

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, OCTOBER 11, 2011, 7:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

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

ABSENT: Commissioner Wayne Hyatt

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

Commissioner Linda Turner made a motion to approve the agenda as presented.
Commissioner John Moore seconded the motion and the vote of approval was unanimous.

PUBLIC FORUM

Mayor Bob Keith invited the audience to speak on any non-agenda item and/or consent agenda topics. No one requested to speak during public forum.

STAFF REPORTS

Town Manager Chris Braund presented the town manager's report dated October 11, 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.

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

Mayor Bob Keith 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 John Moore, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved:

- a. minutes of the September 13, 2011 (Regular Meeting);
- b. a budget amendment regarding a donation from the HNG Olympiad to the Lake Lure Fire Department to add \$3,000.00 to revenue line item HNG Olympiad (#10-383902) and increase the Fire Department budget (#10-43400.209) purchases from donations by \$3000.00; and
- c. a budget adjustment regarding the sale of a surplus boat to move \$875.00 from the sale of fixed assets (#10-383500) to the lake department (#10-618000.353).

End of Consent Agenda.

UNFINISHED BUSINESS:

a. OTHER UNFINISHED BUSINESS

There was no other unfinished business.

NEW BUSINESS:

**a. PRESENTATION OF BIDS FOR THE MARINA RENOVATION CONTRACTOR
AND CONSIDER AWARDDING BID**

Lake Operations Director Dean Givens gave a brief overview of the Washburn Marina renovation cost estimates worksheet outlining sealed bids received from contractors. Mr. Givens advised that town council award the bid for demolition and dredging separate from the construction contract. Mr. Givens recommended both contracts go to the following lowest responsible bidders: Tim Edwards for demolition and dredging and Construction Specialties and Design Builders (CS&DB) for construction. Mr. Givens reported that one construction bid had been removed from consideration because it was not considered a responsible bid based on the Local Government Commission's standards. (Copy of responsible bidders cost estimate worksheet attached.)

Diane Barrett of 297 Beetree Point, Lake Lure questioned the wide discrepancies in some areas of the bids submitted by contractors. Dean stated that he had no real explanation for the cost differences, but that all the contractors would be held to the same standards and required to meet certain specifications.

Attorney Chris Callahan questioned whether the project was contingent upon the town's loan approval for the project and suggested that if so, any motions on the topic should state that the bids are approved contingent upon finalization of approval of the loan package from the bank.

After discussion, Commissioner Linda Turner made a motion to, contingent upon bank loan approval, award the demolition and dredging part of the marina renovation project to Tim Edwards. Commissioner John Moore seconded the motion and the vote of approval was unanimous.

Jonathan Hinkle of Lake Lure with Marathon Builders/WNC dock and Terry Baker of Hendersonville with Construction Specialties and Design Builders (CS&DB) provided background for the their bids and the products they plan to use for the project. Both contractors were confident that their products would meet the requirements for the project.

After discussion, Commissioner John Moore made a motion to award bid for renovation construction at the Washburn Marina to the low bidder (CS&DB, Terry Baker) contingent upon obtaining final bank financing and state approval. Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:
**b. CONSIDER APPROVAL OF A LEASE AGREEMENT BETWEEN THE TOWN
OF LAKE LURE AND THE LAKE LURE BOARD OF ALCHOLIC BEVERAGE**

Page 4- Minutes of the October 11, 2011 Regular Council Meeting

Town Manager Chris Braund gave an overview of the proposed updated lease.

After discussion, Commissioner Linda Turner made a motion to approve the ABC lease as presented and authorize Town Manager Chris Braund to sign the document on behalf of the town. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

c. CONSIDER A REQUEST FROM TOM AND CAROL NEUMANN ASKING THE TOWN FOR ASSISTANCE IN REMOVING A LARGE TREE FROM PRIVATE PROPERTY ALONG THE SOUTH SIDE OF MISTLETOE PARK LANE

John Leps of Mistletoe Park Lane described the current situation regarding the tree in question. Mr. Leps also mentioned that the property that the tree has fallen from is the same property that had a dilapidated structure that the town removed this summer.

Robert Wilson of Washburn Road stated that the town had maintained Mistletoe Park Lane up until about 20 years ago.

After discussion, Commissioner John Moore made a motion to have the town manager get a cost estimate for removing the tree that has fallen along the south side of Mistletoe Park Lane. Commissioner Linda Turner seconded the motion and the vote of approval was unanimous.

d. CONSIDER A REQUEST FROM TOM AND CAROL NEUMANN, REPRESENTING THE RESIDENTS ALONG MISTLETOE PARK LANE TO HAVE THE TOWN ASSUME MAINTENANCE OF MISTLETOE PARK LANE

Town Manager Chris Braund gave an overview of the standard process used by residents requesting that the town assume maintenance of a private road. Attorney Chris Callahan stated that about 20 years ago written criteria of what the town required to take over maintenance of a road was established.

Town Manager Chris Braund established that formal acknowledgment of which roads were maintained by the town started around 1988 and that since that time and every year thereafter Mistletoe Park Lane (formerly known as Agassiz Place) has not appeared on the list of town maintained roads.

Diane Barrett, a resident of 297 Beetree Point, Lake Lure, made a suggestion that town council consider setting up a set of "sub-standardized streets" (streets that are not up to the town's standards for roads to be maintained.) Mrs. Barrett suggested that the town take care of

Page 5- Minutes of the October 11, 2011 Regular Council Meeting

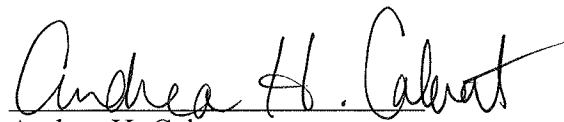
the “sub-standardized streets” in their present state rather than “maintaining” them and bringing them up to present standards.

After discussion, Commissioner Linda Turner made a motion to request that the town manager produce a report on the extent and condition of privately-maintained streets in the Luremont area of town. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

ADJOURN THE MEETING

With no further items of discussion, Commissioner Mary Ann Silvey made a motion to adjourn this meeting at 9:10 p.m. Commissioner Linda Turner seconded the motion and the vote of approval was unanimous.

ATTEST:



Andrea H. Calvert
Town Clerk



Mayor Bob Keith