

***Agenda Item: 8b***

**RESOLUTION NO. 11-09-13**

**AMENDING RESOLUTION NO. 00-01-11, RESOLUTION NO. 06-07-11A AND  
RESOLUTION NO. 10-02-09A ELIMINATING THE ALTERNATE MEMBER  
POSITION ON THE PARKS AND RECREATION BOARD**

**WHEREAS**, the aforesaid Resolution No. 00-01-11 was duly adopted by the Town Council of Lake Lure, North Carolina on January 11, 2000 in order to establish a Parks and Recreation Board and set forth its duties and responsibilities; and

**WHEREAS**, Town Council has reviewed and considered the number of members to be appointed to this committee under the provisions of Resolution No. 00-01-11, Resolution No. 06-07-11A and Resolution No. 10-02-09A and found it desirable to modify the membership of this Parks and Recreation Board from its current structure.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF  
THE TOWN OF LAKE LURE, NORTH CAROLINA:**

**SECTION 1.** That Section 1 of Resolution No. 00-01-11, Resolution No. 06-07-11A and Resolution No. 10-02-09A is hereby amended as follows:

The Parks and Recreation Board shall consist of seven regular members ~~and one alternate member~~ appointed by Town Council. Appointments shall be for a term of three years, expiring on December 31 of the third year, and terms shall be staggered. Not more than four member's terms shall expire in any one year. Any vacancy shall be filled for the unexpired term in the same manner as the initial appointment.

**SECTION 2.** Effective date.

This resolution shall be effective upon its adoption.

Adopted this 13th day of September, 2011.

ATTEST:

\_\_\_\_\_  
Andrea H. Calvert  
Town Clerk

\_\_\_\_\_  
Robert Keith  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Christopher Callahan  
Town Attorney



*Agenda Item: 8c*



**TOWN OF LAKE LURE**  
**Lake Lure, North Carolina**

**APPLICATION FOR PERMIT**  
**FABRIC STRUCTURE**

*Section 96.01 states that a permit is required "for all structures constructed of fabric, including tents, erected within the Town of Lake Lure which exceed 500 square feet in area. The Town Manager may issue permits for such structures erected for 30 days or less in any one calendar year and having an area of less than 2,000 square feet. Fabric structures erected for longer than 30 days in any one calendar year and having an area of 2,000 square feet or more must be approved by the Town Council." In order to assist the manager and council in their decision as to whether a permit should be granted or denied, the following information is required.*

**LOCATION**

Location of proposed structure Gazebo

Name and address of property owner Town of Lake Lure

Phone \_\_\_\_\_

If applicant is not owner, type of approval from owner (lease, contract, letter, etc.) \_\_\_\_\_

Size of property (acres) \_\_\_\_\_

**DESCRIPTION OF STRUCTURE**

Type of structure Tent

Structure will be used for wedding reception

Length 60 Width 40 Height \_\_\_\_\_ Area (square feet) 2400

Date to be erected 10/21/11 Date to be removed 10/21/11

If previously permitted, date removed \_\_\_\_\_

Maximum occupancy of structure 150 people

*Please submit a site plan showing the proposed footprint of the structure and its relationship to the property lines, adjacent roads, existing structures, and natural features to demonstrate compliance with Town regulations.*

# **TOWN OF LAKE LURE FIRE COORDINATOR OFFICE APPLICATION FOR FABRIC STRUCTURE PERMIT**

PLEASE FILL IN OR ATTACH NEEDED COPIES OF ALL THAT APPLY

List name, address and phone number of tent owner:

Hendersonville Tents  
P.O. Box 34  
E. Flat Rock, NC 28726

What is the estimated number of occupants you are planning to have: 150

Provide copy of Certification of Flame Resistance with application.

Provide site sketch and floor plan of tent with location of exits and description of exit enclosures with application.

Every permitted tent must:

Have at least one fire extinguisher <sup>yes</sup>

Have no smoking signs posted <sup>yes</sup>

Not have any exposed flame or cooking in or within 20 ft of the tent

Not have any hay, straw, shavings or similar materials in or around the tent

Not have generators or other power sources in or within 20 ft of tent

If tent is enclosed you must:

Provide exit signs at all exits and illuminate with battery back up

Provide emergency lighting with battery back up at all exits

Signature of applicant Debbie Cagle Date 8-22-11

Signature of Fire Official Randy J. Haul Date 8-25-11

APPLICANT

Name Debbie Coyle Date 8/22/11  
Address 2032 Cambridge Dr. Phone 693-6946 : 692-8277  
Hendersonville, NC 28190 Fax \_\_\_\_\_

Applicant agrees to comply with all applicable state, county and town regulations.

Signature Debbie Coyle

ZONING REGULATIONS REVIEW

I certify that this structure (complies) (does not comply) with all requirements of the zoning regulations of the Town of Lake Lure.

Sheila Spicer

Sheila Spicer, Zoning Administrator

Date 8/24/11

FIRE CODE REVIEW

I certify that this structure (complies) (does not comply) with all requirements of the fire code.

Ron Morgan

Ron Morgan, Fire Coordinator

Date 8/25/11

For fabric structures between 500 and 2,000 square feet in area to be erected for 30 days or less in any one calendar year.

This request is (APPROVED) (DENIED)

Chris Braund

Chris Braund, Town Manager

Date \_\_\_\_\_

For fabric structures either having an area of 2,000 square feet or more or erected for longer than 30 days in any one calendar year or both.

This request is (APPROVED) (DENIED) by action of the Lake Lure Town Council.

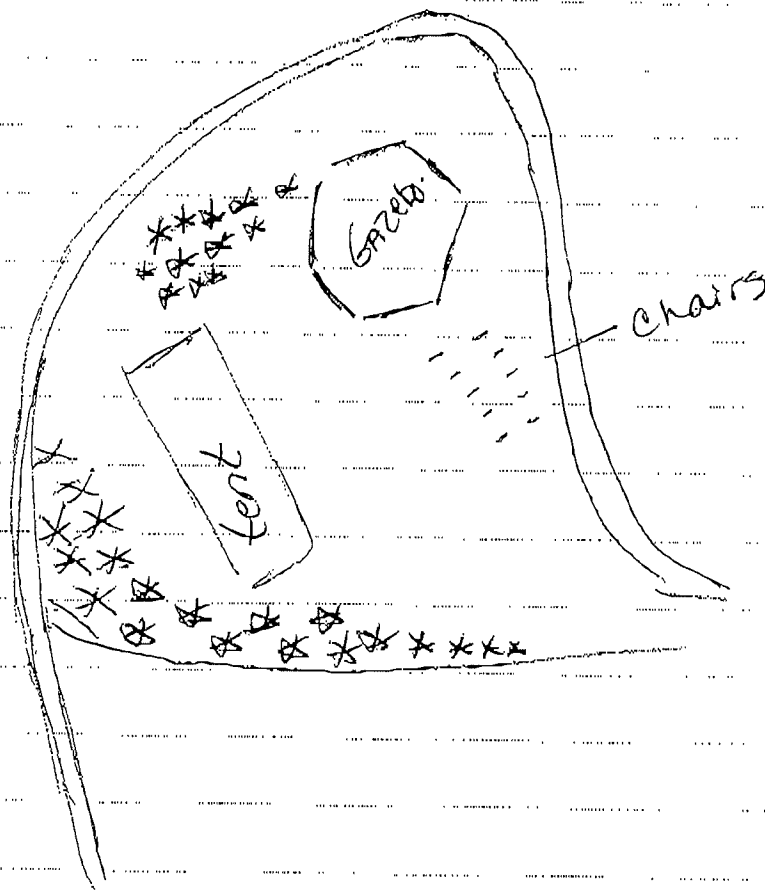
Bob Keith

Bob Keith, Mayor

Date \_\_\_\_\_

**NOTE: This structure may require a building permit from Rutherford County. Call 828-287-6035**

Debbie Cagle - Dillon Wedding - 10-21-11



tables + chairs will be set up in  
center of tent. with tables with  
food on each end. - tent will  
be open all around.

# HENDERSONVILLE TENTS

P.O. Box 34  
E. Flat Rock, NC 28726

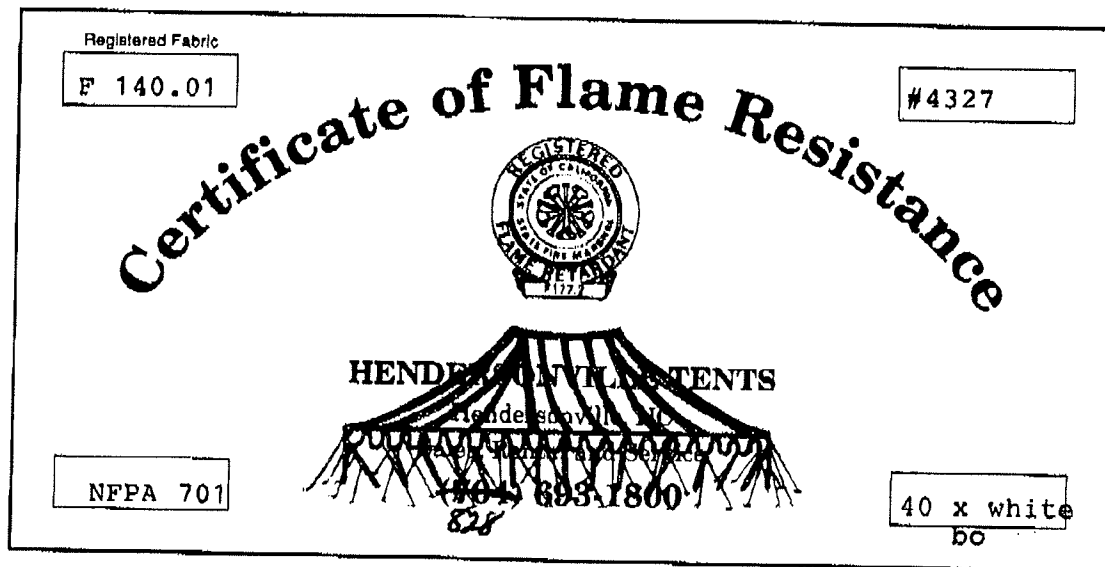
Hendersonville (828) 693 1800  
Asheville (828) 252-7969  
Greenville (864) 244-4533  
FAX (828) 696-1801

[www.hendersonvilletents.com](http://www.hendersonvilletents.com)

Attn: Randy  
Fire Certificate for  
Deborah Cagle  
Oct. 21, 2011 event

40x60 Tent

Need anything else please let me know  
Teresa





*Agenda Item: 9*

**STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD**

**BEFORE THE COUNCIL OF  
THE TOWN OF LAKE LURE**

**RECEIVED**

**AUG 17 2011**

**In Re: Fisk Application for Variance**

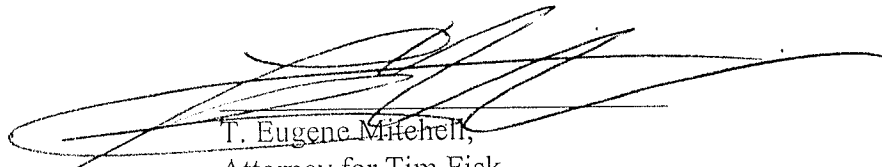
**MOTION TO SET ASIDE  
AND REINSTATE**

Comes now applicant Fisk and files this his Motion to set aside the decision of the Lake Structures Board for the Town of Lake Lure heard July 16, 2011 and signed August 1, 2011, and reinstate the decision of said Board dated June 1, 2010 and in support thereof shows the Council the following:

1. On May 25, 2010, the Lake Structures Board heard the application of Tim Fisk regarding variance of the maximum distance his boat house could extend from the lake shoreline;
2. That the decision of the Lake Structures Board was in favor of granting the variance requested;
3. Upon appeal of decision but before hearing said appeal, the party in opposition to the granting of said variance filed a Motion to remand to the Lake Structures Board for new hearing alleging a conflict of interest of Lake Structures Board member, John Kilby;
4. At its March 25, 2011, meeting, council Ordered this matter remanded to the Lake Structures Board for appropriate action;
5. Upon remand and upon consideration of the conflict of interest of Board Member John Kilby, it was determined by the Board that no conflict of interest on the part of John Kilby existed;
6. Nevertheless, the Board proceeded to rehear the matter of the Fisk variance, and ultimately decided said matter against Fisk and denied his application for variance;
7. The right to rehear this matter would only apply in the event that the Board determined that Board Member Kilby had an actual conflict of interest and should not have participated in the original hearing before the Board;
8. Upon finding the Board member Kilby, in fact, had no conflict of interest regarding the Fisk variance application said Board had no procedural jurisdiction to conduct a new hearing of said matter, but rather should have confirmed its earlier decision.

Wherefore, Tim Fisk, prays this Council Order the original decision of the Lake Structures Board regarding the variance granted to Fisk be reinstated.

This the 17 day of August, 2011.

A large, stylized handwritten signature in black ink, appearing to read 'T. Eugene Mitchell', is written over a horizontal line.

T. Eugene Mitchell,  
Attorney for Tim Fisk  
113 West Main Street  
Spindale, NC 28160  
(828) 286-2731



*Agenda Item: 10*

STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

BEFORE THE COUNCIL OF  
THE TOWN OF LAKE LURE

RECEIVED

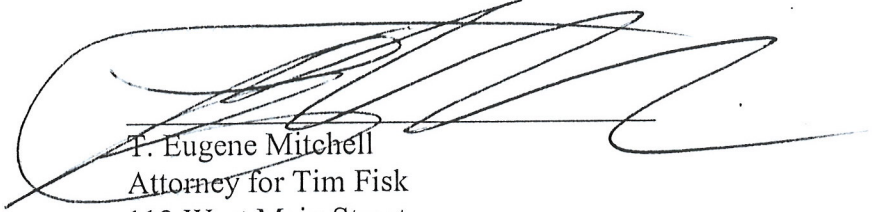
AUG 17 2011

In Re: Fisk Application for Variance

NOTICE OF APPEAL

Comes now Tim Fisk, Applicant for Variance, and does hereby give Notice of Appeal of the decision of the Lake Structures Board for the Town of Lake Lure which decision is dated August 1, 2011.

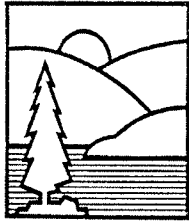
This the 17<sup>th</sup> day of August, 2011.



T. Eugene Mitchell  
Attorney for Tim Fisk  
113 West Main Street  
Spindale, NC 28160  
(828) 286-2731



***Agenda Item: 12a***



Incorporated 1927

## TOWN OF LAKE LURE *Customer Service*

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### MEMORANDUM

To: Town Manager, Mayor and Town Council

From: Customer Supervisor Linda Ward *LW*

Subject: Rental deposits for business utility accounts

Date: September 7, 2011

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In January 2010 Town Council amended the town's utility billing policy to include a required security deposit from tenants using town utilities. This policy was put into place so that the property owner could take their name off of the account therefore not being held responsible for a bill if the tenant moved out and neglected to pay their final bill.

This week I took the first deposit on a business account and realized that the policy's deposit amount of \$150 would not cover one bill for most business accounts. The restaurants and motels in our area have an average bill of \$400 to \$900 per billing.

I am therefore recommending council to consider amending the amount of a deposit in the utility billing policy for Commercial accounts. After talking with Town Manager Chris Braund, we would like to recommend a \$250 deposit per basic and small commercial accounts, \$500 for medium commercial accounts and \$750 for large commercial accounts.