

**TOWN OF LAKE LURE
REGULAR TOWN SPECIAL WORK SESSION AND
ACTION MEETING**

Wednesday, May 27, 2025 at 8:30 a.m.

Town Hall at the Landings



Agenda

Roll Call:

Commissioner Dave DiOrio
Commissioner Jim Proctor
Commissioner Patrick Bryant
Commissioner Scott Doster
Mayor, Carol C, Pritchett

Derek Allen, Attorney
Olivia Stewman, Town Manager

Dean Lindsey, Project Manager
Randy Rollins, Public Works Director
Laura Krejci, Communications Director
Sean Humphries, Police Chief
Dustin Waycaster, Fire Chief
Mike Williams, Community Development
Rick Carpenter, Development & Environmental Review specialist/Trails Planner
Mike Hager, Lobbyist

Absent:

I. Call to Order

Mayor Carol C Pritchett called meeting to order at 8:30 am.

II. Agenda Adoption:

Commissioner Jim Proctor made a motion to approve the agenda as presented.
Commissioner Dave DiOrio seconded the motion and all were in favor.

III. Review Proposed FY26-27 Budget Information

Town Manager, Olivia Stewman provided an overview of the budget information.
General Fund: \$8,829,487
Water and Sewer Fund: \$1,650,360
Hydroelectric Fund: \$1.00 (maintained to preserve fund account status)

The budget reflects a balanced tax structure designed to address public safety priorities while minimizing the overall tax burden on residents:

Fire Tax: Increased 4 cents per \$100 valuation

Municipal Service Tax: Decreased 2 cents per \$100 valuation. This will offset adjustment and maintain fiscal responsibility while prioritizing fire department funding. The budget incorporates employee compensation enhancements, including: Cost of Living Adjustment (COLA): 2.8% across all departments. Salary Adjustments based on comprehensive market rate study conducted during the fiscal year

Increased fire department funding supports the following priorities: Enhanced staffing levels. Improved compensation to support recruitment and retention. Debt service for new fire engine procurement (18-month procurement timeline). Grant funding support for new public safety facility development

The Town provides fire protection services to Chimney Rock State Park, which attracts approximately 400,000 annual visitors. As a state-owned facility, Chimney Rock State Park generates no tax revenue to offset the cost of these emergency services. This consideration underscores the importance of adequate fire department funding to serve both the resident population of approximately 1,400 and the significant seasonal visitor population. The Town plans to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant to support the hiring of four additional firefighters. Grant provisions include Year I: Full coverage of staffing costs
Subsequent Years: Decreasing percentage coverage

Budget Impact: Accounted for in current fiscal year projections

IV. Resolution No. 26-05-27 Setting Public Hearing for June 9, 2026 to Receive Comments Regarding Proposed Fiscal year 2026-2027 Budget

Town Manager, Olivia Stewman, presented resolution to set the public hearing.

Commissioner Jim Proctor made a motion to approve Resolution No. 26-06-27 Setting Public Hearing for June 9, 2026 to Receive Comments Regarding Proposed Fiscal year 2026-2027 Budget. Commissioner Patrick Bryant seconded the motion and all were in favor.

V. Discuss 2026-2027 Drawdown Schedule

Town Manager, Olivia Stewman provided a possible schedule for the drawdown. This would be planned from January 1 - March 31, 2027, during winter months to minimize impact on seasonal tourism. The drawdown will be conducted to a depth of 12-16 feet, with a maximum depth of 20 feet if the deep water access ramp project is approved. The drawdown will facilitate concrete repairs to boat ramps, installation of additional ramps (deep water access and/or non-motorized), mechanical dredging, seawall repairs, and sewer infrastructure improvements. The Town is pursuing an expanded dredging permit covering the entire lake, as recommended by the U.S. Army Corps of Engineers. This expansion from the historic 110-acre permit provides enhanced operational flexibility for sediment management throughout the lake. Mechanical dredging will replace previous hydraulic methods, utilizing contractors with extensive

U.S. Army Corps of Engineers project experience. Hydraulic equipment will be removed from service. A detailed map depicting planned projects and schedule will be presented at the June regular council meeting and posted on the Town website with regular updates as work progresses.

VI. Permission for Encroachment into the Town Right of Way (ROW) along Tryon Bay Circle

Rick Carpenter provided a brief overview of the work being requested.

Phase Two of the Tron Bay Circle development includes a soil nail wall project designed to stabilize the roadway and protect residential structures. The project is being undertaken by contractor Peyton Peters with Dale Shields excavation, under geotechnical engineering oversight by Castle Group. The soil nail wall is designed with the following specifications: Depth: Estimated 15-18 feet maximum at a IS-degree angle. Utility Clearance: Nails will extend well below town utilities, which are located on the edge of the right-of-way. Foundation Structure: 22 feet tall, 20 inches thick with multiple structural jogs. Seawall Construction: 5,000-pound blocks keyed into 2-foot rock embedment with extensive rock reinforcement. Temporary Nature: Soil nail wall serves as temporary construction safety measure only and is not intended as permanent road support.

The contractor proposes the following access and closure parameters:

Initial Closure: Monday through Friday for first lift installation (estimated 3-4 days, potentially up to one week). Lane Maintenance: Minimum 11-foot lane width to be maintained throughout project duration. Emergency Access: 20-foot standard to be maintained to the extent practicable. Equipment: Two trackers and one dump truck (reduced equipment presence compared to Phase One). Barricading: Removable schedule 80 cylindrical pipe embedded in concrete with chain-link fence option available; barricades may be removed and reinstalled as needed.

Council raised the following concerns regarding the proposed project:

Public safety risk associated with placement of two 250-ton structures on a slope with documented instability. Historical precedents of engineered seawall failures in the area, including a residential structure near Tryon Bay. Potential reduction in emergency vehicle access to Tron Bay. Liability implications arising from attachment of soil nail wall to town-owned roadway in the event of road failure. Appropriateness of the proposed engineering approach given documented slope dynamics and recent hurricane experience.

The contractor provided the following clarifications and assurances:

Seawall design functions independently of roadway support; the roadway serves as a temporary cut slope only. Engineering oversight includes inspection of soil nail wall at each 3-foot lift installation by a licensed engineer. Contingency plan available: seawall continuation may be extended to road grade, which would be administratively approvable. Original proposal to relocate roadway onto town right-of-way was rejected following survey confirmation of contractor's survey accuracy. Contractor has invested approximately \$200,000 in seawall construction and \$40,000-\$60,000 in Gunitite application to minimize use of concrete trucks within the roadway.

Commissioner Dave DiOrio Made a motion to deny the permission for Encroachment into the Town Right of Way along Tryon Bay Circle. Commissioner Scott Doster seconded the motion and all were in favor.

VII. Request for Injunctive Relief Against Parcels 1611501 and 1600457 for Failure to Follow Approved Plans and Abate Code Violations

Rick Carpenter provide information regarding the issues these vacant properties face.

Unauthorized tree removal exceeding approved land disturbance permit. In the fall 2026 permits issued; tree removal occurred September 2026; violation discovered. General contractor (well-known, reputable) hired by property owner. Contractor disagreed with property owner's request to deviate from approved plans. Contractor pulled off project due to the liability concerns. Unauthorized tree cutter (hired by owner, not contractor) removed trees beyond permit scope. Permits killed when financially responsible party withdrew.

Currently, a stop work order and notice of violation has been issued. Property owner required to provide survey showing approved vs. actual disturbance, square footage affected, and number of trees removed erroneously. Owner has not provided required documentation despite multiple requests. The owner has recently obtained new permits (early May), working on contractor quote, and has identified local financially responsible party. Staff received email indicating active movement toward remediation. Staff does not constitute clear cutting (would require 90-96% tree removal; this is -20-40%). Trees removed were hazardous or had issues; removal was appropriate. One exception: American beach tree on Deese property that was in good health but had to be removed due to seawall reconstruction and no significant sediment deposits in creek (work done on foot, no machinery)

Several neighbors spoke expressing concerns:

Rosanna Thompson (298 Garden Lane)

Provide a state of how this has affected there neighborhood including the lost shade and feeling of privacy especially during hurricane remembrance. Praised Rick Carpenter for his persistence in the matter. Requesting revegetation required before any building permits are issued.

Paula Richardson (241 Garden Lane)

Thanks Rick Carpenter and town enforcement efforts. Current state of lots is described as untenable. Over one acre of clear-cut debris or feels like that's what it is. Feels this is a fire hazard from dry timber, erosion risk, sediment runoff into creek. Requested accountability and strict expedited timeline

Peter Thompson (on behalf of Brian Proctor, 141 Court):

Provided a statement for Brian Proctor stating a pattern of unlawful tree clearing for views on three recent builds. Damage worse than Hurricane Helene impacts. Approximately 30 cut trees with 24-inch average diameter. Estimated 50-58% grade on properties with increased environmental regulation. Small stream at bottom without sediment protection. Town ordinances require tree replacement and 2-year monitoring. Requesting enforcement of existing ordinances and building moratorium. (Full statement available upon request)

Commissioner Patrick Bryant made a motion to approve the request for Injunctive Relief Against Parcel 1611501 and 1600457 for failure to Follow Approved Plans and Abate Code Violations if no actionable progress within 30 days. Commissioner Jim Proctor seconded the motion and all were in favor.

VIII. Failed Seawall at O Conroy Ct. (Parcel 1636292) Request to condemn the Seawall and Remediate the Hazard

Rick Carpenter advised this has been an issue for several years. Located at Conroy Ct. Originally piped, then un-piped, attempted to pipe again, then rerouted multiple times. Seawall failed and fell into boathouse years ago; was repaired. Heavy rains following Helene washed out seawall again. Seawall tumbled into boathouse back pipelines and destroyed them. Destroyed private sewer line serving multiple properties. Town repaired sewer line (may incur cost). Owner attempted to anchor seawall blocks without proper engineering approval. Boathouse demolished without permit. Currently the seawall blocks precariously stacked Genga-style) on broken pilings. Blocks positioned directly above recently repaired sewer line (4-inch private metal line). Sewer line exposed and at risk if blocks move. Area prone to failure: creek keeps rerouting back to original location (-3 times in 5(years). Blocks have anchorage points for removal

Multiple failed engineering attempts to reroute creek. Rerouting keeps washing out and returning to original location. Rip rap stabilization required per code. Removal can be done from water (using barges with machinery) or from land.

Council Concerns that sewer line vulnerability if blocks fail. Potential for environmental impact and increased inflow/infiltration into sewer system and risk of repeated failures and in need for expedited timeline

NC General Statute allows 60-90 days for unsafe building condemnation. Town can issue citations (administrative action). Can combine citations with condemnation order
If owner doesn't comply, town can remove structure at owner's expense

Commissioner Scott Doster made a motion to proceed with request to condemn the seawall and remediate the hazard withing 90 days. Commissioner Patrick Bryant seconded the motion and all were in favor.

IX. Resolution No. 26-05-27A Setting Public Hearing for June 9, 2026 to Receive Comments Regarding Proposed Text Amendment to Chapter 36 Zoning Regarding Accessory Buildings in Residential Districts

Mike Williams presented to council the proposed text amendment which would be applied only to RI (shoreline) zone. Planning Board felt this wasn't what they recommended and revised to reflect a change to 60% of primary residence OR 1,200 sq ft, whichever is greater (same as original) and extended to all residential zones (not just RI shoreline). This will bring fairness to larger properties. Staff recommend excluding R4 zone from amendment. R4 already has limitations: maximum 2 accessory buildings with combined area of 600 sq ft. R4 represents smallest properties (less than quarter acre). Keep 60% or 1,200 sq ft limit for other residential zones.

Commissioner Patrick Bryant made a motion to approve Resolution No. 26-06-27A Setting Public Hearing for June 9, 2026 to Receive Comments Regarding Proposed Text Amendment to Chapter 36 Zoning Regarding Accessory Buildings in Residential Districts. Commissioner Scott Doster seconded the motion and all were in favor.

X. Budget Amendment #382 for Fire Stations 2 Remodel

Town Manager Olivia Stewman provides the cost overview of the budget amendment #382. Bid Amount is approximately \$460,000. Funding Sources are \$186,000 from Rutherford County TDA (Tourism Development Authority) \$100,000 from Fairfield Volunteer Department contribution, \$50,000 from Office of State Fire Marshal, Total: \$336,000 identified; additional funding from next fiscal year budget. Should be started soon as ISO inspection is scheduled for August and early progress on remodel will improve inspection appearance, otherwise we would normally wait until next fiscal year to begin

Budget Amendment details recognize both expenditure and revenues. Project will not be completed within current fiscal year with additional funding budgeted for FY 2026-2027.

Commissioner Patrick Bryant made a motion to approve Budget Amendment #382 for Fire Station 2 Remodel. Commissioner Dave DiOrio seconded the motion and all were in favor.

XI. Hager Strategic Solutions Updates

Mike Hager provided updates from local and state level legislation. General Assembly budget chairs finalizing FY budget. Member Money Allocation: Expected to be very low ranging from \$250,000-\$500,000 per member. Example: Rep. Paul Scott (covering Cleveland and Rutherford counties) likely to receive closer to \$250,000. Senators have slightly more due to fewer positions. Legislators' Requests: Senator Moffatt reported -\$1 billion in requests; likely to receive less than \$500,000

Medicaid Managed Care Organization (MCO) Merger

VIA and Partners merged this week. Creates largest MCO in western North Carolina. Merger effective October 2026. Rutherford County previously had VIA, switched to Partners, now has PartnersNIA. Expected to result in another lean bill

State Parks Fee for Emergency Services discussion ongoing about state parks paying fees for emergency services. Precedent exists in state, mostly for equipment (not salaries). Could provide predictable annual budget allocation. Potential for concessions revenue-sharing arrangement.

Four lobbyists indicted in 2024 for taking principal money and filing through C4 organizations to benefit legislators. This violates lobbying regulations. SB! and NC Attorney General investigating; expect more indictments

Congressman Edwards' Under indictment for sexual harassment and ethics violations. If he leaves office, creates domino effect of political movements. Potential impact: Moffitt could move to Congressional seat; this would trigger state senate appointment process. Three Republican parties (Henderson, Polk, Rutherford counties) would vote based on proportional representation. Could result in new House and Senate representatives

Fraudulent therapy companies provide services to autistic children. State added \$319 million in rebase funding. Much going toward autism services. LME/MCOs are responsible for detecting fraud and determining if it's fraud, waste, or mismanagement. States giving more tools; moving to closed network model where not all providers automatically accepted

Property tax issue on November ballot statewide. Rutherford County commissioners recently raised taxes 2 cents. Town is sensitive to tax increases. No anticipated move for state-level property tax increase expected

Rutherford County is moving to hire county manager. RFP issued; applications being received. Town representatives opposed hiring before new commissioners take office.

XII. Town Manager/Project Updates

Town Manager, Olivia Stewmen provide updates on town projects and events.

Draft plan under review with steering committee for the comprehensive plan. Met with steering committee yesterday to review draft. Edits, additions, and changes needed. Timeline is looking to be as follows. June 16: Steering committee work meeting to finalize plan. Early July: Parks & Recreation Board review (regular July meeting). July: Zoning and Planning Board review. July: Public hearing at town council. August: Adoption consideration at regular meeting. Need early input from Parks & Rec on plan content. May need special session if Parks & Rec can't wait until July. Comprehensive plan drawn by Withers Ravenel. Concern raised: Plan doesn't incorporate existing engineer plans already in process or architectural plans in system. Multiple engineering firms work on different projects and need coordination.

Now that the Army Corps and SMART program work is completed, the town will have a debris pickup schedule. First and third Wednesday of each month for next 6 months. Will need to request by submitting request through town website by 7:00 AM on pickup day (or morning of pickup). After 6 months, may be reduced to once monthly depending on conditions observed. Continue cleaning up after rain events as previously done.

Decking Materials have been delayed, delivery resolved and materials arriving at the end of next week. Contractor will proceed immediately upon receipt. Target for completion is still set for Mid-June for floating docks (revised from mid-July for some components). Floating dock completion: July 18, 2026 (with daily penalty clause if missed). Fuel tank manufacturer delay, but concrete slabs already poured for fuel tank. Cannot proceed with fuel pump installation without fuel tank delivery. Contractor calling manufacturer 4+ times; pushing for delivery date. No alternative fuel tank supplier without rebidding process (cost implications). Hot dock and courtesy dock: Materials arriving next week; assembly to follow. Pool Creek dock: Materials arriving next week.

Public Works Building groundbreaking completed Friday (May 24). Grading and survey work completed. Construction activity scheduled to begin this week but delayed due to weather. Materials have been ordered and more are coming soon.

Morse Park Grading has received second quote; one additional quote pending. Notice to proceed to low bidder targeted for end of week with Access Road, Parking & Non-Motorized Ramp, not Yet Included in Current Bid. Will investigate FEMA Funding for road which may be covered ramp funding status unclear.

XIII. Public Comment

Eric Edwards (241 Garden Lane)

With new cell tower, suggested reaching out to cell tower vendors about Wi-Fi network for visitors.

Previously had Wi-Fi through Pangea with an average cost of \$36,000, however project discontinued years ago. May investigate other avenues.

XIV. Closed Session in Accordance with G.S. 143-318-11 (a) (5) for the Purpose of Discussing Property Acquisition

Commissioner Patrick Bryant made a motion to enter into Closed Session in Accordance with G.S. 143-318.11(a) (5) for the Purpose of Discussing Property Acquisition at 10:32am. Commissioner Dave DiOrio seconded the motion and were in favor.

Commissioner Scott Doster made a motion to leave closed session at 10:48am. Commissioner Patrick Bryant seconded the motion and all were infavor.

XV. Adjournment:

Commissioner Patrick Bryant made a motion to adjourn. Commissioner Dave DiOrio seconded the motion and all were in favor.

Attest:



Kimberly Martin, Town Clerk



Carol C. Pritchett, Mayor

