



MINUTES OF THE WORK SESSION MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, MAY 25, 2022, 8:30 A.M. AT THE LAKE LURE TOWN HALL

PRESENT: Mayor Carol C. Pritchett
Mayor Pro Tem David DiOrio
Commissioner Patrick Bryant (via Zoom)
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.

II. APPROVE THE AGENDA

Commissioner Diorio made a motion to approve the Agenda, with the addition of a new Item IV "drawdown schedule" and the renumbering of subsequent items. Commissioner Jim Proctor seconded and the motion carried 4-0.

III. EQUINOX ENVIRONMENTAL PRESENTATION – STREAM RESTORATION

Danvey Walsh, Equinox Environmental, gave a presentation regarding stream restoration. It was explained that equinox environmental had reached out to the Town in hopes to restore the stream locate on the Lake Lure Green Space property. Mr. Walsh noted that a few of the benefits of restoring the stream would be positive environmental impact, beautification, reduction of debris and sediment in the stream and in the lake, and financial compensation.

Mayor Pritchett asked Mr. Walsh to explain the criteria a stream must meet in order for Equinox Environmental to perform restoration measures. Mr. Walsh explained that the stream must be located at a suitable location and meet the need to be required, and funding is also a factor. Mr. Walsh noted that the stream at the Lake Lure Green Space is a prime candidate due to the need for restoration and the stream being located on a property with one sole owner, which makes obtaining easements more realistic. Mr. Walsh also noted that the project would not cost the town anything and, in fact, the Town would be paid as part of the project. Mr. Walsh stated that the only responsibility on the Town's behalf is to leave the surrounding land untouched.

It was asked what the next steps would be in the process, if the Town agrees to allow Equinox Environmental proceed with the project. Mr. Walsh stated that the next step would be to execute an Option Agreement and Equinox would begin working with the state to obtain necessary permits and documentation. Mr. Walsh noted that following the initial step, a design would need to be accepted and an easement would need to be recorded. Commissioner Proctor asked is the Option Agreement would require a waiting period. Town Attorney William Morgan agreed to look into this question. Commissioner DiOrio recommended that Equinox Environmental develop an Option Agreement and send to the Town for review.

Commissioner Proctor asked to see a map. Mr. Walsh agreed to provide Commissioner Proctor with a map.

Commissioner Proctor asked if there are native grasses in the area surrounding the stream. Mr. Walsh said that there are.

Commissioner Bryan asked if this project falls under regulatory reviews. Mr. Walsh said that it does fall under regulatory reviews. Community Development Director Michael Williams noted that there is already a 25 ft. trout buffer regulation for that stream.

It was asked if the property is well prepared for the restoration and it was indicated that it is, especially past Dittmer Watts. Commissioner Proctor suggested asking Parks, Recreation, and Lake Department staff and the Parks and Recreation Board to look into the Green Space property in terms of maintenance and mowing needs. Commissioner Bryant agreed to bring this to the attention of the Parks and Recreation Board, as the Council liaison to the board. Parks, Recreation, and Lake Director Dean Givens informed Council that staff is currently mowing a strip on each side of the walk way and the driving range area, at the Green Space.

IV. DRAWDOWN SCHEDULE

Commissioner DiOrio provided an update in regard to factors going into the drawdown schedule for the upcoming year such as elements of the sewer replacement project and dredging. Commissioner DiOrio noted that there is work being done to solidify the timeline and likeness of procurement of supplies for various projects and obtaining permits from outside entities. Council members were in consensus that the Town would announce the drawdown schedule decision at the June 14, 2022 regular Town Council meeting.

V. BUDGET DISCUSSIONS

Finance Director Sam Karr explained between the May 9th budget meetings and now, data from David Hill pay studies for Police and Fire have been solidified and included in the proposed FY 22-23 Budget. Assistant Finance Director Stephen Ford provided Council with a worksheet detailing the changes made. Members of Council questioned if the 5% Cost of Living Adjustment (COLA) is included in the updated figures for Police and Fire. Director Karr confirmed that the COLA is accounted for in the updated numbers.

Director Karr also noted that the cost of renting the Arcade Building area for the Community Development Department will cost \$1,500 a month and the budget has been updated to reflect this cost.

Council did not express any setbacks in regard to the update proposed budget numbers.

VI. PERSONNEL POLICIES

Interim Manager Olivia Stewman explained that comp time and take home vehicles were discussed at the May 9th budget meeting. Stewman noted that she had since worked on improving policies and that she will review the presented drafts with Mr. Hank Perkins when he begins his tenure as Town Manager.

Stewman presented Council with a draft of an amending overtime and comp time policy that allows a 40 hour maximum buildup of comp time before any hours worked over are converted into either overtime pay or sick leave time. Stewman noted that there may be issues in regard to converting hours worked over to sick leave time due to the setup of the North Carolina retirement system, but she agreed to look into this option further.

Stewman also explained there were minimal changes to the take home vehicle policy because the policy is adequate, but it has not been correctly abided by in the past. Stewman noted that there is certain criteria an employee must meet in order to be eligible for a take home vehicle. Commissioner DiOrio asked that Stewman obtain written justification from department heads for why each employee with a take home vehicle is eligible per the policy. Stewman agreed.

VII. COMMUNICATIONS PLAN FOR THE SEWER REPLACEMENT PROJECT

Commissioner Doster thanked the Utility Advisory Board and Communications Director Laura Krejci for their work in creating the Communications Plan for the Sewer Replacement Project.

Commissioner Doster explained that the plan has been in the works for a while, but has been recently updated in the wake of determining that the Town has access up to the 995 level and that easements are no longer needed.

Commissioner Doster expressed that the intent is to send out the plan and attachments to property owners located in Phase I and allow opportunities to speak with property owners and allow them to ask questions.

Commissioner DiOrio mentioned laterals every two lots and the possibility sending maps with the plan. Council members and Town Attorney William Morgan were in agreement.

Mayor Pritchett asked if there is plans to share information with all homeowners rather than only those located in Phase I of the project. It was recommended that Laura share the information on the website, so it will be accessible to all homeowners, but only mail out information to those in each phase being conducted.

Commissioner DiOrio recommended adding "subject to change" on segments of the plan and attachments. Commissioner DiOrio also noted that on Attachment B, the 10 x 10 should be removed but display the 995 section.

There was consensus that, with the recommended changes, all members of Council are in favor for the Communications Plan. Commissioner Doster stated that he will bring changes to Utility Advisory Board at the next meeting and finalize the document.

VIII. UTILITY ADVISORY BOARD DISCUSSION

Commissioner Doster explained that the Utility Advisory Board will have a significantly increased responsibility now that the Town Manager and Project Manager will be on-board soon. Commissioner Doster suggested that moving forward the two staff members work with Council on issues that the UAB has worked on in the past. It was discussed that the Utility Advisory Board may no longer be needed.

Commissioner Proctor asked if the UAB should be kept as a board until the Project Manager is on-boarded. Commissioner Doster expressed support for this option and indicated that the Board may still be able to meet as needed.

Commissioner DiOrio explained that there are good members on the Board who would be beneficial on other advisory boards.

Commissioner DiOrio explained that when construction starts, communication will increase and information will change, which will be hard for UAB members to keep up with. Commissioner DiOrio noted that the board could still be included in the communication aspect.

Consensus was to dissolve the Utility Advisory Board when the Project Manager is on-boarded with the Town.

IX. ORDINANCE AMENDMENTS PER SENATE BILL 300

Minutes of the May 25, 2022 Town Council Work Session Meeting

Town Attorney William Morgan explained that the North Carolina General Assembly recently enacted Senate Bill 300 which removes the current presumption that all local ordinances may be enforced criminally and states that ordinances may be enforced criminally as provided in G.S. 14-4 only if the city specifies such in the ordinance. Attorney Morgan explained that if the Town wants to criminally enforce Town ordinances, it will now be required to detail information for each individual ordinance being enforced. Morgan also noted that SB 300 details various topics which cannot be criminally enforced.

Attorney Morgan explained that in order to comply, he has reviewed the existing Code of Ordinances and has drafted an ordinance amending various sections in order to bring the Town into compliance with SB 300.

Commissioner DiOrio recognized that the Police Department can enforce criminal codes, but asked who can cite civil codes. Attorney Morgan answered that civil codes are typically cited by police as well, but can be a department head. Commissioner DiOrio asked who gets money from citations. Attorney Morgan explained that money should go to the Town, unless it is possibly to charge criminally at all.

Parks, Recreation, and Lake Director Dean Givens asked if the Town could make a new citation book, much like the Lake Use Regulations. Attorney Morgan noted that this is possible, but there would be limitations. Commissioner DiOrio recommended categorizing civil and criminal citations in the future.

Attorney William Morgan is going to re-review the Code of Ordinances to ensure that there were no items missed and will look into a few other scenarios the Town might want to add. Attorney Morgan agreed to have the ordinance completed by the June 14, 2022 regular Council meeting.


X. ABC DISCUSSION


Commissioner Proctor reported that all is well with the ABC Board. There was no further discussion.

XI. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 10:30 a.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:


Olivia Stewman,
Town Clerk


Mayor Carol C. Pritchett