

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MAY 8, 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 presented. 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. Andres Almanzar asked town council members to consider his request to connect into the town's sewer system for a restaurant in Chimney Rock. After discussion, Commissioner McCallum made a motion to amend the agenda adding Mr. Almanzar's request under new business as item 9c. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Rick Coley with Hickory Nut Gorge Construction, Inc. asked Council members to consider his request regarding Travis Oates Seawall. Commissioner McCallum made a motion to amend the agenda adding Mr. Coley's request under new business as item 9d. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

STAFF REPORTS

Town Manager Place read into the record his report dated May 8, 2007. (Copy of the town manager's report is attached).

A motion was made by Commissioner McCallum to schedule a special budget workshop meeting with town staff members to discuss preliminary budget items for fiscal year 2007-2008 on Tuesday, May 22, 2007, 9:00 a.m. in the Lake Lure Municipal Center. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Commissioner Noble made a motion to schedule a special meeting to be held on Wednesday, May 23, 2007, 3:00 p.m. in the Lake Lure Municipal Center to: (1) review the town's pay and classification plan, (2) consider proposed amendments to the personnel policy, and (3) adopt Resolution No. 07-05-23 amending the personnel policy of the Town of Lake Lure. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

After discussion, Commissioner Watkins made a motion to approve a request from Gary McCall and George Wittmer to restrict parking in front of the Lake Lure Arcade Building to 1 ½ hours from 9:00 a.m. until 5:00 p.m. during weekdays. Commissioner Noble seconded the motion and the vote of approval was unanimous. (Copy of a letter dated May 4, 2007 from Gary McCall and George Wittmer is attached).

A motion was made by Commissioner McCallum to approve a request from the Hickory Nut Gorge Kiwanis to close a portion of the street in front of the Lake Lure Arcade Building to traffic on Saturday, Sunday, and Monday during the arts and crafts festival from May 26-28, 2007. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board. Commissioner Noble mentioned that Golf Course Committee members Woody Price and John Thompson submitted their resignations to the town.

Commissioner Noble encouraged Council members and citizens to attend an upcoming Rutherford County meeting and voice their concerns about Lake Lure's high tax evaluations and unfair services.

Mayor Proctor announced that appointments will be made at the next regular town council meeting being held on June 12, 2007 to fill the vacancies on the golf course committee.

Council members held a discussion regarding complaints about gun shot noise during night hours at the Lake Lure Police Department firing range. Commissioner Watkins requested the rules

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be published with regards to the firing range. It was mentioned that some of the noise may have come from other clubs using the firing range.

Commissioner McCallum stated for the record that he supported training for law enforcement officers at the firing range.

Commissioner Watkins reported on the activities of the Board of Adjustment/Lake Structures Appeals Board. Mr. Watkins reported there was a decrease in the waste water flow at the wastewater treatment plant during a certain four weeks period.

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

A motion was made by Commissioner McCallum to schedule a public hearing to be held on Tuesday, June 12, 2007, 7:00 p.m. or thereafter in the Lake Lure Municipal Center to consider adoption of the town's comprehensive plan. Commissioner Noble seconded the motion and the vote of approval was unanimous. Commissioner Pitts asked that the comprehensive plan be adopted by ordinance.

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

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 Noble, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved:

- a. minutes of the April 10, 2007 (regular meeting); and
- b. a request from Bob Keith on behalf of the Lake Lure Lakefront Owner's Association to suspend the town's alcohol ordinance in order to serve beer and wine during their annual meeting inside the Community Hall of the Lake Lure Municipal Center on Saturday, June 16, 2007, from 3:00 p.m. until 6:00 p.m.

End of Consent Agenda

UNFINISHED BUSINESS:

a. Status Report Regarding Violations of the Soil Erosion & Sedimentation Control Regulations by the Hickory Nut Gorge Construction, Inc. at 144 Dockside Drive, Property of Joel Seaton and Lois Nelson; Enforcement Case Reference LDP-06-118

Erosion Control Officer Clint Calhoun reported on the status of violations of the soil erosion and sedimentation control regulations by the Hickory Nut Gorge Construction, Inc. at 144 Dockside Drive property of Joel Seaton and Lois Nelson. Mr. Calhoun furnished copies of his memorandum dated May 2, 2007 to town council members detailing follow-up actions taken with regards to the Dockside Drive. (Copy of Mr. Calhoun's memorandum dated May 2, 2007 is attached). Mr. Calhoun stated that he believes Mr. Rick Coley is doing everything that he can to get this site into compliance at this time but is having to work based on other individuals timetables. Mr. Calhoun said he does not have any issues with Mr. Coley at this time.

Mr. Rick Coley, President of Hickory Nut Construction, Inc., gave a progress report on Dockside Drive and furnished copies of his letter dated May 8, 2007 to town council members detailing his actions. (Copy of Mr. Coley's letter dated May 8, 2007 is attached).

Mayor Proctor requested that Erosion Control Officer Clint Calhoun report again on this matter at the next regular town council meeting being held on June 12, 2007.

The Mayor recessed the meeting at 8:10 p.m. for a break and reconvened the meeting at 8:22 p.m.

UNFINISHED BUSINESS:

b. Other Unfinished Business

There was no other unfinished business for discussion.

NEW BUSINESS:

a. Consider a Request from Linda Marsh on Behalf of the Hickory Nut Gorge Chamber of Commerce Regarding a Business Meeting

Linda Marsh answered questions pertaining to her request on behalf of the Hickory Nut Gorge Chamber of Commerce to hold a business-after-hours meeting at the town gazebo and suspend the town's alcohol ordinance to serve beer and wine during this event. Ms. Marsh said town council approved this request for the 2006 event. Ms. Marsh informed council members that she had spoken with Police Chief Eric Hester about his concerns and agreed to rope off the area for containment as well as a rope barrier at the lakes edge for safety purposes as requested from last years approval.

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After discussion, Commissioner McCallum made a motion to approve Linda Marsh's request on behalf of the Hickory Nut Gorge Chamber of Commerce to: (1) hold a business-after-hours meeting at the town's gazebo on Tuesday, June 5, 2007 from 5:30 p.m. until 7:30 p.m.; and (2) suspend the town's alcohol ordinance to serve beer and wine during the business meeting contingent upon it being contained in a roped off area to be coordinated with the Lake Lure Police Department and Fire and Emergency Coordinator. Commissioner Watkins seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:
b. Appointment - Lake Advisory Committee

Council members voted by ballot and appointed Bo Williams to fill Ross Worden's position on the Lake Advisory Committee with a term expiring on December 31, 2007.

NEW BUSINESS:
c. Consider a Request from Andres Almanzar to Connect into the Town's Sewer System for a Restaurant in Chimney Rock

Andres Almanzar said he plans to change use of half of his existing building (Unit "B") for a restaurant and he needs approval for a sewer connection. Mr. Almanzar distributed copies of his letter dated May 4, 2007 regarding permission to connect into the town's sewer system. (Copy of Mr. Almanzar's letter dated May 4, 2007 is attached). Mr. Almanzar informed council members that the estimated waste flow for the restaurant will be 800 gallons per day.

After discussion, Commissioner McCallum made a motion to approve the request from Andres Almanzar to connect into the town's sewer system for a restaurant in Chimney Rock as described in Mr. Almanzar's letter dated May 4, 2007. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:
d. Consider a Request from Rick Coley regarding Travis Oates Seawall

After discussion, Commissioner McCallum made a motion to approve the request submitted by Rick Coley for a new sea wall as indicated on the survey and authorize Zoning Administrator Teresa Reed to issue a permit. Commissioner Pitts seconded the motion and the vote of approval was unanimous. (Copy of letter from Rick Coley dated May 2, 2007 and survey of new sea wall is attached).

ADJOURN THE MEETING

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With no further items of discussion, Commissioner Watkins made a motion to adjourn the meeting at 8:45 p.m. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

ATTEST:

Mary A. Flack, MMC
Town Clerk

Mayor Jim Proctor