



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, MARCH 14, 2017, 6:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

PRESENT: Mayor Bob Keith
Commissioner Mary Ann Silvey
Commissioner Bob Cameron
Commissioner John W. Moore
Commissioner Stephen M. Webber
Ron Nalley, Town Manager

William Morgan, Jr., Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Bob Keith called the meeting to order at 6:00 p.m. Commissioner Mary Ann Silvey gave the invocation. Council members led the pledge of allegiance.

APPROVE THE AGENDA

Commissioner Bob Cameron made a motion to approve the agenda as presented. Commissioner Mary Ann Silvey seconded and the motion carried 4-0.

MAYOR COMMUNICATIONS

Mayor Bob Keith recognized Lake Lure Police Department's Officer Chris Shuford for his efforts in furthering his education through earning his criminal investigation certificate, intermediate law enforcement certificate, traffic enforcement and investigation certificate and his advanced law enforcement certificate.

Council discussed changing the date of the May 9, 2017 Regular Town Council Meeting date due to a workshop that the Mayor and Town Manager are scheduled to attend May 9 through May 11 in Ringgold, Georgia. Town Attorney William Morgan stated that he may have a conflict with the proposed new meeting date, but agreed to attend if he is available. Commissioner Bob Cameron made a motion to amend Town Council's Meeting Schedule to

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move the May Town Council Meeting to May 8, 2017. Commissioner John Moore seconded and the motion carried 4-0.

TOWN MANAGER COMMUNICATIONS

- Dam Operator Donnie McCraw gave an update on repairs to the generator at the dam.
- Lake Operations Director Dean Givens provided an update on the dredging project and stated that dredging is in the final stages for this season.
- Town Manager Ron Nalley explained that final work is being done on the design for the interior layout of the new ABC Store. Construction drawings will be developed and brought back to Town Council at a later date.
- Town Manager Ron Nalley stated that, according to the Town's customer service staff, many of the issues with the new boat permit database have been resolved at no additional cost to the Town.

PRESENTATION:

a. BOARD OF ADJUSTMENT ANNUAL REPORT PRESENTATION- JOHN KILBY, CHAIRMAN

John Kilby, Chairman of the Board of Adjustment presented his 2016 report on the activities of the Board of Adjustment. Mr. Kilby stated that he is doing an in-depth study of the vacation rental operating permit process and he hopes to present his findings to Town Council at a later date.

Council thanked Mr. Kilby for the report. Commissioner Stephen Webber asked that Mr. Kilby look into the status of training required for the Board of Adjustment members.

COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Stephen Webber reported the activities of the Board of Adjustment and the Parks and Recreation Board.

Commissioner John Moore reported the activities of the Asset Management Advisory Board and the Zoning and Planning Board.

Mayor Bob Keith reported the activities of the Lake Advisory Board.

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

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

PUBLIC FORUM

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

Patricia Maringer of 1491 Memorial Highway inquired about the sign at the Town-owned strip-center and stated that she is still unsure why the ABC Store is moving from their current location. In response to Ms. Maringer's question, Commissioner Bob Cameron explained that the current ABC Store location is a prime piece of commercial property that can be better utilized for another use. Commissioner Mary Ann Silvey stated that the sign at the proposed new ABC Store location is required by the State and that calls to the number listed on the sign will be logged and comments will be reported to the State.

Skip Marsh of 145 Treetops Lane stated that he works as a real estate agent for a local agency and that several members of their team recently went on a tour of Lake Lure Classical Academy. Mr. Marsh described the tour as a great experience and commended the staff and students at Lake Lure Classical Academy.

CONSENT AGENDA

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

Commissioner Stephen Weber stated that on page three of the draft minutes the February 14, 2017 Regular Town Council Meeting the words "Fire Chef" should be changed to "Fire Chief" in two places in the Minutes. Commissioner Webber also stated that on the last page of the draft minutes he is credited with making a motion that he does not recall making. The Town Clerk agreed to review the video of the meeting to ascertain if Commissioner Webber made the motion in question.

Commissioner Mary Ann Silvey made a motion to approve the Consent Agenda as presented with the condition that the Town Clerk review the February 14, 2017 Regular Meeting Minutes and change the word "Fire Chef" to "Fire Chief" in the Minutes. Commissioner Bob Cameron seconded and the motion carried 4-0. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the January 31, 2017 Special Meeting Minutes and the February 14, 2017 Regular Meeting Minutes.

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- B. Approve an Annual Audit Contract with Martin-Starnes & Associates in the amount of \$28,400.
- C. Adopt Budget Amendment 193.

NEW BUSINESS:

A. REQUEST FOR COMMERCIAL USE OF PARK PROPERTY

Town Manager Ron Nalley explained that the Town recently received a request from Handle with Care Dog Training to teach classes at the Meadows in Morse Park. In the past, this type of request has been handled on a case by case basis. Many Towns are now developing a permit system to allow for the use of parks by a variety of private commercial entities as long as the activities are (1) recreational in nature, (2) will not restrict or impede access for the general public, (3) does not conflict with recreational programming offered by the Town, (4) will not pose a safety risk, and (5) will not create an undue burden on the park property in use. Mr. Nalley stated that if the Commissioners wish to allow certain commercial uses in the park, it is recommended that the Parks and Recreation Board be asked to develop a Commercial Use of Park Property Policy, permitting process and fee schedule for the Town Council's consideration.

Following discussion, Commissioner Bob Cameron made a motion to forward the request for commercial use of park property matter to the Parks and Recreation Board for their review and recommendation. Commissioner Stephen Webber seconded and the motion carried 4-0.

NEW BUSINESS:

**B. TREE REMOVAL AND TRIMMING PROJECTS – LAKE LURE VILLAGE
PARKING AREA ISLANDS**

Town Manager Ron Nalley explained that the Planning Board recommended that the health of the trees in the Lake Lure Village parking area islands be assessed. Town Council approved the recommendation, a committee was formed and an arborist was commissioned to conduct the assessment under the committee's oversight. Bids for both the tree/stump removal and tree trimming projects in keeping with the arborist's were accepted. The lowest bids were as follows:

- Tree & Stump Removal (8 trees) \$2,225.00 (Jerry D. Nelon)
- Tree Trimming (14 trees) \$2,700.00 (Snow Creek)

Both bidders have the required insurance to complete the work.

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Council discussed the necessity of the removal based on the arborist review. Commissioner John Moore made a motion to:

1. Approve the bid from Jerry Nelon for tree and stump removal in the amount of \$2,225 and authorize the Town Manager to sign the necessary documents.
2. Approve the bid from Snow Creek for tree trimming in the amount of \$2,700 and authorize the Town Manager to sign the necessary documents.
3. Approve Budget Amendment 194 transferring \$4,925 from the General Fund Balance for the tree removal and trimming project.

Commissioner Bob Cameron seconded and the motion carried 4-0. Commissioner Stephen Webber asked that the map and list of trees that will be removed and trimmed be added to the Town's website for citizens to view. Commissioner Mary Ann Silvey suggested that a plan for restoration be created for the area, taking into consideration the Town Center Plan, if a plan does not already exist.

NEW BUSINESS:

C. 2017-2022 CAPITAL IMPROVEMENTS PLAN

Town Manager Ron Nalley explained that the proposed 2017-2022 Capital Improvements Plan will be available soon and suggested that Council schedule a special meeting to review the plan and then hold the Public Hearing on April 11, 2017.

Commissioner Stephen Webber made a motion to call for a Public Hearing on April 11, 2017 at 6:00 p.m. or as soon thereafter as possible to discuss the proposed 2017-2022 Capital Improvements Plan. Commissioner John Moore seconded and the motion carried 4-0.

D. CLOSED SESSION IN ACCORDANCE WITH G.S. 143-318.11(A) (3) FOR ATTORNEY CLIENT PRIVILEGE

Commissioner Stephen Webber made a motion to enter into closed in accordance with G.S. 143-318.11(a) (3) for attorney client privilege. Commissioner John Moore seconded and the motion carried 4-0.

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While in closed session Town Attorney William Morgan updated council members on litigation between the Town of Lake Lure and Eisenbrown, Self, Jones, et. al. Mr. Morgan explained that the parties that opposed the Town and the Lodge on Lake Lure representatives both appealed the ruling on the case, but the Town did not appeal the ruling.

Council members agreed to retain Attorney Tom Terrell in his current role and directed Town Attorney William Morgan to discuss payment arrangements with the Lodge of Lake Lure's attorney.

Commissioner Stephen Webber made a motion to leave closed session. Commissioner Bob Cameron seconded and the motion carried 4-0.

ADJOURN THE MEETING

With no further business, Commissioner Stephen Webber made a motion to adjourn the meeting 8:03 p.m. Commissioner Bob Cameron seconded and the motion carried 4-0.

ATTEST:

Andrea H. Calvert,
Town Clerk

Mayor Bob Keith