item. Jane Phillips read into the record her letter voicing her concerns with regards to vacation transient rentals. (Copy of letter is attached).

STAFF REPORTS

Town Manager Place read his report into the record dated February 13, 2007. (Copy of the town manager's report is attached).

A motion was made by Commissioner Noble to authorize the town manager to notify the state that the town is rejecting the enhancement grant funds and to return \$12,664.26 back to the state for engineering work. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

COUNCIL LIAISON REPORTS & COMMENTS

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

Commissioner McCallum reported on the activities of the Zoning/Planning Board and the Comprehensive Steering Committee.

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

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board.

CONSENT AGENDA

Mayor Proctor presented the consent agenda and asked if any item should be removed before calling for action.

Commissioner McCallum moved, seconded by Commissioner Watkins, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved and adopted:

- a. minutes of the January 9, 2007 (regular meeting), and January 8 (special meeting); and
- b. amended the contract between the Town of Lake Lure and the town auditor for fiscal year beginning July 1, 2005 and ending June 30, 2006 to extend the date of all audits to be performed and the report of audit submitted by March 9, 2007. (Copy of contract attached).

End of Consent Agenda

UNFINISHED BUSINESS:

a. Other Unfinished Business

There was no other unfinished business for discussion.

NEW BUSINESS:

a. Discussion Regarding Objectives of Extra Territorial Jurisdiction (ETJ)Area Map

Community Development Director Shannon Baldwin and Dick Washburn Chairman of the Board of Adjustment/Structures Appeals Board answered questions pertaining to clarification of direction with regards to ETJ outlined in a memorandum from Mr. Washburn and his board. (Copy of memorandum is attached.

Mayor Proctor allowed citizens to speak on this agenda item. Several citizens requested to speak expressing their concerns and submitting petitions protesting against the ETJ.

Mr. Baldwin was asked if staffing would be a problem for his department with regards to increase duties as a result of the ETJ. Mr. Baldwin informed council members that he would need additional staff.

Mayor Proctor agreed to respond in writing Council's consensus on this matter.

NEW BUSINESS:

b. Schedule a Joint Workshop Meeting with the Lake Lure Golf Course Committee

After discussion, Commissioner Noble made a motion to schedule a joint workshop meeting with the Lake Lure Golf Course Committee to be held on Friday, March 9, 2007, 9:30 a.m. in the Lake Lure Municipal Center. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

c. Appoint a Representative of the Town of Lake Lure to Serve as Board Member on the Isothermal Planning and Development Commission

After discussion, Council members agreed to table the appointment of a representative for

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the Town of Lake Lure to serve as board member on the Isothermal Planning and Development Commission and reconsider this item at the next scheduled regular town council meeting being held on March 13, 2007.

NEW BUSINESS:

d. Consider Resolution No. 07-02-13 Amendments to Resolution No. 00-01-11 Establishing a Parks and Recreation Board to Include Arts

Ed Dittmer, Chairman of the Parks & Recreation Board reviewed and answered question to the proposed Resolution No. 07-02-13.

After discussion, Commissioner Watkins made a motion to adopt Resolution No. 07-02-13 as presented. Commissioner Noble seconded the motion and the vote of approval was unanimous. (Copy of Resolution No. 07-02-13 is attached).

NEW BUSINESS:

e. Appointment - Alternate Member on the Board of Adjustment/Structures Appeals Board

After discussion, Commissioner McCallum made a motion to appoint Bob Cameron to serve as an alternate member on the board of adjustment/structures appeals board with a term expiring on December 31, 2009. Commissioner Noble seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

f. Consider Adopting Resolution No. 07-02-13A Directing the Town Clerk to Investigate the Petition Received from Raymond Collins Requesting an Area Contiguous to the Town of Lake Lure be Annexed Voluntarily in accordance Under G. S. 160A-31; Authorize the Town Attorney to Assist the Town Clerk with Determining Legal Ownership of the Property and Required Notifications Pertaining to this Annexation

After discussion, Commissioner McCallum made a motion to table the adoption of Resolution No. 07-02-13A directing the town clerk to investigate the petition received from Raymond Collins requesting an area contiguous to the Town of Lake Lure be annexed voluntarily in accordance Under G. S. 160A-31 and direct the town manager to contact Raymond Collins about re-platting his property in order to comply with town regulations regarding lot size before reconsidering Mr. Collins petition for voluntary annexation. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

CLOSED SESSION

A motion was made by Commissioner Watkins to enter into the closed session to (1) discuss employment contracts and personnel matters and (2) discuss attorney client/matters regarding ongoing litigation between the Town of Lake Lure vs. Patricia Hyatt pursuant to G.S. 143-318.11(a)(3, 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.

RECESS THE MEETING

With no further items of discussion, Commissioner Pitts made a motion to recess the meeting at 10:10 p.m. and reconvene the meeting on February 20, 2007 to continue closed session. Commissioner Noble seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor