



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD WEDNESDAY, JANUARY 26, 2022, 8:30 A.M. AT THE LAKE LURE MUNICIPAL  
CENTER**

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

William Morgan, Jr., Town Attorney  
Olivia Stewman, Town Clerk / Interim Town Manager

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 8:30 a.m. and gave the invocation. Council members led the pledge of allegiance.

**II. APPROVE THE AGENDA**

Commissioner Proctor made a motion to adopt the agenda with an amendment to address the item IV requesting to raise pond to regular operating levels beginning on February 1, 2022 prior to entering item III closed session. Commissioner DiOrio seconded the agenda, as amended. The motion carried 4-0.

**III. LAKE LEVEL**

Commissioner DiOrio explained that the projects scheduled for this drawdown period are on track and that the town can proceed to begin raising the lake level beginning February 1<sup>st</sup>. Commissioner DiOrio noted that contractors had been told that the lake would stay at the lowest drawdown level until January 31<sup>st</sup>. Commissioner DiOrio also noted that the only operational limitation is one foot per day in suggested by engineers to reduce stress loading on the dam.

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Commissioner DiOrio made a motion to approval the request to raise pond to regular operating levels beginning on February 1, 2022. Commissioner Proctor seconded and the motion carried 4-0.

### **IV. CLOSED SESSION**

Commissioner Bryant made a motion to go into closed session in accordance with G.S. 143-318.11(a) (3) for attorney client privilege or legal claims and in accordance with G.S. 143-318.11(a) (5) for the purpose of discussing property acquisition or employment contracts. Commissioner Proctor seconded and all voted in favor.

During closed session, Council discussed matters regarding attorney client privilege and property acquisition.

Commissioner Bryant made a motion to return to open session. Commissioner Doster seconded and all voted in favor.

### **V. DBIA CONTRACT**

Commissioner DiOrio explained that the contract is in the form of design-build (DB), as the Council, town staff, and engineers determined that this is the appropriate route during prior meetings. Commissioner DiOrio continued to explain that the approved and signed DB contract provides authorization and allows the town to begin unlocking state funds. Commissioner DiOrio noted that the contract has the incentives that are worth mentioning: a cautionary that the savings, if efficiencies have been detected, will be split between the town and the contractor 70/30 and all savings will essentially go back to Lake Lure because the 30 percent savings going back to the contractor will still be used for the project, and each phase will include a memo of production document that details what is going in the lake, prices, etc. Additionally, Commissioner DiOrio explained that Ruby Collins will be responsible for identifying advanced procurement and the Town can look into local contractors for specific parts of the project.

Commissioner DiOrio recommended the approval of the DBIA contract. Attorney William Morgan noted that there are some blank exhibits that do not yet exist but it is fine to approve it and fill in information at a later date. Commissioner Proctor recommended a motion to approve the DBIA contract and authorize the town manager and mayor to fill in blanks at a later date.

Commissioner DiOrio made a motion to approve the DBIA contract and authorize the town manager and mayor to fill in blanks at a later date. Commissioner Doster seconded and the motion carried 4-0.

## **VI. VALVE PROCUREMENT**

Commissioner DiOrio explained that Schnabel Engineering is asking to move forward with a Request for Qualifications (RFQ) for Valve Procurement and noted both the RFQ process and the price of the valve being about 1.3 or 1.2 million dollars. Commissioner DiOrio explained that the State Revolving Fund (SRF) funding comes with a stipulation that the valve would have to be American made, which would double the price. Commissioner DiOrio recommended buying the valve using a portion of the \$16 million state funding.

Commissioner DiOrio made a motion to allow Schnabel to proceed with a Request for Qualifications for valve procurement. Commissioner Proctor seconded and the motion carried 4-0.

Finance Director Sam Karr explained that certain boxes must be checked in order to access the \$16 million including a scope of work, budget statement, and that the valve will be included. Director Karr also noted that the scope of work will include measurable, timeline, and other items in which the Schnabel can help the town in providing. Commissioner DiOrio noted that the procurement and installation of the valve will be included as well as field investigation, permitting, surveying, and possible land procurement and that the Town will work with Schnabel to complete all necessary steps. Director Karr noted that these are the final step to tapping into funds.

## **VII. TABLE TOP EXERCISE DISCUSSION**

Fire Chief Dustin Waycaster explained that the Town must host an Emergency Management tabletop exercise, which a classroom setting exercise that includes all key players that would respond during an emergency situation and is often funded by NC Emergency Management. Chief Waycaster noted that lot of towns participate in tabletop exercises incorporated with the county. Lake Lure's role would be planning and prep, warning, evacuations. Chief Waycaster explained that the objective is to determine measure preparedness, how to respond, how to recover, and hazard mitigation. Chief Waycaster stated that plans have already been created but the tabletop exercise gives the chance to enact on the plans in place and allows for reflections and improvements.

Mayor Pritchett explains completing a tabletop exercise could likely positively influence the town budget.

Commissioner Doster asked how often such exercise would take place. Chief Waycaster explained that the preliminary one with many agencies is the main one, but other will take place in the future as well.

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Commissioner DiOrio noted that Schnabel may add to emergency plan and new safety feature in the dam will play a factor.

Commissioner DiOrio provided an example regarding FEMA and floodplains which can impact sewer system height requirements. DiOrio continued to explain that Dam Safety has explained shortfalls in current dam and a tabletop exercises provide dam safety confidence and safety net.

Commissioner DiOrio made a motion to approve Chief Waycaster to proceed with a Request for Proposal (RFP) for a tabletop exercise. Commissioner Doster seconded and the motion carried 4-0.

### **VIII. STEERING COMMITTEE**

Commissioner Bryant explained that Parks and Recreation Board and Rutherford County TDA are vital to tourism and partnership needs to be strengthened. Commissioner Bryant noted that a creation of a Steering Committee will be essential in efficiently determine the allocation of TDA funds which are sometimes matching funds.

Mayor Pritchett explained that the Steering Committee would need to be an Advisory Board and that council can regulate most advisory board's makeup. Mayor Pritchett continued to explain that the committee was suggested by Don Cason and noted that most municipalities in the region have a steering committee and they are a combination of players such as manager, staff, elected, TDA, parks and recreation board members, community members from different parts of town, etc. Mayor Pritchett the town council will approve of the charter of the board prior to creation.

Commissioner Bryant recommended that the town should have Attorney William Morgan look into how other communities work through this process of creating a steering committee advisory board for the purpose of fund management for tourism development.

Commissioner DiOrio made a motion to approve the creation of the charter of the steering committee and bring it back to town council for approval. Commissioner Bryant seconded and the motion carried 4-0.

### **IX. ADVISORY BOARD ORGANIZATION**

Mayor Pritchett explained that council will discuss the functions, organization, and other aspects of the Board and discuss the general topics of advisory boards today. Mayor Pritchett also provided background that UNC SOG offers training course regarding working relationships between council and advisory boards and some discussion will be discussed based on an article which was created from the results of a prior class.

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Commissioner DiOrio noted that this allows for reflection regarding if boards are working properly and noted that some of the board rules and functions are NC General Statute. Commissioner DiOrio noted that a key factor for the council members is working as a liaison between council and citizens. DiOrio explained that board meetings can work as policy making suggestions before issues go before council.

The council agreed that a healthy rotation should be present in boards so viewpoints are refreshed and that a point of discussion should be structure between chair, vice chair, and the board. Commissioner DiOrio noted that commissioners should have an idea of what advisory boards are doing and that council as the liaison for have healthy dialog regarding goals, which should be documented at least annually. DiOrio mentioned that ideal policy making involves goals, research, votes, and implementation. DiOrio also recommended the possibility of an orientation for new board members, mostly with chairs, upon appointment.

Mayor Pritchett expressed her support for orientation and emphasized the importance in order for clear understanding of expectations and responsibilities. Mayor Pritchett noted that the chair runs the board and not the council liaison, so chairs should have a solid training and understanding. Mayor Pritchett also noted that another goal would be to diversify the boards in order to be truly representatives of the community.

Commissioner Bryant noted the solidification of the clerk to the boards. Interim Manager and Town Clerk Olivia Stewman explained current delegation of clerking boards. Commissioner Proctor noted that in the past some board used clerks that were not staff members which has worked. Mayor Pritchett noted that boards should have individual discussions regarding an appropriate clerk.

Commissioner DiOrio noted that he would like viewpoints on the following: more frequent rotations of chairs/alternates/others, codification of charters, etc. Commissioner Proctor expressed his approval of an orientation for boards and liaisons. Mayor Pritchett noted that term limits will no longer expire in December due to council changeover and will likely be extended to the New Year. The Council agreed to work on framework for orientations and chairs should be aware and active in creating the descriptions, frameworks, and other aspects using the charter. Commissioner DiOrio stated that he will establish guideline for basis, and board liaisons and chairs will work on framework of their designated boards. Commissioner DiOrio noted that the guideline will be provided to chairs by the end of January.

DiOrio motioned that council create a guideline for charter review for advisory boards. Commissioner Bryant seconded and the motion carried 4-0.

**X. ADJOURNMENT**

Commissioner Doster motioned to adjourn the meeting. Commissioner Proctor seconded and all voted in favor. The meeting was adjourned at 10:36 a.m.

At 10:37 a.m. Commissioner Doster made a motion to rescind the adjournment. Commissioner Proctor seconded and the motion carried 4-0.

Commissioner Proctor made a motion to recess tomorrow, January 27, at 8:30 a.m. for the purpose of going into closed session in accordance with G.S. 143-318(a) (6) for the purpose of discussing personnel matters. Commissioner Doster seconded and the motion carried 4-0.

ATTEST:



Olivia Stewman,  
Town Clerk



Mayor Carol C. Pritchett