



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL
HELD FRIDAY, SEPTEMBER 30, 2022, 11:00 A.M. AT THE LAKE LURE TOWN HALL**

PRESENT: Mayor Carol C. Pritchett
Commissioner Patrick Bryant
Commissioner Scott Doster
Commissioner Jim Proctor

ABSENT: Mayor Pro Tem David DiOrio

William Hank Perkins, Jr., Town Manager
William Morgan, Jr., Town Attorney

I. CALL TO ORDER

Mayor Carol C. Pritchett called the special meeting to order at 11:00 a.m.

II. AGENDA ADOPTION

Commissioner Jim Proctor made a motion to adopt the agenda, as presented. Commissioner Scott Doster seconded and all voted in favor.

III. RESOLUTION NO. 22-09-30

Town Clerk Olivia Stewman explained that Joint Resolution No. 22-09-28A had been adopted by the Council at the September 28th special Council meeting. Ms. Stewman expanded that it was anticipated that Chimney Rock would adopt the joint resolution, as well, but did not and did not inform the Town prior to the Town's adoption of the joint resolution. Ms. Stewman concluded that Resolution No. 22-09-30 replaces and voids Joint Resolution No. 22-09-28A, and only contains minor edits for the purpose of reflecting that it is not a joint resolution.

Commissioner Patrick Bryant made a motion to approve Resolution No. 22-09-30. Commissioner Proctor seconded and the motion carried 3-0.

RESOLUTION NO. 22-09-30

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE SUPPORTING THE APPLICATION OF THE TOWN OF LAKE LURE AND CHIMNEY ROCK VILLAGE FOR UP TO \$15 MILLION EACH FROM THE DIVISION OF WATER INFRASTRUCTURE AMERICAN RESCUE PLAN ACT (ARPA) AND INTENT OF CHIMNEY ROCK VILLAGE TO TRANSFER ANY BALANCE REMAINING OF ITS FUNDS RECEIVED AFTER ADDRESSING THE NEEDS OF IT'S SEWER SYSTEM TO THE TOWN OF LAKE LURE AND THE INTENT OF THE TOWN OF LAKE LURE TO ENTER INTO AN INTERLOCAL AGREEMENT TO ASSUME OWNERSHIP OF THE CHIMNEY ROCK SEWER SYSTEM IN THE FUTURE AFTER REPAIRS ARE COMPLETE

WHEREAS, Chimney Rock Village is the owner of a gravity sewer main which is permitted a flow of 27,500 gallons per day (GPD) to the Town of Lake Lure sewer system which provides sewer service; and

WHEREAS, the Town of Lake Lure provides administration and billing services to the sewer customers of Chimney Rock Village through a long term contract approved in 1970; and

WHEREAS, the Chimney Rock Village sewer system and the Town of Lake Lure sewer systems are inevitable and perpetually linked in a Partnership due to the sewer system of Chimney Rock Village being reliant on the sewer system of the Town of Lake Lure to both accept and transfer the sewer flow from Chimney Rock Village through the collection system of the Town of Lake Lure for treatment at the Lake Lure Waste Water Treatment Plant; and

WHEREAS, the Town of Lake Lure desires an eventual transfer in ownership of the Chimney Rock Village sewer main to the Town of Lake Lure following the completion of proper repairs to the system by Chimney Rock Village; and

WHEREAS, the Town of Lake Lure and Chimney Rock Village sewer systems are designated as a distressed units in the Viable Utilities Program; and

WHEREAS, the Town of Lake Lure and Chimney Rock Village are eligible to receive up to \$15 million each from the Division of Water Infrastructure American Rescue Plan Act (ARPA); and

WHEREAS, Chimney Rock Village plans to use ARPA funding to repair their sewer system prior to the transfer in ownership; and

WHEREAS, Chimney Rock Village estimates that the total amount of expenditures for the repairs of their sewer system will be approximately \$4.26 million as identified in its application for funding assistance; and

WHEREAS, the existing relationship between the Town of Lake Lure and Chimney Rock Village in regard to the operation of Chimney Rock sewer system justifies the necessity for Chimney Rock Village to transfer any ARPA funds exceeding their determined needs to the Town of Lake Lure.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE:

Section 1. The Town of Lake Lure supports the application of Chimney Rock Village for up to \$15 million from the Division of Water Infrastructure American Rescue Plan Act (ARPA).

Section 2. Chimney Rock Village will transfer any balance remaining of its funds received after addressing the needs of its sewer system to the Town of Lake Lure for use addressing the needs of its sewer system. This transfer will be by way of an Interlocal Agreement.

Section 3. That The Town of Lake Lure does hereby declare official intent to assume ownership of the Chimney Rock Village sewer system, following proper repairs of the system completed by Chimney Rock Village. This transfer will also be by way of an Interlocal Agreement.

Section 5. That the Town of Lake Lure hereby give assurance to the North Carolina Department of Environmental Quality that any funding through the Division of Water Infrastructure American Rescue Plan Act (ARPA) will be expended appropriately and fairly, and in accordance with any conditions or assurances contained in an award offer.

Section 5. That the Town Manager of the Town of Lake Lure, and successors so titled, is hereby authorized and directed to furnish such information as any appropriate agency or entity may request in connection with this agreement or connected funding; to make the assurances as contained above; and to execute such other documents as may be required.


Section 8. This Resolution shall replace and void Resolution No. 22-09-28A.

Section 7. This Resolution shall be effective upon its adoption.

IV. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 11:04 a.m. Commissioner Bryant seconded and the motion carried 3-0.

ATTEST:


Olivia Stewman, Town Clerk


Mayor Carol C. Pritchett

