



Town of Lake Lure

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Incorporated 1927

MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, JUNE 8, 1999, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER

PRESENT: Mayor Jack Powell
Commissioner Beth Rose
Commissioner Gene Sheffield
Commissioner Jack Stanier

H. M. Place III, Town Manager
Sam A. Karr, Finance Director
J. Christopher Callahan, Town Attorney

ABSENT: Commissioner Carolyn Cobb

CALL TO ORDER

Mayor Powell called the meeting to order at 7:00 p.m.

INVOCATION

Commissioner Sheffield gave the invocation.

PUBLIC HEARING: RECEIVE CITIZEN COMMENTS REGARDING THE STRATEGIC PLANNING STEERING COMMITTEE REPORT/RECOMMENDATIONS PRESENTED AT THE APRIL 13, 1999 REGULAR TOWN COUNCIL MEETING

Commissioner Rose moved, seconded by Commissioner Sheffield, to enter into the public hearing for the purpose of receiving comments regarding the Strategic Planning Steering Committee report/recommendations presented at the April 13, 1999 regular Town Council meeting. The vote of approval was unanimous.

Mayor Powell invited the public to speak during the public hearing and no one requested to speak. With no further discussion, Commissioner Rose moved, seconded by Commissioner Rose, to close the public hearing. The vote of approval was unanimous.

PUBLIC FORUM

Mayor Powell invited the audience to speak on any non-agenda item. No one requested to speak.

CONSENT AGENDA

Mayor Powell presented the consent agenda and asked if any item should be removed before calling for action.

A motion was made by Commissioner Sheffield to remove items d and e off the consent agenda for discussion under new business. Commissioner Rose seconded the motion and the vote of approval was unanimous.

Commissioner Rose moved, seconded by Commissioner Sheffield, to approve the consent agenda items as presented. The vote of approval was unanimous. Therefore, the consent agenda, incorporating the following items was unanimously approved:

- a. Approved Minutes of April 13, 1999 (Regular Meeting), May 10, 1999 (Special Budget Workshop Meeting), May 11, 1999 (Regular Meeting), and May 20, 1999 (Special Closed Session Meeting);
- b. Approved the request from Finance Director Sam Karr to transfer \$10,000 from contingency to the Police Department and to transfer \$20,000 from the Hydro-Electric Fund Equity to Hydro-Electric operations department. Also, approved adjustments (FEMA): (1) increase the revenues/expenditures in the General Fund by \$11,667.03 for a warning system project, (2) increase the revenues/expenditures in the Water/Sewer Fund by \$5,683.71 for the Waste Water Treatment Plant engineering cost of relocating lift stations. (Copy of memo attached); and
- c. Approved a request from Stanley Long to: (1) hold an annual "Run to Rock" truck show on town property on September 11-12, 1999, (2) town provide a Mayor's choice trophy, (3) suspend the town's peddling ordinance in order that food, t-shirts, truck parts, and other items may be sold on site during the show, and (4) suspend the town ordinance regarding consumption of alcoholic beverages in order to serve beer during a cookout on September 10, 1999.

End of Consent Agenda

OLD BUSINESS

a. DECIDE WHETHER OR NOT TO LOWER THE LAKE LEVEL FOR THE WINTER SEASON (1999-2000)

A motion was made by Commissioner Sheffield to allow public comments on whether or not the town should lower the lake level for the winter season (1999-2000). Commissioner Rose seconded the motion and the vote of approval was unanimous.

Mayor Powell invited citizens to speak on this issue. The following requested to speak:

1. Marsha Hardy, a LAC member, stated the Lake Advisory Committee had faxed a memorandum of June 8, 1999 to Town Council about their recommendations regarding the lake. Mrs. Hardy stated that the LAC had recommended leaving the lake up at full pond for two consecutive years and then lower it 4 1/2 feet every third year (unless, there are floods which necessitate lowering it for repairs and cleanup operations).
2. William Breen Jr., owner of Lake Lure Real Estate and partial owner of Highland Shores subdivision, stated he plans to build a home on lot #6 of Highland Shores. He requested that Town Council consider lowering the lake level. Mr. Breen said he did a research on June 8, 1999 to see if there were other lakefront owners who shared his same view. Mr. Breen said after a short research, he compiled the following list: (1) Gerald Lipscomb (constructing a boathouse/sea wall at Eagle Creek #1 in Fairfield Mountains), (2) Donald and Carol Lovett (constructing a seawall on lot #2 Highland Shores Subdivision), (3) Bryan Easler (constructing a seawall/boathouse on lot #7 Lure Woods Landing), (4) Brent Easler (constructing a seawall/boathouse on lot #8 Lure Woods Landing), (5) Fannie Levy (constructing boathouse on lot #1 Highland Shores Subdivision), (6) Bob and Pam Keith (repairing seawall/boathouse and burn debris left as a result of the March windstorm), (7) Ben & Heleena Esselink (repair of existing seawall and installation of boatslip/boathouse on lot #4 Lure Wood Landing), (8) Alan Moore, owner of the Dam Marina (repairing dock), and (9) Donald Thompson (work on retaining wall/house on Snug Harbor Circle). Mr. Breen said most of the individuals he talked with was not aware of Town Council making a decision about the lake level tonight. In addition, Mr. Breen submitted copies of eight letters given to him requesting not to lower the lake level. (Copy of letters attached).

Mayor Powell stated it was publicized about Town Council planning to make a decision at this meeting as to whether or not to lower the lake level for the winter

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season 1999-2000. Also, citizens were invited to submit their comments to Town Council.

4. Lenny Freeman with Freeman Stone Masonry, said that he would like to speak on behalf of several people who have contacted him about wanting stone seawalls built, repairs to their seawalls, and etc. this winter.
5. Don Hinton, a resident of 247 Sunset Cove Road, asked Council about an action taken last year regarding the lake level. He voiced his opinion about controversial votes in upcoming years.

Mayor Powell stated that Town Council voted last year to keep the lake up for one year.

After discussion, Commissioner Rose moved, seconded by Commissioner Stanier, to not lower the lake level for the winter season of 1999-2000 and consider lowering the lake level during the winter season 2000-2001 . The vote of approval was unanimous.

Commissioner Rose explained why she voted to keep the lake up. She said one of her main concerns was the loss of aquatic plants in the lake, and ecological/financial reasons.

Commissioner Stanier said his seawall needed repair, but he voted to keep the lake up based on the majority of citizens requests. He stated there were more people wanting the lake left up.

Commissioner Sheffield stated he had approximately four people who requested the lake be left down and nine people who wanted the lake be left up. Mr. Sheffield said he was concerned about the town loosing revenue from the lack of hydro-electric power being generated.

NEW BUSINESS

a. REPORT FROM THE TECHNICAL ADVISORY COMMITTEE ON Y2K STUDY

Dick McCallum, Lake Lure Technical Advisory Committee Chairman, presented Councilmembers with a report from his committee identifying potential problems that may arise due to what is called the Y2K problem. Mr. McCallum said his committee has worked with the Mayor and the interim Town Manager to compile a comprehensive list of the various departments and functions of the Town. Committee members were assigned to work with Town employees to ascertain the readiness of each of their departments/functions to cope with Y2K issues. In each case, a complete inventory was made of all hardware, software, and embedded

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controllers that might have a date sensitive function. The inventory was then used to determine potential problems either by testing or by contacting the manufacturer assigned to that function. Mr. McCallum said additional testing and research is planned, particularly in the area of the telephone system and billing systems. Based on the view/opinion of his committee, the town faces no critical Y2K issues in connection with computers, software systems, and embedded date sensitive controllers. He said the few minor issues identified are not critical and can be managed through work around methods. The TAC members will continue to work with vendors and town employees to develop recommendations in connection with some non-Y2K related issues. (Copy of TAC report attached).

Mayor Powell thanked Mr. McCallum and the LAC for their assistance with the Y2K issues. The Mayor also announced this report would be placed on the town's website.

OTHER NEW BUSINESS

b. REQUEST FROM THE HICKORY NUT GORGE CHAMBER OF COMMERCE TO RESERVE THE COMMUNITY BUILDING FOR A HAUNTED HOUSE

After reviewing a letter received from Vicki Smith, president of the Hickory Nut Gorge Chamber of Commerce, Commissioner Stanier moved, seconded by Commissioner Rose, to approve the request as stated in the letter to: (1) reserve the Town Community Center building on October 31, 1999 and November 1, 1999 for a haunted house, (2) waive the rental fee for use of the Town Community Center building, (3) suspend the town's peddling ordinance in order that vendors may serve food, and other items on town property in the grassy area near the Lake Lure Marina, and (4) provide police/fire protection. (Copy of letter attached). The vote of approval was 2 to 1. Commissioners Rose and Stanier voted in favor of the motion. Commissioner Sheffield voted against the motion.

Mayor Powell recommended that Councilmembers adopt a policy regarding waiving rentals fees for use of the Town Community Hall/Community Center buildings.

Commissioner Rose said standards should be outlined in the rental policy for use of the Town Community Hall/Community Center buildings and Councilmembers should abide by these standards.

Commissioner Sheffield suggested that each request should be treated case by case.

NEW BUSINESS

- c. REQUEST FROM THE HICKORY NUT GORGE CHAMBER OF COMMERCE TO WAIVE THE PERMIT FEES/BOAT LENGTH RESTRICTIONS FOR BOATS PARTICIPATING IN THE ANNUAL BOAT PARADE**

After reviewing a letter received from Vicki Smith, president of the Hickory Nut Gorge Chamber of Commerce, Commissioner Stanier moved, seconded by Commissioner Rose, to approve the request as stated in the letter to: (1) waive the boat permit fee/boat length restrictions for boats participating in the annual Christmas Boat parade, (2) use of the town beach to hold a bon fire on December 4, 1999, (3) suspend the town's peddling ordinance in order that vendors may serve food, beverages, and other items at the town beach, (4) use of town property on the "Point Area" to display fireworks, and (5) provide police/fire protection. (Copy of letter attached). The vote of approval was 2 to 1. Commissioners Rose and Stanier voted in favor of the motion. Commissioner Sheffield voted against the motion.

OTHER NEW BUSINESS

- d. ADOPT THE VISION STATEMENT PRESENTED IN THE STRATEGIC PLANNING STEERING COMMITTEE REPORT AT THE APRIL 13, 1999 REGULAR TOWN COUNCIL MEETING**

Mayor Powell read aloud the following vision statement from the Strategic Planning Steering Committee report. He asked Councilmembers to consider adopting this vision statement as the vision statement of the town.

Lake Lure, the gem of the Carolinas, is a community that has a harmonious balance of the interests of our citizens, businesses and visitors, achieved through managed growth, fiscal responsibility, open communication, and stewardship of our natural beauty and environment.

A motion was made by Commissioner Sheffield to adopt the vision statement from the Strategic Planning Steering Committee report as presented above by Mayor Powell. Commissioner Stanier seconded the motion. The vote of approval was unanimous.

Mayor Powell announced that this vision statement will be posted on the town's website.

STAFF REPORTS

Town Manager Place announced the Town received \$20,000 in state grant funds for computer hardware/software for the Police Department. Mr. Place explained Police Chief Bustle's original grant application had been rejected because of insufficient funds and now due to certain communities not being able to comply with state requirement, these funds were reverted back into the state system.

Mr. Place said he requested town staff to inventory equipment, supplies, and materials for surplus items which the town did not need. These items were later sold and the town received around \$7,900.

COUNCIL COMMENTS

Mayor Powell acknowledged a contribution of \$100 received from the Hickory Nut Gorge Kiwanis Club to go towards the town's newsletter.

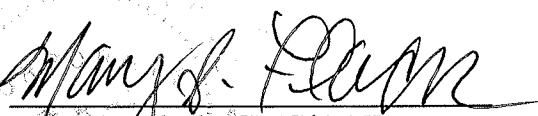
TOWN ATTORNEY COMMENTS


Attorney Callahan announced the Town has settled four lawsuits: (1) Town of Lake Lure vs. William Breen, Jr. involving a boathouse, (2) Town of Lake Lure vs. Margaret Pamer involving a boathouse, (3) Town of Lake Lure vs. Powers/Moore involving condemnation proceedings for an underground water line, and (4) Town of Lake Lure vs. Powers/Moore involving an old water reservoir. He said these consent judgments have been signed, filed with the Rutherford County Courthouse, and are now available to the public at Town Hall. Mr. Callahan also invited citizens to call if they had questions regarding these lawsuits.

ADJOURNMENT

With no further items of discussion, Commissioner Rose moved, seconded by Commissioner Sheffield, to adjourn the Town meeting at 7:50 p.m. The vote of approval was unanimous.

ATTEST:


Mary A. Flack, CMC/AE
Town Clerk


Mayor Jack Powell

