



# Town of Lake Lure

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## MINUTES OF THE TOWN COUNCIL WORKSHOP MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, JANUARY 19, 1999, 9:30 A.M. AT THE LAKE LURE MUNICIPAL CENTER

**PRESENT:** Mayor Jack Powell  
Commissioner Carolyn Cobb  
Commissioner Beth Rose  
Commissioner Gene Sheffield

Sam A. Karr, Acting Town Manager

**ABSENT:** Commissioner Jack Stanier

### CALL TO ORDER

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

### INVOCATION

Commissioner Cobb gave the invocation.

### AGENDA ITEMS

Mayor Powell requested that two additional items be placed on the agenda which included a discussion regarding the town boards/committees annual dinner meeting to be held in March, 1999 and a closed session meeting to continue evaluating candidates interviewed for the Town Manager position (G.S. 143-318.11 (a) 6).

Commissioner Cobb moved, seconded by Commissioner Sheffield, to add the two additional items to the agenda as requested by Mayor Powell. The vote of approval was unanimous.

### CONTINUE REVIEWING TOWN COUNCIL'S WORK PROGRAM

Mayor Powell distributed copies of a revised proposed work program for fiscal year 1999. Councilmembers reviewed/discussed each item outlined on the work program handout. (Copy of Proposed 1999 Work Program attached).

**REVIEW CURRENT FINANCIAL STATEMENTS**

Sam Karr, Finance Director/Acting Town Manager reviewed/distributed copies of the December 1998 monthly financial report. Mr. Karr said the major expense for the month of December was \$22,815.52 to Thompson Contractor's for street paving. The Town's major revenue for the month was \$18,698.70 from utilities franchise tax.

**REVIEW WATER/SEWER BOND ISSUES**

Danny Bridges, Project Manager of McGill Associates answered various questions regarding water/sewer bond issues. Mr. Bridges was asked to give suggestions/advice pertaining to items outlined on a worksheet (strategy to achieve a profitable water system) provided by Mayor Powell. These included items such as: implementing labor cost accounting; studying consumption rate structure; considering equity among customer classes; studying the use of impact fees/capacity fees; require developers to pay cost of extending/installing water lines; determine the cost to complete water line replacement under existing plan; reduce/eliminate "unaccounted for water"; implement billing for all Town used water to reflect accurate measurement of the operations of the Water Department (important for grant/loan applications); project future capacity requirements; study ways to increase customer base; and joint venture with Chimney Rock Village proposal.

Mr. Bridges said the deadline of the application for a state loan or grant was March 31, 1999. He also suggested that the town adopt a resolution at the February Town Council meeting approving the request for a water/sewer grant prior to submitting the grant application.

**DISCUSS THE GATHERING OF DATA FOR  
A ROAD MAINTENANCE ANALYSIS**

Mayor Powell reviewed a memorandum of January 13, 1999, received from Commissioner Rose regarding road maintenance. Commissioner Rose's memo suggested that the following items be addressed.

1. Roads in Lake Lure:
  - a. How many are Powell Bill roads?
  - b. How many are non-Powell Bill roads?
  - c. How many are private roads?
  - d. How many are Lake Lure paved roads?
  - e. How many are Lake Lure gravel roads?

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2. Maintenance means:
  - a. Snow removal;
  - b. Sanding (for ice);
  - c. Road gutters;
  - d. Potholes;
  - e. Road guards;
  - f. Street sign repairs;
  - g. Grass mowing and weed control; and
  - h. Others.
  
3. Costs:
  - a. Maintenance by month (a through h listed above);
  - b. Personnel (to handle a through h listed above);
  - c. Equipment on hand (to handle a through h listed above);
  - d. Equipment needed (to handle a through h listed above; and
  - e. Personnel needed (to handle a through h listed above.
  
4. Who should qualify for road maintenance?
  - a. Send a letter to residents (whose roads are classified non-Powell Bill):
    - \* Ask if they want their road maintained by the Town;
    - \* Include information in the letter about becoming a Town maintained road; and
    - \* Ask if their road is ingress /or egress throughout the Town?
  
  - b. Send a letter to residents who have private roads:
    - \* Ask if they want their road maintained by the Town;
    - \* Would they be willing to pay for maintenance upkeep as a private road; and
    - \* Is their road presently being serviced by a private contractor?

Toney Hennessee, Public Works Supervisor was available to answer questions pertaining to road maintenance.

Mayor Powell requested that Mr. Hennessee work on a map identifying town maintained roads. Mr. Hennessee was asked to help draft a letter to be mailed out to residents regarding road maintenance.

The Mayor also stated the Town needed a clarification on defining a public road.

**UPDATE ON THE STATUS OF DREDGE OPERATIONS  
(CONDITION/SPOILS AREAS)**

Mayor Powell asked Sam Karr, Acting Town Manager, to contact Mr. Bob Johnson with the Army Corp. of Engineer regarding the Town's permit for silt removal/disposal and what the Town needed to be able to sell sand.

Public Works Supervisor Toney Hennessee was asked to report on the current condition of the Town's dredge. Mr. Hennessee was also asked by the Mayor, could the Town complete a small dredging project in the Fairfield Mountains area within the budget using Public Works employees. Mr. Hennessee said yes, and he thought the Town could do this project within the current budget.

Council members agreed to approve this dredging project as long as it was absorbed within the current budget.

**RECESSED FOR A BREAK**

Council members agreed to take a five minute break. Mayor Powell called the meeting back to order at 10:10 a.m.

**UPDATE REPORT ON DUKE POWER CONTRACT &  
WASTE WATER TREATMENT PLANT ISSUES**

Hydro-Plant Operator William Grimes gave a brief report on the status of the damage caused by an electrical short in the breaker boxes at the Hydro-Electric Plant. Mr. Grimes answered questions about waste water treatment issues and the Duke Power contract.

Sam Karr, Acting Town Manager said Mr. Felton E. Johnson, P.E., NCDENR, is planning to make a presentation on the wastewater treatment system evaluation through Municipal Compliance Initiatives at the next regular Town Council meeting scheduled in February, 1999.

**DISCUSS POLICE STRENGTHS, NEEDS, & CIVIL LAKE PATROL**

Police Chief Mike Bustle gave a report on Civilian Lake Patrol (analysis of policing needs in the Town of Lake Lure). Mr. Bustle stated that there are no set guidelines on the cost of operating a police department. It all depends on what residents of a community want. From a law enforcement perspective, there is no place in North Carolina like Lake Lure. He said

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Lake Lure's geographic size, lake, serpentine boundaries, location in the far western corner of Rutherford County, limited highway access, and seasonal influx of tourists and part-time residents create the need for a larger full-time police force than the statewide average for a community of its size. Adequate patrol of the lake is a desired and necessary municipal service, both for community opinion and liability considerations. Chief Bustle commented on a suggestion noted in a policy study completed by the North Carolina Justice Academy regarding a recommendation to turn day-to-day lake patrol over to civilian authorities. He said you must ask what type of behavior are officers observing and dealing with on Lake Lure? Although a review of records of enforcement actions showed few arrests, citations or written warnings, this does not reflect deterrence of unlawful behavior and safety maintenance produced by a police presence on the lake. The behavior most citizens express concern about do not involve violations of criminal law, but rather town ordinances, such as wake zone violations, jet skiers, water skiers, and careless operations of other water craft. State statistics indicate that the operation of all types of water craft while intoxicated is on a substantial increase and will become more dangerous as our area grows. Chief Bustle pointed out some of the results, from a law enforcement perspective, of utilizing a civilian patrol of the lake as suggested by the North Carolina Justice Academy study. First, utilizing a civilian patrol of the lake does not reduce the duty or law enforcement responsibility of the Lake Lure Police Department. Second, utilizing an untrained civilian will tremendously increase the town's liability on the lake, especially operating a town water craft. Often an untrained or poorly trained authority may cause more liability to the town than is beneficial. Third, if the police boat is in use by a civilian authority, the boat will not then be available for a police response to a criminal act.

Chief Bustle said the Lake Lure Police Department needed to purchase two new cars, standardize the current walkie talkies, and needed additional personnel. He announced that an intercom system was being installed at the front entrance of the police department.

**DISCUSSION REGARDING ADOPTING A RANDOM DRUG TESTING POLICY**

Commissioner Sheffield asked Councilmembers to consider adopting a random drug testing policy. After discussion, Council agreed to authorize Commissioner Sheffield to get additional information on random drug testing and report back to Town Council. Mayor Powell suggested that the North Carolina Institute of Government and the North Carolina League of Municipalities be contacted for information pertaining to random drug testing and get their opinions.

**RECESSED FOR A LUNCH**

Council members agreed to take a lunch break at 12:30 p.m. Mayor Powell called the meeting back to order at 1:30 p.m.

**OBSERVATIONS REGARDING JUDGEMENTS ON  
LAKE STRUCTURES APPEALS**

Chuck Place, Zoning/Planning Admin. Director, discussed procedures of an appeal process regarding judgement on Lake Structures Appeals.

After discussion, Mayor Powell asked Mr. Place to provide a memorandum to Council (outlining the appeals process) for the next regular town meeting packets. The Mayor also requested this memorandum be reviewed by the town attorney.

**REPORT ON VISITS WITH HICKORY NUT GORGE EMS**

Commissioner Cobb gave a brief report on activities/visits with the Hickory Nut Gorge EMS.

**TOWN BOARDS/COMMITTEES ANNUAL MEETING DINNER**

Mayor Powell asked Commissioner Cobb to look into scheduling the town boards/committees annual meeting dinner at the Lake Lure Conference Center on either March 13, 1999 or March 20, 1999. Commissioner Cobb was asked to get pricing for a sit down dinner, buffet dinner, and catered dinner.

**CLOSED SESSION - EVALUATE CANDIDATES INTERVIEWED  
FOR TOWN MANAGER POSITION (G.S. 143-318.11 (A) 6)**

Commissioner Cobb moved, seconded by Commissioner Sheffield, to enter into closed session at 3:03 p.m. to evaluate candidates interviewed for Town Manager position (G.S. 143-318.11 (a) 6). The vote of approval was unanimous.

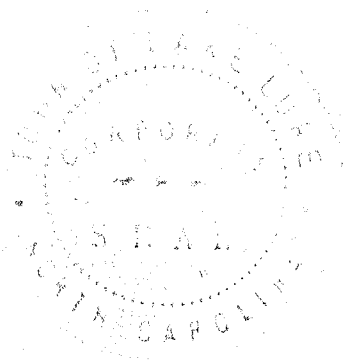
With no further discussion in closed session, Commissioner Cobb moved, seconded by Commissioner Rose, to come out of closed session and re-enter the regular session of the meeting at 5:30 p.m. The vote of approval was unanimous.

While in closed session, Council voted to seal the minutes of the closed session meeting in order to avoid frustrating the purpose of the closed session.

**ADJOURNMENT**

With no further items of discussion, Commissioner Rose moved, seconded by Commissioner Sheffield, to adjourn the Town meeting p.m. at 5:35 p.m. The vote of approval was unanimous.

ATTEST:



A handwritten signature in cursive script, reading "Mary A. Flack".

Mary A. Flack, CMC/AE  
Town Clerk

A handwritten signature in cursive script, reading "Jack Powell".

Mayor Jack Powell