

**MINUTES OF THE REGULAR WORK SESSION MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, SEPTEMBER 28, 2022, 8:30 A.M. AT THE LAKE LURE TOWN HALL**

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

William Hank Perkins, Jr., Town Manager

**ABSENT:** Commissioner Scott Doster

William Morgan, Jr., Town Attorney

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the round table meeting to order at 8:38 a.m.

**II. AGENDA ADOPTION**

Commissioner David DiOrio requested amending Item VI to be LaBella Task Order 15.

Commissioner Patrick Bryant made a motion to adopt the agenda, as amended. Commissioner Jim Proctor seconded and all voted in favor.

**III. PRESENTATION BY DESTINATION BY DESIGN REGARDING AFP PROJECT**

Don Cason, Director of the Rutherford County Tourism Development Authority (TDA), opened the presentation by thanking the Lake Lure Steering Committee and others involved and provided background information on Rutherford Bound projects pertaining to Lake Lure.

Tim Johnson with Destination by Design (DBD) noted that Morse Park is a focus of phase two of the Lake Lure portion of the Rutherford Bound Master Plan. Mr. Johnson reviewed funding information, including local funds and grant opportunities. Mr. Johnson proposed submitting applications for various grants including the North Carolina Accessibility for Parks (AFP) Grant, North Carolina Water Resources Development Grant, RHI Legacy, Rutherford County Tourism and Development Grant, and Federal LWCE.

Mr. Johnson noted the grand total of the plan is about \$2.2 million.

Mr. Johnson recommended applying for the AFP Grant to begin with and described recreational and Americans with Disabilities Act (ADA) requirements.

Mr. Johnson noted that another possible source of funding is a Parks and Recreation Trust Fund (PARTF). It was noted that the Town could not receive the AFP and the PARTF simultaneously and that the PARTF limits some costs to contingency and soft cost. Mayor Pritchett noted that the Town would not get reimbursed from this and that the remainder would be paid out of Town general funds. Mr. Johnson recommended applying for the AFP Grant and if it is not awarded, apply for the PARTF in the spring.

Commissioner DiOrio asked if any of the grants are matching. Mr. Johnson answered that the AFP Grant has a 20% match, and the Water Resources and Federal grant both have 50% matching requirements. Town Manager Hank Perkins noted that TDA funding can be used matched to other grants. Mr. Johnson agreed and expanded that some of the other grants can also be used for matching funding.

Mr. Johnson reviewed the proposed AFP site map and noted that installing the gravel parking has been discussed as viable first step by the Lake Lure Steering Committee. Mr. Perkins noted that some of the proposed paved walkway shown in the map is already present and Mr. Johnson agreed to update the map to reflect this.

Mayor Pritchett asked if there is a due date for submitting an application for the NC Water Resources Grant. Mr. Johnson answered there is one deadline on December 31 and another deadline on June 31. Mr. Johnson recommended meeting the December 31, 2022 deadline.

There was consensus to consider final approval of the proposals from DBD at the regular Council meeting in October.

#### **IV. COMPREHENSIVE TRANSPORTATION PLAN PRESENTATION BY FOOTHILLS REGIONAL**

Alan Toney with Foothills Regional presented information on the proposed Foothills Regional Comprehensive Transportation Plan (CTP). Mr. Toney noted that a lot of the projects identified for Lake Lure emerged from a 2013 Lake Lure and Chimney Rock Village Traffic Study. Mr. Toney reviewed the proposed CTP map and noted that the main priority is to increase safety within the region.

Commissioner Proctor asked if Mr. Toney had an update regarding Boys Camp Road and receiving state funding since Boys Camp is a local road. Mr. Toney explained that it depends on whether or not Boys Camp is owned by the Town on each side of the road. Mr. Toney expanded that if the road is owned locally on each side, it is not eligible for Rural Planning Organization (RPO) funding, so the Town would need to allocate local funding and seek other options through Foothills Regional.

Commissioner DiOrio asked if the state will dispersed funds from the federal infrastructure bill through the State Transportation Improvement Program (STIP). Mr. Toney noted that information is still emerging on how the funds will be dispersed. Commissioner DiOrio asked is there is an oversight agency for advocating for Lake Lure. Mr. Toney answered that the Foothills Regional Transportation Coordinating Committee (TCC) and Transportation Advisory Committee (TAC) will advocate for Lake Lure.

Commissioner DiOrio asked for details regarding securing land for parkway project. Mr. Toney explained that Chimney Rock State Park has secured some of the land for the parkway, and the Department of Transportation could obtain right of ways if it is parkway is a STIP project.

Mr. Toney reviewed STIP Draft 2024-2033 and explained the priority scoring system to have a project included in the STIP.

Commissioner DiOrio noted that it would be beneficial to have the parkway project on the STIP sooner than later. Mr. Toney stated that he can submit this project for scoring if the Council desires. There was Council consensus to allow Mr. Toney to submit the parkway project.

Mr. Toney reviewed the bicycle and pedestrian map for Lake Lure.

Commissioner DiOrio asked if there are any projects not included in there. Mr. Perkins noted that any additional projects would be included in phase seven next summer.

There was Council consensus to consider the adoption of the Foothills Regional CTP and endorsement the Lake Lure section of the CTP to Rutherford County at the regular Council meeting in October.

Mr. Perkins asked what the next steps would be following adoption of the CTP. Mr. Toney noted that the adoption defines the project needs of the Town, then goes to County, RPO, and State Board for Transportation for identifying and scoring projects for prioritization, funding, and construction.

Mr. Toney expressed optimism for Lake Lure and region 13.

<b>V. DISCUSSION REGARDING ACCOUNTING CLERK I AND COMMUNITY DEVELOPMENT ADMINISTRATIVE POSITION</b>
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Mr. Perkins explained that subsequent to former Finance Director Sam Karr's retirement, Steve Ford was appointed as Finance Director, which resulted in an unfilled position in the Finance

Department. Mr. Perkins explained that following staff discussion, it was determined that the Town needed an accounting clerk rather than backfilling the assistant finance director position. Director Ford noted that the position will strengthen administrative staff and support the Finance Department. Mr. Perkins noted that he anticipates that the position be in the same salary grade as other administrative support positions which is grade 18. Mr. Perkins noted that salary grade 18 ranges from \$36,000 to \$51,000. Director Ford noted that this position is well-funded within the budget and Mr. Perkins expanded there is also plenty of funding in the budget to cover fringe benefits. Council had no questions.

Mr. Perkins refreshed the Council on the background regarding the initial decision for hiring a new code enforcement and GIS focused position in the Community Development Department. It was noted that it has since been determined by the Department that administrative support would be more beneficial than the originally approved position. Community Development Director explained that the Department is extremely busy and that administrative support would allow himself and Development and Environmental Review Specialist Richard Carpenter to fulfill their tasks through a more efficient and thorough process. Director Ford noted that the original position budgeted for a higher salary grade, and that the new position falls under salary grade 18, so there is sufficient funding for this position as well. Commissioner Proctor expressed that GIS would still be beneficial and Director Williams noted that Specialist Carpenter has GIS experience and the administrative support position would allow more time from Mr. Carpenter to support the town with GIS operations. Commissioner DiOrio asked if the administrative support person will remain on-site when Director Williams and Specialist Carpenter are in the field. Director Williams answered yes. Commissioner DiOrio also asked the administrative support person will be able to provide communication regarding infrastructure or other questions. Director Williams answered yes.

Mayor Pritchett asked for a hiring timeline for the positions. Mr. Perkins noted that the next steps are to have both of the positions approved by Council at regular October meeting and then Town staff will advertise for the positions.

## **VI. LABELLA TASK 15 WASTEWATER TREATMENT PLANT MASTER PLAN**

Mr. Perkins explained that the Task Order 15 relates to master planning for Wastewater Treatment Plant. It was noted that the proposed Task Order is provided in the meeting packet. Mr. Perkins noted that the Task Order entails an evaluation of long term needs, coordination with North Carolina Department of Environmental Quality (NCDEQ) to identify any effluent discharge restraints, evaluation and recommendation for treatment processes, investigation of sites in new proximity to the Board River, and preparation sizing and layout on the preferred site for anticipated facilities. Mr. Perkins also noted that the proposed Task Order elements would take about 20 weeks in total to complete and cost about \$85,000 dollars.

Commissioner DiOrio noted that the proposed Task Order should not change the budget.

## **VII. LABELLA TASK 16 FOR DEEP WATER LAUNCH PERMIT**

Mr. Perkins deferred to the Parks, Recreation, and Lake Director Dean Givens and noted the Task Order is not yet complete. Director Givens noted that the Town had been preparing for the Deep Water Launch Project and had attended a meeting with NCDEQ and other entities to discuss the

Project. Director Givens noted that Brandee Boggs with the Army Corp of Engineers was not presented at the meeting and was difficult to contact following the meeting. Director Givens explained that when he was able to get in contact with Ms. Boggs, she expressed that she did not have what she needed to issue the Deep Water Launch Permit from the Army Corp of Engineers. It was noted that the Parks, Recreation, and Lake Department are requesting Task Order 16 for the purpose of having LaBella support the Town in obtaining permits for the project.

It was noted that after the Army Corp of Engineers issues a permit, the Town would also have to obtain a permit from NCDEQ.

There was Council consensus to place LaBella Task Order 16 on the consent agenda for the regular October Council meeting.

Commissioner DiOrio asked if there will be any ramp availability issues during the 2022-2023 drawdown. Director Givens noted that it should not be an issue during the upcoming drawdown, but could pose an issue during future drawdown periods. It was noted that the permit should allow the Town access down to the 20 ft. following valve installation.

<p><b>VIII. DISCUSSION REGARDING RECENTLY AMNDMENT TO THE CODE OF ORDINANCES SECTION 4-2. DANGEROUS DOGS; BARKING; LEASH REQUIREMENTS.</b></p>
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Mr. Perkins explained that the amendment to Code of Ordinances Section 4-2 was placed in the consent agenda during the September regular meeting and directed Council to the Ordinance located in the meeting packet. Mr. Perkins noted that since the September meeting, there have been discussions regarding revising the Ordinance again. Mr. Perkins expressed that a 6 foot leash limit is too specific and that he would like more ambiguity.

Mr. Perkins provided the Council draft language that he crafted from looking into other leash requirements in other municipalities.

Mr. Perkins noted that there had been discussion regarding adding a leash length limit and expressed that the only issue he can conceptualize might be the use of a very lengthy training leash. Mr. Perkins also noted that the Ordinance only pertains to leash requirements on Town owned properties.

Mr. Perkins expressed that he would like Council input to move forward with making changes and voting on changes in October.

Commissioner Bryant expressed support for the updated verbiage provided by Mr. Perkins.

Mr. Perkins noted that the Town does not currently have a designated off-leash area, but the Ordinance implies that the Town could have such area in the future.

Commissioner Proctor expressed the possible need for length requirement and Mayor Pritchett agreed. Hank recommended 25 ft. to 30 ft. limit.

Commissioner Proctor noted that it would be beneficial for the Ordinance specify keeping the animal under control. Mr. Perkins expressed that his hope was to for the recommended verbiage to clearly imply the definition of under control. Commissioner DiOrio noted that he sees people who define under control as doing a re-call rather than using a physical restraining leash.

Commissioner Diorio noted that this ordinance would proceed towards a leash requirement based on a Dittmer-Watts Park sign. It was noted that the Town already had regulations in this regard.

Mr. Perkins noted that the main goals for amending the Ordinance is to increase both ambiguity and clarity.

There was Council support the verbiage provided by Mr. Perkins and it was noted that this amendment would be included on the regular October Council meeting agenda.

## **IX. DISCUSSION REGARDING ADVISORY BOARD ATTENDANCE REQUIREMENTS**

Mr. Perkins explained that there has been internal discussions regarding the lack of clear specification as to attendance requirements for advisory board members. Mayor Pritchett noted that current requirements for some boards are vague and to the discretion of board chairs. Mayor Pritchett expressed that requirements should be in regard to unexcused absences and that board members should notify their board chair if they cannot attend a meeting.

There was Council consensus to begin examining the attendance requirements for all boards and amending bylaws to reflect attendance standards. It was noted that statutory boards have attendance requirements and suggested that advisory boards might adopt the same requirements.

## **X. BRIEFING BY CHIEF WAYCASTER REGARDING DISPOSAL OF SURPLUS PROPERTY**

Fire Chief Dustin Waycaster explained that the Fire Department has a pump for a fire boat that has not been used in about 10 years. Chief Waycaster noted that he had been approached by Lake James Fire Department and that they are interested in acquiring the pump from Lake Lure.

Mr. Perkins cited G.S. 160A-280 which authorizes donations of personal property to other governmental units. It was noted that the Town Council is required to declare the pump as surplus.

There was Council consensus to declare the pump as surplus under the consent agenda at the regular October meeting.

## **XI. VIDEO PRODUCTION**

Communications Director Laura Krejci explained that there had been discussions regarding obtaining accessibility to professionally produced videos, similar to the videos for the Rutherford

County TDA. Director Krejci contacted Destination by Design (DBD) because they produce the TDA videos. Director Krejci noted that to begin with, the Town would like to have videos produced regarding the Lake Use Regulations, boater safety, and information regarding participating on Boards. It was noted that the initial quote from DBD to produce three videos was \$30,000. Director Krejci shared that she had researched what other companies would charge, received a quote from a different company for \$37,000, and concluded that DBD is the most viable company to produce the videos. Director Krejci requested Council guidance.

Finance Director Ford noted that a budget amendment would be required.

Mayor Pritchett noted that one other video that had been discussed was regarding community development and permitting. Director Krejci expressed that she has this video on her radar, as well.

Commissioner DiOrio noted that the Parks, Recreation, and Lake Department have a PowerPoint regarding Lake Use Regulations and boater safety, and expressed that it would be beneficial to merging the video and PowerPoint as Lake Lure boater training begins. Commissioner Proctor agreed. There was Council consensus to support the video production project and to approval a budget amendment for the project on the consent agenda at the regular October meeting.

## **XII. PROJECT MANAGER SEARCH UPDATE**

Mr. Perkins noted that he had previously shared a project manager search update with Council via email. Mr. Perkins explained that there are four candidates and virtually interviews will take place the afternoon of October 3<sup>rd</sup>. Mr. Perkins stated that following the virtual interviews, a portion of or all candidates would be invited to participate in an in-person interview. Mr. Perkins noted that the Town is on schedule to hiring the project manager.

## **XIII. ADJOURNMENT**

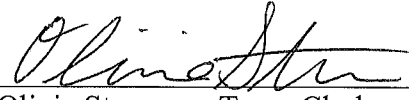
Commissioner Proctor asked if there have been any updates regarding Cycle NC and the incoming hurricane. Director Krejci explained that she is following updates, but has not been informed of any changes. Mr. Perkins noted that the Town is making preparations for the storm. Proctor asked if the Lake is being lowered three feet to prepare and Mr. Perkins confirmed that it is.

Mr. Perkins noted that the Town has adopted a proposed joint resolution with Chimney Rock during the special meeting earlier in the morning, and that Chimney Rock held a meeting and considered the Resolution last night. Mr. Perkins noted that Chimney Rock administration provided a later response this morning following the Town's approval of the joint resolution and expressed that it was not adopted by the village. There was Council consensus to hold a special meeting to adopt a new resolution.

Minutes of the September 28, 2022 Regular Town Council Work Session Meeting

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 10:22 a.m. Commissioner Bryant seconded and the motion carried 3-0.

ATTEST:

  
Olivia Stewman, Town Clerk

  
Mayor Carol C. Pritchett

