



# Town of Lake Lure

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

Incorporated 1927

## MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, AUGUST 13, 1996, 9:30 A.M. AT THE LAKE LURE MUNICIPAL CENTER

**PRESENT:** Mayor Max E. Lehner  
Commissioner Bill Bush  
Commissioner Carolyn Cobb  
Commissioner Bud Schichtel

John R. Strutner, Town Manager  
Sam Karr, Finance Director

**ABSENT:** Commissioner Beth Rose

### CALL TO ORDER

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

### INVOCATION

Town Manager John Strutner gave the invocation.

### AUDIENCE OF CITIZENS

Jack Powell, a Lake Lure resident, requested to speak under audience of citizens. Mr. Powell requested clarification from the Town Manager regarding a memorandum that was given to the Lake Advisory Committee in regards to the actual amount of time the lake will be down for the silt removal project. Mr. Powell also asked that the Town Attorney apologize for a written remark in reference to audience participants at town meetings in a letter of July 31, 1996 to the Town Manager which was distributed in a meeting packet for the Lake Advisory Committee.

### APPROVAL OF MINUTES

Commissioner Bush moved, seconded by Commissioner Schichtel, to approve the minutes of the Tuesday, July 23, 1996 Regular Council meeting as written and presented by the Clerk. The vote of approval was unanimous.

**OLD BUSINESS**

**a. Discuss Goals for the Lake Lure Municipal Golf Course**

Mayor Lehner read aloud a memorandum of August 8, 1996 from Commissioner Rose regarding recommended changes to Resolution No: 93-12-14 (A Resolution of the Town Council of Lake Lure, NC creating a Golf Course Advisory Committee to advise Council on matters relating to the safe and enjoyable use of the Lake Lure Municipal Golf Course). (Memo attached).

Commissioner Cobb requested that the Town Clerk provide Alex Karr and Russ Maze, Golf Course Advisory Committee members, with a copy of recommendations discussed at this meeting.

Mayor Lehner invited Council members to give their input on recommended goals for the Lake Lure Golf Course.

Commissioner Cobb stated that her goals are similar to those mentioned in Commissioner Rose's memo and that it was not unrealistic to ask the Golf Course to return an annual income of not less than 20% (percent) of expenditures. Mrs. Cobb suggested that Council present goals to the Golf Course Manager Charles Caldwell and staff with advice including the Town Manager's input. Also, compare the advantages versus disadvantages to maintain the Town Golf Course. Decide whether or not it is a tourist attraction for Lake Lure. Mrs. Cobb said that in talking with three persons who own motels, they do not view that the Golf Course as a tourist attraction. Mrs. Cobb said that Council needs to determine whether or not the Golf Course needs to be sold.

Commissioner Schichtel said that he does not see the Golf Course in the future becoming a profit center. He suggested that, with input from the finance staff, an amount of net loss be established that the Town can accept.

Commissioner Bush said that he would like the Town to look into optional dispositions of the Golf Course such as the possibility of a retirement center. Mr. Bush suggested that a Citizens Committee be formed to look into other possibilities for the use of the Golf Course.

Commissioner Cobb requested that Council delay any decisions having to do with the Golf Course meetings/debates another month or so.

Town Manager Strutner requested that Council reach some kind of decision regarding the future of the Lake Lure Golf Course before the end of the next Fiscal Year in order to give advance notice to the Golf Course employees as to what will happen with the Golf Course. Mr. Strutner recommended that the decision be made as early as January 1997.

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Mayor Lehner recommended that the Golf Course advertise/post the hours of the Golf Course and state that they are open in the evenings for golf.

Mayor Lehner said that Council's opinions and ideas would be passed on to the Golf Course Advisory Committee.

**OLD BUSINESS**

**b. Other Old Business**

After discussion, Commissioner Cobb moved, seconded by Commissioner Bush, to suspend temporarily the Town of Lake Lure Code of Ordinances -- Section 63.01 (Consumption of Malt Beverages and Unfortified Wine, Spirituous Liquors, or Mixed Beverages) for a "Republican Candidates Night" event sponsored by the Lake Lure Republican Women's Club to be held on October 3, 1996 in the Lake Lure Community Hall from 5:00 p.m. until 9:00 p.m. The vote of approval was unanimous.

**NEW BUSINESS**

**a. Acceptance of Sealed Bids for a 1992 Ford Crown Victoria Police Car**

Town Manager Strutner reported that a bid opening was held on August 5, 1996 at 10:00 a.m. in the Lake Lure Municipal Center in order to accept sealed bids for the purchase of a navy blue 1992 Ford Crown Victoria (Police package) used as an unmarked police car. Mr. Strunter said that the Town only received one bid in the amount of \$4,200 from Crayton Bland of Spindale, North Carolina and Mr. Crayton presented a bid bond in the amount of \$210 in the manner of a personal check.

Mr. Strutner said that after talking to the Police Chief and Finance Director, all believed that the described police vehicle was worth more than the amount presented for bid.

Town Manager Strutner recommended that Town Council reject the bid in the amount of \$4,200.00 and adopt the following Resolution No: 96-08-13, authorizing the Town Manager to dispose of an item of surplus personal property valued at less than \$10,000 by private sale at a negotiated price.

**RESOLUTION NO: 96-08-13**

**Resolution Authorizing the Town Manager to Dispose of an Item of Surplus Personal Property Valued at less than \$10,000 by Private Sale at a Negotiated Price**

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**WHEREAS**, the Town Council of the Town of Lake Lure, North Carolina previously adopted Resolution No: 96-07-23A on July 23, 1996 and in said Resolution: [1] declared one (1) navy blue 1992 Ford Crown Victoria (police package) with 78,000 in mileage and previously used as an unmarked police vehicle by the Lake Lure Police Department, to be surplus property; [2] authorized and directed the Town Manager to receive sealed bids for the purchase of this surplus property; [3] stated that such bids were to be submitted and opened on August 5, 1996 at 10:00 a.m.; and [4] directed that the Town Clerk should cause notice of the Resolution to be duly published; and

**WHEREAS**, the aforesaid notice was duly published and one (1) sealed bid was received and opened on August 5, 1996; and

**WHEREAS**, the aforesaid bid was in the amount of \$4,200.00 and the Town Manager, Finance Director and Police Chief all believe that the subject vehicle is worth more than the amount bid, and the Town Council concurs that this vehicle is worth more;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council that:

1. The bid in the amount of \$4,200.00 which was received on August 5, 1996 is hereby rejected.
2. The Town Manager is authorized and directed to dispose of the subject vehicle by private sale at a negotiated price in excess of \$4,200.00 per the provisions of N.C.G.S. 160A-266 and 160A-267.
3. The Town Clerk is directed to publish a notice summarizing the contents of this Resolution.
4. The private sale shall not be consummated until ten (10) days after the publication of the aforesaid notice in accord with N.C.G.S. 160A-267.

Adopted this 13th day of August 1996.

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Max E. Lehner, Mayor

ATTEST:

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Mary A. Flack, Town Clerk

Commissioner Cobb moved, seconded by Commissioner Schichtel, to reject the bid received in the amount of \$4,200.00 and adopt Resolution No: 96-08-13 (authorizing the Town Manager to dispose of an item of surplus personal property valued at less than \$10,000 by

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private sale at a negotiated price) as presented by the Town Manager. The vote of approval was unanimous.

**NEW BUSINESS**

**b. Discuss Ordinance Regarding Seaplanes on the Waters of Lake Lure**

Town Manager Strutner presented Council members a copy of a letter that he had received on August 7, 1996 from James M. Davenport, Manager of North Carolina League of Municipalities Risk Management Services, regarding seaplanes on Lake Lure. Mr. Strutner said that Mr. Davenport stated in his letter that officially permitting a seaplane to land on Lake Lure would certainly increase the Town's liability exposure and that Risk Management Services is concerned. Mr. Davenport also stated in his letter that while there may be no immediate impact on premiums, this can change, based upon exposures (letter attached).

Mr. Strutner told Council members that the Town had the right to prohibit seaplanes because it was a privately-owned lake.

Council members received a memorandum dated August 9, 1996 from the Lake Advisory Committee listing recommendations to Town Council that were discussed and unanimously approved by the Committee. The following was included as a recommendation: **"85.52D. The inherent dangers of landing seaplanes or even ultralight aircraft on a lake that has as much boat traffic and a shoreline as densely populated as Lake Lure create too great a safety risk. The Lake Advisory Committee strongly recommends disallowing any form of aircraft on the lake"** (memorandum attached).

Mayor Lehner presented a letter dated August 8, 1996 from Beth and Jack Rose protesting seaplanes landing and taking off on Lake Lure (letter attached).

Council members also voiced their concerns for safety and liability exposures if seaplanes are allowed to land on Lake Lure.

After discussion, Commissioner Schichtel moved, seconded by Commissioner Cobb, to adopt the following Ordinance No: 96-08-13 (Ordinance to prohibit all but permitted water vehicles on the waters of Lake Lure, and in particular to prohibit seaplanes) as submitted by the Town Attorney. The vote of approval was unanimous.

**ORDINANCE NO: 96-08-13**

**WHEREAS** it was intended by Chapter 85 of the Lake Lure Code of Ordinances to

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prohibit all but permitted water vehicles on the waters of Lake Lure, and in particular to prohibit seaplanes; and

**WHEREAS** the Town Council of the Town of Lake Lure believes that seaplanes would be inherently dangerous on the waters of Lake Lure due to density of boats which are often on the lake as well as the narrowness of the Lake; and

**WHEREAS** a dispute has arisen as to whether the Town Council intended to prohibit seaplanes entirely from the waters of Lake Lure, or simply to exempt them from the permit requirements of Chapter 85 by the definition of "water vehicle(s)" contained in §85.50; and

**WHEREAS** the Town Council desires to clarify any misunderstanding about seaplanes and other vehicles or watercraft which might not be particularly included in the definition of "water vehicle(s)" as contained in §85.50;

**NOW, THEREFORE**, the Town Council, after a motion made, duly seconded and carried, ordained as follows:

A. Chapter 85: Lake Regulations, is amended by adding § 85.100 to said chapter, as follows:

§ 85.100 PROHIBITED VEHICLES. No vehicle, watercraft, and particularly a seaplane, shall be allowed on the waters of Lake Lure unless said watercraft, or vehicle qualifies and has obtained a current permit pursuant to this Chapter. Certain vehicles, such as seaplanes, do not qualify for permits under any circumstances and therefore are prohibited from the waters of Lake Lure. Any vehicle, including a water vehicle, and including a seaplane, which is not specifically allowed to qualify and/or has a current permit shall not be placed upon the waters of Lake Lure. Penalties for violation of this section are contained in §85.99.

B. The remainder of Chapter 85: Lake Regulations shall remain in full force and effect.

Adopted this 13th day of August, 1996 upon first reading, and effective immediately.

TOWN OF LAKE LURE

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Mayor

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ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

**NEW BUSINESS**

**c. Tax Releases**

Commissioner Schichtel moved, seconded by Commissioner Bush, to approve the following tax release totalling \$45.90 as furnished by Tax Collector Betty Hinson. The vote of approval was unanimous.

**TAX RELEASE**

<b><u>YEAR</u></b>	<b><u>NAME</u></b>	<b><u>REASON</u></b>	
<b>1996</b>	<b>Fred Williams</b>	<b>Value Reduced by State Charges in error by County</b>	<b>\$45.90</b>
		<b>TOTAL TAX RELEASE</b>	<b>\$45.90</b>

**NEW BUSINESS:**

**d. Other New Business**

There was no other new business for discussion.

**STAFF REPORTS**

Town Manager Strutner reported that he will be meeting with the Corp. of Engineers this coming Wednesday which is a continuing process of getting ready for the permit to dispose of silt. After preliminary meetings, he will file the application. The draft RFP has been drafted and work will begin soon on bid specifications. The dredge is currently being repaired. Two missing O-rings were just received.

<b>COUNCIL COMMENTS</b>
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Mayor Lehner said that he had received several calls asking when the tax bills will be mailed for the Town of Lake Lure.

Town Manager Strutner said that the Tax Collector was currently working on the tax bills and would mail them out by the end of this month.

Mayor Lehner reminded Council members about submitting their applications to the Town Clerk by no later than August 16, 1996 for the North Carolina 1996 Annual Conference to be held in Winston-Salem, North Carolina on October 13-15, 1996.

Mayor Lehner announced that a North Carolina Lake Management Seminar will be held on September 27, 1996 in the Lake Lure Community Hall and everyone is invited to attend.

Commissioner Bush mentioned that he had noticed a decrease in the beach revenues through July 1996 as compared to beach revenues in July 1995.

Finance Director Sam Karr responded by saying that the beach fee increase and lack of replacing the bridge at the beach may have been contributing factors to the drop in revenue.

Mayor Lehner requested that Beach Manager Mike Ruff and Finance Director Sam Karr submit an end of year report after Labor day in September with recommendations and look into the possibility of building the bridge back at the beach.

Commissioner Bush said that he had received negative reports on the Lake Lure Tours and recommended that the Lake Advisory Committee review their contract by the end of this year.

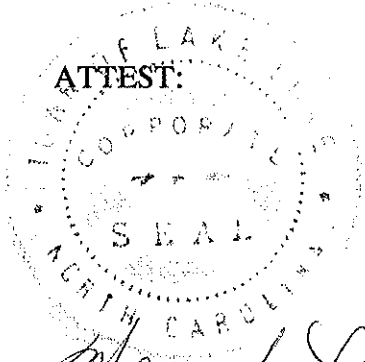
Town Manager Strutner told Council members that this matter has been referred already to the Lake Advisory Committee Chairman and will be placed on their agenda in the future for discussion.

Commissioner Cobb said that she had received negative reports also regarding the Lake Lure Tours.



**ADJOURNMENT**

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Cobb, to adjourn the meeting at 10:28 a.m. The vote of approval was unanimous.



ATTEST:

Mary A. Flack, CMC/AAE  
Town Clerk

Mayor Max E. Lehner

August 8, 1996

Mr. Max Lehner, Mayor  
Mr. John Strutner, Town Manager

Dear Sirs:

As lake residents, at 11:15 a.m., August 8, 1996, we observed a seaplane, located across the lake from our residence, taking off. Shortly before and after this time, we observed a tour boat, a pontoon boat pulling a tube with a child inside and another pontoon boat circling the same area.

This is a letter protesting seaplanes landing and taking off on Lake Lure. The lake is not big enough to ensure the safety of persons on board a seaplane, and the people using the lake for recreational purposes. Also, the noise factor associated with the landing and taking-off of a seaplane is environmentally detrimental.

According to the FAA, normally, the FAA notifies the officials to clear a lake if airplanes intend to land (leave) a lake. We recognize that Lake Lure is a private lake and, therefore, not under FAA rules and regulations. Nevertheless, clearing boaters from an area used by seaplanes is obviously prudent. We have lived in places where seaplanes were allowed to land, for example, San Diego. The planes landed and took off in an area of the waterway clearly marked with buoys. Boaters were prohibited from this area for obvious safety reason.

To allow one seaplane owner the right to use our lake invites other seaplane owners, whether or not residents, to use this one permit as a legal argument for a point of entry and departure. We already have laws that prohibit use of boats with excessive noise levels, speed levels, "no wake" speed within 75 feet of shoreline. We have laws that prohibit the use of vehicles on the lake that can endanger life, limb or property of any person upon or near the lake. Seaplane use on the lake creates a potential risk to fallen skiers and boats unable to maneuver quickly enough to get out-of-the-way and, inadvertently, can lead to tragic accidents.

We strongly ask that the Town prohibit the use of our lake by motorized air vehicles.

Sincerely,



Beth and Jack Rose

cc: Commissioners  
Bob Washburn, Chairman, Lake Advisory Committee



North Carolina League of Municipalities

## Risk Management Services

August 7, 1996

Mr. John Strutner  
Town Manager  
Town of Lake Lure  
PO Box 255  
Lake Lure, NC 28746-0255

RE: Seaplanes on Lake Lure

Dear John:

I have had the opportunity to research data in regard to your concern about seaplanes landing on Lake Lure.

Several sources were accessed:

*Mary Ballard of the FAA Flight Standards District Office (FSDO) (Phone # 919-461-4958) informed me that float planes (seaplanes) are considered "vessels" once they land on water. They are no longer under the jurisdiction of the FAA.*

*John Page of the State DOT - Aviation department (Phone # 919-840-0112) informed me that float planes "cannot land on private lakes without the permission of the owner." He referred me to Burke Haywood of the State AG's office for Aviation. Burke's phone # is: 919-733-3316. He will not be in his office until Monday, 8/12. You may want to call him for further clarification as to current state law regarding float planes landing on private lakes.*

I also called the *State Wildlife Resources Commission, Enforcement Division*, who have responsibility for registration and titling of "vessels". They informed me that aircraft (seaplanes) do not have to be registered or titled through their office.



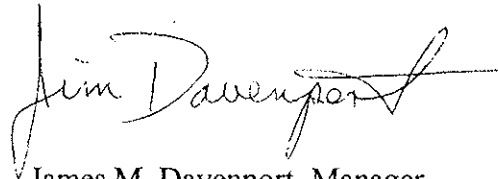
As to your other questions:

Officially permitting a seaplane to land on Lake Lure would certainly increase your liability exposure. Is Risk Management Services concerned?... Yes. While there may be no immediate impact on premiums, this can change, based upon exposures.

Your current proposal to amend your ordinance on lake regulations should resolve this situation. You may want to discuss this further with John Phelps at the NCLM office. His direct number is: 919-715-3920.

If you have any further concerns about this issue, please feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Jim Davenport". The signature is written in a cursive style with a long horizontal flourish extending to the right.

James M. Davenport, Manager  
Risk Management Field Services

# Memorandum to Town Council from Lake Advisory Committee

August 9, 1996

At the August 5 meeting of the Lake Advisory Committee the following recommendations to Council were discussed and unanimously approved by Committee.

- The attached recommended amendments to the Ordinance Regulating Boating Fishing and Water Safety on Lake Lure be adopted. Reasons for the suggested amendments are as follows:

85.51D. Since there is no longer a dealership permit on the permit fee schedule, replacing it with a service boat permit would allow residents to have their boats serviced more economically.

85.51F. Town clerk has had difficulty getting the proper registration information and validating that the property owner is also the boat owner.

85.52A. Since some application forms only have the length information in feet and since the vast majority of 20 foot boats are not exactly 20 feet the committee decided to recommend 20 feet 11 inches to create the latitude that we have suggested in the past.

85.52D. The inherent dangers of landing seaplanes or even ultralight aircraft on a lake that has as much boat traffic and a shoreline as densely populated as Lake Lure create too great a safety risk. The Lake Advisory Committee strongly recommends disallowing any form of aircraft on the lake.

- Two property owners had requested the placement of "Slow - No Wake" buoys in front of their boathouses on the east bank of Tryon Bay and on the northeast side of the middle of the lake. The committee reviewed the criteria for recommending the placement of buoys which include populated coves of narrow width, off of points that constrict the boating lanes or may create blind spots, and in front of marinas or any other commercial establishments. The committee did not find any topographic feature in the two applications that fulfilled the criteria and unanimously recommended not placing buoys in these locations.

Respectfully submitted by Robert H. Washburn, Chairman.

## Recommended Amendments to Section 85.51 and 85.52 of Ordinance Regulating Boating, Fishing and Water Safety on Lake Lure

### 85.51

- D. ( In place of Dealerships being allowed to purchase “Dealership permits” ) - Any boat dealership or boat service company may purchase a permit for one service boat at the resident annual fee with the stipulation that the service boat will be used solely for the purpose of transporting service personnel to repair water craft on Lake Lure.
- F. The valid and current state registration of the water vehicle must be presented to the Town personnel when purchasing a Lake Lure Boat Permit. Resident’s registration must match the name on the Town’s tax list or commercial operators must present tax records if their water vehicle is registered with a leasing agency.

### 85.52

- A. No pontoon boat longer than 28 feet in length, nor any other type boat longer than 20 feet 11 inches, will be permitted on Lake Lure.
- D. No aircraft of any kind will be allowed to land on or take off from the waters of Lake Lure.

DATE: August 8, 1996  
TO: Max Lehner  
FROM: Beth Rose *BK*  
RE: LL Golf Course

Reviewing the 1993 Resolution (No: 93-12-14), I would like to suggest the following changes:

- 2nd paragraph - ADD to line 4 — concerning the.....**profitable** and enjoyable use
- Section 1 - ADD to line 3 — matters relating.....safe, enjoyable and **profitable** use
- Change A to B and change A to read:

“The Golf Course Advisory Committee with advise, make recommendations and work with the management of the Lake Lure Golf Course to return an annual income of not less than 20 % (percent) of expenditures for 1996/97. That the Golf Course Advisory Committee will work with the management of the Lake Lure Golf Course to increase income and reduce expenditures to 10% or less of income in the following three (3) years. Any improvement needed to improve the play and beauty of the Lake Lure Golf Course should be submitted to the Town Council as a Capital Project Expenditure for approval of same.”

**The Town Council will annually inspect, analyze, and take under advisement recommendations from the Golf Course Advisory Committee regarding the continuation of the Lake Lure Golf Course.** (This is my recommendation(s) for addition to the RESOLUTION)



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# Town of Lake Lure

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

## BID OPENING

### Acceptance of sealed bids for 1992 Ford Crown Victoria

**Monday, August 5, 1996**

**10:00 a.m.**

**Lake Lure Municipal Center**

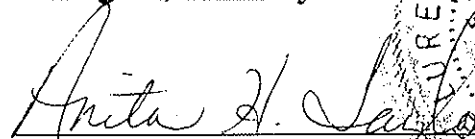
Sealed bids were accepted for the purchase of a navy blue 1992 Ford Crown Victoria (Police package) used as an unmarked police car. The mileage on the vehicle is 78,000. Public notice was given the 25th day of July, 1996 by Mary A. Flack, Town Clerk, and a deposit of cash, cashier or certified check, or bid bond equal to 5% of the amount bid was required.

Present for the bid opening were John Strutner, Town Manager, Bud Schichtel, Commissioner, Sam Karr, Finance Director, and Anita Taylor, Deputy Town Clerk.

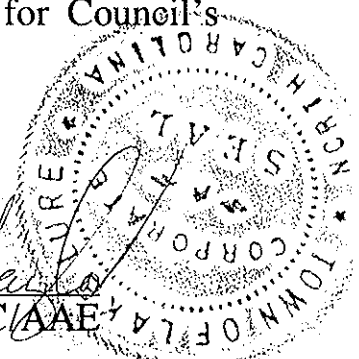
The Town only received one bid in the amount of \$4,200 from Crayton Bland of Spindale, North Carolina. Mr. Crayton presented a bid bond in the amount of \$210 in the manner of a personal check.

No decisions were made at this time. However, this item will be placed on the Town Council agenda for August 13, 1996, 9:30 a.m. for Council's consideration and review.

Respectfully submitted this 5th day of August, 1996 by:



Anita H. Taylor, CMC/AAE  
Deputy Town Clerk





ORDINANCE No: 96-08-13

WHEREAS it was intended by Chapter 85 of the Lake Lure Code of Ordinances to prohibit all but *permitted* water vehicles on the waters of Lake Lure, and in particular to prohibit seaplanes; and

WHEREAS the Town Council of the Town of Lake Lure believes that seaplanes would be inherently dangerous on the waters of Lake Lure due to density of boats which are often on the lake as well as the narrowness of the Lake; and

WHEREAS a dispute has arisen as to whether the Town Council intended to prohibit seaplanes entirely from the waters of Lake Lure, or simply to exempt them from the permit requirements of Chapter 85 by the definition of "water vehicle(s)" contained in §85.50; and

WHEREAS the Town Council desires to clarify any misunderstanding about seaplanes and other vehicles or watercraft which might not be particularly included in the definition of "water vehicle(s)" as contained in §85.50;

NOW, THEREFORE, the Town Council, after a motion made, duly seconded and carried, ordained as follows:

A. Chapter 85: Lake Regulations, is amended by adding §85.100 to said chapter, as follows:

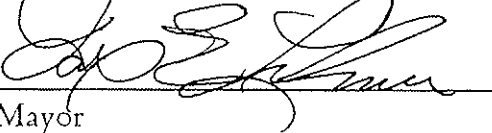
§85.100 PROHIBITED VEHICLES. No vehicle, watercraft, and particularly a seaplane, shall be allowed on the waters of Lake Lure unless said watercraft, or vehicle qualifies and has obtained a current permit pursuant to this Chapter. Certain vehicles, such as seaplanes, do not qualify for permits under any circumstances and therefore are prohibited from the waters of Lake Lure. Any vehicle, including a water vehicle, and including a seaplane which is not specifically allowed to qualify and/or has a current permit shall not be placed upon the waters of Lake Lure. Penalties for violation of this section are contained in §85.99.

B. The remainder of Chapter 85: Lake Regulations shall remain in full force and effect.

Adopted this 13<sup>th</sup> day of August, 1996 upon first reading, and effective immediately.



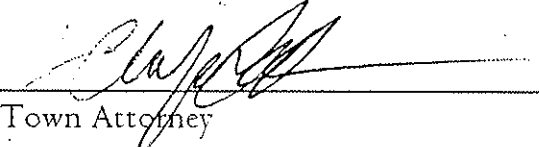
TOWN OF LAKE LURE

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney

RESOLUTION NO: 96-08-13

Resolution Authorizing the Town Manager to Dispose of an Item of Surplus Personal Property Valued at less than \$10,000 by Private Sale at a Negotiated Price

WHEREAS, the Town Council of the Town of Lake Lure, North Carolina previously adopted Resolution No: 96-07-23A on July 23, 1996 and in said Resolution: [1] declared one (1) navy blue 1992 Ford Crown Victoria (police package) with 78,000 in mileage and previously used as an unmarked police vehicle by the Lake Lure Police Department, to be surplus property; [2] authorized and directed the Town Manager to receive sealed bids for the purchase of this surplus property; [3] stated that such bids were to be submitted and opened on August 5, 1996 at 10:00 am; and [4] directed that the Town Clerk should cause notice of the Resolution to be duly published; and

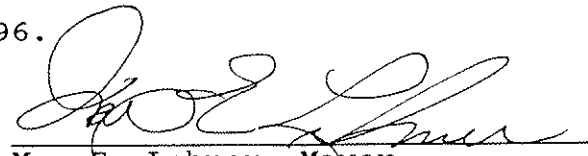
WHEREAS, the aforesaid notice was duly published and one (1) sealed bid was received and opened on August 5, 1996; and



WHEREAS, the aforesaid bid was in the amount of \$4,200.00 and the Town Manager, Finance Director and Police Chief all believe that the subject vehicle is worth more than the amount bid, and the Town Council concurs that this vehicle is worth more;

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

1. The bid in the amount of \$4,200.00 which was received on August 5, 1996 is hereby rejected.
2. The Town Manager is authorized and directed to dispose of the subject vehicle by private sale at a negotiated price in excess of \$4,200.00 per the provisions of N.C.G.S. 160A-266 and 160A-267.
3. The Town Clerk is directed to publish a notice summarizing the contents of this Resolution.
4. The private sale shall not be consummated until ten (10) days after the publication of the aforesaid notice in accord with N.C.G.S. 160A-267.

Adopted this 13th day of August 1996.

  
Max E. Lehner, Mayor

  
ATTEST:  
  
Mary A. Elack, Town Clerk