

Town of Lake Lure

P. O. Box 255 • Lake Lure, NC 28746-0255 • 704/625-9988 • FAX 704/625-8371

Incorporated 1927

MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, DECEMBER 6, 1994, 9:30 A.M. AT THE LAKE LURE COMMUNITY CENTER

PRESENT: Mayor Max E. Lehner
Mayor Pro-tem Bud Schichtel
Commissioner Bill Bush
Commissioner Bill Church
Commissioner Jack Donovan

Paul Wilson Interim Town Manager
Sam Karr, Finance Director

ABSENT: N/A

CALL TO ORDER

Mayor Lehner called the meeting to order at approximately 9:30 a.m.

INVOCATION

Commissioner Church gave the invocation.

NC HYDRO ELECTRIC PRODUCER'S ASSOCIATION

Commissioner Bush moved, seconded by Commissioner Schichtel, to approve the appropriation of a one time installment not to exceed \$5,000 (contingent upon a stipulation that every three months Council will be given an up-to-date status report) to Resource Insight Incorporated, 18 Tremont Street, Suite 100, Boston,

Page 2 - Minutes of the December 6, 1994 Special Council Meeting

Massachusetts, 02108, for professional services of rate analysis and consultation relative to the avoided cost hearings and proceedings before the North Carolina Utilities Commission starting now and ending in 1995 and give Mayor Lehner authorization to complete the documents.

PROPOSED 1995 TOWN COUNCIL MEETING SCHEDULE

Commissioner Donovan moved, seconded by Commissioner Bush, to approve the following 1995 Town Council Meeting Schedule as written. The vote of approval was unanimous.

PROPOSED

1995 TOWN COUNCIL MEETING SCHEDULE

<u>DATE</u>	<u>LOCATION</u>	<u>TIME</u>	<u>TYPE</u>
January 10, 1995	Lake Lure Community Center	9:30 a.m.	Regular
January 24, 1995	Lake Lure Community Center	7:30 p.m.	Regular
February 14, 1995	Lake Lure Community Center	9:30 a.m.	Regular
February 28, 1995	Lake Lure Community Center	7:30 p.m.	Regular
March 14, 1995	Lake Lure Community Center	9:30 a.m.	Regular
March 28, 1995	Fairfield Mtn. Bald Mtn. Club	7:30 p.m.	Regular
April 11, 1995	Lake Lure Community Center	9:30 a.m.	Regular
April 25, 1995	Lake Lure Community Center	7:30 p.m.	Regular
May 09, 1995	Lake Lure Community Center	9:30 a.m.	Regular
May 23, 1995	Lake Lure Community Center	7:30 p.m.	Regular
June 13, 1995	Lake Lure Community Center	9:30 a.m.	Regular
June 27, 1995	Fairfield Mtn. Bald Mtn. Club	7:30 p.m.	Regular
July 11, 1995	Lake Lure Community Center	9:30 a.m.	Regular
July 25, 1995	Lake Lure Community Center	7:30 p.m.	Regular
August 8, 1995	Lake Lure Community Center	9:30 a.m.	Regular
August 22, 1995	Lake Lure Community Center	7:30 p.m.	Regular
September 12, 1995	Lake Lure Community Center	9:30 a.m.	Regular
September 26, 1995	Fairfield Mtn. Bald Mtn. Club	7:30 p.m.	Regular
October 10, 1995	Lake Lure Community Center	9:30 a.m.	Regular
October 24, 1995	Lake Lure Community Center	7:30 p.m.	Regular
November 14, 1995	Lake Lure Community Center	9:30 a.m.	Regular
November 28, 1995	Lake Lure Community Center	7:30 p.m.	Regular
December 12, 1995	Fairfield Mtn. Bald Mtn. Club	7:30 p.m.	Regular

PROPOSED TOWN EMPLOYEE HOLIDAYS FOR 1995

Commissioner Schichtel moved, seconded by Commissioner Church, to approve the following proposed Town employee holidays for 1995 as written. The vote of approval was unanimous.

Monday	January 2, 1995	New Year's Holiday (New Year's Day is on Sunday this year)
Monday	January 16, 1995	Dr. Martin Luther King, Jr. Day
Friday	April 14, 1995	Good Friday
Monday	May 29, 1995	Memorial Day
Tuesday	July 4, 1995	Independence Day
Monday	September 4, 1995	Labor Day
Friday	November 10, 1995	Veteran's Day (Veteran's Day will be on Saturday this year)
Thursday	November 23, 1995	Thanksgiving Day
Friday	November 24, 1995	Day after Thanksgiving Day
Monday	December 25, 1995	Christmas Day
Tuesday	December 26, 1995	Christmas Holiday (Christmas Eve will be on Sunday this year)

ANNUAL DINNER WITH BOARDS AND COMMITTEES

Commissioner Bush moved, seconded by Commissioner Donovan, to approve the 1995 annual meeting dinner with boards, committees, and honored guests to be held on Saturday, February 25, 1995 at the Lake Lure Inn. The vote of approval was unanimous.

SET FEES AND POLICIES FOR BOAT PERMITS

Council reviewed a memorandum of December 1, 1994 regarding suggested guidelines for sale of boat permits as recommended by the Lake Advisory Committee. (Memorandum attached).

After much discussion, Commissioner Church moved, seconded by Commissioner Bush, to refer the following recommendations to the Lake Advisory Committee for their review and recommendations to Council. The vote of approval was unanimous.

1. **Proposal to offer a few discounted annual boating permits to residents of some nearby surrounding areas such as Chimney Rock, Bat Cave, Mill Springs, Sunnyview, and Rutherford County.**
2. **Pro-rating Annual Boat Permits for non-residents who don't buy until late in the season.**
3. **Boat permits per property in regards to renters.**

Commissioner Bush moved, seconded by Commissioner Schichtel, to approve the following regulations and fees for boat permits for 1995. The vote of approval was unanimous.

The Town will be selling annual, weekly, and daily boating permits. No pontoon boat longer than 28 feet will be allowed on the lake. No pleasure boat longer than 20 feet will be allowed on the lake.

Annual, weekly, and daily boat permits will be sold at the Town Hall and Marina. Agents will be allowed to sell daily boat permits only, provided they pay for the permits up-front. Agents will be refunded for permits not sold, provided all permits are returned in complete form.

Town of Lake Lure residents and property owners may purchase an annual type boat permit only at a fee set at \$30 for powered boats and \$10 for non-powered boats.

Non-residents and non-property owners will pay \$400 for annual permits on powered boats and \$10 for non-powered boats.

Weekly permits will cost \$150 per week for powered boats.

Daily permits for powered boats will be sold on a seasonal basis. Memorial Day through Labor Day will be classified as peak season and the rates will be \$50 per day for motorized boats. All other days will be classified as off-season and the rates will be \$25 per day for motorized boats.

Property owners and residents qualify for lower annual boat permit fee.

"Property owners" includes corporations, joint property owners, and timeshare owners.

"Resident" is defined as someone who lives in Town (6) months or more. Residency may be documented with lease, rent receipts, or power bills.

Timeshare owners can purchase a weekly permit for the property owner annual rate of \$30 for the season. Require Fairfield card for verification and call Fairfield to verify.

Corporations can purchase permit at property owner rate if the boat is registered to the corporation. Check boat registration to verify.

Anyone listed on the deed as a joint owner of property qualifies as a property owner.

Page 6 - Minutes of the December 6, 1994 Special Council Meeting

Spouse of property owner qualifies for property owner rate; non-resident children and other relatives of property owners do not qualify.

Bill's Creek, Chimney Rock, Fairfield, and Lake Lure Volunteer Fire Department Fire-fighters, on the active roster, will receive one (1) complimentary annual boat permit.

Bat Cave, Gerton, and Sunnyview Volunteer Fire Department Fire-fighters, on the active roster, will receive one (1) annual boat permit at \$30.

Hickory Nut Gorge EMS Members, on the active roster, will receive one (1) complimentary annual permit.

SET FEES AND POLICIES FOR THE MARINA SLIP RENTALS
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Commissioner Bush moved, seconded by Commissioner Donovan, to approve the following marina slip rental rates the same as last year. The vote of approval was unanimous.

Uncovered slip rental for residents will cost \$400 and non-residents will pay \$800.

Covered slip rental for residents will cost \$600 and non-residents will pay \$1,200.

Commissioner Bush moved, seconded by Commissioner Donovan, to change the method of selecting applicants for marina slips when they become available for renting as follows:

Change from: Selection by random drawing

Change to: Selection according to the longevity date on the application. Only one application per person will be allowed. If more than one application is filed for an individual, the applicant will be disqualified.

SET FEES AND POLICIES FOR USE OF THE BEACH

Commissioner Schichtel moved, seconded by Commissioner Church, to approve the following beach rates the same as last year. The vote of approval was unanimous.

Adults will pay \$3 to enter the beach. Children under 12 shall Pay \$1.

Lake Lure residents and property owners shall receive, upon request at Town Hall, a free pass to enter the beach for immediate family members. If the pass is used for others not authorized, the pass will be revoked for one year.

SET FEES AND POLICIES FOR THE GOLF COURSE

It was the consensus of Council to table action on setting 1995 rates for the Lake Lure Golf Course until a later date in order to get information about the memberships.

Commissioner Donovan moved, seconded by Commissioner Schichtel, to transfer \$20,000 from the capital reserve fund to purchase pipe and wiring for the Golf Course sprinkler system and authorize Golf Course Supervisor Charles Caldwell approval to put in the plumbing system before July 1, 1995. The vote of approval was unanimous.

REVIEW WATER SYSTEM STUDY -- MCGILL ASSOCIATES, P. A.

Mayor Lehner read aloud the following letter received from Jeffrey K. McMahon, Environmental Engineer regarding the local water supply plan for the Town of Lake Lure.

Thank you for the second draft copy of the Local Water Supply Plan for the Town of Lake Lure. Enclosed are the Water Supply Assistance Section's

review comments on this second draft. With these comments included, the plan meets the requirements of G.S. 143-355 (1) and is ready for adoption by the local government. After the plan has been adopted, please send three (3) copies of the Local Water Supply System Report and signed resolution to the Division of Water Resources.

You need to be aware of one significant change to the law since the water supply plan guidelines were published. There is now a statutory deadline of January 1, 1995 to have your adopted plan submitted to the Division of Water Resources.

**BOARD APPOINTMENTS -- BOARD OF ADJUSTMENT/LAKE
STRUCTURES APPEALS BOARD, LAKE LURE ZONING AND
PLANNING BOARD, & GOLF COURSE ADVISORY COMMITTEE**

It was the consensus of Council to table action on board appointments until a later date.

**REQUEST FOR SEWER CONNECTION OUTSIDE OF TOWN
LIMITS BY MERRY L. DUPUIS**

Commissioner Bush moved, seconded by Commissioner Church, to approve the application request by Merry L. Dupuis to make a sewer connection outside of the Town of Lake Lure city limits on Dalton Road (map 520, block 2, lot 27). The vote of approval was unanimous.

**CLOSED SESSION
PROPERTY ACQUISITION**

Commissioner Bush moved, seconded by Commissioner Donovan, to enter into closed session for the purpose of discussing property acquisition for the Town. The vote of approval was unanimous.

Page 9 - Minutes of the December 6, 1994 Special Council Meeting

After discussion within the closed session, Commissioner Bush moved, seconded by Commissioner Donovan, to come out of the closed session and re-enter the regular session of the meeting. The vote of approval was unanimous. No action was taken in closed session.

COUNCIL COMMENTS

With no further items of discussion, Commissioner Donovan moved, seconded by Commissioner Church, to adjourn the meeting. The vote of approval was unanimous.



Mary A. Flack, CMC/AAE
Town Clerk

Mayor Max E. Lehner

RESOLUTION FOR APPROVING WATER SUPPLY PLAN

WHEREAS, G. S. 132-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a local water supply plan; and

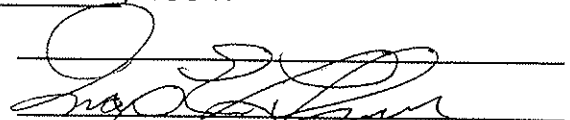
WHEREAS, as required by the statute and in the interests of sound local planning, a water supply plan for the Town of Lake Lure has been developed and submitted to the Town Council for approval; and

WHEREAS, the Town Council finds that the water supply plan is in accordance with the provisions of G. S. 143-355 (1) and that it will provide appropriate guidance for the future development of water supplies for the Town of Lake Lure, as well as useful information to the Department of Environment, Health, and Natural Resources for the development of a State water supply plan as required by statute;

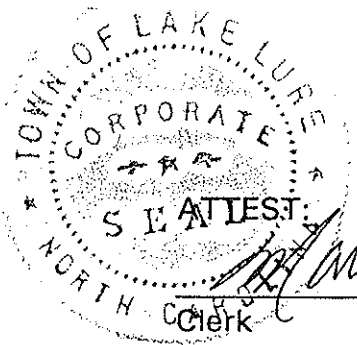
NOW, THEREFORE, BE IT RESOLVED by the Town Council of Lake Lure that the water supply plan entitled Water Supply Plan, Town of Lake Lure, North Carolina dated December 6, 1994, is hereby approved and shall be submitted to the Department of Environment, Health and Natural Resources, Division of Water Resources; and

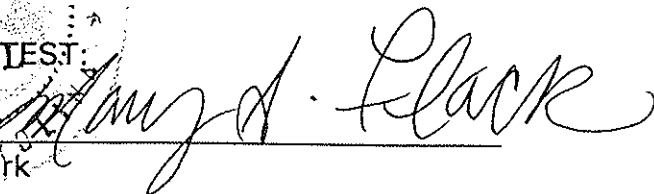
BE IT FURTHER RESOLVED that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 13th day of December, 1994.



Mayor or Board Chairman





Clerk

**AN ORDINANCE AMENDING THE ZONING
ORDINANCE AND MAP OF THE TOWN OF LAKE LURE**

WHEREAS, the Town of Lake Lure Zoning and Planning Board has reviewed and considered a petition from Francis C. Proctor, Sr. et al and has recommended to the Town Council that certain changes be made to the zoning map;

AND WHEREAS, the Town Council of the Town of Lake Lure, after due notice, conducted a public hearing on the 13th day of December 1994, upon the question of amending the Zoning Ordinance and Map in certain respects;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF LAKE LURE, NORTH CAROLINA MEETING IN REGULAR SESSION AND WITH A MAJORITY OF COUNCILMEN VOTING IN THE AFFIRMATIVE:

SECTION ONE: To amend the Zoning Map of the Town of Lake Lure by changing the tract of land known as "Pine Gables" from R-1A Residential to R-3 Resort Residential as shown and depicted on the attached map and made a part of this ordinance, and being more particularly described as follows:

Being at the northwest corner of the tract of land surveyed by Professional Surveyors titled, 'Lands of Anne W. Proctor et als.', July 29, 1993. Said point being the northeast corner of the lot owned by M.V. Remishofsky, Deed Books, 532 page 515 and 600 page 219. Said point also being at the south edge of Boys Camp Road. From this point follow the edge of said road south 89 degrees 55 min. 54 sec. east, 50.93 feet; thence south 76 deg. 28 min. 04 sec, 65.29 feet; thence south 81 deg. 47 min. 49 sec. east, 52.61 feet; thence north 89 deg. 30 min. 13 sec east, 45.97 feet; thence north 85 deg. 24 min. 13 sec. east 56.37 feet; thence north 81 deg. 01 min 12 sec. east, 101.5 feet; thence north 78 deg. 53 min. 14 sec east, 74.85 feet; thence leaving

said road south 8 deg. east, 726.12 feet to a point at the edge of Lake Lure; thence with the shoreline of Lake Lure, north 82 deg. 41 min. 13 sec. west, 69.97 feet; north 80 deg. 2 min. 1 sec. west, 63.27 feet; thence north 83 deg. 32 min. 21 sec. west, 76.12; thence south 88 deg. 27 min. 08 sec. west, 15.94 feet; thence south 87 deg. 38 min. 24 sec. west, 78.11; thence north 84 deg. 18 min. 43 sec. west, 49.87 feet; thence south 80 deg. 4 min. 8 sec. west, 56.56 feet; thence south 85 deg. 55 min. 28 sec. west, 55.31; thence south 74 deg. 23 min. 18 sec. west, 72.76 feet; thence south 79 deg. 58 min. 38 sec. west, 50.09 feet; thence north 74 deg. 48 min. 7 sec. west, 82.09 feet to a point, said point being the southeast corner of the Chimney Rock Baptist Church Property; thence with said church north 6 deg. 21 min. 29 sec. east, 20.00 feet to an iron pin; thence with said church property line north 6 deg. 21 min. 29 sec. east, 215.87 feet to an iron pin, thence 6 deg. 21 min. 29 sec. east, 30.00 feet to an iron pin; thence north 78 deg. 08 min. 31 sec. west, 72 feet to an iron pin; thence north 6 deg. 01 min. 29 sec. east, 198.86 feet to an iron pin; thence north 55 deg. 32 min. 36 sec. east, 63.65 feet to an iron pin, said iron pin is the southern most point of the M.V. Remishofsky parcel; thence north 24 deg. 38 min. 34 sec. east, 199.99 feet to an iron pin, thence 24 deg. 38 min. 34 sec. east, 3.18 feet to the point and place of beginning.

Said tract containing 9.33 acres more or less. Being the same land listed on Tax Map 519, Lots 39 and 40.

SECTION TWO: To amend the Zoning Map of the Town of Lake Lure by changing the tract of land adjacent to the tract known as "Pine Gables" from R-1A Residential to R-1B Residential as shown and depicted on the attached map and made a part of this ordinance, and being more particularly described as follows:

Beginning at the northeast corner of the tract of land surveyed by Professional Surveyors titled, 'Lands of Anne W. Proctor et als', July 29, 1993. Said point being a 'PK' nail at the intersection of Boys Camp Road and Sheridan Lane. From said nail go south 20 deg. 08 min. 29 sec. east, 70.42 feet to a point on the west edge of Sheridan road and continuing with edge of said road the next nine calls; south 13 deg. 33 min. 10 sec. east, 90.87 feet; south 8 deg. 52 min. 27 sec. east, 116.51 feet; south 20 deg. 26 min. 19 sec. east, 101.51; south 23 deg. 31 min. 06 sec. east, 95.86 feet; south 15 deg. 18 min. 16 sec. east, 60.22 feet; south 17 deg. 13 min. 24 sec. west, 56.09 feet; south 26 deg. 36 min. 21 sec. west, 71.25 feet to an iron pin; thence south 26 deg. 36 min. 21 sec. west, 133.00 feet to an iron pin; thence south 28 deg. 21 min. 29 sec. west, 90.00 feet to an iron pin; thence south 28 deg. 21 min. 29 sec. west, 37.00 feet to a point at the shoreline of Lake Lure; thence with the shoreline the next three calls: north 54 deg. 42 min. 20 sec. west, 45.94

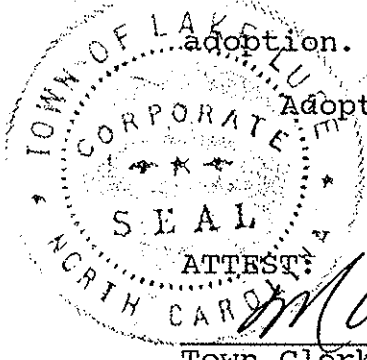
feet; north 69 deg. 59 min. 20 sec. west, 55.6 feet; north 69 deg. 14 min. 56 sec. west, 67.68 feet; thence leaving said shoreline north 8 deg. west, 726.12 to a point at the south edge of Boys Camp Road and continuing with said edge of road the following three calls: north 77 deg. 34 min. 48 sec. east, 133.10 feet; north 74 deg. 45 min. 29 sec. east, 87.20 feet; north 71 deg. 30 min. 57 sec. east, 58.26 feet to point and place of beginning.

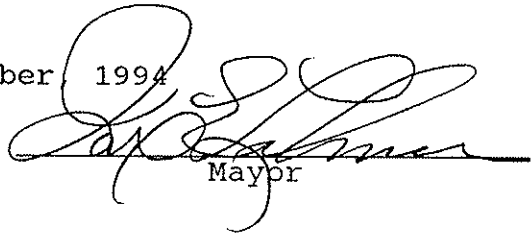
Said tract containing 5.38 acres more or less. Being the same tract of land listed as Tax Map 519, Lots 37 and 38.

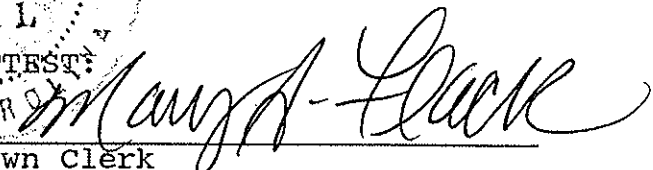
SECTION THREE: The Zoning Administrator shall make all the necessary corrections and additions to the Zoning Map so as to implement the provisions of this ordinance and shall henceforth enforce the ordinance as hereby amended.

SECTION FOUR: This ordinance shall be effective upon its adoption.

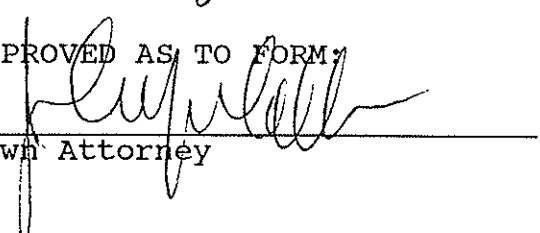
Adopted the 13th day of December 1994




Mayor


Town Clerk

APPROVED AS TO FORM:


Town Attorney



Town of Lake Lure

P. O. Box 255 • Lake Lure, NC 28746-0255 • 704/625-9983 • FAX 704/625-8371

Incorporated 1927

MEMORANDUM

TO: Mayor Max Lehner
Commissioner Bill Bush
Commissioner Bill Church
Commissioner Jack Donovan
Commissioner Bud Schichtel

FROM: Lake Advisory Committee

DATE: December 1, 1994

SUBJECT: Suggested Guidelines for Sale of Boat Permits

The Lake Advisory Committee feels that the increased boat permit fees have reduced the out-of-Town boat traffic and made the lake safer for property owners and residents of the Town. The Committee recommends maintaining the fee schedule adopted January 1994.

At staff's request, the Lake Advisory Committee has made some suggestions for guidelines for the sale of boat permits. Hopefully, the following guidelines will answer some of the most common questions that come up in regard to boat permit fees.

- . Property owners and residents qualify for lower annual boat permit fee:
- . "Property owners" includes corporations, joint property owners, and timeshare owners.
- . "Resident" is defined as someone who lives in Town six (6) months or more. Residency may be documented with lease, rent receipts, or power bills.
- . Timeshare owners can purchase weekly permit for property owner annual rate of \$30.00 during their reserved week only. Require Fairfield card for verification and call Fairfield to verify.
- . Corporations can purchase permit at property owner rate if the boat is registered to the corporation. Check boat registration to verify.
- . Anyone listed on the deed as a joint owner of property qualifies as a property owner.

- . Spouse of property owner qualifies for property owner rate; non-resident children and other relatives of property owners do not qualify.

In addition, the Committee strongly recommends the creation of a computer database of property owners and other relative information (such as type of property owned, whether there is a dwelling and/or lake structure on the property, number of owners, etc.) in order to adequately administer any future restrictions on the sale of boat permits. It is difficult to administer restrictions based on type of property or joint property ownership without such a database.

The Lake Advisory Committee respectfully submits these suggestions to the Town Council.