



**MINUTES OF THE PLANNING RETREAT MEETING OF THE LAKE LURE TOWN COUNCIL HELD TUESDAY, JANUARY 11, 2023, 8:30 A.M. AT THE LAKE LURE MUNICIPAL CENTER**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Scott Doster  
Commissioner Jim Proctor

William Hank Perkins, Jr., Town Manager  
Stephen Ford, Finance Director  
Dustin Waycaster, Fire Chief  
Sean Humphries, Police Chief  
Michael Williams, Community Development Director  
Michael Dydula, Project Manager  
Dean Givens, Parks, Recreation, and Lake Director  
Dean Lindsey, Public Services Director  
Laura Krejci, Communications Director

**ABSENT:** Commissioner Patrick Bryant  
  
William Morgan, Jr., Town Attorney

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 8:35 a.m.

**II. APPROVE THE AGENDA**

Commissioner Doster made a motion to approve the agenda, as presented. Commissioner DiOrio seconded and the motion carried 3-0.

**III. INTRODUCTION**

Mayor Pritchett explained that the first part of the meeting is for Council discussion and department heads will join the meeting at 10:00 a.m. Mayor Pritchett noted that Finance Director Stephen Ford will be present from the beginning because funds will tie into priorities and goals. Town Manager Hank Perkins explained that conversation before arrival of the department heads will drive the conversations during their participation. Manager Perkins noted that he would like a sense of consensus for goals that the Town will be pursuing long term and any action items, and next year the Council will re-examine the outcomes and goals. Manager Perkins also noted that it will be important to involve department heads in all conversation after 10:00 a.m.

#### IV. FINANCE

Finance Director Stephen Ford presented a financial overview (Attachment A). Director noted that he has had positive experiences in the Town thus far and is looking forward to a transformative future, and that he feels good about the financial situation.

Director Ford overviewed sources of revenues and noted that it is a reappraisal year in the County and by April or May the Town will have a good indicator of the appraisal outcomes. Commissioner DiOrio the Town needs to review the outcomes of the County re-appraisals in order to indicate how the town proceeds with decisions such as the mill rate. Mayor Pritchett noted that the public needs to be informed on how re-appraisals function. Manager Perkins explained the revenue neutral requirements and noted that the Town will have to present a figure adjusted for this year dependent upon re-appraisals. Commissions Proctor noted that the County will have an appeal period following initial re-appraisals which may not be complete until the nearing of the budget cycle, so the Town needs to come up with a preliminary budget and then determine the mill rate based on the final number from County. Mayor Pritchett noted that information should be made available on the website when it is available and discussed the possibility of Director Ford presenting at a regular Council meeting. Manager Perkins noted that the effects and outcomes of the re-appraisal will be different for different individuals. Manager Perkins how often Rutherford County does re-appraisals and it was answered that it happens every 5-8 years.

Commissioner DiOrio noted that last time the overall rates went down and the town did not adjust the mill rate, so the property taxes went down, then the Town wanted to build the capital reserve so the mill rate was raised about 15 percent. Mayor Pritchett noted that the public was not update about the raised after the capital reserve was explained. Commissioner DiOrio explained that the goal for the capital reserve will drive the mill rate.

Director Ford presented property and personal tax values. Commissioner Diorio noted that personal property will increase because everyone will have to register their boats in North Carolina. Director Ford displayed total tax revenue and explained his use of a revenue neutral formula. Director Ford displayed other state shared revenues. Commissioner Proctor noted that state statute gives County the ability to choose between opting to use ad valorem or per capita. Commissioner DiOrio noted that the Town does not directly benefit from sales tax. Mayor asked how much was paid in occupancy tax in 2022 and Director Ford answered that he is waiting for the Rutherford County Tourism Development Authority (TDA) to answer this question. Commissioner Proctor noted that TDA numbers might now always be accurate due to the use of third parties such as Airbnb and VRBO. Council and staff discussed that the Town is not receiving

nearly the percentage that is contributed to the TDA in occupancy taxes. DiOrio noted that the Town needs to watch for the outcome of an ongoing case in Buncombe County in regard to applying additional sales tax to lodging by defining them as commercial instead of residential, and added that the outcome might drive the Town's actions in the future.

Director Ford detailed fee schedule revenues. Mayor Pritchett noted that land use fees were raised significantly not long ago. Director Ford noted that current numbers are likely on sufficient for the time being. Director Ford noted that boat permits revenues should be reviewed this year to identify any changes stemming from Lake Use Regulation changes. Commissioner Proctor suggested that vacation rental fees may need to be increased and possibly lake structure related fees because lake structures are located on Town owned property. Commissioner Doster noted that he would be in support of applying additional fees for builders who do not thoroughly comply within regulation. Manager Perkins questioned if there is a fine for people who start projects before obtaining a permit. Commissioner DiOrio noted that Community Development should review the land use fee schedule and consider how to reduce discrepancies by charging fees. Commissioner Proctor suggested the possibility of changing an annual fee for vacation rentals rather than the existing one-time fee. Commissioner DiOrio noted that an issue might be that North Carolina requires that short term must be treated the same as long term rentals. Commissioner DiOrio also noted that short-term rentals are already singled-out because of room taxes. Mayor Pritchett mentioned that Rumbling Bald Resort enforced annual POA fees for vacation rentals. Commissioner DiOrio noted that the Town might be able require and conduct an annual vacation rental inspection which would include an inspection service fee for rentals and would help in keeping an accurate list of all vacation rentals. Mayor Pritchett added that vacation rental owners not in regulation should be fined. Commissioner Doster noted that another benefit is the Town will be able to check lake structure during vacation rental inspections. Commissioner Doster asked if annual inspections would impact the Town's liability and Commissioner DiOrio expressed that he does not think so. Commissioner Proctor recommended that Manager Perkins, Attorney Morgan, and Community Development staff discuss. Commissioner DiOrio noted that the number of revenues being collected from LLCs are significant. Manager Perkins noted that the Town may not find a lot for substandard issues during vacation rental inspections, so there will not likely be a need for many follow ups. Commissioner DiOrio agreed and noted staff can check if vacation rentals have a vacation rental boat and work with Parks, Recreation, and Lake to ensure that the owners have obtained the correct permitting. Manager Perkins also noted staff would also likely find unknown alterations to structures that have not been permitted. Director Ford noted that fines and citations are paid to the county or state for school operations. Commissioner Proctor noted that the fines and citations would not go to the Lake Lure Classical Academy because it is not a public school. Director Ford confirmed that fees are paid to the Town.

Manager Perkins explained that the Lake Lure Tours concession agreement is up for renewal and that Lake Lure Tours had requested consideration to increase their share of profits to 50%. Commissioner DiOrio noted that the Town had made the lake operations budget self-sufficient, but noted that if it may change dependent upon any impacts from the Lake Use Regulations detected this year. Director Ford noted that last year, the Parks, Recreation, and Lake Department parks added a miscellaneous line item for expenditures because revenues were exceeding expenses. Council discussed the importance of responsibly spending money and not spending it just because it is budgeted. Commissioner DiOrio noted that the reason for the existing

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structure of the Lake Operations budget is because the Town wanted to ensure legislatures that the Town was being good stewards of state funds and creating strategic ways of budgeting. Council discussed issues involving interdepartmental conflicts in regard to budgets. Commissioner Doster asked if one department can bill another for a service and Manager Perkins stated yes, that it is a call center, but it does increase complexity of budget. Commissioner Doster inferred that line items should be more detailed. Commissioner DiOrio noted that there are associated costs between departments.

Manager Perkins recommended capital reserves for different areas and noted that capital reserves build equity for capital projects. Council and staff discussed existing capital reserve funds and the possibility of adding additional capital reserves.

Director Ford noted that Town would like to improve on interests. Mayor Pritchett asked if the Town had looked into I-bills and Director Ford stated that he will look into it.

Director Ford noted that water and sewer collection are healthy, but the hydro fund is not doing as well as expected. Director Ford also noted that Duke Energy is still sending payments from recent agreements and that he will know more when they determine rates. Mayor Pritchett noted that drawdowns and unpredictable rainfall amounts need to be considered when budgeting for the hydro fund. Commissioner Proctor proposed a formula of looking at the average amount per decade divide by 10. Mayor Pritchett noted that it will be different since the town may be drawing down the lake more often. Commissioner DiOrio noted that automation should be helpful in projecting hydro and that one tainter gate has been leaking and if it is fixed, the small generator could run.

Director Ford reviewed fund balance. Council discussed the flowering bridge fund. Commissioner DiOrio asked if anything has been drawn from the sewer capital project funds and Director Ford noted that the Town still have not received any funds from DEQ, so all current sewer expenses have been taken from the general fund but will be reimbursed. Commissioner DiOrio mentioned that past engineering fees were taken out of water funds and suggested that when the funds are reimbursed they should go back into the water fund. Director Ford agreed. Commissioner DiOrio noted that the two big expenses for water and sewer is the new system and maintaining the current system. Commissioner DiOrio expanded that the maintenance of current sewer is going out of water/sewer fund, so reimbursements should be managed accordingly.

Director Ford overviewed the total budget for 2022-2023.

Director Ford noted that the fund balance has been tapped numerous times in past couple of years, and expressed that he is hoping to decrease this from happening moving forward.

Director Ford noted that water, sewer, and electric funds are limited due to the nature of the accounts. Director Ford reported that there are strong foundations of funds for the dam replacement. Commissioner DiOrio asked if the \$16 million state funds for the dam expire and Director Ford answered no.

Director Ford and Council broached topics to consider in the upcoming budget year.

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Director Ford noted that personnel accounts for 40 percent of the total budget, which is good and there is a lot of latitude. Manager Perkins noted that personnel accounts for 50 percent of the budget in many of towns. Balance finances conservatism with what town residents has trusted and empowered in Council to direct and provide.

Director Ford noted he plans to present Council with conservative budgets. Director Ford reported that department heads are staying within budget and spending plans and that he looks forward to working with Manager Perkins. Director Ford explained that Council's visions and feedback can provide spending priorities for new fiscal year. Mayor Pritchett noted that it will be important to get updates and reports from Director Ford moving forward and Council discussed that they would like quarterly reports. Commissioner Proctor suggested that Director Ford to inform Council of any issues when they are making decisions. Manager Perkins noted that every time there is a budget amendment, it is because the Town cannot statutorily overspending per line item. Commissioner DiOrio recommended a one liner with any changes to show where changes are coming from, where money is being reimbursed, etc. Council members agreed.

Commissioner DiOrio also requested utilizing The Policy Group to communicate with legislatures for top level priorities and for The Policy Group to show legislatures how money is being spent in Lake Lure and how much funds are needed. Mayor Pritchett agreed. Manager Perkins noted that one thing that will be needed is a capital project ordinance for the dam, which will keep track of how funds are being spent.

Mayor Pritchett noted the importance of completing the project that the Town has committed to. Commissioner DiOrio reviewed latest ER/EID updates and provide Council with major project numbers. Commissioner DiOrio explained that new developments are beyond the scope of the Town's typical discretion when considering sewer connections, and any requests would require information to be compiled into a package and submitted to DEQ for consideration. Commissioner Proctor asked if DEQ communicates with the Town when a request is submitted and it was answered yes because the Town also has to endorse new connections.

Commissioner DiOrio noted that Town needs to get to a point of being independent from the Chimney Rock Village water system. Council and staff discussed Chimney Rock water agreement in relation to the Firefly Cove Water System. Commissioner Doster asked about a timeline for the completion of the Firefly Cove Water System improvements and Manager Perkins answered that the Town must obtain permitting from DEQ before moving forward. Commissioner DiOrio asked for updates regarding LaBella's efforts to obtain the permitting and asked if Brian Houston knows this is a priority to the Town and Manager Perkins said yes.

Commissioner DiOrio noted that the Town needs to start doing preliminaries estimates and set expectation in regard to the Wastewater Treatment Plant (WWTP) footprint, property acquisitions, and any other details regarding the WWTP. Manager Perkins mentioned that there is a LaBella task order for WWTP master planning, which will present three potential alternatives. Manager Perkins expanded that it is a 20 week plan to complete the WWTP master plan task order and that it was approved a couple of months ago.

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Manager Perkins noted that whether or not the Town is awarded additional ARPA funds will determine many factors in decision making and reminded Council that all ARPA funds must be spent by 2026. Commissioner DiOrio detailed that the North Carolina League of Municipalities is working towards trying to extend the date for ARPA fund expirations.

Commissioner DiOrio expressed the importance of creating a staging area for major project as soon as possible.

Commissioner DiOrio asked about funding for the cell tower and when AT&T should begin the project.

Commissioner DiOrio discussed the West End Connector and questioned if the Town is at a point to commit towards putting resources towards the project. Commissioner DiOrio also questioned how the Town would fund the West End Connector project. Mayor Pritchett expressed that at this point, the Town is not ready to begin the project due to property owner conflicts. Commissioner DiOrio asked if Council should give the Town Manager direction to set out some of capital reserve for this project in the future and Council members said yes. Commissioner DiOrio recommended obtaining an estimate for what the project would cost and making a two or three year funding plan. Manager Perkins asked if the Town is interested in getting a transportation engineering to complete a preliminary cost analysis for emergency access and Fire Chief Dustin Waycaster mentioned that Tim Edwards is currently looking into cost estimates. Council and staff discussed logistics of road and it was detailed that the road must be all weather. There was Council consensus to start budgeting for the future project.

Council discussed the drain valves and associated FEMA grants. It was noted that the original cost for the drain valve project had increased. Communications Director Laura Krejci explained that one other factor impacting the FEMA grants is that Schnabel has to complete a field investigation. Manager Perkins expanded there is a timeline including when drains need to be installed and that the Town will continue to try to acquire FEMA grants, but the project timeline is a priority and may not match up with the FEMA grant timeline. Commissioner DiOrio noted that Ruby-Collins and LaBella might be able to stay preoccupied with other portions of the sewer project if Town needs to wait for funding for installation of the drain valve. Public Services Director Dean Lindsey confirmed that push for the completion of the 20 ft. drain valve project is driven by the HDPE project. Mayor Pritchett expressed her opinion that the Town should proceed as it needed to the projects in a timely manner.

Commissioner DiOrio stated that the Town need to meet with the North Carolina Department of Transportation (DOT) regarding Dam Bridge. Director Lindsey noted that the bridge is nearing its 5 year inspection.

Commissioner DiOrio discussed dredging. It was noted that the Parks, Recreation, and Lake Department submitted an application for a dredging grant and an award decision should be announced within the following weeks. Commissioner DiOrio suggested that the Town needs to develop a short term and a long term dredging plan. Commissioner Proctor expressed concerns regarding the spoils site across the lake being an eye sore. Director Givens noted that the spoil pit is constantly being emptied and rotated. Commissioner Doster asked if the Town is excavation

dredging this year and Director Givens answered yes. Commissioner DiOrio asked Director Givens to provide Council with a dredging plan.

## **V. LONG TERM GOALS**

Long term goals were discussed throughout the meeting.

## **VI. TOWN PROPERTIES**

Mayor Pritchett expressed a need to have a list of all Town properties. Commissioner Doster asked Community Development Director Michael Williams how many lots the Town owns and Director Williams was unsure. Commissioner Doster noted that Chamber of Hickory Nut Gorge may have a list of assets. Manager Perkins listed a few known Town owned properties and noted that the Town has other assets from instances such as foreclosures. Commissioner Doster noted that the Town may need to look into selling some properties. Commissioner Proctor noted that Town assets are included in the current comprehensive plan. Commissioner Proctor questioned if the County could help the Town with compiling a list of assets. Council members expressed that the Town should compile a list of all assets.

Mayor Pritchett noted that a few main properties to discuss are the Lake Lure Green Space, ABC Store property, and the lot behind the Arcade Building.

Manager Perkins explained that he would like for Council to discuss whether or not the Town is devoted to using one side of the Green Space property for Town operations. Manager Perkins noted that the Town had received various inquiries regarding the Green Space property. Manager Perkins expressed that he would like Council to review the balance of the property from a standpoint of best use to the citizens of Lake Lure. Manager Perkins recommended looking into completing a Green Space Master Plan that will steer the future of the property and would include public involvement. Manager Perkins noted that master plan would also be beneficial for any possible grant opportunities. Parks, Recreation, and Lake Director Dean Givens noted he has head of peopling attempting to piecemeal the Green Space and noted that this cannot be done without a master plan. Commissioner Proctor expressed support for a master plan, but suggested completing a master plan in the least costly way such as working with Clemson or another university. Manager Perkins stated that he can obtain proposals and present them to Council to see if they are interested in any of them. Manager Perkins noted that he has a contact with McGill Associates who helped him in Lewisville and administered master planning and product. Manager Perkins also noted that the Town could create a master plan themselves, but detailed that his past experience with this were not as effective as when he had worked with a consultant. Mayor Pritchett expressed support for looking into costs for a master plan.

Commissioner DiOrio noted that the Town will not likely have resources to apply to a recreational facility in the near future. Commissioner DiOrio expressed concern regarding businesses using Town properties without payment, because the town would essentially be continuing to pay for maintenance without profit, but noted that he is open to a concession agreement if businesses use Town properties. Council discussed past inquiries in regard to the

Green Space property. Director Givens noted that the Town must consider the conservation easement with Equinox when discussing the use of the property. Commissioner DiOrio expressed expectations to have a business plan that would improve Town infrastructure. Commissioner Proctor noted that regardless of a master plan, the Town should be aware of how many acres is needed for town uses. Mayor Pritchett noted that any proposals in regard to the Green Space property should be presented to the Town Manager. Council discussed that they are firm on needing at least the one side of the road for Town uses and it was expressed that unless an inquirer is amenable to using only one side of the property for other uses, it is not worth a proposal. Commissioner DiOrio noted that basic questions to ask any inquirers that are interested in the property are how their proposed use of the property benefits the town, what their business model consists of, and more. Manager Perkins asked if Council is in support of entertaining an estimate for a Green Space master planning and Council expressed support. Commissioner Proctor recommended an assessment of needs.

Mayor Pritchett noted that there had been discussion regarding getting appraisals for the ABC Store property and the Town property behind the Arcade Building. Commissioner Proctor recommended utilizing a commercial appraiser and expressed his opinion in regard to getting appraisals. Commissioner Proctor objected selling the ABC Store property and Council members agreed, but there was support for continuing to lease property to a business. Manager Perkins noted that it may be beneficial to look into a commercial real-estate broker for lease prices. Director Givens asked if Town would allow a new structure to be built by a lessee of a Town property and Council expressed uncertainty but it was noted that the Town would like to maintain control of any properties they own. Commissioner DiOrio noted that the Town needs to know lease stipulations are desired before any proposals for a lease are received. Director Givens noted that the Town boat house is located on the ABC Store property and that should be taken into consideration and Commissioner DiOrio agreed. Commissioner DiOrio suggested that the property behind the Arcade Building could also be leased because it may not sale for enough. Council discussed that an appraisal should be done for the property behind the Arcade regardless.

Council discussed moving the ABC Store and it was noted that Manager Perkins had been approached by a group of individuals who might be amenable to leasing the property. Commissioner DiOrio asked if the Town should proceed with moving ABC Store to the strip center. Commissioner Proctor expressed that he does not want the current store building to be vacant for long. Commissioner Doster noted that he had contacted Ingles real estate department in regard to having the ABC Store by the Ingles and he had not received a response. Commissioner Doster expanded that he does not think the Ingles property is an option at this time. Commissioner Proctor asked if the Town had done a soil analysis on the Town property located across the street from Ingles and Director Givens answered yes and that it may be buildable but concerns had been expressed. Commissioner Doster noted that he had told George Wittmer that ABC Board would be willing to enter a five year lease agreement at the strip center and that they could build at a different location during that time or may have an opportunity to be located by Ingles. There was concern expressed that if the ABC Board does not secure strip center soon, it may be occupied by someone else. Mayor Pritchett noted that it is prime property and some Council members expressed that they think that a lease would be entered quickly. Council discussed that a similar rent to the ABC property might be the Lake House and Commissioner Proctor agreed to try to find out what amount the Lake House is leased for. Council discussed various caveats if the property



is leased. Council also discussed moving the police boats if needed. Mayor Pritchett noted that Council has to vote to end lease with ABC Board. Mayor Pritchett also noted that the Town will not be involved in the next ABC Board lease. Commissioner Doster explained that he had visited the strip center to see if it would accommodate an ABC Store and explained that ABC Board would rent two units, one for a warehouse and conference room and one for retail. Commissioner Doster noted that the store managers and two board members had also visited and were in support of moving the store to that location. Commissioner Doster explained changes that would be made by the landlord to accommodate an ABC Store.

Commissioner made a motion to end the current month-to-month lease with the ABC Board, if the ABC Board desires to move. Commissioner Doster seconded and all voted in favor.

It was discussed that the Town does not want to be a partner in a new lease for the ABC Board. Commissioner Doster stated that would speak with the ABC Board Chair who can call a special session to vote on this as well. It was also discussed that Town will be losing the ABC Store rent, but no concern was expressed. Council mentioned that after the ABC Store moves, the Town can advertise for the lease of the property. Commissioner DiOrio noted that a new tenant may want a livery with the dock, which would also be beneficial to the town finances. It was also noted that Council has autonomy in regard to how the property is used.

## **VII. TOURISM**

Mayor Pritchett noted that an increase in tourism does not necessarily bring in a lot of revenue to the Town aside from sales tax and support for businesses in the Town. It was noted that tourism impacts infrastructure and that it should be reviewed by how it directly increases revenue and how it impacts the community. It was noted that the Town has limited resources and services for an increase in tourism. Council discussed tourism management.

Commissioner Proctor noted that the Town should re-evaluate the money spent for Fourth of July festivities because they are primarily benefiting tourists and negatively impacting residents and businesses. It was noted that the Town will not be holding a Fourth of July firework show this year, but may hold a December firework event that will be more accommodating to citizens and those visiting during the off-season.

## **VIII. COMPREHENSIVE PLANNING**

Comprehensive planning was mentioned throughout the meeting.

## **IX. PUBLIC SAFETY**

Fire Chief Dustin Waycaster providing Council with a presentation on a new public safety facility (Attachment B). Chief Waycaster provided a history of the Lake Lure Fire Department, current facilities, and assets. Chief Waycaster explained how a new facility would help the department with improving working conditions such as sleeping quarters, showers, and decontamination equipment which is important for the health and safety of the firefighters. Chief

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Waycaster also noted that a new facility would allow for additional storage of equipment and improved call responses. Chief Waycaster noted that he would like a new facility to be located near the existing fire department because central to all points of Town. Chief Waycaster explained how a new facility would improve responses and overall safety, especially if the Police Department was incorporated into half of the building which had been discussed in the past. Chief Waycaster explained that a new building would be a 40 to 50 year asset for the Town. Chief Waycaster noted that the site that he is looking into would increase visibility, such as the view of the road, and would allow for the public to better see the work of public safety which he expressed would increase transparency.

Mayor Pritchett asked how many fire engine bays would be needed in a new facility and Chief Waycaster answered that he is not necessarily looking for an increase in fire engines as much as he is an increase in storage, but it may be beneficial to add one or two additional fire engine bays to accommodate any future growth.

Chief Waycaster noted that his main goal is to increase the health and safety conditions for firefighters.

Mayor Pritchett asked what had been budgeted for a public safety building facility and Chief Waycaster explained that some of the costs to pay volunteer departments had declined in the past few years which had resulted in an increase in the Fire and Emergency Management budget and noted that about \$50,000 is set aside as of current. Manager Perkins noted that working with a designer is typically the first step and the design will be based on the facility funding total. Manager Perkins noted first step would be to get design to determine pricing and that a reimbursement resolution can be adopted. Manager Perkins noted that the next step would be to determine how much it would cost to fund the debt service. Chief Waycaster noted that he was aware that it is about 25 years for a debt service timeline. Manager Perkins explained that if the Town opted for a 15 to 20 year debt service, the Town would need to add another penny to the tax rate and noted that the Town needs to be conscious of this moving forward.

Manager Perkins mentioned the incorporation of the police department and how the Town could plan the facility in two phases. Mayor Pritchett noted that many facility amenities could be shared between the police and fire departments. Chief Waycaster explained that from a public safety standpoint, it may be more beneficial to have a joint public safety facility and that tax money may be spent better if the Town opts for the joint facility.

Mayor Pritchett asked for clarification that the Town is not eligible for a grant to fund five additional firefighters because there would not be space to accommodate them and Chief Waycaster Answered yes. Chief Waycaster explained that the Staffing for Adequate Fire and Emergency Responses (SAFER) Grant would fund the costs for additional employees for their first five years with the Town and the Town would dissolve the costs after five years.

Commissioner Proctor noted that there still needs to be research on who can design the facility. Chief Waycaster noted there are a few firms that do Design-Build for public safety facilities and that he had initiated some research on the firms. Manager Perkins noted that traditionally there will be a firm to design the facility and they should be chosen based on

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qualifications instead of price, but the Town may drop the most qualified if the Town is unable to pay. Manager Perkins advised to keep in mind that the second most qualified may not be any less expensive and that the Town could not go back to the first choice after dropping them.

Commissioner DiOrio asked where Fairfield Mountain Volunteer Fire Department fits into the equation and questioned if Fairfield could be used as an interim for housing.

Chief Waycaster explained that all fire chiefs in Rutherford County had recently approved having a comprehensive evaluation completed which will include all department in the County. Chief Waycaster expanded that if the evaluation shows that paid firefighters are required at all departments, it will pose issues in regard to how fire departments in the County function. Chief Waycaster provided an example that qualification requirements for hires would be imposed at every volunteer department in the County. Chief Waycaster expressed concern that this might result in complications. Manager Perkins noted that it may negatively impact the fire tax rates and that the County would likely adopt a standard fire rate across the County. Commissioner DiOrio expressed it may be a positive to have a standard fire rate. Chief Waycaster explained that it may impact medical Responses. Commissioner DiOrio recommended waiting to have the design of a new public safety facility done until the County makes decisions. Commissioner DiOrio also recommended investing in interim solution to bring current conditions up to standards. Chief Waycaster noted that the County's evaluation will likely show that all departments are understaffed and suffering to obtain recruits, and that it will likely find that all stations will need at least one paid staff member on site. Manager Perkins and Chief Waycaster discussed that a new facility station is a stand-alone driver, but if the County requires additional staffing the Town will need additional space to accommodate additional staff.

Commissioner Proctor expressed that the Town still needs a new facility regardless. Commissioner DiOrio noted that the Town can work on funding a new facility and the County can conduct their study in parallel. Chief Waycaster noted that savings from reducing payments to volunteer fire departments will reoccurring. Mayor Pritchett expressed that the Town needs to have an estimate for a new facility.

Commissioner DiOrio expressed concern in regard to how to alleviate issues while at the current fire station. Chief Waycaster noted that the biggest need is decontamination equipment. – Chief Waycaster explained that decontamination starts on scene and that he can get an estimate for a decontamination kit. Chief Waycaster and Director Ford agreed to work on getting an amount for a design for a new facility and manage funds that are already available, and will obtain an estimate for decontamination kit. It was recommended that a line item be added to the budget for design and to incorporate existing \$50,000 from reduction in volunteer department pay. Commissioner DiOrio asked how it is going to impact with the overall mill rate and property taxes. Manager Perkins asked for verification that the Town is trying to get a rough estimate for design and then relay the estimate to Council for their approval and it was answered yes. Manager Perkins noted he had done a small budget for future operational needs in the past. Commissioner Doster asked if Chief Waycaster can look into some recently built stations and Chief Waycaster answered yes and noted that Bills Creek station is new and the project was around \$4 million. Commissioner Doster asked if the Town could use Bills Creek's footprint and if it would be sufficient for all of public safety and it was noted that staff can look into it. Manager Perkins noted the Town already

have land that can be used for a facility, but other elements to consider would be fixtures and furniture. Director Ford asked Chief Waycaster if he anticipates any significant increases in the budget otherwise and Chief Waycaster explained that his department went over budget on mechanical costs this year, so this line item will need to be increased.

Council members expressed support and appreciation for public safety.

Chief Waycaster noted that an individual came into work at the Fire Department and had chest pains, so they were hooked into the heart monitor that Council had approved, and it was determined that person was having a heart attack. Chief Waycaster expanded that it was determined that it was faster to have someone drive him to the hospital rather than wait for County EMS and that the heart monitor was deemed very useful in this situation.

Director Ford asked Police Chief Sean Humphries if he anticipates any significant changes to his budget in the upcoming fiscal year. Chief Humphries noted that boats were transferred to their budget this year and that this year they will need a new line item for maintenance, gas, and other boat related items.

Commissioner Doster mentioned the lake enforcement issues that had been discussed in the past. Manager Perkins asked Chief Humphries to explain how the department functions on the lake during peak season. Chief Humphries explained that the department has two full time employees on site at all times and that he utilizes full time staff as much as possible, but the department relies heavily on reserve officers for help during the peak season. Chief Humphries noted recent troubles with recruitment and retention. Commissioner Doster expressed concern regarding lake enforcement and Chief Humphries noted it is difficult to monitor the lake at all times with other calls coming in. Commissioner Doster asked if the Town can look into working with off duty employees from other stations and Chief Humphries indicated that it is a possibility. Commissioner DiOrio asked if the state police or county law enforcement respond to any road calls and Chief Humphries explained that Lake Lure takes all road calls within Town limits. Commissioner Proctor noted that nearby agencies are also struggling with recruitment and retention, and that they are farther away than Lake Lure officers. Director Givens noted that there are multiple times of year in which he covers the Town's lake enforcement because they are short staffed or officers are taking other calls. Commissioner Proctor noted that this was an issue in the past and the lake officer position was created which may need to be revisited because that position has essentially gone away. Commissioner Doster noted that some of the Parks and Recreation budget funds lake operations. Commissioner Doster mentioned weekend peak season off duty option previously mentioned. Commissioner Proctor expressed that he would rather have people who are very familiar with the Lake rules and that off duty law enforcement from other agencies are not. Chief Humphries and Council discussed working with North Carolina Fish and Wildlife. Commissioner DiOrio asked what it would take to hire two part time Town employees and train them for the specific purpose of working on the Lake during peak season weekends. Chief Humphries answered that the issue with that is that the state would require the same training for those employees as they do year-round full time officers, but if the Town could successfully recruit and train a couple of employees for this purpose it would work. Director Givens noted that in the past there were two people who would rotate in terms of responsibilities depending on the season. Director Givens recommended hiring two full time officers who will know that they are a

responsible for lake enforcement during peak season. Commissioner DiOrio asked what the officers would do during the off season. Town staff agreed to work towards discussing solutions and resolving any unanswered questions.

## **X. LAKE OPERATIONS**

Mayor Pritchett noted that many lake operation concerns were covered until public safety discussions.

## **XI. DREDGING**

Commissioner Doster asked about the Firefly Cove access ramp and Director Givens noted that his department is ready to begin, but cannot until the lake can be drawn down 20 ft. Director Givens noted that means there will be no excavation in Firefly Cove this year. It was discussed that Council would like a dredging plan for at least the next three years. Commissioner DiOrio asked Manager Perkins if the Parks and Recreation Department or the Project Manager will be in charge of dredging operations. Manager Perkins answered it will likely be the Project Manager, but in partnership with the Parks and Recreation Department. It was noted that the Project Manager will be responsible for preparations and Parks and Recreation will work more on operational aspects of dredging. Council expressed support.

## **XII. PARKS AND RECREATION**

Manager Perkins recommended long range planning for Parks and Recreation properties.

## **XIII. INFRASTRUCTURE AND INFRASTRUCTURE PROJECTS**

Commissioner DiOrio noted that the priorities include the dam, sewer system and WWTP, and dredging projects and must be considered when budgeting for other areas. Commissioner DiOrio noted that any decisions must consider the impact on the priority projects. Commissioner DiOrio estimated \$140 million dollars in liabilities for the priority projects. Commissioner Doster noted that Firefly Cove water system is another priority project. Commissioner Doster noted that Council and citizens would like an array of amenities, but infrastructure must be fixed.

Project Manager Mike Dydula mentioned that an issue that he is seeing thus far is that there are two aspects, designers and contractors, which can pose both pros and cons. It was noted the dam and sewer are huge and dredging is an important long term. Project Manager Dydula mentioned that dredging seems to have an action plan, but he would like to find a way to mitigate dredging. It was noted that a concern is bad weather interfering with projects, along with other elements outside of the Town's control. Project Manager Dydula expressed the importance of taking care of downstream the dam. Project Manager Dydula explained that he is trying to learn Town project history, figure out goals, and bridge the gap related to current issues. Project Manager Dydula noted that within a few weeks, he would like to speak with engineers, contractors, and other local municipalities. Project Manager Dydula expressed that he would like to use his

engineering background to put engineering discussions into simple terms. Council and staff discussed bidding processes and state statutes. Project Manager Dydula noted that he hopes to help streamline processes and simplify and communicate complex situations. It was that contractors want to be fair to the community, but demographics allow for homeowners to work on big personal projects. Project Manager Dydula emphasized the importance of adopting and enforcing policies and plans. Commissioner DiOrio expressed that Council is unified and supports Mr. Dydula in his opinions.

Project Manager Dydula noted that Design-Build is legal in North Carolina public service, but 99% of cases avoid Design-Build unless there are no other options because of a potential disconnect with engineers. Project Manager Dydula noted that designers and contractors are easily separated when there is in-house engineering background. Mayor Pritchett stated Council is glad that Mr. Dydula will provide oversight. Project Manager Dydula noted his experiences with contract administration. Commissioner DiOrio noted that the intent in entering a Design-Build contract is that the Town knew they were entering into a 10 year conditional project and the hope is to build a contractor-engineer relationship that is able to work together long-term in order to build efficiency to work on the annual constraints. Commissioner DiOrio noted that if the goal is not being met or if there is a better way, the Town should re-evaluate. Manager Perkins warned against a false sense of security with oversight from LaBella to Ruby-Collins. Commissioner DiOrio noted that this drawdown period is acting as a trial run. It was discussed that the current contract only involves one task. Commissioner DiOrio noted that Design-Build was also chosen in hopes to increase interested firms. Mayor noted that some of the original costs that increased a lot and it would be helpful to have Mr. Dydula monitor these changes and enhance cost-effectiveness. Project Manager Dydula noted strict deadlines and finances are important.

Manager Perkins noted that the Town had completed a pavement conditions assessment and that the score was not great. Manager Perkins expressed that he would like to discuss pavement conditions and possible matching what the Town takes on a Powell Bill. Manager Perkins recalled conversation with Public Services Director Dean Lindsey and it was determined that the Town's score is neither improving nor declining. Director Lindsey noted that the Powell Bill funding has remained the same, but the price of pavement has almost tripled. It was noted that total expenditures for pavement is about \$130,000. Manager Perkins explained that if the Town did a pavement conditions assessment every four years, the score would improve. Manager Perkins expressed that he would like to discuss whether or not Council would like to see positive improvement because it will take more resources and funding to achieve improvement. Commissioner Proctor estimated that it would take spending \$230,000 per year to complete pavement conditions improvement in a decade. Director Lindsey noted issues with pavement such as potholes and noted that the Town currently has enough money to fix three roads. Director Lindsey noted that the Town can do the full depth patches, and that the Town first has to inspect all of the roads. Commissioner Doster asked if the Town would get more Powell Bill money with an increased score and it was answered that the Town would not get an increase in funding. Director Ford reviewed the pavement budget for this year. Council discussed doubling the match for a 10 years. Director Ford expressed that he thinks that it is manageable. Director Lindsey noted that impact of inflation. There was consensus is to determine impacts and see if the Town can double the match over 10 years. Director Lindsey noted town staff can patch, but not resurface a whole road. Commissioner Doster expressed concern with using town personnel for pavement

conditions. Manager Perkins expressed that he would like to see an increase in score after four years. Commissioner DiOrio asked if it is more effective to hire additional Town personnel or enter a contract for an outside organization to pave. Council expressed support for completing an assessment.

#### **XIV. UTILITIES**

Utilities were discussed throughout the meeting

#### **XV. TOWN SERVICES**

Town services were discussed throughout the meeting.

#### **XVI. COMMUNITY DEVELOPMENT**

Manager Perkins noted that earlier in the meeting, Council discussed the legalities and what steps could be taken to require annual vacation rental inspections and impose an inspection services fee. Community Development Director Michael Williams expressed that he is unsure about the fee and would like for the Town Attorney to weigh in. Commissioner DiOrio noted that the hope is that the annual inspections would result in a more accurate list of vacation rentals and to reinforce what is required for vacation boat rentals, and expressed that he thinks a service fee may be legal and doable. Director Williams noted that he had been involved in discussions regarding Tourism Development Authority (TDA) funds and it was noted that the Town could not remove themselves from the TDA. Commissioner DiOrio cited the case in Buncombe County regarding an impact fee for vacation rentals and noted that the Town's actions may be dependent on the outcome of the case. Mayor Pritchett mentioned that Rumbling Bald Resort is implementing a POA fee for vacation rentals because of their uses of amenities and infrastructure. Manager Perkins asked the difference between vacation rental owners that outside of Town and those who live in Lake Lure and Council discussed that most short term renters do not live in Town year round. Manager Perkins asked if there is any way that other people are driving additional income out of their vacation rental use and Director Williams expressed uncertainty. Director Williams noted that he has received calls from companies who want to manage short term rentals in the Town.

Commissioner DiOrio noted that there was another discussion regarding the possibility of imposing a fee to have a structure on the lake, such as a boat house permit. Director Williams questioned if there is a difference between a fee for a boat house or dock. Commissioner Proctor noted that there can be a different fee for each. Director Williams and Council discussed that the impact between the two are not very different. Commissioner Proctor suggested that vacation renters could be charged a greater fee than residents. Director Williams noted that if someone has the right to rent their house to someone new each week, you would need a vacation rental boat permit regardless and may have a higher boat permit fee, as well. Commissioner DiOrio noted that the issue is that many people who own vacation rentals on the lake can claim that their boat

is for personal use and not for vacation rental uses. Council continued discussion in regard to fees.

Commissioner Doster noted that another issue discussed was charging for building permit discrepancies and imposing a fee for those who start construction without obtaining a permit. Director Williams noted that he is already working on this and that the Town has the right to impose a fee. Manager Perkins noted that the Town would like to create a deterrent to deviated plans and building without permits. Director Givens noted that in the past, contractors were charged instead of property owners. Mayor Pritchett expressed that contractors should be held accountable. Project Manager Dydula noted that he had done cross training with builder licenses and noted that there are many ways to hold contractors accountable such as stop work orders. Director Williams noted that it does go back to the property owner and that a lot of work for hire is done by non-contractors. Director Williams expanded that he is concerned that the more constraints put on contractor, the more people might have work done by non-contractors. Director Williams noted that there needs to be deterrents and follow ups. Commissioner Doster noted that fines aren't for revenue, but for deterrent measures. Mayor Pritchett recommended cautioning residents that their contractors must obtain a permit to construct. Director Williams discussed adjusting costs for existing fines. Commissioner DiOrio noted that there should be a balance because the Town wants to encourage residents to improve their structures. Commissioner Doster and Mayor Pritchett expressed that additional fines would just be for enforcing existing rules and not to discourage work. Director Williams expressed support for fining someone for not obtaining a permit or beginning a project without one. Mayor Pritchett mentioned that it takes community development a lot of time to resolve these ongoing issues and this may save time and money for the department if ongoing issues are deterred. Mayor Pritchett expressed support for the department increasing enforcing as a good initial step towards setting a precedence for contractors. Commissioner Doster and Commissioner DiOrio discussed making important elements priority and making small elements easier for contractors if they abide by the important regulations. Commissioner Doster noted that the Zoning and Planning Board will begin reviewing strenuous issues this month.

Director Williams reiterated that deterring work without permits is already in process, but expressed that he is not sure about imposing a lake structure fees because structures and docks have the same impact. Commissioner DiOrio expressed that he would like the Town Attorney to look into a service fee for safety inspections, boat house and dock permitting and/or lease. Director Williams noted that he supports better enforcement and that the Town does own the lake, but expressed that he does not like the idea of an annual charge for boat house or dock permitting. Director Williams noted that there was a lake structure certification implemented in the past, which he supports more. Commissioner noted that before the town owned the lake, the power company charged leases for those on the lake. Mayor Pritchett noted that one concerns with charging a lease fee is that the town may be more liable for maintenance of structures.

Commissioner DiOrio noted that he would like an active list of vacation renters and Director Williams explained that the Town has a database now which is not great because of owner turnover, but the new employee will go through the database and compare tax records. Commissioner DiOrio recommended annual inspections. Director Williams mentioned that he is working with the Parks, Recreation, and Lake Department to coordinate vacation rentals with



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vacation rental boat permits. Commissioner DiOrio recommended exploring these options, determining legalities, and making a plan based on finding. It was also noted that the Town would like to have an up to date list of vacation rentals and increase capitalizing on vacation rentals. Commissioner Doster recommended continuing enforcing dock inspection, tags, and address on structures. Director Williams expressed full support of controlling vacation rentals, but noted that it may be difficult to inspect each one annually.

**XVII. COMMUNICATIONS**

There was no discussion regarding communications.

**XVIII. ADMINISTRATION**

There was no discussion regarding administration.

**XIX. CLOSING DISCUSSION**

Council expressed appreciation for Town staff.

Commissioner Doster asked if the Town can post ABC Store hours or closures and Manager Perkins expressed that he would like to think it over and set caveats.


Mayor Pritchett asked when keypad security systems were going to be installed and it was noted that it they would be included in the upcoming fiscal year.

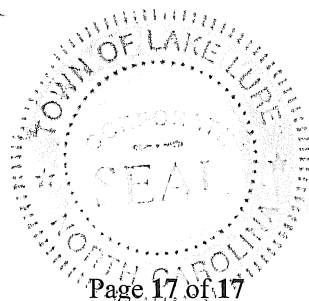
Commissioner DiOrio noted that Director Givens had been having discussions about barriers for the boat ramps and the company involved in discussions have suggested a keypad method.

**XX. ADJOURNMENT**

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 3:27 p.m. Commissioner Doster seconded and the motion carried 3-0.

ATTEST:

  
Olivia Stewman, Town Clerk



  
Mayor Carol C. Pritchett