



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, APRIL 12, 2016, 6:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Bob Keith
Commissioner John W. Moore
Commissioner Mary Ann Silvey
Commissioner Bob Cameron
Commissioner Stephen M. Webber

Sam Karr, Interim Town Manager/Finance Director
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Bob Keith called the meeting to order at 6:00 p.m.

INVOCATION

Attorney Chris Callahan gave the invocation.

PLEDGE OF ALLEGIANCE

Council members led the pledge of allegiance.

APPROVE THE AGENDA

Council members presented changes to the proposed agenda. Commissioner Stephen Webber made a motion to approve the agenda as amended incorporating the following changes:

- removing liaison reports from the agenda
- moving item 15a a request from Laura Deaton on behalf of the Chamber of the Hickory Nut Gorge concerning the "Sale on the Trail" from the consent agenda, to new business to be discussed with item 17a, consideration of a request from Laura Deaton asking to

Page 2- Minutes of the April 12, 2016 Regular Council Meeting

host a weekly farmers market every Friday in the meadows and waive the rental fee for the events

- moving item 17d, consideration of a request from the Zoning and Planning Board to reaffirm with Chimney Rock State Park that the Town Center Small Area Plan is the official guide for redevelopment/development of the Lake Lure Town Center and should be followed when installing improvements like transportation facilities and utilities, from new business to the consent agenda

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

PUBLIC HEARING - PROPOSED ORDINANCE NO. 16-04-12 AMENDING THE LAKE STRUCTURES REGULATIONS OF THE TOWN OF LAKE LURE CONCERNING INTENT AND APPLICATION, DESIGN AND CONSTRUCTION STANDARDS, ALTERATION AND RECONSTRUCTION OF STRUCTURES, SHORELINE STABILIZATION, LAKE STRUCTURE CERTIFICATES AND TAGS, MAINTENANCE OF STRUCTURES, MARKERS, COMMERCIAL AND MULTI-DWELLING USE LAKE STRUCTURES, CLUSTER MOORING FACILITIES, MARINAS, AND PROHIBITED USES

Mayor Bob Keith opened the public hearing regarding proposed Ordinance No. 16-04-12 amending the Lake Structure Regulations; no one requested to speak.

Commissioner Stephen Webber gave an overview of proposed Ordinance No. 16-04-12.

Council agreed to close the public hearing.

CONSIDER ADOPTION OF ORDINANCE NO. 16-04-12 AMENDING THE LAKE STRUCTURES REGULATIONS OF THE TOWN OF LAKE LURE CONCERNING INTENT AND APPLICATION, DESIGN AND CONSTRUCTION STANDARDS, ALTERATION AND RECONSTRUCTION OF STRUCTURES, SHORELINE STABILIZATION, LAKE STRUCTURE CERTIFICATES AND TAGS, MAINTENANCE OF STRUCTURES, MARKERS, COMMERCIAL AND MULTI-DWELLING USE LAKE STRUCTURES, CLUSTER MOORING FACILITIES, MARINAS, AND PROHIBITED USES

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

After discussion, Commissioner Bob Cameron made a motion to adopt Ordinance No. 16-04-12 amending the Lake Structures Regulations of the Town of Lake Lure concerning intent and application, design and construction standards, alteration and reconstruction of structures, shoreline stabilization, lake structure certificates and tags, maintenance of structures, markers,

Page 3- Minutes of the April 12, 2016 Regular Council Meeting

commercial and multi-dwelling use lake structures, cluster mooring facilities, marinas, and prohibited uses. Commissioner John Moore seconded the motion and the vote of approval was unanimous.

Commissioner Stephen Webber thanked everyone that was involved with the process of drafting the ordinance.

ORDINANCE NUMBER 16-04-12

AN ORDINANCE AMENDING CHAPTER 94 LAKE STRUCTURE REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING INTENT AND APPLICATION, DEFINITIONS, DESIGN AND CONSTRUCTION STANDARDS, ALTERATION AND RECONSTRUCTION OF STRUCTURES, SHORELINE STABILIZATION, LAKE STRUCTURE CERTIFICATES AND TAGS; MAINTENANCE OF STRUCTURES, MARKERS, COMMERCIAL AND MULTI-DWELLING USE LAKE STRUCTURES, CLUSTER MOORING FACILITIES, MARINAS, AND PROHIBITED USES

WHEREAS, the Town of Lake Lure Lake Advisory Board has recommended modifications to Chapter 94, concerning the Lake Structure Regulations of the Town of Lake Lure; and

WHEREAS, the Lake Lure Town Council, after due notice, conducted a public hearing on the 12th day of April, 2016, upon the question of amending the Lake Structure 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 TOWN COUNCIL VOTING IN THE AFFIRMATIVE.

SECTION ONE. § 94.01 through § 94.15 of the Lake Structure Regulations of the Town of Lake Lure are hereby amended as follows:

§ 94.01 INTENT AND APPLICATION

(A) Intent. All land covered by the waters of Lake Lure at full pond is owned by the Town of Lake Lure. Said lake is held in trust by the Town of Lake Lure for the benefit of the citizens of Lake Lure. Based on the above, the Town Council desires to establish regulations governing all structures to be erected and maintained within the boundaries of the lake for the purpose of enhancing the health, safety, and welfare of the general public and to preserve the property of the Town and the properties of upland land owners. **(Original Ordinance Adopted 12-15-92)**

(B) Application. No structure shall hereafter be erected or maintained within the lake boundary of Lake Lure within the corporate limits of the town and no use made of the water surface and land thereunder or any facility or structure located thereon, except in conformity with the

Page 4- Minutes of the April 12, 2016 Regular Council Meeting

regulations of this chapter, or amendments thereto. Issuance of a permit or certificate for a lake structure does not confer any rights to ownership of land or water owned by the town.

(C) The Town recognizes that some lake structures with living quarters existed at the time of adoption of these regulations. It is the intent of the Town that this non-conforming use of lake structures eventually goes away. These structures may continue such use, including repairs and remodeling consistent with these regulations, until the structure is voluntarily removed or involuntarily destroyed.

§ 94.02 DEFINITIONS

“Involuntary Destruction” - Destroyed or rendered useless by an act of God or force of nature. This shall not include structures rendered useless due to decay or deterioration as the result of neglect and lack of maintenance.

“Lake Advisory ~~Committee~~ Board” - The ~~committee~~ board appointed by Town Council to advise the Town Council, the Marine Commission, and ~~administration~~ staff, on lake related issues.
(Adopted 8-14-07)

“Lake Structure.” Anything constructed or erected within the lake boundary including any pier, dock, boathouse, slip, ramp, swimming float, sea wall, or similar facility whether fixed or floating or a combination thereof, used primarily as a stationary facility for the mooring or housing of watercraft and associated items; and, used for lake access and related recreational activities. Lake structures shall not be used as living quarters.

“Marina, Restricted” - A facility with a lakefront location contiguous to a private development or commercial property which provides temporary or permanent watercraft moorings for rent or lease to occupants, guests, clients, or customers of that property only, and not to the general public not doing business with that property.

Marina, Unrestricted” - A facility with a lakefront location which provides temporary or permanent watercraft moorings for rent or lease and may also include the rental, sale or repair of boats, boat motors, and accessories, and/or the sale of marine fuel and lubricants, bait and fishing equipment, and the like to the general public. **(Amended 4-12-05, 8-14-07, 3-11-14)**

“Reconstruction” - Full or partial replacement of a lake structure or more than 50% of the structure's support base. The support base consists of all components underlying but within the exterior perimeter of the structure.

“Repair; Internal, External, or Cosmetic” - Actions that affect the general maintenance of a lake structure but do not alter electrical or plumbing systems, or the outer dimensions of the structure. In example; painting, staining, or pressure washing; replacing decking inside or outside of a structure; replacing exterior siding; replacing the roof covering, felt or sheeting; removing and replacing rooftop decks; replacing entrance or boat slip doors, replacing windows; or, replacing

Page 5- Minutes of the April 12, 2016 Regular Council Meeting

any portion of approved decktop accessory structures. Also included are standard repairs of electrical or plumbing items by licensed professionals.

“Repair, Structural” - Actions that affect sea walls and other shoreline stabilization methods; or, the support base, framing, electrical or plumbing systems, or alteration of the outer dimensions of any lake structure. In example; support posts, footers, studs, headers, top or bottom wall plates, load bearing walls, floor joists, rafters, wiring, circuit breakers, or sewer connections; or, repairs affecting height, length, width, or relationship of the structure to setbacks.

“Usable Shoreline” - The shoreline length on lots of record that is available for use for lake structures after subtracting the required 30 feet for both 15-foot side yard setbacks from the measurable shoreline.

§ 94.05 DESIGN AND CONSTRUCTION STANDARDS

The following standards shall be adhered to during the design and construction of any structure on Lake Lure. The Lake Structure Administrator will carefully examine plans submitted with any applications for a lake structure permit as described in § 94.03, to be sure that the plans meet the following provisions. Requests for variances must be made when the lake structure permit application is submitted. **(Amended 8-14-07)**

(A) ~~Except as provided in this paragraph and in (D) below, Effective the date of this regulation, December 15, 1992, the minimum measurable shoreline length required to construct any lake structure shall be 100 feet. provided that the minimum measurable shoreline length required to construct any lake structure on lots of record that existed prior to December 15, 1992, shall be 80 feet. and further provided that seawalls and only one pier not more than four feet in width may be constructed on a lot provided minimum setbacks are met.~~ Nonconforming lots of record that existed prior to these regulations, with 35 to 100 feet of measurable shoreline length, may construct any authorized lake structure, provided minimum setbacks are met, and the owner of the subject lot does not own contiguous upland property to enable conformity to the minimum measurable shoreline length through recombination. When contiguous upland property is owned by the same owner, it shall be legally recombined to achieve the longest shoreline length possible, before any lake structure is approved. In rare situations, recombination may not be legally possible. Should recombination not be allowed, the subject shoreline shall be treated as though it is not contiguously owned. See examples A and B below. Sea walls are allowed on any lot subject to shoreline stabilization requirements in §94.07 of these regulations. (Amended 7-11-06, 9-12-06)

(1) Covered or enclosed structures, including boathouses, shall be limited to a width of 45 feet or 45% of the measurable shoreline length, or the usable shoreline length of the upland lot, whichever is less.

(2) Lots with 100 feet or more of measurable shoreline length shall be limited to any authorized lake structure or combination thereof, with a maximum of three moorings or slips.

Page 6- Minutes of the April 12, 2016 Regular Council Meeting

provided minimum setbacks are met. Other provisions of these regulations shall apply and the maximum number of moorings or slips shall not be varied.

(3) Lots of record with 35 to 100 feet of measurable shoreline length shall be limited to any authorized lake structure or combination thereof, with a maximum of two moorings or slips, and shall not exceed the usable shoreline length. Variances are not permitted for the maximum number of moorings or slips; or, structures that are larger than what the usable shoreline will accommodate. Covered or enclosed structures shall require a Lake Structure Appeals Board determination the proposed structure will not materially obstruct the view of the lake from any adjacent upland property. Other provisions of these regulations shall apply. See examples C and D below.

(4) Lots of record with a minimum measurable shoreline length of less than 35 feet shall be limited to a single mooring, which shall not be varied. This mooring may be part of a pier not to exceed six feet in width. The pier will be centered on the subject shoreline to the greatest extent possible but, without variance, shall be allowed up to five feet off center. When placed off center, the tie up cleats will be on the side of the pier with the greatest area available between the pier and the projected property line. Other provisions of these regulations shall apply, which may require a variance.

EXAMPLE A: A lot of record has 50 feet of measurable shoreline which, after subtracting the 30 feet for both 15-foot side yard setbacks, could accommodate a boathouse with one slip in the 20 feet of remaining usable shoreline.

EXAMPLE B: The same owner in example A owns the small upland lot of record next door with 25 feet of measurable shoreline, which would normally allow a single pier. That owner could not build the small boathouse on the one lot and the pier on the other. Instead, that owner must recombine the lots to provide 75 feet of measurable shoreline before building any structure. If the recombination was not allowed for some legal reason, then both lots could be built upon.

EXAMPLE C: Assume the recombination in example B did occur. On the new 75 foot lot, the owner would be allowed to build any authorized lake structure that would fit in the resulting 45 feet of usable shoreline, but still subject to the lesser 45% of the measurable shoreline length for covered or enclosed structures, which is 33.75 feet in this scenario. The owner could then build a boathouse up to 33.75 feet wide with two slips anywhere within that 45 feet of usable shoreline. The remaining usable shoreline space could be used for docks and access.

EXAMPLE D: A lot of record with only 40 feet of measurable shoreline could build a small lake structure up to 10 feet wide. Conversely, that same lot could not get a variance to build the structure 11 feet wide or wider. The usable shoreline (10 feet) in this example is less than the 45% (18 feet) of the measurable shoreline.

Page 7- Minutes of the April 12, 2016 Regular Council Meeting

(B) No structure shall be placed in the water more than 30 feet or one third the distance to the opposite shore, whichever is less, as measured to and from the shoreline. At least one third of the waterway ~~must~~ shall be left unobstructed. No portion of any lake structure shall extend beyond this boundary. For the purpose of positioning lake structures along an irregular boundary, the shoreline shall be defined as the straight line between the two widest points on the shoreward side of the structure, where they meet the shoreline. The measurement to the opposite shore shall be made to the point on the opposite shore which results in the shortest distance from the proposed structure. (Amended 4-12-05, 4-12-11)

(C) No portion of any structure shall be located closer than 15 feet to any side lot line, as projected into the lake. The projection of the lot line shall be a straight line on the same bearing as the lot line and shall extend no further than 30 feet or one third the distance to the opposite shore. ~~as described in Paragraph (B).~~ This provision does not apply to sea walls. ~~See also paragraph (M) below regarding boardwalks.~~ (Amended 4-12-05, 3-11-14)

~~(D) The maximum width of any boat slip, whether covered or uncovered, shall be 11 feet and a maximum of three such slips shall be allowed contiguous to any upland lot which meets the minimum measurable shoreline length of 100 front feet. For lots of record with a measurable shoreline length of less than 100 front feet and more than 80 front feet of shoreline, two mooring slips shall be allowed for any lake structure or any combination of lake structures. If slips are not utilized as the moorings, a maximum, of three permanent moorings as designated on the design plans shall be allowed for any lake structure or combination of lake structures contiguous to any upland lot which meets the minimum measurable shoreline length standard of 100 front feet. For lots of record with a measurable shoreline length of 80 front feet and less than 100 front feet of shoreline, a total of two moorings, for permanent or temporary use, shall be allowed for any lake structure or combination of lake structures. For any lake structure or combination of lake structures with less than 80 front feet of measurable shoreline, one mooring, for permanent or temporary use, shall be allowed. This provision does not apply to cluster mooring facilities (see § 94.13) or marinas (see § 94.14).~~

Type of Structure	Shoreline Length Less than 80 feet	Shoreline Length 80 to 100 feet (Lots of Record)	Shoreline Length 100 feet or Greater
Pier	1	N.A.	N.A.
Slip	None	2	3
Mooring	1	2	3

See Section 94.02 Definitions on pages 2-5.
(Amended 4-12-05, 7-11-06, 8-14-07, 12-9-14)

~~(D)~~ (D) Hand rails should be constructed in such a way so as not to interfere with boaters' visibility.

~~(E)~~ (E) Height.

Page 8- Minutes of the April 12, 2016 Regular Council Meeting

~~(G)~~ (F) Materials of construction for pilings shall include reinforced concrete, hot dipped galvanized steel, aluminum, or pressure treated wood, provided railroad ties and other wood treated with creosote or similar material shall not be allowed. Anchorages for floating docks and piers shall be of galvanized steel cables or the equivalent secured to reinforced concrete anchorage on the lake bottom and/or to steel anchor piles in firm ground on shore. Alternate materials may be approved if specified by a licensed engineer or architect and does not pose an environmental threat. **(Amended 6-18-01, 7-11-06)**

~~(H)~~ (G) The town exercises no jurisdiction or control over the design of structures to be built over the lake, but strongly urges that the design of lake structures be architecturally compatible with that of the residence(s) on the adjoining upland lots. **(Amended 7-11-06)**

~~(I)~~ (H) Any sewage or waste water systems installed in or on lake structures must meet state and local codes. **(Amended 8-14-07)**

~~(J)~~ (I) No lake structure shall be designed, constructed or used as temporary or permanent living quarters.

~~(K)~~ (J) Satellite dish antennas of not more than 30 inches in diameter may be installed on lake structures, provided they do not exceed the highest portion of the lake structure to which it is attached.

~~(L)~~ (K) Moored Floating Platforms.

~~(M)~~ (L) Boardwalks shall not exceed four feet in width and shall not extend more than six feet into the lake. If approved by adjoining property owners, a boardwalk may run the full distance from property line to property line or even cross the property line if the adjacent properties' owners approve of its construction and wish it to continue along in front of their property.

~~(N)~~ Covered or enclosed structures, including boathouses, shall be limited to a width of 45 feet or 45% of the measurable shoreline length of the upland lot, whichever is less.

~~(O)~~ (M) No lake structure, other than seawalls, shall obstruct the free flow of water in the lake.

~~(P)~~ (N) As a condition of issuance of a permit, all structures built above the roof of a boathouse or covered slip, including decks and deck top accessory structures, shall require certification by a licensed architect or engineer that the boathouse structure is capable of supporting the dead and live load of the rooftop structure. Excluded from this requirement are structures installed rather than built (such as umbrellas, awnings, canopies, or moored inflatable platforms) so long as these structures do not exceed 150 pounds in total weight. **(Amended 10-20-98, 7-11-06, 10-13-09)**
Penalty, see § 94.99

Page 9- Minutes of the April 12, 2016 Regular Council Meeting

~~(Q)~~ (O) Temporary mooring at commercial and resort locations shall be identified by a sign which states that the mooring may only be occupied during the hours between 6:00 a.m. and 12:00 midnight.

~~(R)~~ (P) These standards shall not apply to any lake structures owned or proposed by the Town of Lake Lure, providing that designs for such structures have been reviewed and approved by the Lake Advisory Board and the Town Council. **(Amended 3-11-08)**

§ 94.06 ALTERATION REPAIR, AND RECONSTRUCTION, AND REMOVAL OF STRUCTURES

(A) ~~Repairs which cost 50% or more than 50% of the appraised value of the lake structure being repaired shall constitute reconstruction and the property owner must apply for and be granted a lake structure permit as described in § 94.03 before any work is performed. Internal, external, and cosmetic repairs do not require a lake structure permit, unless a county building permit is required. It is the property owner's responsibility to determine if a county building permit is required for the work being performed.~~**(Amended 10-20-98, 7-11-06, 8-14-07)** Penalty, see §94.99

(B) ~~Repairs costing less than 50 % of the appraised value of a lake structure being repaired require a building permit, but will not constitute reconstruction as long as it does not involve alterations to the electrical or plumbing systems, dimensional measurements of the structure, height, or projections into the lake or setbacks from adjacent property lines. Any repairs involving any of the mentioned modifications shall constitute reconstruction and the property owner must apply for and be granted a~~ Structural repairs and reconstruction of lake structures require a lake structure permit as described in §94.03 before any work is performed. A survey shall be required, and must accompany the application for all structural repair and reconstruction endeavors that affect the physical location, outer dimensions (height, length, width), projection into the lake, or setbacks of a lake structure. A county building permit may also be required depending on the nature and extent of the work. **(Adopted 7-11-06; Amended 8-14-07)**

(C) Reconstruction of lake structures shall be permitted as described in § 94.03; shall begin within 18 months from the date of condemnation, collapse, or destruction; and, must shall meet the following requirements: **(Amended 8-14-07)**

(1) The original structure may be replaced with a like structure, not necessarily of the same dimensions, (i.e. a dock with a dock, a boathouse with a boathouse) and ~~not to~~ shall not include ~~existing~~ living quarters over the water. **(Adopted 7-11-06)**

(2) Height and projection into the lake meets current standards as described in § 94.05. **(Adopted 7-11-06)**

Page 10- Minutes of the April 12, 2016 Regular Council Meeting

(3) The number of permanent moorings meets current standards as described in § 94.05. ~~with the allowance of one permanent mooring for an adjacent upland lot with a measurable shoreline length of less than 80 feet.~~ (Adopted 7-11-06)

(4) The distance from the lake structure to the projected upland lot property lines, if less than 15 feet, ~~may~~ shall be no closer to the projected lot line than the structure being replaced and ~~may~~ shall not encroach on or over projected property lines. (Adopted 7-11-06)

(D) Cleanup and removal of condemned, collapsed, or involuntarily destroyed structures shall begin within 90 days of the date of condemnation, collapse, or destruction. Hazardous items such as fuel, lubricants, paint, chemicals, unused boat batteries, etc., shall be removed immediately to protect water quality.

~~(D)~~ (E) These standards shall not apply to any lake structures owned by the Town of Lake Lure, providing that designs for such structures have been reviewed and approved by the Lake Advisory Board and the Town Council. (Amended 3-11-08)

§ 94.07 SHORELINE STABILIZATION

(B) The shoreline stabilization or construction shall address erosion above and below the shoreline elevation of 990 feet MSL. The level of protection depends on the lakeside wind and boat activity at the particular location and the potential of erosion of the upland lot. (Note: Refer to § 94.05 ~~(F)~~~~(I)~~ for details on how to establish the shoreline elevation of 990 feet MSL.) The Erosion Control Officer will determine the type of stabilization required. (Adopted 7-11-06)

§ 94.08 LAKE STRUCTURE CERTIFICATE AND TAG; MAINTENANCE OF STRUCTURES

(A) All structures on the waters of Lake Lure, either new or existing prior to the adoption of this section, shall require a lake structure certificate and tag issued in accordance with this section. All owners of existing structures deemed in compliance with §§ 94.05 ~~(D)~~, ~~(F)~~, ~~(J)~~ and ~~(K)~~, 94.07, 94.09 through 94.11 and 94.15 will be issued a lake structure certificate and accompanying tag after the Lake Structure Administrator receives the lake structure certificate fee and approves the property owner's lake structure certificate application. The tag must be attached to the lake structure so it is visible from the water before December 1, 1994 and be renewed every five years. Therefore any structure not having a lake structure tag attached by December 1, 1994 shall be considered in violation of this ordinance. Any boathouse which cannot qualify for a certificate and tag either because it is not in compliance with this section or because it is not in the same ownership as the upland lot shall be removed at the owner's expense. Owners of upland property who fail to comply with this section shall be ineligible to receive a boat permit. (Amended 8-14-07)

§ 94.09 MARKERS

No markers or signs, other than navigational aids that comply with the Uniform Waterway Marking System and the North Carolina Wildlife Resources Commission's regulations shall be placed within the lake bed. Placement of these markers will be reviewed and approved by the Lake Advisory ~~Committee~~ Board. Unauthorized movement or removal of markers will result in the revocation of all Lake Lure Boat Permit(s) held by the owner(s) of the boat(s) used for such activity and the penalties and civil fines described in section § 94.99. **(Amended 8-14-07).**

§ 94.12 COMMERCIAL AND MULTI-DWELLING USE LAKE STRUCTURES

(A) The Lake Structure Administrator and the Lake Advisory Board shall review each lake structure permit application for any new or existing structure that is to be built or converted for commercial or multi- dwelling use. The application review will confirm that the proposed facility conforms to these regulations, evaluate its impact on the lake's carrying capacity, and determine that the location will not be adverse to navigation and boating safety or to any nearby residential area with single family dwellings. A recommendation based on this review will then be submitted to Town Council. The Town Council shall approve or deny the request after examining the report. Specific design standards, restrictions, and/or prohibitions may be varied by a special grant from Town Council if specifically requested by the petitioner as part of a commercial lake structure application and if the special grant is found to secure general welfare and the best overall interest of the public and the municipality. Town Council may also apply specific conditions with non-conforming upon commercial lake structures as Council deems necessary. **(Adopted 8-14-07, Amended 12-22-15)**

(B) As an exception to paragraph (A) above, any application to change the use of a lake structure with non-conforming living quarters to a commercial use, shall be submitted to the Lake Structure Appeals Board for approval or disapproval, and then to the Town Council for further appeal if necessary. The Lake Structure Appeals Board will determine if the application is consistent with § 94.01 (A) concerning the "health, safety, and welfare of the general public". Further, the board will determine if the change in use positively or negatively impacts the preservation of Town property or the properties of upland and adjacent land OWNERS.

§ 94.13 CLUSTER MOORING FACILITIES

(A) The Lake Structure Administrator and the Lake Advisory ~~Committee~~ Board shall review each lake structure permit application for a cluster mooring facility. The application review will confirm that the proposed facility conforms to these regulations, evaluate its impact on the lake's carrying capacity, and determine that the location will not be adverse to navigation and boating safety or to any nearby residential area. A recommendation based on this review will then be submitted to Council. The Council shall approve or deny the request after examining the report. **(Adopted 4-12-05; Amended 8-14-07)**

Page 12- Minutes of the April 12, 2016 Regular Council Meeting

§ 94.14 MARINAS

(A) The Lake Structure Administrator and the Lake Advisory ~~Committee~~ Board shall review all lake structure permit applications for marinas, restricted and unrestricted.

(E) Sale of fuel, lubricants, boats, marine accessories, bait and fishing supplies and repair of boats shall be permitted only at unrestricted marinas, provided the upland property is zoned for commercial use. (**Adopted 10-20-98, Amended 8-14-07**) Penalty, see § 94.99

§ 94.15 PROHIBITED USES

(H) The permanent mooring of more than ~~3~~ three motorized boats at any one lake structure or combination of lake structures (other than a marina or cluster mooring facility) adjacent to ~~one~~ an upland lot with a minimum required width of 100 front feet at shoreline measurable shoreline length of 100 feet or more. (**Amended 4-12-05**)

(I) The permanent mooring of more than ~~2~~ two motorized boats at any one lake structure or combination of lake structures (other than a marina or cluster mooring facility) adjacent to ~~one~~ an upland lot that is a lot of record with a width of less than 100 feet at shoreline measurable shoreline length of 35 to 100 feet. (**Amended 4-12-05**)

(J) The permanent mooring of more than one motorized boat at any one lake structure (other than a marina or cluster mooring facility) adjacent to an upland lot of record with a measurable shoreline length of less than 35 feet.

~~(J)~~ (K) The permanent mooring at a cluster mooring facility of more than ~~3~~ three motorized boats per 100 front feet at shoreline of upland lot(s) adjacent to a cluster mooring facility. (**Amended 4-12-05**)

~~(K)~~ (L) The permanent mooring at a marina of more than ~~5~~ five motorized boats per 100 front feet at shoreline of upland lot(s) adjacent to a marina. (**Amended 4-12-05**)

~~(L)~~ (M) The permanent mooring of any boats licensed for commercial use at a lake structure with an upland lot that is not zoned in accordance with or having a conditional use permit to comply with Section 1.59 of the Lake Use Regulations requirements for lake commercial licensing and supporting criteria. (**Amended 4-12-05, 8-14-07**)

~~(M)~~ (N) The use of any lake structure as temporary or full time living quarters. (**Amended 4-12-05**)

~~(N)~~ (O) The rental of a mooring at a dock, boathouse or any other lake structures in the manner of a marina when the adjacent upland lot is zoned R-1. (**Amended 4-12-05, 8-14-07**)

Page 13- Minutes of the April 12, 2016 Regular Council Meeting

~~(P)~~ (P) The commercial or multi-dwelling use of a lake structure adjacent to an upland lot that is zoned R-1 with the exception of lake structure(s) approved by Town Council for commercial or multi dwelling use or those lake structure(s) that are approved as the permanent mooring address on an annual Lake Commercial License during the applicable calendar year. **(Adopted 8-14-07)**

~~(P)~~ (Q) Any temporarily moored inflatable water recreation device larger than 80 square feet in area or 10 feet in diameter, and any such device in the lake from December 1 through March 31. **(Adopted 4-12-11)**

(R) Sale of fuel, lubricants, boats, marine accessories, bait and fishing supplies and repair of boats shall be prohibited at restricted marinas.

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~.]

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

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

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

Adopted this 12th day of April, 2016.

PUBLIC HEARING – RESOLUTION NO. 16-04-12 CONCERNING SEWER RATES
--

Mayor Bob Keith opened the public hearing regarding proposed Resolution No. 16-04-12 updating the sewer rates.

Commissioner Bob Cameron gave a brief history of the town's wastewater treatment plant and options for correcting sewer plant issues. Mr. Cameron explained that there are two

Page 14- Minutes of the April 12, 2016 Regular Council Meeting

options for securing funds for proposed improvements to the town's wastewater treatment facilities: get a regular loan with would cost around \$2.5 million in interest or apply for a 0% percent interest loan that requires the sewer rates to increase (based on the average income of town residents).

Town of Lake Lure Brand Manager Valerie Hoffman explained different ways that customers will be informed about the new sewer rates and proposed projects.

Harlow Brown of Brown Consultants, also presented information concerning the proposed sewer rates. Mr. Brown explained that a new plant needs to be constructed or a pipeline will be built to connect to the Town of Spindale's treatment facility. Mr. Brown explained that state would likely create a mandate, which would eliminate potential options, if no action is taken. Mr. Brown answered citizens' questions relating to the proposed Greenline Project and proposed Resolution No. 16-04-12.

Council agreed to close the public hearing.

CONSIDER ADOPTION - RESOLUTION NO. 16-04-12 CONCERNING SEWER RATES

After further discussion, Commissioner Stephen Webber asked for clarification stating that the draft resolution was numbered as 16-04-12A (the number given to a resolution to be considered later in the meeting) while the agenda lists the resolution number as 16-04-12. The town clerk clarified that the proper number for the proposed resolution concerning sewer rates is 16-04-12.

After discussion, Commissioner Stephen Webber made a motion to adopt Resolution No. 16-04-12 as presented. Commissioner Bob Cameron seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 16-04-12

A RESOLUTION OF THE TOWN OF LAKE LURE, NORTH CAROLINA, AMENDING THE UTILITY RATES

**BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
THAT THE FOLLOWING IS ADOPTED AS TO TOWN'S UTILITY FEE SCHEDULE
EFFECTIVE APRIL 28, 2016:**

Water & Sewer Connections	Water Inside Rate	Water Outside Rate	Sewer Inside Rate	Sewer Outside Rate
Connection 3/4" or less	\$1,155	\$1,445		
Connection 1"	\$1,735	\$2,080		
Connection 2"	\$2,890	\$3,235		

Page 15- Minutes of the April 12, 2016 Regular Council Meeting

Connection 3"	\$4,045	\$4,620		
Connection 4"	\$5,780	\$6,355		
Connection 4" or less			\$1,155	\$1,445
Connection 6"			\$1,735	\$2,080
Connections 8"			\$2,890	\$3,235
Discovery of Unapproved Connection:			Double Tap Fee + 2 yrs service back pay	
Bimonthly Water Rates				
Basic Service Residential	\$54.00	\$108.00		
Basic Service Commercial	\$65.00	\$128.00		
Usage 0-5,000 gals. (per 1,000 gal. rate)	\$4.46	\$8.91		
Usage over 5,000 - 20,000 gals.	\$5.12	\$10.18		
Usage over 20,000 gals.	\$5.72	\$11.50		
Bimonthly Sewer Rates				
Residential User			\$139	\$277
Comm.- Small User			\$157	\$315
Comm.-Medium User			\$279	\$559
Comm.- Large User			\$439	\$878
Comm.- X Large User			\$964	\$1,929
Comm.- XX Large User			\$1,929	\$3,857
Other Fees				
Late Payment	\$25.00	\$25.00	\$25.00	\$25.00
Water Turn-On Fee (voluntarily turned off)	\$40.00	\$40.00		
Transfer Fee	\$20.00	\$20.00	\$20.00	\$20.00
Re-connection Fee (non-payment cutoff)	\$200.00	\$200.00	\$200.00	\$200.00

Chimney Rock Water Bimonthly Rates	Basic Service
Basic Service Residential	\$60.00
Usage 0-5,000 gals. (per 1,000 gal. rate)	\$2.50
Usage over 5,000 - 20,000 gals.	\$3.00
Usage over 20,000 gals.	\$4.00

Garbage / Recycling		
----------------------------	--	--

Page 16- Minutes of the April 12, 2016 Regular Council Meeting

Curbside Residential Garbage Collection (weekly)	free	included in taxes
Curbside Collection of Hard Trash or Lake Debris	free	by appointment
Curbside Recycling Collections	\$8.50/month	
Recycle Bins (each)	\$9.00	
Recycle Bin Lids (each)	\$6.00	

Adopted this the 12th day of April, 2016.

PRESENTATION: TOWN OF LAKE LURE WEED PATCH MOUNTAIN RECREATIONAL PARK PARTF GRANT APPLICATION

Debbie Shetterly of Shetterly Conservation Consulting presented information concerning the Town of Lake Lure Weed Patch Mountain Recreational Park PARTF grant application.

PUBLIC HEARING - TOWN OF LAKE LURE WEED PATCH MOUNTAIN RECREATIONAL PARK PARTF GRANT APPLICATION

Mayor Bob Keith opened the public hearing regarding the Town of Lake Lure Weed Patch Mountain Recreational Park PARTF grant application; no one requested to speak.

Council agreed to close the public hearing.

CONSIDER APPROVAL OF THE TOWN OF LAKE LURE WEED PATCH MOUNTAIN RECREATIONAL PARK PARTF GRANT APPLICATION

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

After discussion, Commissioner Stephen Webber made a motion to approve the Town of Lake Lure Weed Patch Mountain Recreational Park PARTF grant application as presented. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

STAFF REPORTS

Interim Town Manager Sam Karr presented a brief staff report.

PUBLIC FORUM

Mayor Bob Keith invited the audience to speak during public forum.

Page 17- Minutes of the April 12, 2016 Regular Council Meeting

Lorrie Barnwell of 115 Pine Tree Court asked council to consider revising the Zoning Regulations Section 92.116(d) and explained that she and others in Lake Lure Village Resort would like to install a fence with a less invasive metal backing. This is not allowed under the current regulations.

After discussion, Commissioner John Moore made a motion to direct the Zoning and Planning Board to review Section 92.116(d) of the Town's code of ordinances and provide a recommendation to town council. Commissioner Bob Cameron seconded the motion and the vote of approval was unanimous. Commissioner Moore encouraged Ms. Barnwell to attend the next Zoning and Planning Board meeting.

CONSENT AGENDA

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

Commissioner Stephen Webber made a motion to approve the consent agenda as amended. Commissioner Mary Ann seconded the motion and the vote of approval was unanimous. Therefore, the consent agenda incorporating the following items was unanimously approved:

- a. minutes of the March 8, 2016 regular meeting;
- b. an agreement with PANGAEA concerning fiber optic internet service; and
- c. a request from the Zoning and Planning Board to reaffirm with Chimney Rock State Park that the Town Center Small Area Plan is the official guide for redevelopment/development of the Lake Lure Town Center and should be followed when installing improvements like transportation facilities and utilities

End of Consent Agenda.

NEW BUSINESS:

CONSIDER APPROVAL OF A REQUEST FROM LAURA DEATON ON BEHALF OF THE CHAMBER OF THE HICKORY NUT GORGE TO HOST A WEEKLY FARMERS MARKET EVERY FRIDAY IN THE MEADOWS AND WAIVE THE RENTAL FEE FOR THESE EVENTS

Laura Deaton provided information relating to a request to hold a farmer's market in the meadows. Ms. Deaton explained that the Chamber of the Hickory Nut Gorge will be a sponsor of proposed market that will be held weekly on Friday afternoons.

Page 18- Minutes of the April 12, 2016 Regular Council Meeting

Council members discussed a previous market that was in town near the ABC store and asked if vendors would be required to pay a fee to be part of the proposed market. Ms. Deaton explained that a nominal fee would be paid by merchants, but that fee must stay low in order to remain in line with other markets in the area.

Council explained that the Chamber would qualify for the reduced rental fee as a non-profit and discussed potential use of other properties in order to avoid the requested fee waiver.

The board discussed concerns about the selling of alcohol (bottled wine) in the meadow and explained that the canopies may require fabric structure permits. Ms. Deaton stated that they do not plan to have amplified sound at the events and no signs are currently proposed for the events.

After further discussion, Commissioner John Moore made a motion to approve use of the meadows for four Fridays beginning May 27, 2016 at a total cost of \$250 in order to hold a farmer's market and waive the deposit for the events. After the four week trial period council will revisit the topic if necessary. Commissioner Bob Cameron seconded the motion and the motion carried with a vote of three to one in favor. Commissioner Mary Ann Silvey voted in opposition of the motion and explained that she does not oppose the concept of the farmer's market, but has an issue with not following the current policy for waiving of rental fees.

CONSIDER APPROVAL A REQUEST FROM LAURA DEATON ON BEHALF OF THE CHAMBER OF THE HICKORY NUT GORGE TO SUSPEND THE PEDDLING ORDINANCE FOR THE "SALE ON THE TRAIL", ALLOW USE TO THE BASKETBALL COURTS FOR THE EVENT AND WAIVE THE RENTAL FEE FOR USE OF THE MEADOWS

Laura Deaton explained that the Chamber had originally requested use of the grassy area in front of the arcade building as they have done in previous years for the Sale on the Trail, but town staff suggested they use the basketball courts and meadows area for the event.

After discussion, council approved use of the grassy area in front of the arcade building for the "Sale on the Trail". Ms. Deaton withdrew her request to use the meadows for the "Sale on the Trail."

Mayor Bob Keith recessed the meeting briefly and reconvened.

NEW BUSINESS:

CONSIDER APPROVAL OF A ZONING COMPLIANCE PERMIT TO CONSTRUCT A DECK AT LAKE LURE BEACH SUBMITTED BY LAKE LURE TOURS

Zoning Administrator Sheila Spicer gave an overview of ZP-2016017, a Zoning Compliance Permit Application from Lake Lure Tours requesting approval to construct a new deck at the Lake Lure beach in front of the existing beach house.

Lake Lure Tours Manager Steve Miller explained that the proposed deck will allow more opportunity for use of the area and discussed as funding for the project.

Commissioner Webber asked if the proposed deck fits within the town center plan. Community Development Director Shannon Baldwin explained that review by the planning board hasn't taken place.

After discussion, Commissioner John Moore made a motion approve ZP-2016017 contingent upon approval from the Zoning and Planning Board. Commissioner Bob Cameron seconded and the vote of approval was unanimous.

NEW BUSINESS:

HEARING – CONSIDER AN APPEAL OF A CIVIL PENALTY FROM DALE SHIELDS CONCERNING A NOTICE OF VIOLATION OF THE SOIL EROSION AND SEDIMENT CONTROL REGULATIONS

Commissioner Webber inquired as to why the ordinance requires appeals of violations of the Soil Erosion and Sediment Control Regulations be heard by town council since it is an appeal of a code enforcement officer and suggested that council may want to consider reviewing the ordinance to see if it should be amended. Attorney Chris Callahan agreed to research the reasoning behind the ordinance requiring the appeal to come before town council instead of the Board of Adjustment.

Sworn in Environmental Management Officer Clint Calhoun provided testimony concerning a civil penalty issued to Dale Shields regarding violations at 119 Waterpoint Drive as outlined in his memo dated April 5, 2016. (Copy of memo attached) Mr. Calhoun stated that Mr. Shields was directed to cease construction, but work continued at the site.

Mr. Calhoun explained that an application for land disturbance was submitted by Mr. Shields on Monday (February 8, 2016) and Zoning Administrator Sheila Spicer was on the site the following day (Tuesday, February 9, 2016) and directed Mr. Shields to stop work since his permit had not been processed. Mr. Calhoun visited the site the following day and told Mr. Shields not to continue construction. Mr. Calhoun stated that he found out on that Friday (February 12, 2016) that Mr. Shields had continued construction at the site.

Page 20- Minutes of the April 12, 2016 Regular Council Meeting

Commissioner Bob Cameron asked Mr. Calhoun if the area of the land disturbed was greater than the minimum area that requires a permit, 100 square feet. Mr. Calhoun explain that the area of disturbed land in the project was 500 square feet (which would be the cutoff if the property was not within 50 of the shoreline).

Commissioner Stephen Webber stated that he called Mr. Calhoun prior to the meeting and informed him that he would have a couple questions for him during the meeting.

Commissioner Webber asked Mr. Calhoun if his frustration played any part in the amount of the fee assessed for the citation and the length of the suspension.

Mr. Calhoun explained that when he arrived on site where Mr. Shields' crew was working on the project he was angry and told Mr. Shields he should fine him \$5,000. However, after going back to his office he took time to review the situation and he determined the appropriate civil penalty and that the fine assessed was objective, not subjective.

Commissioner Webber reviewed the three violations listed and asked Mr. Calhoun questions relating to the violations.

Commissioner Bob Cameron asked Mr. Calhoun if there have been penalties this large assessed to anyone in the past. Mr. Calhoun acknowledged that others have been fined the same amount or more at least twice before.

Commissioner Mary Ann Silvey stated that the citation for a single day civil penalty and the penalty could have been charged for each day of working out of compliance. Council acknowledged that the fines could have been a maximum of \$5,000 per day.

Commissioner John Moore asked if there have been similar fines assessed to others prior to this occurrence and if an application had been filed in those cases. Mr. Calhoun stated that in one case when a penalty was charged an application had been filed and in another instance no application had been filed.

Commissioner Moore asked Mr. Calhoun about the timeframe for processing applications and Mr. Calhoun explained the regulations allow 3-10 days for processing permits if no additional information is needed or required from the applicant and then processing time is based on his work load and the size of project.

Dale Shields was sworn in. Mr. Shields stated that he has been in business for 25 years and admitted he started the job without having an approved permit. Mr. Shield described a small turn around area with no gravel where water ran down the driveway at the property and provided background concerning the project.

Mr. Shields stated that he submitted his application for a land disturbance and Mr. Calhoun agreed to allow him to go ahead and bring in materials for the job to keep his employees

Page 21- Minutes of the April 12, 2016 Regular Council Meeting

working. Mr. Shields further explained that there was no place at the site for the fill dirt so his crew went ahead and packed dirt around the edge of the house to make more room. Mr. Shields presented a copy of text messages between him and Mr. Calhoun. (exhibit A, attached)

Commissioner Stephen Webber asked Mr. Shields if he had ever received a citation from the Town prior to the one being appealed. Mr. Shields described an instance where he was issued a fine when John Cloud cut some trees in the trout buffer and Mr. Shields' crew cleared the brush. Mr. Shields stated that he did not have to pay the penalty in the incident described.

Commissioner Webber stated that he spoke to Mr. Shields prior to the meeting and told him what questions he would be asking during the meeting.

Commissioner Webber asked Mr. Shields if he did work without a permit, and Mr. Shields admitted that he did. Commissioner Webber asked Mr. Shields if he continued work after being instructed to stop. Mr. Shields stated that he did because of a miscommunication. Commissioner Webber asked Mr. Shields if he did what was on the plan he submitted or more and Mr. Shields stated that he only did what was on the plan.

Mr. Shields explained that Vic Knight secured permitted for the site after the original plan had been completed.

Commissioner Webber explained that the one year suspension from pulling permits does not prevent Mr. Shields from doing work in town, but prevents him from obtaining a permit in his name.

Mr. Shields cited miscommunication as circumstance for reduction of the penalty.

Commissioner John Moore asked if Mr. Shields could give council assurance that a similar occurrence will not happen again. Mr. Shields stated that it will never happen again.

After discussion Commissioner Mary Ann stated that she believes council should support Mr. Calhoun's decision and made a motion to uphold the fine as written and the prohibition of Mr. Shields pulling permits for one year (with the understanding Mr. Shields can still work, he is just not allowed to secure his own permits). There was no second and the motion did not carry.

Commissioner Stephen Webber explained that the intent is to try to serve justice and made a motion to reduce the fine to \$1,500 with a 6 month suspension from pulling permits in his name. Commissioner Bob Cameron seconded the motion and the vote of approval was unanimous.

Mr. Shields asked permission from council to allow him to pay half of the penalty at the end of April and the other half at the end of May.

Page 22- Minutes of the April 12, 2016 Regular Council Meeting

Commissioner John Moore made a motion to allow Dale Shields to pay \$750 (half of the penalty) by the end of April, 2016 and the remaining \$750 by the end of May, 2016 with the 6 months permitting suspension beginning on the date the notice was issued. Commissioner Bob Cameron seconded the motion and the vote of approval was unanimous.

NEW BUSINESS:

**APPOINTMENT – BOARD OF ADJUSTMENT/LAKE STRUCTURE APPEALS
BOARD**

Council members voted by written ballot.

Interim Town Manager Sam Karr announced that Ron Erickson was appointed to fill the remainder of Patricia Maringer's regular position on the Board of Adjustment/Lake Structure Appeals Board with a term expiring December 31, 2016, and Lyn Weaver was appointed to fill the remainder of Ron Erickson's alternate position with a term expiring December 31, 2016.

NEW BUSINESS:

**CONSIDER ADOPTION OF RESOLUTION NO. 16-04-12A APPROVING
APPLICATION FOR LOANS/GRANTS FOR GREENLINE SEWER INTERCONNECT**

Commissioner Stephen Webber made a motion to adopt Resolution No. 16-04-12A approving application for loans/grants for the greenline sewer interconnect. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 16-04-12A

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection system, and

WHEREAS, The Town of Lake Lure has need for and intends to construct a (wastewater collection system,) project described as (force main to transfer sewer to Spindale WWTP), and

WHEREAS, The Town of Lake Lure intends to request state (loan) assistance for the project,

Page 23- Minutes of the April 12, 2016 Regular Council Meeting

NOW THEREFORE BE IT RESOLVED, BY THE Town Council OF THE Town of Lake Lure:

That Town of Lake Lure, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State (loan) award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Lake Lure to make scheduled repayment of the loan, to withhold from the Town of Lake Lure any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Sam Karr, Interim Manager the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a (loan) to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th day of April, 2016.

NEW BUSINESS:
CLOSED SESSION IN ACCORDANCE WITH G.S. 143-318.11(A)(6) FOR THE
PURPOSE OF DISCUSSING PERSONNEL MATTERS RELATING TO THE TOWN
ATTORNEY

Commissioner Stephen Webber made a motion to enter into closed session in accordance with G.S. 143-318.11(a)(6) for the purpose of discussing personnel matters relating to the town attorney. Commissioner Bob Cameron seconded the motion and the vote of approval was unanimous.

ADJOURN THE MEETING

With no further items of discussion, Commissioner Bob Cameron made a motion to adjourn the meeting. Commissioner Mary Ann Silvey seconded the motion and the vote of approval was unanimous.

ATTEST:

Andrea H. Calvert

Mayor Bob Keith