

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, AUGUST 9, 2011, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Bob Keith
Commissioner Mary Ann Dotson Silvey
Commissioner Wayne Hyatt
Commissioner John W. Moore
Commissioner Linda Turner

Christopher Braund, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Bob Keith called the meeting to order at 7:00 p.m.

INVOCATION

Attorney Chris Callahan gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Bob Keith led the pledge of allegiance.

APPROVE THE AGENDA

After discussion, Commissioner Linda Turner made a motion to approve the agenda as amended. Adding an item as 12d under the consent agenda to approve a request from Jo Beyersdorfer on behalf of the 2nd annual Dirty Dancing Festival to suspend the town's peddling ordinance and suspend the prohibition of alcohol on town property (to sell beer and wine in an enclosed "beer garden") during the "Dirty Dancing Festival at Lake Lure" being held on September 17, 2011 from 10:00 a.m. to 4:00 p.m. in Morse Park Meadows. Adding an item as 14h under new business to schedule a public hearing for the purpose of receiving bids for bank loans for the marina renovation project. Commissioner Wayne Hyatt seconded the motion and the vote of approval was unanimous.

PUBLIC HEARING PROPOSED ORDINANCE NO. 11-08-09 AMENDING SECTIONS 92.200 and 92.204D OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO THE GEOTECHNICAL ANALAYSIS AND REPORT REQUIRED FOR LOTS SUBJECT TO THE MOUNTAIN AND HILLSIDE DEVELOPMENT PROVISIONS

Zoning Administrator Sheila Spicer gave a brief overview and answered questions pertaining to proposed Ordinance No. 11-08-09 amending sections 92.200 and 92.204D of the Zoning Regulations of the Town of Lake Lure pertaining to the geotechnical analysis and report required for lots subject to the mountain and hillside development provisions. John Bittle, a member of a subcommittee created by the Zoning and Planning Board, also reviewed the proposed amendment.

Mayor Bob Keith opened the public hearing regarding proposed Ordinance No. 11-08-09 and invited citizens to speak during the public hearing; no one requested to speak.

After discussion, Commissioner John Moore made a motion to close the public hearing. Commissioner Linda Turner seconded the motion and the vote of approval was unanimous.

CONSIDER ADOPTION OF PROPOSED ORDINANCE NO. 11-08-09 AMENDING SECTIONS 92.200 and 92.204D OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO THE GEOTECHNICAL ANALAYSIS AND REPORT REQUIRED FOR LOTS SUBJECT TO THE MOUNTAIN AND HILLSIDE DEVELOPMENT PROVISIONS

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

After discussion, Commissioner John Moore made a motion to adopt Ordinance No. 11-08-09 amending sections 92.200 and 92.204D of the Zoning Regulations of the Town of Lake Lure pertaining to the geotechnical analysis and report required for lots subject to the mountain and hillside development provisions. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

ORDINANCE NUMBER 11-08-09

AN ORDINANCE AMENDING §92.200 AND §92.204D, OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE; AMENDING THE REQUIREMENTS FOR THE GEOTECHNICAL ANALYSIS AND REPORT

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WHEREAS, the Zoning and Planning Board has recommended modifications to Zoning Regulations of the Town of Lake Lure as noted in the title of this ordinance; and

WHEREAS, the Zoning and Planning Board finds that the proposed ordinance is neither consistent or inconsistent with the Town of Lake Lure 2007-2027 Comprehensive Plan; and

WHEREAS, the Town Council of the Town of Lake Lure finds that this ordinance furthers the public welfare by providing increased flexibility in complying with the geotechnical engineer analysis and report requirements of the Zoning Regulations while continuing to protect the public health and safety by requiring a declaration from a qualified licensed professional engineer and/or architect that all recommendations contained in the geotechnical analysis and report for development on lots covered by Article 12 of the Zoning Regulations have been followed; and

WHEREAS, the Lake Lure Town Council, after due notice, conducted a public hearing on the 9th day of August 2011, upon the question of amending the Zoning Regulations in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE. This ordinance is enacted pursuant to authority granted by N.C.G.S. 160A-381, et seq. Throughout this ordinance additions to text are designated by underlining; whereas, deletions are designated by the use of strike-through.

SECTION TWO. Section 92.200 of the Zoning Regulations, entitled “Applicability”, is hereby amended as follows:

In order to protect the public health, safety, and welfare, the regulations contained in this Article apply to mountain and hillside development which is any lot, tract or parcel of land for which the average slope, as defined herein, equals or exceeds 30 percent. Applicability shall initially be determined by means of the Town’s GIS maps. Property owners may provide topographic maps of the property if they disagree with the determination made by reference to the GIS maps.

SECTION THREE. Section 92.204 (D) of the Zoning Regulations, entitled “Geotechnical Analysis and Report”, is hereby amended as follows:

This analysis and report shall address the existing geology, topographic and hydrologic conditions of the site, including an evaluation of the ability of the site to accommodate the proposed activity. Such analysis and report shall contain a professional opinion regarding slope stability, soil-bearing capacity, the potential for landslide or other geological hazards and their

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potential impact on structures or surrounding properties, and any other pertinent information. The analysis and report shall then be used by a qualified licensed professional engineer or qualified licensed architect to create a design that is structurally sound and addresses the design elements outlined in this ordinance. The geotechnical report and analysis shall also contain recommendations regarding foundation design, cut or fill slope design, soil-bearing potential, and building restrictions or setbacks, such as a re necessary to satisfy the intent of this ordinance and to protect the public health, safety and welfare. Upon completion of all improvements shown on approved plans but prior to the issuance of any final approval of improvements by the Town, the applicant shall submit a declaration by the design engineer or architect that the design(s) was provided in substantial accordance with the geotechnical analysis. The applicant shall also submit a declaration by a qualified licensed professional engineer or qualified licensed architect that the work was completed in accordance with approved plans. the geotechnical engineer or engineering geologist that all work was done in substantial accordance with the recommendations contained in the geotechnical analysis and report as approved and in accordance with approved plans.

SECTION FOUR. Any person violating the provisions of this ordinance shall be subject to the penalties and remedies set forth in §92.999 of the Zoning Regulations.

SECTION FIVE. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION SIX. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION SEVEN. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION EIGHT. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 9th day of August, 2011.

<p>PUBLIC HEARING PROPOSED ORDINANCE NO. 11-08-09A AMENDING SECTIONS 92.019 OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO CONDITIONAL ZONING DISTRICTS</p>
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Planner/Subdivision Administrator Suzy Smoyer gave a brief overview and answered questions pertaining to proposed Ordinance No. 11-08-09A amending Section 92.019 of the Zoning Regulations of the Town of Lake Lure pertaining to conditional zoning districts.

Mayor Bob Keith opened the public hearing regarding proposed Ordinance No. 11-08-09A and invited citizens to speak during the public hearing; no one requested to speak.

After discussion, Commissioner Linda Turner made a motion to close the public hearing. Commissioner Wayne Hyatt seconded the motion and the vote of approval was unanimous.

<p>CONSIDER ADOPTION OF ORDINANCE NO. 11-08-09A AMENDING SECTION 92.019 OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO CONDITIONAL ZONING DISTRICTS</p>
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Public notices were duly given and published in the Forest City Daily Courier.

After discussion, Commissioner Linda Turner made a motion to adopt Ordinance No. 11-08-09A amending Section 92.019 of the Zoning Regulations of the Town of Lake Lure pertaining to conditional zoning districts. Commissioner John Moore seconded the motion and the vote of approval was unanimous.

ORDINANCE NUMBER 11-08-09A

AN ORDINANCE AMENDING §92.019 OF THE ZONING REGULATIONS OF THE TOWN OF LAKE LURE PERTAINING TO CONDITIONAL ZONING DISTRICTS

WHEREAS, the Zoning and Planning Board has recommended modifications to Zoning Regulations of the Town of Lake Lure as noted in the title of this ordinance; and

WHEREAS, the Zoning and Planning Board finds that the proposed ordinance, being administrative in nature, is neither consistent nor inconsistent with the Town of Lake Lure 2007-2027 Comprehensive Plan; and

WHEREAS, the Town Council of the Town of Lake Lure finds that this ordinance furthers the public welfare by providing increased flexibility in the ways in which land can be classified and developed; and

WHEREAS, the Lake Lure Town Council, after due notice, conducted a public hearing on the 9th day of August, 2011, upon the question of amending the Zoning Regulations in this respect.

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NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE:

SECTION ONE. This ordinance is enacted pursuant to authority granted by N.C.G.S. 160A-381, et seq. Throughout this ordinance additions to text are designated by underlining; whereas, deletions are designated by the use of strike-through.

SECTION TWO. Section 92.019 (A)(3) of the Code of the Town of Lake Lure, entitled “Conditional Districts”, is hereby amended to read as follows:

3) *Contents of Application.* A conditional district application shall consist of the environmental survey and master plan, general development plan as provided for herein, as well as any other plans, drawings, renderings, elevations, maps and documents specifically included as development documents for approval by the Town Council. The master plan, general development plan, as a site specific conditional zoning plan, is itself a condition of the conditional district rezoning.

a) *Existing Conditions Survey.* An existing conditions survey is intended to document the existing conditions of the property so that the Town and the applicant can fully evaluate the impacts of the proposed development. Furthermore, identification of environmental conditions on a site prior to the advanced preparation of development plans enables the reasonable and practical planned preservation of existing and environmentally sensitive areas. This requirement provides the Town and the applicant the ability to evaluate the proposed development in order to preserve vegetation, to improve the appearance of the development proposed and to satisfy other requirements of this Chapter. The existing conditions survey shall include the following (where applicable):

1. Existing property boundaries and dimensions of existing lots, including acreage of the entire area to be rezoned;
2. Existing buildings and other structures including fences and retaining walls;
3. Existing roads, driveways, parking areas including any existing rights-of-way and easements;
4. Existing utilities, including any utility easements;
5. A topographic survey is required. However, a topographic survey may be waived by the Administrator if the slope of the property is determined to be less than 10% and / or if no physical improvements to the site are proposed (i.e., strictly

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change of use);

6. Existing watercourses including perennial streams and wetlands;

7. Flood plains;

8. Previously documented endangered species habitats;

9. Location of forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free-standing or open-grown or field-grown trees; distinctive tree lines or forest edges;

10. Significant historical and archaeological resource areas as defined by the National Register of Historic Place or other federal and / or state agencies.

b) *General development plan.* The general development plan is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features including buildings, parking areas, street locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations (e.g., density, proposed building areas, number of parking spaces, estimated impervious surface) in sufficient detail to show compliance with this Chapter. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and on-site stormwater facilities are not required for master plans general development plan. All plans shall be submitted at a scale not less than 1 inch = 50 feet (for site plans) or 1 inch = 200 feet (for subdivisions) unless otherwise authorized by the Zoning Administrator and shall, at a minimum, consist of the following:

1. The overall boundary and acreage of the area to be rezoned, including underlying zoning districts;

2. The general location, orientation and size of principal structures and associated parking areas; landscape and buffer areas; open space areas; the location, size and general treatment of environmentally sensitive areas; the general location and size of existing and proposed water mains and sewer trunk lines required to service the development; and general traffic routes (external and internal) to and from the development with major access points identified;

3. Tabular data, including the range and scope of proposed land uses, proposed densities, floor area ratios or impervious surface ratios as applicable to development type; and land areas devoted to each type of general land use and phase of development;

4. A full list of proposed uses consistent in character with the underlying zoning

district. Such use classifications may be selected from any of the uses, whether permitted, by right or conditional, allowed in the general zoning district upon which the conditional district is based. Uses not otherwise permitted within the general zoning district shall not be permitted within the conditional district;

- General development plans do not necessarily need to provide the level of detail required for a final site plan; nevertheless, they should address, at least conceptually, the parameters for conditional use permit applications contained in §92.047(A), below, with enough detail to realistically assess the potential impacts of the proposed development on public infrastructure, neighboring properties, and the existing natural and built environment.

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may be incorporated into the zoning regulations or permit requirements for the conditional district. Conditions and site-specific standards shall be limited to those that address conformance of the development and use of the site to the Zoning Regulations and officially adopted plans and those standards and conditions that address the impacts reasonably expected to be generated by the development and use of the site. The applicant will have a reasonable opportunity to consider and respond to any additional requirements proposed by either the Zoning & Planning Board or the Town Council prior to final action.

c) *Recordation of Notice of Conditional District Zoning.* Within 30 days of the enactment of an ordinance creating a conditional district, the applicant shall cause a notice of conditional district zoning to be recorded in the Rutherford County Registry. Such notice shall reference the name(s) of the owner(s) of the property, the parcel identification number(s) (PINs) of the property, and the instrument(s) by which title was obtained by the owner(s), and the ordinance number adopted by Town Council approving the conditional zoning district.

SECTION FOUR. Section 92.019 (C) of the Code of the Town of Lake Lure, entitled “Conditional Districts”, is hereby amended to read as follows:

C) Effect of Approval/Changes. The development and use of all land within the conditional district shall be in keeping with the approved master plan general development plan and all applicable provisions therein. The applicant may proceed with development only after approval of the conditional district master plan general development plan by the Town Council, followed by approval of any necessary site plans or subdivision plats, except that all subsequent approvals shall be completed by the appropriate review authority. An approved conditional district containing one or more uses listed as conditional uses in the associated zoning district shall not require a conditional use permit, and no further review by the Board of Adjustment is required.

1) *Final Approval by Stages.* If so reflected on the master plan general development plan, the Town Council may allow the staging of final development. Each phase of development shall adhere to all applicable provisions and standards of this section and the applicable conditional district master plan general development plan.

2) *Substantial Changes.* Any substantial change to a master plan general development plan as noted below shall be reviewed by the Zoning & Planning Board and approved or denied by the Town Council as an amended conditional district. The following changes to a conditional district master plan general development plan shall be deemed to constitute a substantial change requiring approval by the Town Council:

a) Land area being added or removed from the conditional district.

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b) Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.

f) A change in land use or development type beyond that permitted by

the approved master plan general development plan.

d) When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.

e) When there is an increase in the total number of residential dwelling units originally authorized by the approved master plan general development plan

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SECTION SIX. Any person violating the provisions of this ordinance shall be subject to the penalties and remedies set forth in §92.999 of the Zoning Regulations.

SECTION SEVEN. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION EIGHT. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION NINE. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.

SECTION TEN. This ordinance shall be in full force and effect from and after the date of its adoption.

PUBLIC FORUM

Mayor Bob Keith invited the audience to speak on any non-agenda item and/or consent agenda topics.

Pat Buede of 2153 Memorial Highway, a member of the board of directors of the Hickory Nut Gorge Chamber of Commerce, requested that council sponsor an amendment to the Sign Regulations of the Town of Lake Lure to allow off-premise directional signage for civic organizations. Zoning Administrator Sheila Spicer read portions of the Zoning Regulations to provide town council background information in regard to this matter.

Jim Proctor of 328 Boys Camp Road expressed his disappointment in hearing that the public dumpsters and recycling bins will be removed from Town property.

STAFF REPORTS

Town Manager Christopher Braund presented the town manager's report dated August 9, 2011. (Copy of the town manager's report is attached)

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Linda Turner reported on the activities of the Parks and Recreation Board.

Commissioner John Moore reported on the activities of the Zoning/Planning Board.

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Commissioner Mary Ann Silvey reported on the activities of the Lake Advisory Board the activities of the Lake Lure ABC Board.

Commissioner Wayne Hyatt reported on the activities of the Lake Lure Board of Adjustment/Lake Structures Appeal Board.

CONSENT AGENDA

Mayor Bob Keith presented the consent agenda and asked if any items should be removed before calling for action.

Commissioner Linda Turner moved, seconded by Commissioner Mary Ann Silvey, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved:

- a. minutes of the July 12, 2011 (regular meeting and closed session);
- b. a request from Melco Amusements to suspend the town's peddling ordinance for a kiddie carnival to be held August 11-14 and August 18-21, 2011;
- c. a budget amendment regarding the phone lease for Lake Lure Fire Department to move \$1778.84 from contingency into debt service (#10-910000) Phone (620-\$852.68) and Interest (720-\$926.16) as outlined in memo dated August 2, 2011 from Finance Director Sam Karr (Copy of memo is attached); and
- d. a request from Jo Beyersdorfer on behalf of the 2nd annual Dirty Dancing Festival to suspend the town's peddling ordinance and suspend the prohibition of alcohol on town property (to sell beer and wine in an enclosed "beer garden") during the "Dirty Dancing Festival at Lake Lure" being held on September 17, 2011 from 10:00 a.m. to 4:00 p.m. in Morse Park Meadows.

End of Consent Agenda.

UNFINISHED BUSINESS:

a. OTHER UNFINISHED BUSINESS

There was no other unfinished business.

a. CONSIDER ADOPTION OF RESOLUTION NO. 11-08-09 AMENDING THE PERSONEL POLICY OF THE TOWN OF LAKE LURE TO ADD A NEW SECTION

**RELATING TO PRIOR SERVICE WITH OTHER NORTH CAROLINA RETIREMENT
SYSTEMS EMPLOYERS FOR CALCULATING VACATION ACCRUAL RATE**

Town Manger Chris Braund gave a brief overview and answered questions pertaining to Resolution No. 11-08-09.

After discussion, Commissioner Linda Turner made a motion to adopt Resolution No. 11-08-09 amending the personnel policy of the Town of Lake Lure to add a new section relating to prior service with other North Carolina retirement system employers for calculating vacation accrual rate.

Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 11-08-09

**AMENDING THE PERSONNEL POLICY OF THE TOWN OF LAKE LURE
TO ADD A NEW SECTION RELATING TO PRIOR SERVICE WITH OTHER NORTH
CAROLINA RETIREMENT SYSTEM EMPLOYERS FOR
CALCULATING VACATION ACCRUAL RATE**

WHEREAS, The Mayor and Council Members of the Town of Lake Lure recognize the importance of their municipal employees and have adopted a personnel policy manual establishing the rules and regulations governing employment by the town and setting forth the benefits accruing to employees, including provisions for in determining an accrual rate for vacation leave purposes;

WHEREAS, the board desires to recognize the contributions of those employees who have served other governmental jurisdictions in North Carolina and provide an additional incentive to work for the Town of Lake Lure;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LAKE LURE that Article VII, Section 3, is hereby amended to add a new sub-section (g) as follows:

(g) Transfer in of Prior Service Credit to Determine Vacation Accrual Rate
Employees with prior service from another governmental jurisdiction in North Carolina which is a part of the North Carolina Local Governmental Employees' Retirement System or the State Employees' Retirement System and who left that jurisdiction in good standing within one year of being employed by the Town of Lake Lure may have prior service years transferred to their account with the town upon request and upon presentation of a letter from their previous employer certifying the years of service. Employees have 30 days from time of employment to

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provide written proof from the former employer. The transfer shall be used solely for determining the vacation accrual rate based on years of service.

This amendment shall apply to all current as well as future employees.

Adopted this 9th day of August, 2011.

<p>b. CONSIDER ADOPTION OF RESOLUTION NO. 11-08-09A AUTHORIZING TOWN COUNCIL TO ENTER A PHONE LEASE AGREEMENT FOR THE LAKE LURE FIRE DEPARTMENT</p>
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After discussion, Commissioner Wayne Hyatt made a motion to adopt Resolution No. 11-08-09A authorizing the Town Manager to sign a municipal lease agreement with Star2star communications and the Town Attorney and Mayor to sign the Opinion of Counsel to enter a phone agreement for the Lake Lure Fire Department. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 11-08-09A

AUTHORIZING TOWN COUNCIL TO ENTER PHONE LEASE AGREEMENT FOR THE LAKE LURE FIRE DEPARTMENT

WHEREAS, the Town's current phone system is over 15 years old, the town would like to improve technology, be connected with all town buildings and lessen the overall town's cost.

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

- (1) Authorizes and approves the execution of the contact agreement #1490533 with US Bancorp Manifest Funding Services.
- (2) The Town Manager is authorized to sign municipal lease agreement with Star2star communications. And Town Attorney and Mayor sign Opinion of Counsel.

Adopted this 9th day of August, 2011.

<p>c. CONSIDER ADOPTION OF RESOLUTION NO. 11-08-09B REQUESTING NCDOT CONSIDER ASSUMING MAINTENANCE OF BOYS CAMP ROAD</p>

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Town Manager Chris Braund read a memo from Community Development Director Shannon Baldwin and reviewed Resolution No 11-08-09B.

After discussion, Mary Ann Silvey made a motion to adopt Resolution No. 11-08-09B requesting NCDOT consider assuming maintenance of Boys Camp Road. Commissioner Linda Turner seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 11-08-09B

REQUESTING NCDOT CONSIDER ASSUMING MAINTENANCE OF BOYS CAMP ROAD

WHEREAS, the street mentioned below is within the corporate limits of Lake Lure;

WHEREAS, the street is open for use by the general public;

WHEREAS, the street has an average width of not less than 16 feet; and

NOW, THEREFORE, BE IT RESOLVED, that the Lake Lure Town Council hereby formally requests that the North Carolina Department of Transportation study Boys Camp Road and consider changing the State System of Roads to reflect the following as a State Street for purposes of maintenance and remove from the Town's Powell Bill list of streets.

Boys Camp Road 2.15 miles from Memorial Highway to the entrance of the Lake Lure Village Resort.

Adopted this 9th day of August 2011.

d. BOARD APPOINTMENT – APPOINT A NEW MEMBER TO FILL EVAN SCHMITT'S POSITION ON THE ABC BOARD WITH A TERM EXPRING DECEMBER 31, 2011

After discussion, Council members voted by nomination. Commissioners Wayne Hyatt, Mary Ann Silvey, John Moore, and Linda Turner unanimously nominated Alan Griswold to fill Evan Schmitt's position on the ABC Board with a term expiring December 31, 2011.

The mayor announced the following results: appointed Alan Griswold to fill Evan Schmitt's position on the ABC Board with a term expiring December 31, 2011.

e. BOARD APPOINTMENT – APPOINT A MEMBER OF THE ABC BOARD TO SERVE AS CHAIRMAN OF THE BOARD

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Council members voted by nomination. Commissioners Wayne Hyatt, Mary Ann Silvey, John Moore, and Linda Turner unanimously nominated Stuart Richardson to serve as chairman of the ABC Board.

The mayor announced the following results: appointed Stuart Richardson to serve as chairman of the ABC Board.

f. BOARD APPOINTMENT – APPOINT A NEW MEMBER TO FILL VALERIE HOFFMAN'S POSITION ON THE PARKS AND RECREATION BOARD WITH A TERM EXPRING DECEMBER 31, 2012

After discussion, it was the consensus of town council, based on the recommendation of Parks and Recreation Board Chairman Ed Dittmer, to make the member currently serving as alternate, Chuck Watkins, a regular member of the board. Town Council chose not to appoint anyone to fill the alternate position at this time in order to consider doing away with the board's alternate position due to the large number of members already serving on the board.

g. CONSIDER APPROVAL OF A BUDGET ADJUSTMENT REGARDING TOWN HALL MAINTENANCE

Town Manager Chris Braund reviewed his memo dated July, 29, 2011 outlining a budget adjustment for maintenance and repairs at Town Hall.

After discussion, Commissioner Linda Turner made a motion to transfer \$16,000 from contingency to building maintenance and repair. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

h. SCHEDULE A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING BIDS FOR BANK LOANS FOR THE MARINA RENOVATION PROJECT

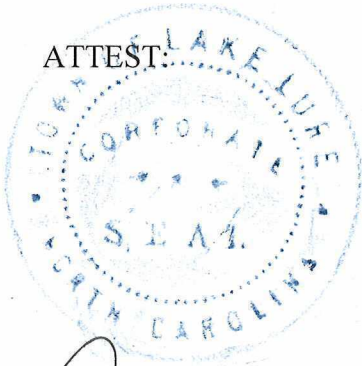
Council members agreed to hold a public hearing on August 30, 2011 at 9:00 a.m. for the purpose of receiving bids for the marina slip project.

ADJOURN THE MEETING

With no further items of discussion, Commissioner Wayne Hyatt made a motion to adjourn this meeting at 8:20 p.m. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

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ATTEST:



A handwritten signature in cursive script, reading "Andrea H. Calvert".

Andrea H. Calvert
Town Clerk

A handwritten signature in cursive script, reading "Bob Keith".

Mayor Bob Keith