

MINUTES OF A REGULAR MEETING OF
THE BOARD OF COMMISSIONERS OF THE TOWN OF LAKE LURE
August 28, 1984

The regular meeting of the Board of Commissioners of the Town of Lake Lure was held in the Community Building, August 28, 1984, at 7:30 p.m. Those present were Mayor Charles F. Hicks, Commissioners Gruver, Queen, Price, Town Manager Peter F. Lydens, and Town Attorney Jervis Arledge.

The meeting was called to order after the invocation by Dave Lide.

Motion was made by Commissioner Gruver, seconded by Commissioner Queen to adopt the minutes of the Regular Meeting of July 24, 1984, as read. The vote was unanimous.

Mayor Hicks administered the Oath of Office to Harvey McDaniel, the first member of Lake Lure's Reserve Police Force. Mayor Hicks explained that "Peanut" would continue to work part-time, but, would now wear Lake Lure's blue uniform, instead of the County's brown one.

Motion was made by Commissioner Price, seconded by Commissioner Gruver to defer action on the following:

- Ordinance - Adopting of Personnel Regulations
- Ordinance - Restricting Parking at Municipal Beach
- Ordinance - Adopting Position Classification Plan
- Ordinance - Adopting Pay Plan

The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver to adopt a Resolution approving the Law Enforcement Agreements with the counties of Henderson, Polk and Rutherford. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver adopting a Resolution authorizing the Town Manager to enter into Contract Agreements for the Rental of Town Equipment and Operator for Work on Private Property, with the stipulation that the agreements contain a clause stating that the Town will not compete with Private Industry, and a clause stating that the Town's work take priority over any other work. The vote was unanimous.

Commissioner Price made a motion, seconded by Commissioner Gruver to defer action on an Agreement with the Lake Lure Ski Club. The vote was unanimous.

Commissioner Price made a motion, seconded by Commissioner Gruver to adopt a Resolution awarding the Street Paving Contract to Thompson Bros. at \$93,283. The following is a list of proposed roads to be paved under this contract:

Boys Camp Rd.	.5 mile
Chimney Cliffs Dr.	.15 mile
Road 59	.4 mile
Road 55	.5 mile
Asa Gray Rd.	.2 miles
Joe Turner's Rd.	100'

Motion was made by Commissioner Price, seconded by Commissioner Gruver to reject a bid on a contract to refurbish equipment at the Hydro-electric Plant. Under state law, three bids must be received or the bid must go out for a second time. The vote was unanimous.

Commissioner Gruver made a motion, seconded by Commissioner Price, to adopt a Resolution awarding the Contract for the Construction of Two Tennis Courts, without lighting, to Pace Bros. Construction Co, Inc. with a bid of \$23,600. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver to transfer \$3,260 from General Fund Contingency Account to the Tennis Court account. The vote was unanimous.

Motion was made by Commissioner Gruver, seconded by Commissioner Price to adopt a Resolution authorizing Fairview VFD to hold its First Annual Bass Fishing Tournament on Lake Lure, Sept. 7 & 8th, 1984. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver redesignating "A" Avenue to Bottomless Pools Road. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Gruver to permit the Lake Lure Art Study Organization to use the Beach House for its meetings from Labor Day to May 1st, 1985. The vote was unanimous.

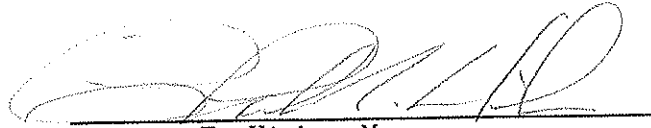
Motion was made by Commissioner Price, seconded by Commissioner Gruver, designating November 26th to January 1st, 1985 as the period of time for the lake level to be lowered for construction and repair purposes. The Town guarantees 30 working days as the minimum amount of time for the lake to be lowered. The vote was unanimous.

Motion made by Commissioner Price, seconded by Commissioner Queen to grant permission to Charles Cannon to extract two dozen mussels from the lake for study purposes. The vote was unanimous.

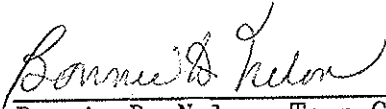
Motion was made by Commissioner Gruver, seconded by Commissioner Price to enter into Executive Session for the purpose of discussing litigation. The vote was unanimous.

Motion was made by Commissioner Queen, seconded by Commissioner Gruver to return to Open Session. The vote was unanimous.

There being no further business, motion was made by Commissioner Price, seconded by Commissioner Gruver to adjourn. The vote was unanimous.



Charles F. Hicks, Mayor



Bonnie D. Nelon, Town Clerk

Adopted this 25th day of September, 1984.

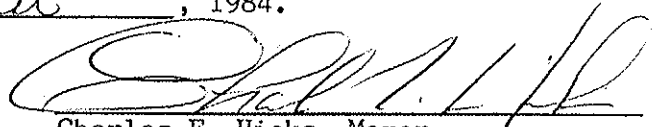
AN ORDINANCE PROHIBITING PARKING AT ALL TIMES BEHIND
THE TOWN COMMUNITY CENTER

Be it ordained by the Town Council of the Town of Lake Lure that parking is prohibited at all times behind the Town Community Center based upon the provisions of G.S. 160A-301;

And be it further ordained that this ordinance become effective upon the installation of the necessary parking prohibition signs.

Adopted this 28th day of August, 1984.

ATTEST:


Charles F. Hicks, Mayor


Bonnie D. Nelon, Town Clerk

Approved as to Form:

Jervis Arledge, Town Attorney

RESOLUTION AUTHORIZING FAIRVIEW VFD TO HOLD ITS FIRST
ANNUAL BASS FISHING TOURNAMENT ON LAKE LURE

Be it resolved by the Town Council of the Town of Lake Lure that the Fairview VFD be authorized to hold its First Annual Bass Fishing Tournament on Lake Lure between the hours of 8 P.M., September 7th, to 9 A.M. September 8, for the purpose of raising funds for fire-fighters' uniforms and turnout gear;

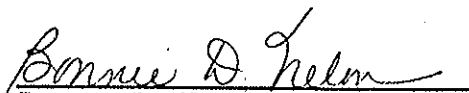
And be it further resolved that the participants would purchase all required fishing and boating licenses and abide by all laws, ordinances and regulations concerning boating and fishing on Lake Lure;

And be it further resolved, that the Mayor and Town Clerk are hereby authorized and directed to execute the necessary contract agreement with the Fairview VFD.

Adopted this 28th day of August, 1984.

ATTEST:


Charles F. Hicks, Mayor


Bonnie D. Nelon, Town Clerk


RESOLUTION AWARDING STREET PAVING CONTRACT
FOR THE TOWN OF LAKE LURE


Be it resolved by the Town Council of the Town of Lake Lure, NC that the 1984 street paving contract be awarded to Thompson Contractors, Inc. in the amount of \$7.75 per ton in place of base stone and \$32.00 per ton in place of I-2 asphalt,

And be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute the contract on behalf of the Town.

Adopted this 28th day of August, 1984.

ATTEST:


Charles F. Hicks, Mayor


Bonnie D. Nelon, Town Clerk

RESOLUTION APPROVING THE LAW ENFORCEMENT MUTUAL AID AGREEMENT
WITH HENDERSON, POLK AND RUTHERFORD COUNTIES

Be it resolved by the Town Council of the Town of Lake Lure that the Law Enforcement Mutual Aid Agreements between the Town of Lake Lure and the Counties of Henderson, Polk and Rutherford having been prepared by the Town Attorney and previously authorized for execution by the Town Council are hereby approved;

And be it further resolved that those agreements will become effective upon execution.

Adopted this 28th day of August, 1984.

ATTEST:

Bonnie D. Nelson
Bonnie D. Nelson, Town Clerk

Charles F. Hicks
Charles F. Hicks, Mayor

RESOLUTION AWARDING A CONTRACT FOR THE
CONSTRUCTION OF TWO TENNIS COURTS

Be it resolved by the Town Council of the Town of Lake Lure,
NC, that the contract for the construction of two tennis courts
without lighting be awarded to Pace Brothers Construction Co,
Inc., in the amount of \$23,260.00.

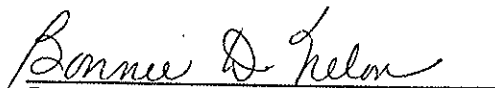
And be it further resolved that the Mayor and Town Clerk are hereby
authorized and directed to execute the contract on behalf of the
Town.

Adopted this 28th day of August, 1984.



Charles F. Hicks, Mayor

ATTEST:

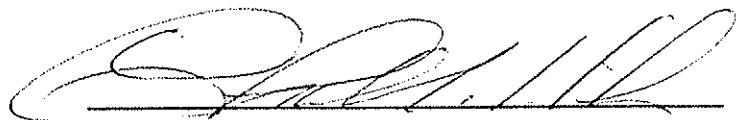


Bonnie D. Nelon, Town Clerk

RESOLUTION AWARDING CONTRACT FOR REFURBISHING EQUIPMENT
AT THE HYDRO-ELECTRIC PLANT

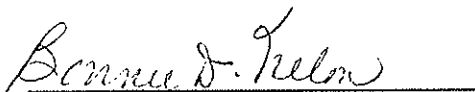
Be it resolved by the Town Council of the Town of Lake Lure, N.C.
that the one bid received for the refurbishing of equipment at the hydro-
electric plant be rejected and the Town Manager be directed to re-
advertise for bids in accordance with N.C. State statutes.

Adopted this 28th day of August, 1984.



Charles F. Hicks, Mayor

ATTEST:




Bonnie D. Nelon, Town Clerk

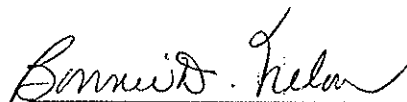
A RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER
INTO CONTRACT AGREEMENTS FOR THE RENTAL OF
TOWN EQUIPMENT AND OPERATOR FOR WORK ON PRIVATE PROPERTY

Be it resolved by the Town Council of the Town of Lake Lure that the Town Manager is authorized to enter into Contractual Agreements on behalf of the Town for the rental of the Town motor grader and backhoe, with individuals associations and corporations within the Town, at a rate of \$35.00/hour for one piece of equipment with our town operator.

Adopted this 28th day of August, 1984.

ATTEST:


Charles F. Hicks, Mayor


Bonnie D. Nelson, Town Clerk

COLON MELTON
Rt. 3, Box 718 BB
Shelby, NC 28150

Town of Lake Lure
P. O. Box 255
Lake Lure, NC 28746

To The Town of Lake Lure:

This is a request for a refund of Lake lure taxes paid from 1981-1983 in accordance with G.S. 105-382. Our property located on US 64-74, behind Generva Motel is not in the Town limits. The amount of taxes requested for refund is \$70.62 . (1983- \$22.80, 1982 - \$25.82, 1981-\$22.00)

Sincerely,

Madge Melton

006	137.16	83-	22.80
		82-	25.82
		1-	22.00
		0-	22.00
		79-	22.54
		78-	22.00
			137.16

520-2-47A
47
48

CO., INC.
X 2217
117
2-8637

RESOLUTION

WHEREAS, the Town of Lake Lure is in favor of encouraging recreational facilities for the benefit of the young persons who are residents of the Town; and

1. WHEREAS, The Town of Lake Lure does not operate a municipal water ski program and has no present intention of establishing a water ski program capability as a municipal function; and
2. WHEREAS, the citizens of the Town of Lake Lure and interested persons from the area have operated youth water ski programs for a period of several years; and
3. WHEREAS, the Town of Lake Lure recognizes that a valuable public service is performed for and on behalf of its citizens by the Lake Lure Water Ski Club and that the existence of the Lake Lure Water Ski Club makes it unnecessary for the said Town to consider the provision of municipal youth water ski programs; and
4. WHEREAS, from time to time in the past, the Town of Lake Lure has supported and assisted the Lake Lure Water Ski Club in various ways in fulfilling its worthwhile activities and intends to continue to do so in the future, to the extent possible; and
5. WHEREAS, the relationship between the Town of Lake Lure and the Lake Lure Water Ski Club has been one of cooperation, although no formal contract in written form has existed between the parties.

WHEREAS, Article V, Section 2 (7) of the Constitution of North Carolina and North Carolina General Statutes §160A-353 and §158-7.1 permit the

Town of Lake Lure to make financial contributions to various civic non-profit associations and corporations for the purposes of providing recreational facilities and activities to citizens of the Town.

NOW, THEREFORE, let it be resolved as follows:

1. That the Town of Lake Lure hereby contribute the sum of Three Thousand Dollars (\$3,000.00) to the Lake Lure Water Ski Club.
2. That said sum contributed herein by the Town of Lake Lure come only from revenues generated by the sale of electricity by said Town to Duke Power Company, and
3. That the Agreement between the Town of Lake Lure and Lake Lure Water Ski Club which is attached hereto as "Exhibit A" be executed and signed on behalf of the Lake Lure Water Ski Club.

Adopted this ___ day of August, 1984.

ATTEST:

Mayor

Town Clerk

Exhibit "A"

STATE OF NORTH CAROLINA

COUNTY OF RUTHERFORD

AGREEMENT BETWEEN TOWN OF LAKE LURE
AND LAKE LURE WATER SKI CLUB

THIS AGREEMENT, made and entered into by and between the Town of Lake Lure, a municipal corporation duly organized and existing under the laws of the State of North Carolina, hereinafter referred to as "Town," and the Lake Lure Water Ski Club, a nonprofit association duly organized and existing under the laws of the State of North Carolina, hereinafter referred to as the Lake Lure Water Ski Club.

WITNESSETH:

1. WHEREAS, The Town of Lake Lure does not operate a municipal water ski program and has no present intention of establishing a water ski program capability as a municipal function; and
2. WHEREAS, the citizens of the Town of Lake Lure and interested persons from the area have operated youth water ski programs for a period of several years; and
3. WHEREAS, the Town of Lake Lure recognizes that a valuable public service is performed for and on behalf of its citizens by the Lake Lure Water Ski Club and that the existence of the Lake Lure Water Ski Club makes it unnecessary for the said Town to consider the provision of municipal youth water ski programs; and
4. WHEREAS, the Town recognizes that the providing of water ski instruction, programs and public shows are beneficial to the youth of the Town and also attract growth and industrial development for said town; and

5. WHEREAS, the relationship between the Town of Lake Lure and the Lake Lure Water Ski Club has been one of cooperation, although no formal contract in written form has existed between the parties.
6. WHEREAS, the Lake Lure Water Ski Club is in need of additional sources of money in order to continue to provide the abovesaid recreational services to the community; and
7. WHEREAS, the Town is desirous of assisting the Lake Lure Water Ski Club in order that the Lake Lure Water Ski Club can continue to provide these recreational facilities.

NOW, THEREFORE, the Town and the Lake Lure Water Ski Club agree as follows:

1. The Town of Lake Lure contribute Three Thousand Dollars (\$3,000.00) to the Lake Lure Water Ski Club.
2. The Lake Lure Water Ski Club shall use its best efforts to provide a youth water ski program for residents of the Town of Lake Lure and shall not discriminate in any manner in the providing of service to the citizens of the Town.
3. The Lake Lure Water Ski Club shall at all times in conducting its operations, comply with all local, state, and federal laws and regulations with respect to training, equipment, and other matters of like kind, as said laws and regulations exist and as they may be changed from time to time.
4. The parties agree that the Lake Lure Water Ski Club is not a department of the Town and the Town assumes no responsibility for the equipping or training of the Lake Lure Water Ski Club, or for the delivery of its services. The parties further agree

that at no time shall the Lake Lure Water Ski Club operate or appear to operate as an agent of the Town and that no such agency relationship has in the past, does now, or will in the future exist. It is further agreed that the Town of Lake Lure shall assume no liability, legal or otherwise, for any actions or inactions on the part of the Lake Lure Water Ski Club or any of its agents, servants or employees. Further, the Lake Lure Water Ski Club agrees to indemnify and hold harmless the Town from any liability or damage arising out of its activities.

- 5. The Lake Lure Water Ski Club agrees to account for the expenditure of said Three Thousand Dollars (\$3,000.00) to the Town and the Town shall have the right to audit, if it so desires, the books and records of the Lake Lure Water Ski Club by a licensed, certified public accountant who shall provide the Town with a copy of said audit report.

Signed this ____ day of _____, 1984.

TOWN OF LAKE LURE

By: _____
Charles F. Hicks, Mayor

ATTEST:

Bonnie D. Nelson, Town Clerk

APPROVED AS TO FORM:

A. Jervis Arledge, Town Attorney

LAKE LURE WATER SKI CLUB

By: _____
President

(SEAL)