



TOWN OF LAKE LURE • P.O. BOX 255 • LAKE LURE, N.C. 28746 • 704/625-9983 • 704/625-9396

**MINUTES OF THE TUESDAY, MARCH 26, 1991 TOWN COUNCIL MEETING
WHICH WAS HELD AT 7:30 P.M. AT FAIRFIELD MOUNTAIN BALD MOUNTAIN
CLUB.**

PRESENT: Mayor L. C. Michelon
Commissioner Bill Bush
Commissioner Alex Karr
Commissioner Hugo Moirano
Commissioner Frankie Queen

J. Paul Wilson, Town Manager
J. Christopher Callahan, Attorney at Law

ABSENT: N/A

INVOCATION

Ms. Geri Corbin presented the invocation.

APPROVAL OF MINUTES

Commissioner Bill Bush moved, seconded by Commissioner Karr, to approve the minutes of the Tuesday, February 26 regular Council meeting with the correction on page 6 which read: A motion was made by Commissioner Karr to recess the meeting to the Town Hall at 4:00 on February 27. The motion was seconded by Commissioner Karr, and the vote to recess was unanimous. The motion should read:

A motion was made by Commissioner Karr to recess the meeting to the Town Hall at 4:00 p.m. on February 27. The motion was seconded by Commissioner Bush, and the vote to recess was unanimous.

The motion was unanimous to approve the minutes of the February 26, 1991 meeting with the above change, and to approve the minutes of the Wednesday, February 27, 1991 meeting.

PROPOSED HEALTH CARE CLINIC IN BAT CAVE

Mr. Wallace Gilbertson, President of the Blue Ridge Health Center Board, gave a presentation of the plans to construct the George Bond Memorial Health Center on property near the Bat Cave Post Office. The new center will replace the 42 year old Valley Clinic, founded by Dr. Bond in 1948 as a family

medical practice and hospital. The Valley Clinic has been operated since 1988 by Blue Ridge Community Health Services of Hendersonville. The Valley Clinic Board of Directors has purchased the new health center site, which will house the offices of Katherine Sloss and Steven Lackey, family practice physicians employed by Blue Ridge Community Health Services, and Dr. Grady Sparks, a dentist. The Valley Clinic Board owns the existing clinic, a 70 year old brick structure on U. S. 74 originally built as a school. Only a small portion of the building is currently in use. It lacks the type of plumbing, wiring, heating and air conditioning needed for efficient operation of a modern family medical practice. Its current location is isolated from the other commercial and public buildings of the community. The cost of constructing the George Bond Memorial Health Center will be included in a capital fund campaign being organized by Blue Ridge Community Health Services of Hendersonville.

CONSUMPTION OF ALCOHOLIC BEVERAGES

Commissioner Karr moved, seconded by Commissioner Moirano, to approve the following ordinance. The vote of approval was unanimous:

ORDINANCE

ORDINANCE GOVERNING CONSUMPTION OF MALT BEVERAGES, UNFORTIFIED WINE, FORTIFIED WINE, SPIRITUOUS LIQUOR, OR MIXED BEVERAGES ON TOWN BEACH: PENALTY

BE IT ORDAINED by the Town Council of the Town of Lake Lure, that the following ordinance govern the consumption of malt beverages, unfortified wine, fortified wine, spirituous liquor or mixed beverages in public places and the penalty for the violation thereof:

Section 1. Consumption of malt beverages and Unfortified Wine, Fortified Wine, Spirituous Liquor or Mixed Beverages. No person shall consume malt beverages or unfortified wine, fortified wine, spirituous liquor, or mixed beverages, as defined in Section 18B-101 of the General Statutes of North Carolina, on or within the Town Beach, unless a permit is first received from the Town of Lake Lure pursuant to Section 2 below.

Section 2. Permit. The Town Council of the Town of Lake Lure may grant a permit for such special event or occasion as it deems advisable allowing the consumption of either malt beverages, unfortified wine, fortified wine, spirituous liquors and/or mixed beverages, and the permit shall be in writing and describe the date and hours the operation of this ordinance shall be temporarily suspended for said special event or occasion.

Section 3. Penalty. Violation of this Ordinance shall be a misdemeanor and punishable on conviction by a fine not exceeding fifty dollars (\$50.00) or by imprisonment not exceeding thirty (30) days, as provided by Section 14.4 of the General Statutes of North Carolina.

This Ordinance shall become effective upon its adoption.

Adopted this 26 day of March 1991. (Refer to Minutes of 4-4-91).

VETERAN'S MEMORIAL PLANS

Commissioner Moirano moved, seconded by Commissioner Queen, to adjust the budget in the amount of \$5,000 for the purchasing of materials necessary to build a veteran's memorial. Commissioner Bush moved to amend the amount by \$1,400 in order to move the cyclone fences to the location proposed in the plans submitted by the Beautification Committee. Commissioner Queen seconded the motion. The amendment was passed 3 to 1 with Commissioner Karr opposed.

The amended motion, comprising \$5,000 for the veteran's memorial and \$1,400 for the fence relocation, was then passed unanimously.

EASTER HOLIDAY PLANS

It was the consensus of the Town Council that Town personnel be given Friday, March 29 as a day off for the Easter Holiday instead of Monday, April 1.

BEACH AND MARINA PLANS AND FEES

Sam Karr, Recreation Director, announced that the Beach will open May 10, and the Marina will open for weekends beginning March 30. The Marina will begin operating full-time about the middle of May.

It was the consensus of the Council to table the discussion on resident Beach fees until the regular April Council meeting.

Commissioner Moirano moved, seconded by Commissioner Karr, to revise the current boating ordinance to read as follows:

1. Town Commissioners and the Mayor will receive one annual boat permit for a boat registered in his/her name at no cost.
2. The Fire Chiefs from the Bill's Creek, Lake Lure, Chimney Rock, and Fairfield Fire Departments will submit a list of the members of their respective departments to the Town Clerk, including official addresses. Members of these departments will receive one annual boat permit for boat registered.

in his/her name at no cost.

3. The Fire Chiefs from the Bat Cave, Gerton, and Sunnyview Fire Departments will submit a list of the members of their respective departments to the Town Clerk, including official addresses. Persons on these lists will be eligible to receive one annual boat permit for boat registered in his/her name for \$30.
4. Members of the Hickory Nut Gorge EMS will be provided the same eligibility as that described in #2 above.
5. Employees of the Town of Lake Lure will be eligible to purchase one annual permit for a boat registered in his/her name for \$30 irrespective of place or residency.
6. All persons falling into one of the above categories must show proof of ownership before being issued a boat permit.

The vote to approve these rates was unanimous.

BASS FISHING TOURNAMENT AWARD

The Fairfield Volunteer Fire Department has sponsored an annual bass fishing tournament, with proceeds going to defray the budget of the Fairfield Volunteer Fire Department.

Last year, due to an oversight, the Town forgot to approve their annual award contribution of \$150, so Manager Jerry King promised them that he would include last year's and this year's awards into a single payment of \$300.

Commissioner Karr moved, seconded by Commissioner Moirano, to amend the budget in the amount of \$300. The vote of approval was unanimous.

GOLF COURSE PROPERTY SURVEY

Commissioner Moirano discussed the possibility of having the Golf Course property surveyed, showing exactly where the boundaries are, and determine if there is any saleable properties.

It was the consensus of the Council that this should be discussed at the upcoming budget workshop.

SHUMONT SUBDIVISION PLANS - PHASE II-A

The Zoning and Planning Board agreed that the preliminary plat for Shumont Estates Subdivision, Phase II-A, only, met all the requirements of the Lake Lure Zoning Ordinance. Therefore, the Planning and Zoning Board submitted the preliminary plat and documentation for the Council to review. If Council approves the preliminary plat for the subdivision, the developer may commence construction of the roads, water, etc., but they may not sell lots until the final plat is approved. The Town Board may make a decision upon receipt of the preliminary plat or may postpone its decision for up to 35 days.

Commissioner Moirano moved, seconded by Commissioner Bush, to approve the preliminary plat for Shumont Estates Subdivision, Phase II-A as presented to Council. The vote of approval was unanimous. This item is subject to final plat approval.

RESOLUTION FOR A PUBLIC HEARING ON
PROPOSED ANNEXATION OF JOHN'S RESTAURANT
IN CHIMNEY ROCK

Mr. John Beckroge requested that his property be voluntarily annexed into the Town of Lake Lure. This property is referred to as John's Restaurant on Highway 64-74 and would have to be satellite annexed because it is inside Chimney Rock.

Commissioner Karr moved, seconded by Commissioner Bush, to pass a resolution for a public hearing on the proposed annexation of John's Restaurant in Chimney Rock. The vote of approval was unanimous. The public hearing is scheduled for the next regular Town meeting on April 23, 1991.

BUDGET AMENDMENTS

Commissioner Moirano moved, seconded by Commissioner Bush, to approve the expenditure of \$6,400 towards the Veteran's Memorial Fund and \$300 for the Fairfield Volunteer Fire Department annual bass fishing tournament. These expenditures are to be offset by an increase of \$6,700 of revenue to the interest earned on investments. The vote of approval was unanimous.

The Beautification, Recreation, Education, and Cultural Department is overspent in three (3) line items. These items are Christmas lights utilities, departmental supplies, and special projects.

The utilities account is overspent due to the useage of new Christmas lights. There were many more lights this year than in prior years, so the power bills were higher. The new lights were not budgeted prior to F. Y. 90-91, but were themselves bought after a budget amendment in the present fiscal year.

The departmental supplies account is overspent for sever-

al reasons, mainly the purchase of electrical adaptors, boxes, etc. used for the stringing of new lights. There was also an expenditure made to purchase food and drinks for the cast of a play that was presented by the Rutherford County Arts Council last summer. Another major reason involved the contribution of \$500 to the Chimney Rock Lions-Dogwood Festival for seed monies.

The Special Projects line item is the most severe line item over-expenditure in this department. The construction of the Boardwalk Project is well over-budget. Some major reasons for this over-expenditure include soft soils encountered during the setting of posts, the need for a professional carpentry assistant in setting the railing posts and cutting the walkway corners, and the construction of additional supports on the hand rails.

It was recommended that the BREC utilities line item be adjusted upwards \$642 to cover the existing over-expenditure, and that the supplies account be increased \$500 to cover the expense to the Dogwood Festival, and that the Special Projects be increased at least \$15,200. This is a total of \$16,342 in increases in the BREC account. \$15,788 of the monies could be transferred from the Lake Contract Service Dredging account. The remaining \$554 could come by increasing the anticipated revenues from interest earned on investments in the general fund. This revenue account is presently in excess of anticipated revenues for the fiscal year.

Commissioner Bush moved, seconded by Commissioner Queen, to adjust the BREC Utilities line item upward \$642 to adjust the BREC Departmental Supplies upward \$500 and the BREC Special Projects line item upward \$15,200. These expenditures are to be offset by an increase in the interest earned on investments revenue account being increased \$554 and a transfer of \$15,788 from the Lake Contract Service line item in the Lake Department. The vote of approval was unanimous.

The Hydro-Electric Departmental line items for Maintenance and Repair to Equipment and Capital Outlay Dam are presently over-spent and will require a budget amendment. The Capital Outlay Dam was over-spent by \$697 due to additional work required while cutting the gates of the dam.

The Maintenance and Repair line is over-spent due to repair of items related to the fire in the #2 generator. While the unit was being repaired, the shaft was removed and rebalanced, and the turbine was replaced with a new turbine that was on hand at the Hydro-Plant. These items and related labor for these items were not covered by the insurance as the fire did not damage the shaft or turbine. This line item is presently over-spent \$14,269. The cost related to the replacement of the turbine is approximately \$15,250.

It was recommended that the cost related to turbine repair be reallocated to the Maintenance and Repair account. This \$15,250 could be allocated by raising the anticipated revenue from the Hydro-Electric Plant. The Plant has, at present, earned in excess of the anticipated revenue for the fiscal year and by raising the anticipated revenue by the \$15,250 the account will remain in the black.

Commissioner Moirano moved, seconded by Commissioner Karr, to increase the Maintenance Repair to Equipment line item in the Hydro-Electric Department by \$15,250, and to increase the Capital Outlay Dam line item in the Hydro-Electric Department by \$697. These expenditures are to be offset by increasing the electric charges from the Hydro-Electric Plant revenues by \$15,947. The vote of approval was unanimous.

One other item in the Hydro-Electric Department remains without allocation. This account is for the fire-related repair to the generator. The auditor recommended that a revenue account be created for the insurance revenues and an expense account for the fire damage. Once all revenues are received and expenses paid, the Town would then make the appropriate revenue and expenditure increases. These accounts will balance with the exception of the insurance deductible that the Town is required to pay. At present, this deductible is \$1,000.

The Town gave the Crime Control \$450 in 1988 and \$500 in 1989. Commissioner Bush moved, seconded by Commissioner Moirano to increase revenue in the Fund Balance and Expenditure in the Departmental Supplies - Beach in the amount of \$500 each for the 1990-91 budget year. The vote of approval was unanimous.

MANAGER'S REPORT

Paul Wilson, Interim Town Manager, reported that the Lake Lure Golf Course will re-open for business on Saturday, March 30.

MAYOR'S REPORT

Mayor Michelon announced that we are presently advertising to try and locate a new Town Manager.

Mayor Michelon also announced that the March newsletter will be mailed out hopefully on Thursday, March 28.

Bob Washburn, Chairman of the Lake Safety and Density Committee gave a report on the lake.

Commissioner Moirano moved, seconded by Commissioner Queen, to go into executive session. The vote of approval was unanimous.

Commissioner Moirano moved, seconded by Commissioner Karr, to come out of executive session and re-enter the regular meeting. The vote of approval was unanimous.

Commissioner Moirano moved, seconded by Commissioner Karr, that we recess the meeting to Thursday, March 28, 1991, at 2:00 p.m. at the Town Hall. The vote of approval was unanimous.

L. C. Michelon
Mayor L. C. Michelon

ATTEST:

Anita H. Taylor
Anita H. Taylor, Town Clerk