

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, FEBRUARY 12, 2008, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Jim Proctor
Commissioner Wayne Hyatt
Commissioner Russ Pitts
Commissioner Jeanine Noble

Steve Wheeler, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: Commissioner Linda Turner

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 Pitts made a motion to approve the agenda as amended. Adding an item under consent agenda as 7 h. to consider a request from a request from James Dunn on behalf of the Hickory Nut Gorge Foundation to waive the rental fees for use of the community hall in the Lake Lure Municipal Hall on February 29, 2008 from 8:30 a.m. until 12:00 noon. Also, add an item as 10 for closed session in accordance with G.S. 143-318.11(a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. Commissioner Noble 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. Paula Jordan and John Bittle spoke briefly about the need for the town to fix the sewer system. They also expressed their concerns about the loss of trees due to drain fields for septic systems.

Page 2 - Minutes of the February 12, 2008 Regular Council Meeting

STAFF REPORTS

Town Manager Place read his report into the record dated February 12, 2008. (Copy of the town manager's report is attached).

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Hyatt reported on the activities of the Lake Lure ABC Board and the Board of Adjustment/Lake Structures Appeals Board.

Commissioner Noble reported on the activities of the Lake Advisory Committee and the Golf Course Committee.

Commissioner Pitts reported on the activities of the Zoning and Planning Board. Commissioner Pitts requested that council members schedule a special workshop to meeting to discuss issues relating to the town sewer system.

After discussion, Commissioner Noble made a motion to schedule a retreat meeting on Thursday, February 21, 2008, 4:00 p.m., house located at 366 East 1st Street, Ocean Isle Beach, North Carolina to hold discussion regarding short-term/long-term goals and objectives for the Town of Lake Lure. Commissioner Hyatt 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 Hyatt, 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 8, 2008 (regular meeting) and January 15, 2008 recessed regular meeting & closed session);
- b. a budget amendment transferring \$13,581.03 from the contingency account as outlined in Anita Taylor's memorandum dated January 17, 2008 regarding merit increases for town employees as submitted by the finance officer; transfer \$715.21 to the hydro-electric fund; transfer \$2,433.12 to the water/sewer fund; transfer \$10,432.70 to the general fund departments. (Copy of memorandum dated January 18, 2008 from the finance director and a memorandum dated January 17, 2008 from Anita Taylor are attached);

Page 3 - Minutes of the February 12, 2008 Regular Council Meeting

- c. ratify a request from Lynn Place to suspend the town's alcohol ordinance in order to serve beer during a retirement party held inside the Lake Lure Municipal Center on February 1, 2008, from 5:30 p.m. until 8:00 p.m.;
- d. a request from Pat Buede on behalf of the Hickory Nut Gorge Chamber of Commerce to waive the rental fee for use of the community hall in the Lake Lure Municipal Center on April 14, 2008 from 4:00 p.m. until 8:00 p.m. for an "after hours chamber event"; suspended the town's alcohol ordinance in order to serve beer and wine during this event;
- e. a fabric structure permit as submitted by Rick Struck for Rumbling Bald Mountain Resort;
- f. a request from Paula Jordan on behalf of the Shepherd's Care fund-raising committee as submitted regarding "Memorial Days Festival" to be held on May 24-26, 2008 and the "Autumn Festival" to be held on October 18-19, 2008;
- g. amended the 2008 Town Council meeting schedule changing the November 11, 2008 (2nd Tuesday) meeting to November 18, 2008 (3rd Tuesday) at 7:00 p.m. in the meeting room of the Lake Lure Municipal Center; town hall will be closed on November 11, 2008 in observance of Veteran's Day; and
- h. a request from James Dunn on behalf of the Hickory Nut Gorge Foundation to waive the rental fees for use of the community hall in the Lake Lure Municipal Hall on February 29, 2008 from 8:30 a.m. until 12:00 noon.

End of Consent Agenda

UNFINISHED BUSINESS:

a. Other Unfinished Business

There was no other unfinished business for discussion.

NEW BUSINESS:

a. Status Report on the Study of Single Family Dwellings used as Vacation Rentals
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Amos Gilliam, Planner/Subdivision Administrator gave a status report on the study of single family dwellings used as vacation rentals.

After discussion, Commissioner Hyatt made a motion to grant permission to town staff and the SFD/VR (single family dwellings used as vacation rentals) stake holder committee to: (1) continue their study of single family dwellings used as vacation rentals beyond the previous deadline of February, 2008 for completion, and (2) deviate from the original "scope of work" previously

Page 4 - Minutes of the February 12, 2008 Regular Council Meeting

presented to town council as deemed necessary. Commissioner Pitts seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

b. Consider Resolution No. 08-02-12 Declaring the Town's Dredge Surplus Property to the Town and Authorizing the Advertisement for Upset Bids

Town Manager reviewed and answered questions pertaining to proposed Resolution No. 08-02-12 .

After discussion Commissioner Pitts made a motion to adopt Resolution No. 08-02-12 declaring the town's dredge surplus property to the town for sale and authorized the advertisement for upset bids as presented.

**Resolution No. 08-02-12 Authorizing the Advertisement
of an Offer to Purchase Certain Surplus Property**

WHEREAS, the Town Council of the Town of Lake Lure desires to dispose of certain surplus property of the town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

1. The following described property is hereby declared to be surplus to the needs of the Town: a 1993 Mudloader 3208 dredge.
2. The Town Council has received an offer to purchase for the sum of \$70,000.00 the property described above.
3. The Town Council proposes to accept the offer unless an upset bid shall be made.
4. The person making the offer must deposit with the Town Manager a sum equal to five percent (5%) of his or her offer.
5. The Lake Operations Administrator shall cause a notice of such offer to be published in accordance with G.S. 160A-269.
6. The Lake Operations Administrator is directed, should a qualifying upset bid and deposit be received within ten (10) days from the publication of said notice in accordance with G.S. 160A-269, to re-advertise the offer at the increased upset bid amount.

Adopted this 12th day of February 12, 2008.

NEW BUSINESS:

c. Consider Recommendations from the Lake Advisory Board

Chris Braund, Lake Advisory Board Chairperson reviewed and answered questions regarding recommendations from the Lake Advisory Board. (Copy of recommended amendments from the Lake Advisory Board dated February 6, 2008 are attached.)

Commissioner Pitts made a motion, seconded by Commissioner Hyatt to direct the Lake Advisory Board to study further and revise the recommended amendment regarding the Lake Structures Regulations, Section 94.05 (B) design and construction standards relating to roof overhang and bring this amendment back to town council to be reconsidered after being revised. The vote of approval was unanimous.

After discussion, Commissioner Pitts made a motion to schedule a public hearing to be held on Tuesday, March 11, 2008, at 7:00 p.m. or thereafter in the council meeting room of the Lake Lure Municipal Center to consider amendments to the Lake Structures Regulations pertaining to sections: 94.05 (R) design and construction standards relating to town-owned lake structure exemption, 94.06 (D) alteration and reconstruction of structures relating to town-owned lake structure exemption, 94.13 (B) cluster mooring facilities relating to canopies and 94.14 (B) marinas relating to canopies as presented by the Lake Advisory Board. Commissioner Noble seconded the motion and the vote of approval was unanimous.

Mayor Proctor recessed the meeting for a break at 8:12 p.m. and reconvened the meeting at 8:22 p.m.

CLOSED SESSION

A motion was made by Commissioner Pitts to enter into the closed session in accordance with G.S. 143-318.11(a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. Commissioner Noble seconded the motion and the vote of approval was unanimous.

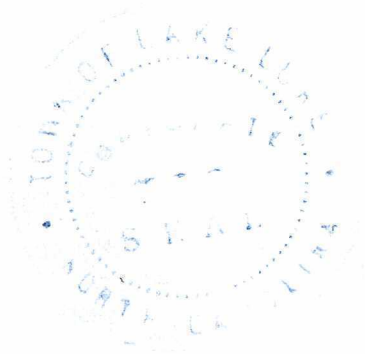
While in closed session, Council members voted to seal the minutes of the closed session meeting in order to avoid frustrating the purpose of the closed session.


With no further items of discussion in closed session, Commissioner Pitts made a motion to come out of the closed session meeting and re-enter the regular session of the town council meeting at 9:38 p.m. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

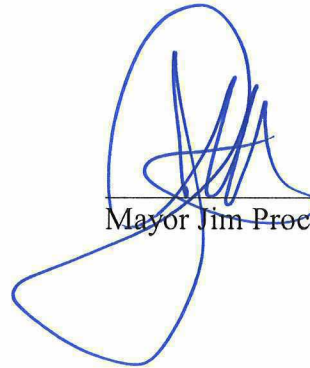
ADJOURN THE MEETING

With no further items of discussion, Commissioner Pitts made a motion to adjourn the meeting at 9:39 p.m. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

ATTEST:




Mary A. Flack, MMC
Town Clerk


Mayor Jim Proctor