

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD TUESDAY, APRIL 10, 2007, 7:00 P.M. AT THE LAKE LURE MUNICIPAL CENTER**

**PRESENT:** Mayor Jim Proctor  
Commissioner Dick McCallum  
Commissioner Jeanine Noble  
Commissioner Russ Pitts

H. M. Place III, Town Manager  
J. Christopher Callahan, Town Attorney

**ABSENT:** Commissioner Chuck Watkins

**Call to Order**

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

**Invocation**

Attorney Callahan gave the invocation.

**Approve the Agenda**

After discussion, Commissioner Noble made a motion to approve the agenda as amended. Commissioner McCallums seconded the motion and the vote of approval was unanimous.

**Public Hearing - Consider Proposed Ordinance No. 07-04-10 Amending the Code of Ordinances for the Town of Lake Lure, Title VIII, Chapter 83 (Offenses Pertaining to Weeds, Grass, and Refuse), Revising Designated Town Employee Responsible for Enforcement**

Mayor Proctor opened the public hearing regarding proposed Ordinance No. 07-04-10.

Town Manager Place read into the record his memorandum dated April 5, 2007 addressed to town council members and answered questions relating to proposed Ordinance No. 07-04-10. (Copy of memorandum from H. M. Place dated April 5, 2007 is attached).

Mayor Proctor invited citizens to speak during the public hearing and no one requested to speak.

**Page 2 - Minutes of the April 10, 2007 Regular Council Meeting**

After discussion, Commissioner McCallum made a motion to close the public hearing. Commissioner Noble seconded the motion and the vote of approval was unanimous.

**Adopt Ordinance No. 07-04-10 Amending the Code of Ordinances for the Town of Lake Lure, Title VIII, Chapter 83 (Offenses Pertaining to Weeds, Grass, and Refuse), Revising Designated Town Employee Responsible for Enforcement**

Public notices were duly given and published in the Forest City Daily Courier newspaper.

After discussion, Commissioner Noble made a motion to adopt Ordinance No. 07-04-10 (Amending the Code of Ordinances for the Town of Lake Lure, Title VIII, Chapter 83 (Offenses Pertaining to Weeds, Grass, and Refuse, Revising Designated Town Employee Responsible for Enforcement) as amended. Commissioner McCallum seconded the motion and the vote of approval was unanimous. (Copy of Ordinance No. 07-04-10 is attached.)

**Public Hearing - Consider Proposed Ordinance No. 07-04-10A Amending the Town of Lake Lure Zoning Regulations, Title IX, Chapter 92, Pertaining to Definitions, Intent, Conditional Use Permits in all Districts, Building Site Minimum Dimensional Requirements, Certificates of Zoning Compliance, Construction Progress, and the Tents and Fabric Structures**

Mayor Proctor opened the public hearing regarding proposed Ordinance No. 07-04-10A.

Community Development Director Shannon Baldwin read into the record his memorandum dated March 29, 2007 addressed to town council members and answered questions relating to proposed Ordinance No. 07-0-10. (Copy of memorandum from Shannon Baldwin dated March 29, 2007 is attached).

Mayor Proctor invited citizens to speak during the public hearing. Pat Maringer asked for a clarification regarding fabric structures.

After discussion, Commissioner Pitts made a motion to close the public hearing. Commissioner Noble seconded the motion and the vote of approval was unanimous.

**Adopt Ordinance No. 07-04-10A Amending the Town of Lake Lure Zoning Regulations, Title IX, Chapter 92, Pertaining to Definitions, Intent, Conditional Use Permits in all Districts, Building Site Minimum Dimensional Requirements, Certificates of Zoning Compliance, Construction Progress, and the Tents and Fabric Structures**

Public notices were duly given and published in the Forest City Daily Courier newspaper.

**Page 3 - Minutes of the April 10, 2007 Regular Council Meeting**

After discussion, Commissioner McCallum made a motion to adopt Ordinance No. 07-04-10A (Amending the Town of Lake Lure Zoning Regulations, Title IX, Chapter 92, Pertaining to Definitions, Intent, Conditional Use Permits in all Districts, Building Site Minimum Dimensional Requirements, Certificates of Zoning Compliance, Construction Progress, and the Tents and Fabric Structures) as presented. Commissioner Pitts seconded the motion and the vote of approval was unanimous. (Copy of Ordinance No. 07-04-10A is attached.)

Commissioner Pitts requested that Community Development Director provide a fact sheet along with proposed ordinances that ties back to the comprehensive plan.

**PUBLIC FORUM**

Mayor Proctor invited the audience to speak on any non-agenda item. Pat Maringer and Pat Mitchell asked for clarification regarding an agenda item concerning a custom motor cycle bike show on town property. Town Manager Place informed them that there would be police presence during this event.

After discussion Commissioner McCallum made a motion to, approve a request from Lin Reed for a fishing tournament for veterans of war to be held during May, 2007, but denied Mr. Reed's request to allow fishing from the town's boardwalk. Also, authorize the town manager to work out an arrangement with Mr. Reed setting a date for this fishing tournament. Commissioner Noble seconded the motion and the vote of approval was unanimous.

**STAFF REPORTS**

Town Manager Place read his report into the record dated April 10, 2007. (Copy of the town manager's report is attached).

A motion was made by Commissioner McCallum to adopt Resolution No. 07-04-10 approving transportation enhancement supplemental grant application for town center walkway as presented and authorized the town manager to submit the supplemental grant. Commissioner Noble seconded the motion and the vote of approval was unanimous.

**COUNCIL LIAISON REPORTS & COMMENTS**

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board. Commissioner Noble requested that a future joint workshop meeting be scheduled with the Parks and Recreation Board.

Council members agreed by consensus to authorize the town manager to proceed to discuss current and future space needs in town hall, as well as the plans for the community/youth/welcome

**Page 4 - Minutes of the April 10, 2007 Regular Council Meeting**

center and the marina building with Carroll Hughes with SpacePlan, Inc.

Commissioner Pitts reported on the activities of the Lake Advisory Committee. Commissioner Pitts mentioned the passing of Lake Advisory member Ross Warden.

Commissioner McCallum reported on the activities of the Zoning/Planning Board and the Comprehensive Steering Committee.

Commissioner Noble reported on the activities of the Golf Course Committee and the Parks and Recreation Board.

**CONSENT AGENDA**

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

Commissioner McCallum moved, seconded by Commissioner Noble, to approve the consent agenda items as presented. Therefore, the consent agenda, incorporating the following items were unanimously approved and adopted:

- a. minutes of the February 13, 2007 (regular meeting & closed session), and February 20, 2007 (recessed regular meeting & closed session);
- a. minutes of the March 13, 2007 (regular meeting), March 20, 2007 (recessed regular meeting), & March 22, 2007 (special workshop meeting);
- b. a request from Wayne Edwards to hold a craft show and a custom motor cycle bike show on town property for June 16-17, 2007; suspended the town's peddling ordinance during these events;
- c. a budget amendment for the town's water loan payments as submitted by the finance director; transferring \$83,869.29 from the water/sewer fund equity (water/sewer fund balance) to the water department - SRL project (account #53-713000-611) and
- d. a request from Vicki Coggins to suspend the town's alcohol ordinance in order to serve beer and wine during a birthday party inside the community hall of the Lake Lure Municipal Center on Saturday, May 12, 2007, from 6:00 p.m. until 10:00 p.m.

**End of Consent Agenda**

**UNFINISHED BUSINESS:**

**a. Status Report Regarding Water Quality Violations in Laurel Landing Cove**

Erosion Control Officer Clint Calhoun reported on the status of water quality violations in Laurel Landing Cove.

**UNFINISHED BUSINESS:**

**b. Status Report Regarding Violations of the Soil Erosion and Sedimentation Control Regulations by the Hickory Nut Gorge Development Company at 144 Dockside Drive, Property of Joel Seaton and Lois Nelson; Assessment of Civil Penalties**

Erosion Control Officer Clint Calhoun reported on the status of violations of the soil erosion and sedimentation control regulations by the Hickory Nut Gorge Development Company at 144 Dockside Drive property of Joel Seaton and Lois Nelson.

**UNFINISHED BUSINESS:**

**c. Other Unfinished Business**

There was no other unfinished business for discussion.

**NEW BUSINESS:**

**a. Consider a Request from Camp Care (Camp for Children with Cancer) to Waive the Fees for Three Motorized Boat Permits from June 30<sup>th</sup>, 2007 through July 7, 2007**

Council members agreed to remove this item off the agenda for discussion.

**NEW BUSINESS:**

**b. Consider a Request Regarding a Text Amendment Petition No. TA-07-02 (Lodges in R-1) Submitted by Vince Wiegman**

After discussion, council members directed Community Development Director Shannon Baldwin to contact Vince Wiegman about offering a choice to withdraw his request and receive a refund, or keep it on file regarding a text amendment Petition No. TA-07-02 (Lodges in R-1).

**NEW BUSINESS:**

**c. Consider a Request Regarding a Text Amendment Petition No. TA-07-01 (Cluster Subdivisions) Submitted by Ed Kale**

After discussion, council members directed Community Development Director Shannon Baldwin to contact Ed Kale about offering a choice to withdraw his request and receive a refund, or keep it on file regarding a text amendment Petition No. TA-07-01 (Cluster Subdivisions).

**NEW BUSINESS:**

**d. Discussion Regarding an Intern to Conduct Research for the Town of Lake Lure on Vacation Transient Rental Project**

After discussion, council members agreed to authorize the hiring of a full-time planner rather than an intern to conduct research on the town's vacation transient rental project as recommended by Community Development Director Shannon Baldwin.

**NEW BUSINESS:**

**e. Discussion Regarding Participation in the North Carolina Teachers' and State Employees' Health Plan and Retirement System**

Town Manager Place read into the record a memorandum dated April 5, 2007 from Personnel Director Anita Taylor on behalf of the town employees requesting town council to consider funding and authorizing participation in the North Carolina Teachers' and State Employees' Health Plan and Retirement System. (Attach is a copy of a memorandum dated April 5, 2007 from Personnel Officer Anita Taylor).

Town Manager Place explained that the town and employees would save a considerable amount of money by changing insurance plans. He also requested that town council continue the coverage of dental, life and vision coverage through the league insurance and provide it for retirees as well as a benefit. He informed council members that other towns/cities already provide health insurance coverage for their retirees. Mr. Place asked council members to provide for retirees from the Town of Lake Lure health insurance, dental, life and vision coverage to be funded out of the savings by changing insurance plans.

After discussion, Commissioner Pitts made a motion to authorize the funding for participation to participate in the North Carolina Teachers' and State Employees' Health Plan and Retirement System and continue the coverage of dental, life and vision coverage through the Municipal Insurance Trust of North Carolina and provide it for Town of Lake Lure retirees as a benefit. The retiree health insurance, dental, life and vision coverage will be funded out of the savings to be cost neutral by changing health insurance plans. Commissioner McCallum seconded the motion and the vote of approval was unanimous.

<b>Adjournment</b>
--------------------

With no further items of discussion, Commissioner McCallum made a motion to adjourn the meeting. Commissioner Noble seconded the motion and the vote of approval was unanimous.

ATTEST:

---

Mary A. Flack, MMC  
Town Clerk

---

Mayor Jim Proctor