



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, SEPTEMBER 14, 2021, 5:00 P.M. VIRTUALLY VIA ZOOM**

PRESENT: Mayor Carol C. Pritchett
Mayor Pro Tem John W. Moore
Commissioner Patrick Bryant
Commissioner David DiOrio
Commissioner John Kilby

William Morgan, Jr., Town Attorney
Shannon Baldwin, Town Manager

ABSENT: N/A

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 5:09 p.m. Council members led the pledge of allegiance.

II. APPROVE THE AGENDA

Commissioner David DiOrio made a motion shift the Dredging Plan 2021-2022 from Consent Item B to New Business item C, add New Business D involving Resolution No. 21-09-14, add New Business E involving the discussion of a town manager hiring firm, and move Public Comment from section VII to section XI after New Business. Commissioner John Kilby motioned to accept the Agenda, as amended. Commissioner DiOrio seconded and the motion carried 4-0.

III. MAYOR'S COMMUNICATIONS

Mayor Carol C. Pritchett recognized Jewish holidays Rosh Hashanah and Yom Kippur taking place this month. Resident Greg Gardner sent her prayer that is used in the time of the two Jewish holidays. Mayor Pritchett read the prayer for invocation. Mayor Pritchett thanked Town staff for their hard work during the recent large storm and announced that Parks, Recreation, and Lake Director Dean Givens has gotten a new boat that will collect debris and make this process easier in the future.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Shannon Baldwin showed appreciation towards Town staff.

Mr. Baldwin explained that Boys Camp Road Duke Energy Tree Survey has been transpiring per the suggestion of Commissioner Kilby. Baldwin detailed that Duke has Energy identified and removed hazardous will be continuing to do so for the purpose of preventing some future power outages. The Town Manager noted that Duke Energy is communicating with property owners during this project.

Town Manager Baldwin informed the board that the Town's sewer collection inspection has been passed by NCDEQ. Baldwin noted that Public Works Director David Arrowood and Public Works staff were the key players in this success.

V. PUBLIC HEARING

Commissioner John Moore made a motion to open the public hearing. Commissioner DiOrio seconded and the motion carried 4-0.

Maurice Walsh, PE, LaBella Associate presented the Engineering Report/Environmental Information Document (ER/EID). He educated meeting attendees on the project background, statement of need, subaqueous sanitary sewer alternatives, wastewater treatment plant alternatives analysis, phase one funding and rates of, phase one scope, the full project scope and the proposed project schedule. Throughout his presentation, Engineer Walsh answered residents' questions that had been submitted to the Town website prior to the meeting.

Mayor Pritchett reminded residents in attendance that any other questions for Maurice Walsh regarding the ER/EID could be submitted on the Town website following the meeting.

Commissioner Moore motioned to close the public hearing. Commissioner Patrick Bryant seconded and motion passed 4-0.

VI. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner John Kilby reported the activities of the Lake Advisory Board and noted that the ABC had not yet met this month.

Commissioner David DiOrio reported that the Utility Advisory Board did not meet.

Commissioner John Moore reported the activities of the Zoning and Planning Board.

Commissioner Patrick Bryant reported the activities of the Parks and Recreation Board.

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Commissioner was not present at present at the BOA and LSAB meetings.

VII. CONSENT AGENDA

Mayor Carol C. Pritchett presented the Consent Agenda and asked if any other items should be removed before calling for action.

Commissioner John Kilby made a motion to approve the Consent Agenda. Commissioner David DiOrio seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the August 10, 2021 Regular Meeting Minutes, and the August 25, 2021 Regular Work Group Meeting Minutes

VIII. UNFINISHED BUSINESS:

There was no unfinished business to discuss.

IX. NEW BUSINESS:

A. CHIMNEY ROCK RIDGE HOMEOWNER'S ASSOCIATION, INC. REQUEST REGARDING STREET IMPROVEMENTS

Resident Steve Milito spoke on behalf of the Chimney Rock Ridge Homeowner's Association (HOA). Mr. Milito provided history of the location which ultimately led to the requested that the dirt roads be improved to gravel on Proctor Road. Mr. Milito noted that Town Manager Baldwin had provided him with a cost estimate and that the Chimney Rock HOA has agreed to pay half of the cost. Milito expressed that if this request is granted it would benefits multiple parties and noted the HOA would be exercising existing right-of-ways. Mr. James Ledgerwood explained that this will be beneficial in the future particularly in terms of proposed park and master plans. Mr. Milito explained that this will set a framework for the purpose of future Town projects and the ability to identify right-of-ways.

Commissioner Moore noted that the request is sensible and reasonable. Commissioner Kilby expressed his support for the approval of the request.

Commissioner Moore made a motion to approve the Chimney Rock Ridge Homeowner's Association, Inc. Request Regarding Street Improvements as presented. Commissioner Kilby seconded and the motion passed 4-0.

IX. NEW BUSINESS:

B. TREE REMOVAL REQUEST APPROVAL

Town Manager Baldwin explained that the Firefly Cove POA and a community resident requested permission to remove a hazardous tree from the resident's yard. Baldwin noted that the tree is within the 995' lake boundary and requires the approval of Town Council. Community Development staff visited the site on August 12th for the purpose of evaluating the removal request. Baldwin stated that both Town staff and Epperson Tree Service recommended the tree removal due to damage from Emerald Ash Borer Beetles.

Commissioner Moore announced that the tree is on his property and that he would be abstaining from any votes on this matter.

Commissioner DiOrio made a motion to approval the removal of the hazardous tree. Commissioner Bryant seconded and the motion passed 3-0 with the abstention of Commissioner Moore.

IX. NEW BUSINESS:

C. DREDGING PLAN 2021-2022

Parks, Recreation, and Lake Director Dean Givens and Commissioner DiOrio presented the 2021-2022 Dredging Plan. Commissioner DiOrio described details of the slide presentation regarding dredging plan location and logistics. Commissioner DiOrio explained that the flow engineers' most efficient plan of action way was to create a concentration area that is crucial to dredging. Commissioner DiOrio recommended that the plan include information that the dredging season is from Labor Day to Memorial Day, and from Labor Day to November 1st hydraulic dredging would take place in the area displayed. DiOrio explained that a second location is being examined for a sedimentation drop area and the Town is working with LaBella Associates to get a permit for this purpose. Tim Edwards and Lake Operations staff have requested permission for dredging to be allowed on the weekends. Commissioner DiOrio explained that state grant money is available to the Town.

Manager Baldwin asked DiOrio if he had edits to the dredging plan available. Commissioner DiOrio stated yes and that he would share this and staff could make this plan available on the Town website.

Director Givens requested that the Town dredge on Saturdays and Sunday in the main channels from between the current date and November 1st. Givens explained that this request is for

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the purpose of dredging excess sediment and utilizing grant money that is to be spent by December 31st.

Commissioner Moore asked why Givens would want to limit this plan to November and not into the spring. Director Givens stated that the proposed timing is sensible as the hydraulic dredging is underway now and excavation will depend on drawdown. Commissioner Moore expressed his support of amending the dates to expand into the spring, if Givens finds it to be appropriate.

Givens stated he will amend the weekend incorporated dredging plan to take place from the current date until the end of the dredging season previously noted. Commissioner Bryant expressed support for this amendment. Commissioner Kilby asked Director Givens if this would help in ensuring that the money that needs to be spend will be spent by the end of the year. Director Givens confirmed that Commissioners Kilby’s question was correct.

Baldwin asked givens to confirm that his request includes adopting the current dredging plan document with the inclusion of additions and edits by Commissioner DiOrio and Director Givens.

Commissioner Moore made a motion to approve the dredging plan as discussed. Commissioner Kilby seconded and the motion passed 4-0.

IX. NEW BUSINESS:

D. RESOLUTION NO. 21-09-14 – DECLARATION OF OFFICIAL INTENT TO REIMBURSE

Reese Walsh, PE, detailed the resolution which involves an Asset Inventory Assessment (AIA) Grant that provides grant funding based on what the project is, where the project is, and in what condition is the project focus in. Engineer Walsh explained that through the AIA, the Town could get a 150,000 dollar grant that may be used to fund sewer system matters such as pipe condition assessment, flow monitoring, smoke testing, etc. Walsh presented his proposed use of the funding that would include a survey of the sewer system, smoke testing, etc. Walsh explained that this would be beneficial in being able to locate pipes if an issue occurs and would assist with dredging. Walsh informed Council that the AIA Grant has a deadline of September 30th and if approved by Council, Walsh and the Town will know outcome in February of next year. If funds are approved, the survey can be initiated. Walsh and Baldwin noted that the Town can match funds through service rather than finances. Baldwin expressed his support for the opportunity.

Commissioner Bryant asked in the case in which the grant was awarded next year would the topography would remain the same. Walsh stated yes because it would be ran through the same SRF program but is unrelated to the SRF and is more beneficial for the boat if there is water, so this would take place when the lake is drawn back up.

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Manager Baldwin asked Walsh to confirm that this resolution includes the entirety of the lake. Walsh explained that this correct and that the if passed, he would submit the resolution to the state, if the state notifies of the intent to fund there would be a need for an additional resolution to accept terms, and review of state plan. Walsh also noted that this would not bind the Town to accepting state terms.

Commissioner DiOrio motioned to approve Resolution No. 21-09-14. Commissioner Bryant seconded and motion passed 4-0.

IX. NEW BUSINESS:

E. DISCUSSION OF SELECTION OF SEARCH FIRM FOR THE NEW TOWN MANAGER

Attorney William Morgan explained that the Board assigned him the task of finding a search firms to recruit a Town Manager. Attorney Morgan provided a brief overview of the three firms that were identified as ideal and sent in their proposals. Morgan described the first firm, Renee Narloch and Associates. Attorney Morgan stated that the second firm is that Mercer Group Associates which is currently in limbo with the passing of Mr. Mercer, Attorney Morgan's contact for this group was Ellis Atkins. Mr. Atkins is working with Mr. Morgan's former law firm and Attorney Morgan noted for the record that he had no affiliation with or interest in the firm. Attorney Morgan noted that the third firm was the Novak Group who have merged with another firm, and that his contact was Katheryn Parrish. Morgan explained that he was impressed with all three firms, all were similar in ideologies, and he did not believe that there was a wrong choice.

Commissioner Moore asked if Morgan would rate them all of the same. Morgan answered yes. Commissioner Moore suggested that the Town with the firm that offers the best price. Morgan said that the best price offer was from the Mercer Group Associates.

Commissioner DiOrio asked Attorney Morgan about if any groups could provide a quicker timeline than the others. Morgan stated that the Renee Narloch and Associates and Mercer Group Associates seemed to be ready to begin quickly.

Commissioner Bryant noted Renee Narloch and Associates has a wide range of experience with areas that face natural disasters, as well as experience with small communities. Commissioner Bryant continued to explain that the Narloch group has a wide variety of experiences with multiple demographics. Commissioner Bryant stated that this firm is his top choice.

Commissioner Kilby expressed that he supports any of the three firms. Mayor Pritchett explained that she supports all, but noted that Narloch may be more focused on areas similar to Lake Lure.

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Commissioner DiOrio motioned to select Renee Narloch and Associates as the appointed firm for a town manager search. Commissioner Bryant seconded and the motion passed 4-0.

Attorney Morgan asked that Council allow Mayor Pritchett to have the authority to sign and approve appropriates as necessary to sign the Renee Narloch and Associates for the purpose of town manager search.

Commissioner DiOrio motions to give the mayor the authority to sign and approve appropriates as necessary to sign the Renee Narloch and Associates for the purpose of town manager search. Commissioner Bryant seconded and the motion passed 4-0.

VI. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak and no one requested to speak at this time.

Resident Greg Gardner thanked Mayor Pritchett for inclusion of Jewish prayer. Mr. Gardner explained that Debra Gardner is chairperson for the upcoming Paws for a Cause event and announced on her behalf that masks and temperature checks will be required.

X. CLOSED SESSION

Commissioner John Kilby made a motion to go into closed session in accordance with G.S. 143-318.11(a) (3) for the purpose of discussion attorney client privilege or legal claims. Commissioner Patrick Bryant seconded and the motion carried 4-0.

During Closed Session, Council discussed a legal claim.

Commissioner John Moore made a motion to return to open session. Commissioner Patrick Bryant seconded and the motion carried 4-0.

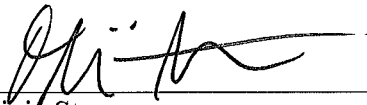
XI. ADJOURN THE MEETING

Mayor Pritchett noted that Council has a work session scheduled on 8:30am on the September 29th. Commissioner Kilby asked if there were items that needed to be discussed during the work session. Commissioner Bryant suggested holding this work session for the purpose of discussing Narloch Firm or other items. Commissioner DiOrio included the inclusion of discussions regarding budget line items and update on legislation and design for cell tower. Manager Baldwin asked council to send additional items for the work session agenda if necessary. Council decided that it is within the best interest continue to hold the work session.

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With no further business, Commissioner Moore made a motion to adjourn the meeting at 7:30 p.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:



Olivia Stewman,
Town Clerk



Mayor Carol C. Pritchett

