



Incorporated 1927

Town of Lake Lure

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

MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, MARCH 25, 1997, 7:30 P.M. AT THE LAKE LURE MUNICIPAL CENTER

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

J. Christopher Callahan, Town Attorney
John R. Strutner, Town Manager

ABSENT: N/A

CALL TO ORDER

Mayor Lehner called the meeting to order at 7:30 p.m.

INVOCATION

Town Attorney Callahan gave the invocation.

AUDIENCE OF CITIZENS

Dick Lorenzen, resident of Lake Lure, asked if there had been any recommendations on reducing boat permit fees for 1997 since the dredging project is in effect. Council informed Mr. Lorenzen that the boat permit fees along with the marina slip fees had been discussed at a previous Council meeting and Council decided to leave the fee schedule as set earlier.

CONSENT AGENDA

Mayor Lehner presented the consent agenda and asked if any item should be removed before calling for action. There being no requests for removal, Commissioner Schichtel moved,

Page 2 - Minutes of the March 25, 1997 Regular Council Meeting

seconded by Commissioner Cobb, to approve the consent agenda and each item presented. Therefore, the consent agenda and following items were unanimously approved:

- a. **Approved Minutes of February 25, 1997 and February 28, 1997.**
- b. **Adopted Resolution No: 97-03-25 -- Alcohol Awareness Month 1997.**

RESOLUTION NO: 97-03-25

ALCOHOL AWARENESS MONTH 1997

WHEREAS, the legal drinking age in the United States of America is twenty-one. Drivers under twenty-one have the highest rates of alcohol-involved fatal crashes; and

WHEREAS, the nation's student councils have identified alcohol as their schools' most serious problem. Rutherford County alone has 55 liquor, beer, and wine outlets; and

WHEREAS, drinking has a negative effect on the academic performance of students; and

WHEREAS, nearly one-third of all high school seniors "binge-drink" on a regular basis; and

WHEREAS, underage drinkers are at greatest risk for alcohol poisoning; and

WHEREAS, a young American dies every three hours in an alcohol-related car crash. Among young people fifteen to twenty-four years of age, alcohol is the leading cause of death; and

WHEREAS, the National Minimum Drinking Act saves one thousand lives each year. Alcohol-related traffic crashes for eighteen to twenty year olds has decreased 41% since the drinking age went up in 1984; and

WHEREAS, enforcement of the legal drinking age is an adult responsibility;

NOW THEREFORE, Lake Lure Town Council does hereby proclaim that April 1997 is Alcohol Awareness Month in Lake Lure. Lake Lure Town Council also calls upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals and schools in Rutherford County to help raise awareness about this critical public health issue and join us in "drawing the line" to prevent underage drinking.

Page 3 - Minutes of the March 25, 1997 Regular Council Meeting

Adopted this 25th day of March, 1997

Max E. Lehner, Mayor

ATTEST:

Anita H. Taylor, CMC/AAE
Deputy Town Clerk

c. Adopted Policy for Publishing Lake Lure's Monthly Newsletter

In order to provide contributors to the Town's monthly Newsletter with guidelines defining the maximum number of words allowed for each item submitted, the following four categories will be in effect as of this date:

1. Articles pertaining to Town governance and administrative activities, written by representatives of Town government, will have no restrictions in scope or length;
2. Articles by non-governmental agencies, organizations or individuals that have potential impact on all citizens will be limited to 100 words, unless an exception is approved by the editor of the Newsletter;
3. Articles by non-governmental agencies, organizations or individuals that provide information to appropriate, but limited constituencies, will be limited to one 50-word article per organization; and
4. Articles of a personal nature will not be included in the Newsletter.

d. Approved Tax Refund

Refund Rodney D. Ewing of a 1996 tax overpayment in the amount of \$61.44 which was presented by Betty Hinson, Tax Collector.

End of Consent Agenda

<p>OLD BUSINESS</p>

<p>a. Sedimentation Removal Update Report</p>
--

A progress report was given by Gary Davis, McGill Associates Project Engineer.

Page 4 - Minutes of the March 25, 1997 Regular Council Meeting

Approximately 150-160,000 cubic yards of silt has been removed from the lake, and the project is approximately 75% complete. Mr. McGill anticipates completion of the project no later than April 30, 1997 or perhaps earlier if weather permits.

To date, the project has been very successful. Repairs and cleanup by Glover Construction will take place after completion of the silt removal.

Mr. Strutner commended Glover Construction, and the McGill Associates, including Paul Ballenger, Gary Davis and Robert Chason for a commendable job. Mr. Strutner announced that the lake will be brought up as soon as possible after completion of the silt removal and the media will be informed. Cleanup by Glover of the roads, landscaping, seeding, etc., will begin after the last bit of sediment has been removed.

Jack Powell, a resident of Lake Lure, asked if all FEMA funds had been spent at this time on the project. Mr. Strutner informed him that the FEMA money has been spent and that the Town's money is being spent at this time for completion. Gary Davis explained that the Town has a 10% retaining fee on Glover and the contract will not be completed until the project is to Council's satisfaction.

Mr. Strutner reported on the repairs at the dam. Only one more coat of paint is needed on the floodgates and completion is expected by the end of April.

OLD BUSINESS

b. Other Old Business

There was no other old business for discussion.

NEW BUSINESS

a. Approve Contract with Rutherford County for 1997 Tax Collections

Council discussed the costs associated with Rutherford County assuming all tax collecting duties for the Town for 1997.

Betty Hinson, Tax Collector for the Town, has discussed in detail with Becky Ruff, Rutherford County Tax Department, an estimated cost amount for the County to handle both the tax bill preparation and tax collection functions for the 1997 tax year. The contract runs on a year to year basis. Ms. Hinson will still be responsible for collection of the previous ten years

Page 5 - Minutes of the March 25, 1997 Regular Council Meeting

of collection. The estimate is as follows:

Scroll	\$ 335
Bills (@ \$2.00)	\$ 9,934
Unlisted Scroll (State appeals)	\$ 14
Unlisted Bills (State appeals)	\$ 122
Utility Bills	\$ 18
Discovery bills	\$ 60
Scroll pages for discovery	\$ 30
TOTAL	\$10,513

Under the proposed contract the County would absorb the cost of envelopes (\$416) and postage (\$840) both of which are absorbed currently by the Town under its present arrangement wherein the County only prepares our bills. When these amounts are deducted from our current total expenditures for tax collection (\$7,554), it leaves \$6,298 currently paid to the County for bill preparation services only. Thus, for an additional \$4,215 the County would now handle tax collection as well.

Commissioner Rose expressed concern for the inconvenience to the citizens that now come into the Municipal Center to pay their taxes. Mr. Strutner explained that with the County handling the taxes, the citizens would only have to pay one tax bill whereas they are currently having to pay two (one to the County and one to the Town) and they also would be eligible for the discount which the County now applies when the amount is paid in full by August 31st.

After considerable discussion, Commissioner Bush moved, seconded by Commissioner Cobb, to authorize the Town Manager to enter into a contract with Rutherford County for 1997 tax collections. The vote of approval was unanimous.

An article will be placed in the May newsletter explaining the 1997 tax collection process. All tax questions for 1997 shall be directed to the County since the tax records will be at their office and not at the Municipal Center.

NEW BUSINESS

b. Report on Lake Lure Visitor Center

Judy Beason, Director of the Hickory Nut Gorge Chamber of Commerce and Visitor's Center gave an update report.

Ms. Beason reported that more than 22,000 people have visited the Chamber since its opening in April, 1996. The Chamber is open daily and has approximately 30-35 volunteers which have put in approximately 2,500 hours of service to promote the area. They estimate that they have served approximately 3-5 times more visitors than in the past.

Mayor Lehner reported that Ken Putnam with the Department of Transportation had been in contact with the Town and informed them that the State sign which is currently located in Chimney Rock and identifies the Visitor's Center, will be moved down to Lake Lure within the next two weeks.

Ms. Beason stated that the Chamber would like to have an outside pay phone and a drink machine. The building currently does not have a water fountain.

Commissioner Bush recommended that the Town Manager investigate the feasibility of placing a water fountain inside the building since the plumbing seems to be available.

Council requested that the Chamber submit in writing a request for these items identifying where the phone and drink machine would be placed, how they will be displayed and who is going to incur the costs.

NEW BUSINESS:

**c. Approve Proposal from Bunnell-Lammons Engineering
Regarding Geotechnical Exploration**

At the Town Manager's request, a meeting was held January 31, 1997 with representatives of both FEMA and the State's Division of Emergency Management. Part of the discussion centered around the accumulation of sediment in the river upstream and west of the present project area. Because the Town had no documentation on the river channel's condition prior to the storm, FEMA and DEM require some type of verifiable, scientific method be used to prove how much sediment was deposited in the river as a result of the September flood. The

Page 7 - Minutes of the March 25, 1997 Regular Council Meeting

Lake Advisory Committee's depth soundings were only taken in the lake in preparation of cost estimates for silt removal, and not along the river. We were not intending to do any sediment removal work in the river when the budget was prepared last year. FEMA funding is still available for this potential project, provided the Town can prove scientifically the actual sediment volume attributable to the flood.

Mr. Strutner recommended that Council authorize an expenditure, not to exceed \$4,400, by authorizing a proposal with Bunnell-Lammons Engineering regarding Geotechnical Exploration. This allocation should be made from the Contingency Reserve which presently has a balance of \$57,500. This expenditure logically can be considered a contingency and can also be seen as an investment necessary to leverage FEMA funds for the actual sediment removal work later. If the proposal is authorized, the process will take approximately 2-3 weeks for completion. If FEMA funds this potential project, the dredging will be done after the lake is back up to its normal level.

Commissioner Bush recommended that the Lake Advisory Committee convey a management study of sedimentation for now and in the future in regard to storm debris.

Commissioner Schichtel moved, seconded by Commissioner Rose, to approve an expenditure, not to exceed \$4,400, by accepting a proposal from Bunnell-Lammons Engineering regarding Geotechnical Exploration. The vote of approval was unanimous.

The Geotechnical Exploration with Bunnell-Lammons will begin Wednesday, March 27, 1997.

NEW BUSINESS:

- d. Request the Transfer of Funds from the Contingency Fund for an Irrigation System at the Lake Lure Golf Course (9th fairway) and Consider Increasing the Annual Membership Rate**

Commissioner Cobb reported on the progress of the Golf Course. In an effort to improve the situation with the Golf Course, a Golf Course Advisory Committee was developed February 13, 1996. This Committee has worked hard and the Golf Course has shown much improvement. The play at the Golf Course has been incredible lately. They now have approximately 90 memberships. The Committee requests that Council consider a recommendation for an irrigation system at the 9th fairway at an approximate cost of \$5,000. This would leave only the 8th fairway without an irrigation system and in order to place an irrigation system at the 8th fairway it would cost another \$5,000.

Page 8 - Minutes of the March 25, 1997 Regular Council Meeting

Commissioner Cobb moved, seconded by Commissioner Bush, to approve a request from the Lake Lure Golf Course Committee to transfer funds from the contingency fund in the amount of \$5,000 for an irrigation system at the Lake Lure Golf Course (9th fairway). Commissioner Schichtel voted yes and Commissioner Rose abstained which counted as a yes vote. Therefore, the request was passed.

The Committee also requested that Council consider an annual membership rate increase. Therefore, Commissioner Cobb moved, seconded by Commissioner Schichtel, to increase the annual membership from \$200 to \$225 for single and from \$275 to \$300 for family (2), and leaving the individual fee as same. The vote of approval was unanimous.

NEW BUSINESS:

e. Other New Business

Approximately 50-60 people have not cooperated with the Lake Structure Ordinance in regard to purchasing their tag at a cost of \$15 at the Municipal Center. As an enticement to those individuals it was suggested that boat permits not be issued to those who have failed to comply by either neglecting to purchase the tag or not bringing their property up to specifications.

Commissioner Bush moved, seconded by Commissioner Schichtel, that individuals that have neglected to pay and pick up their tag or those individuals who do not meet the requirements to be issued a tag, cannot purchase a boat permit until they have abided by these regulations. The vote of approval was unanimous.

STAFF REPORTS

There were no staff reports.

COUNCIL COMMENTS

Commissioner Cobb commended the Town Manager for doing a very good job and thanked him publicly for his efforts.

CLOSED SESSION

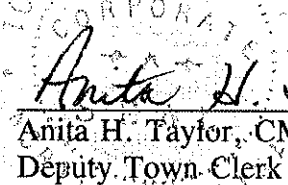
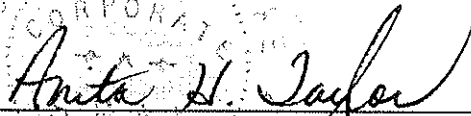
Commissioner Rose moved, seconded by Commissioner Bush, to enter into closed session for the purpose of discussing Attorney Client Privilege/Legal Matters (G.S. 143-318.11(a) 3), involving the Pamer/Breen case, the Powers/Moore case and the Don Johnston petition. The vote of approval was unanimous.

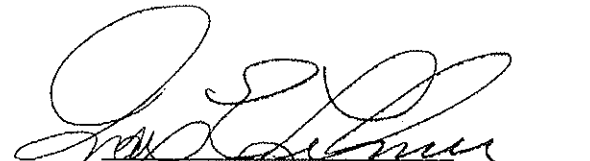
With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Cobb, to come out of closed session and re-enter the regular session of the meeting. The vote of approval was unanimous.

ADJOURNMENT

With no further items of discussion, Commissioner Schichtel moved, seconded by Commissioner Bush, to adjourn the Town meeting at 10:20 p.m. The vote of approval was unanimous.

ATTEST:



Anita H. Taylor, CMC/AAE
Deputy Town Clerk


Mayor Max E. Lehner