



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD TUESDAY, JULY 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 proposed the following changes to the Agenda:

- Remove item 8b (directing the incoming town manager to make further research and study of a potential new job position for a full time board clerk an extremely high priority and provide a recommendation for action to council) from the consent agenda to 10e under new business.
- Add discussion of a request to extend the temporary certificate of occupancy that was granted to Lake Lure Classical Academy and consideration of granting permission for

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LLCA to build fencing, dugouts, seating/bleachers, etc. in their multi-use field space to properly accommodate sports practices and games as item 10f under new business

- Add a request concerning sewer rates from Utilities Inc. as item 10g under new business
- add a discussion concerning continuing use of the Community Hall for yoga classes to unfinished business

Commissioner Stephen Webber expressed concern with the number of last minute additions to the Agenda. Commissioner Webber read from the Town's Rules of Procedure concerning getting Agenda items to Council members in a timely manner and asked that the pattern of adding last minute items to the Agenda be corrected in order to allow Council adequate time to review materials prior to the meetings.

### **STAFF REPORTS**

Interim Town Manager/Finance Director Sam Karr presented the town manager's report.

### **COUNCIL LIAISON REPORTS & COMMENTS**

Commissioner Stephen Webber reported the activities of the Lake Lure Board of Adjustment/Lake Structures Appeals Board.

Commissioner John Moore reported the activities of the Parks and Recreation Board.

Commissioner Bob Cameron reported the activities of the Utility Advisory Board.

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

### **PUBLIC FORUM**

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

Yvonne Anderson of 502 Garden Lane asked for an update on the strip center on Memorial Highway that was recently purchase by the Town and explained that she is glad to see work being done in the area. Commissioner Bob Cameron explained that there is a budget for improvements to the property and that the ABC store is planned to relocate into a portion of the building.

<b>CONSENT AGENDA</b>
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Mayor Bob Keith presented the consent agenda and asked if any items should be removed before calling for action.

Council members suggested that the advertisement for the public works director position in item 8e be amended by revising the date that applications must be submitted from August 1, 2016 to August 15, 2016 and that the desired education for the position be amended to included ten year experience in a similar field or bachelor's degree, instead of simply a bachelor's degree.

Commissioner Bob Cameron made a motion to approve the consent agenda as amended including the proposed changes to item 8e. Commissioner Mary Ann Silvey 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 June 10, 2016 special meeting and the June 14, 2016 regular meeting
- b. the following amendment to the annual budget ordinance for the fiscal year ending June 30, 2017 concerning payment to Developmental Associates for the town manger search be made:

To amend the Project Ordinance, the appropriations are to be changed as follows:

<u>Account</u>	Decrease	Increase
Commission-Contractual (10-411000-691)	\$	\$18,095
Transfer from Fund Balance (10-398604)		\$18,095
(Revenue account)		

To amend the Project Ordinance, the estimated revenues are to be changed as follows: No Change

- c. a transfer in the amount of \$3,252.85 from fund balance to the Fire Department salaries account to pay for a certification bonus; and
- d. filling the public works director position upon retirement of the current public works director.

End of consent agenda.

**UNFINISHED BUSINESS:**

**CONSIDER A REQUEST SUBMITTED BY DONNA MORRISON REQUESTING USE OF THE COMMUNITY HALL FOR YOGA CLASSES**

Donna Morrison explained that the yoga classes that she has been teaching in the Community Hall have been going well and asked that she be allowed to continue use of the Community Hall on Wednesday afternoons and also add an additional day each week for the classes.

After discussion, Commissioner John Moore made a motion to extend Ms. Morrison's use of the Community Hall for yoga classes on Wednesday afternoons for a period of one year, without adding an additional day at this time. Commissioner Bob Cameron seconded the motion carried 4-0.

**NEW BUSINESS:**

**a. CONSIDER APPROVAL OF A RECOMMENDATION FROM THE PARKS AND RECREATION BOARD TO ADOPT THE NAME "POOL CREEK PICNIC PARK" FOR THE PARK AREA BESIDE THE ABC STORE**

Parks and Recreation Board Chairman Jim Walters presented a recommendation from the Parks and Recreation Board to adopt the name "Pool Creek Picnic Park" for the park area beside the ABC Store.

Commissioner Stephen Webber stated that the proposal does follow the guidelines adopted by council for naming a park.

After discussion, Commissioner Stephen Webber made a motion that the park area beside the beach that has been informally referred to as "Pool Creek Park" be formally renamed "Pool Creek Picnic Park" as recommended by the Parks and Recreation Board. Commissioner Bob Cameron seconded and motion carried 4-0.

**NEW BUSINESS:**

**b. PRESENTATION – BUFFALO CREEK PARK PUBLIC TRAIL HEAD AND  
PARKING LOT AGREEMENT PROPOSAL**

Parks and Recreation Board member Larry Czajkoski gave a presentation concerning Buffalo Creek Park Public Trail Head and presented a proposed parking lot agreement.

Mr. Czajkoski stated that he presented the proposed agreement to the Board at Rumbling Bald Resort and they have approved it. Mr. Czajkoski pointed out that the agreement gives the town the option to build a trail head, but does not require it.

Commissioner Bob Cameron suggested that the agreement include language concerning the waiver of Rumbling Bald Home Owners Association (HOA) fees. Attorney Chris Callahan explained that the Rumbling Bald HOA controls the dues and has authority to waive them.

Council agreed to consider the agreement at their next regular meeting in order to allow time for review by the town attorney.

**NEW BUSINESS:**

**c. CONSIDER APPROVAL OF A RECOMMENDATION TO INCREASE THE  
UTILITY DEPOSIT REQUIRED FOR RENTERS**

Council members discussed a recommendation from the Town's Customer Service Supervisor to increase the deposit required for utility customers from \$150 to \$200 based on the recent sewer rate increase.

Commissioner John Moore expressed concerns about the burden that would be placed on renters by increasing the deposit.

Commissioner Mary Ann Silvey suggested that the Town consider the idea of billing monthly and pointed out that if the bills go out monthly, the current deposit may be adequate to cover the bill for one month.

After further discussion, Commissioner Stephen Webber made a motion to table discussion of the topic until the September town council meeting. Commissioner Mary Ann Silvey seconded and the motion carried 4-0.

**NEW BUSINESS:**

- d. CONSIDER APPROVAL OF THE FOLLOWING REQUESTS SUBMITTED BY THE CHAMBER OF THE HICKORY NUT GORGE CONCERNING THE DIRTY DANCING FESTIVAL BEING HELD ON AUGUST 19-20, 2016**

Wyn Hardy gave background concerning the Dirty Dancing Festival and explained that the Chamber has taken over the event starting this year.

Mr. Hardy explained that the Chamber is not asking for exclusive use of the parking lot. He has spoken with the manager of Lake Lure Tours and agreed to work with them and intend to utilize parking across the road as well.

Mr. Hardy also stated that he will work with the Town Fire and Police Department staff concerning traffic for the event.

Commissioner Bob Cameron made a motion to suspend the Peddling Ordinance for the Dirty Dancing Festival being held August 19-20, 2016 and to grant permission to use the parking lot for attendees of the festival. Commissioner John Moore seconded and the motion carried 4-0.

**NEW BUSINESS:**

- e. TASK THE INCOMING TOWN MANAGER, ARRIVING AUGUST 1, 2016, TO MAKE FURTHER RESEARCH AND STUDY OF A POTENTIAL NEW JOB POSITION FOR A FULL TIME BOARD CLERK AN EXTREMELY HIGH PRIORITY AND PROVIDE A RECOMMENDATION FOR ACTION TO COUNCIL AT THE SEPTEMBER 13, 2016 REGULAR TOWN COUNCIL MEETING**

Commissioner Stephen Webber gave an overview of his memo concerning directing the incoming Town Manager to study a potential new position and explained the importance of the position review due to strained staff.

Council members discussed concerns about timing and formally directing the new Town Manager before he even begins working for the town.

Commissioner Bob Cameron suggested delaying the date for a recommendation should be provided until October, 2016.

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After discussion, Commissioner John Moore made a motion to direct the Town Manager to research and study a potential new job position for a full time Board Clerk and provide a recommendation to Council at the November, 2016 regular Town Council meeting.

Commissioner Mary Ann Silvey explained that she supports research of the position, but she feels a formal mandate is unnecessary at this time.

After further discussion, Commissioner Bob Cameron seconded the motion. Commissioners Bob Cameron, John Moore and Stephen Webber voted in favor of the motion. Commissioner Mary Ann Silvey opposed. The motion carried 3-1.

### **NEW BUSINESS:**

- f. CONSIDER A REQUEST TO EXTEND THE TEMPORARY CERTIFICATE OF OCCUPANCY THAT WAS GRANTED TO LLCA WHICH IS SET TO EXPIRE IN AUGUST, 2016  
AND CONSIDER GRANTING PERMISSION FOR LLCA TO BUILD FENCING, DUGOUTS, SEATING/BLEACHERS, ETC. IN OUR MULTI-USE FIELD SPACE TO PROPERLY ACCOMMODATE SPORTS PRACTICES AND GAMES**

Tim Turner, Chairman of the Lake Lure Classical School Board introduced LLCA's Executive Director, Tom Keever who gave an update on Lake Lure Classical Academy and gave a summary of phase one on their building.

Mr. Keever stated that the school building's temporary certificate of occupancy is set to expire in August, but Lake Lure Classical Academy is financially unable to begin the gym that is required for their permanent certificate of occupancy. Mr. Keever further explained that they are hoping to develop a multi-use field space to properly accommodate sports practices and games with the amount of funding that is available.

Mr. Keever also asked Council to consider doing away with the façade requirement for the building and explained that it would cost more than of \$100,000 and that these funds would be better used to support other needs of the school.

Council members discussed a Brownfield grant application that was supposed to be completed by the school to help fund the gym/auditorium and asked if any plans have been submitted for the proposed fields. Mr. Turner explained that plans have not been submitted since the fields are still in the planning phase.

After further discussion, Commissioner Stephen Webber made a motion to extend the certificate of occupancy for Lake Lure Classical Academy until Aug 31, 2017 and not approve any additional construction at this time. Commissioner Bob Cameron seconded the motion.

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Council members asked that the school representative come back at a later date with specifics regarding the façade and justify why they think it is unnecessary so that council can consider removing the requirement at that time. The motion carried 4-0

**NEW BUSINESS:**

**g. CONSIDER A REQUEST FOR MOUNTAIN UTILITIES CONCERNING  
INCREASED SEWER RATES**

Mayor Bob Keith distributed a letter from Martin Lashua, vice president at Utilities, Inc. dated June 27, 2016.

Mr. Lashua explained that Carolina Water Systems provides utility services to the Rumbling Bald area and sends its collected wastewater to the Town for treatment.

Mr. Lashua further explained that CWS believes that a reduced rate is appropriate for their customers because the Town is providing a reduced level of service to CWS customers compared to other Town customers. In addition, the Town does not maintain CWS' collection system and the town only issues a single bill for CWS instead of billing for over 400 accounts.

Council requested that the Utility Advisory Board to review this topic at their August 2, 2016 meeting.

**ADJOURN THE MEETING**

With no further items of discussion, Commissioner Stephen Webber made a motion to adjourn the meeting. Commissioner Mary Ann Silvey seconded and the motion carried 4-0.

ATTEST:

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Andrea H. Calvert, Town Clerk

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Mayor Bob Keith