



**MINUTES OF THE REGULAR WORK GROUP MEETING OF THE LAKE LURE  
TOWN COUNCIL HELD WEDNESDAY, SEPTEMBER 29, 2021, 8:30 A.M. VIRTUALLY  
VIA ZOOM**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem John W. Moore  
Commissioner Patrick Bryant  
Commissioner David DiOrio  
Commissioner John Kilby  
  
Shannon Baldwin, Town Manager  
William Morgan, Jr., Town Attorney

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Carol Pritchett called the meeting to order at 8:33 a.m.

**II. APPROVE THE AGENDA**

Commissioner John Kilby made a motion to approve the Agenda, as presented. Commissioner David DiOrio seconded and the motion carried 3-0. Commissioner Patrick Bryant had not yet arrived to the meeting.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**A. LAKE LURE TOURS CONCESSION AGREEMENT – OFF-SEASON BEACH  
OPENING/CLOSE**

Parks, Recreation, and Lake Director Dean Givens explained that Lake Lure Tours had sent a letter for the purpose of requesting that the beach remain closed in the off-season due to past and reoccurring problems. Director Givens informed Council that the original concession agreement between the Town of Lake Lure and Lake Lure Tours stated that the beach would be reopened one week after Labor Day until one week to Memorial Day to allow the beach to be cleaned and ready. Givens explained that this meant that the beach would remain opened without lifeguards and that people could only walk on the beach and not enter the water. Givens stated that this policy was amended on September 8, 2020 to allow two weeks after Labor Day and two weeks

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before Memorial Day. Director Givens noted that since this amendment, Lake Lure Tours and the Town are still experiencing issues with people getting in the water. Givens stated that Lake Lure Tours is requesting that the beach remain closed in the off-season.

Commissioner DiOrio referenced past discussions in which it was mentioned that it is appropriate to close the beach while at full pond, but as the lake draws down accommodate for people to walk on the beach. Commissioner DiOrio asked Director Givens if this had changed. Director Givens stated that it had not changed. Commissioner Bryant explained that the concept discussed includes closing the beach fully during the off-season when the lake is drawn back up. Director Givens asked if this is proposed as a one year solution or multiyear solution. Commissioner Bryant stated that the intent is to continue with this plan each year.

Police Chief Humphries explained that last year when the beach was opened during the off season, officers had informed Chief Humphries that there was ongoing issues with having to go to the beach multiple times a week due to people swimming. Chief Humphries explained that while this is not a criminal offense, but it is a safety hazard and a nuisance. Chief Humphries had put together statements regarding this matter and presented them to the Town Manager in the past.

Town Manager Baldwin asked Attorney William Morgan if a solution could be to post signage stating that individuals would be swimming at their own risk or if this would present any legal issues. Attorney Morgan explained that such signage should put the Town at an advantage with appropriate warnings and would not seem to be a significant liability, but it is ultimately a policy decision for the Council to make.

Commissioner Kilby explained that he views it as a public safety issue.

Mayor Pritchett asked what the down side to closing the beach would be. Friends of the Lake Lure Flowering Bridge Chair Kathy Tanner provided input that from their perspective the beach is a community amenity, fencing the entire beach would prohibit the ability to see attractive views in the area, and recommended the possibility of fencing the shoreline. Chair Tanner also noted that the Rumbling Bald Resort beach does not have a lifeguard. Commissioner Bryant noted that the cold weather could be an additional deterrent to people getting in the water in the off-season.

Commissioner Kilby suggested seeking an opinion from the Town's insurance carrier and questioned if the Rumbling Bald Resort has pool lifeguards and if they do not have lifeguards at the beach area because they do not own the lake. Attorney Morgan agreed that the Town might benefit from seeking the opinion of the insurance carrier. Manager Baldwin asked if there has been an instance in which a fatality has occurred at the Town Beach. Commissioner Moore recalls one during the in-season in 2000.

With no further discussion, Mayor Pritchett announced that this issue will be put on the agenda discussion and consideration at the Town Council Regular Meeting on October 12<sup>th</sup>.

### **III. COUNCIL WORK SESSION DISCUSSIONS**

#### **B. PARKING & TRAFFIC FLOW AT MARINA BUILDING**

Parks, Recreation, and Trails Coordinator Dana Bradley explained that there has been concerns regarding the parking and traffic flow at the marina building. Coordinator Bradley explained that such concerns should be addressed by the new Morse Park Plan. Bradley presented a display of the plan and showed how it should eliminate parking and traffic flow issues. Coordinator Bradley noted that this plan design had been presented to the Parks and Recreation Board and that members were in support of the plan.

Commissioner Kilby asked if traffic will still flow one way. Bradley explained that this is correct.

Mayor Pritchett asked if parking had been expanded through this plan. Bradley confirmed that this is correct. Mayor Pritchett asked how many additional spaces would be provided and Coordinator Bradley estimated around 40 additional parking spaces.

Commissioner Bryant expressed his support for this plan in regards to additional parking.

Kathy Tanner asked if signage could be displayed at the entrance and exit of the area that identifies parking to prevent people parking on the side walk or other prohibited area. Director Givens explained that Fire Department needs access to the old boat ramp in order to allow them access to the fire suppression system. Givens expressed that having only signage in this area would not prevent people from interfering with this area. Givens stated that Lake Lure Tours staff parking in the area in the plan would prevent other cars from driving through this area and frees up parking spaces in the regular parking lot. Ms. Tanner recommended a chain rather than her initial recommendation of signage. Director Givens exclaimed that he has no prohibitions to this idea, but it is the decision of the Council.

Mayor Pritchett asked for input on this matter. Commissioner DiOrio explained that the process that is taking place is that the Town is updating the Master Plan and that this could be put on the October Agenda for approval. The Council agreed that this topic should be discussed during the October Regular Meeting.

Commissioner Moore asked about dredging and what consideration has been given to this plan in regards to dredging. Givens answered that this has not been discussed. Commissioner DiOrio explained that this would be a very complicated process but it could be considered.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**C. FIRE FLY COVE WATER SUPPLY**

Kurt Wright, PE, explained recent inspection of wells one and two and that this inspection went well. Wright explained the report that was given by the inspector found that volume/rate were adequate, quantity is adequate, and that quality will be addressed as results are received from the lab. Wright informed Council that he does not think quality will be an issue when both wells are running. Manager Baldwin explained the issue which is the lack of water for the wells and that a well was found that was never put on line despite permitting and state approval. Baldwin informed attendees that the well is currently being assessed and tested. It is explained that when back on line, Wright and Baldwin think that Fire Fly Cove will have sufficient water. Wright announced that he will be making system recommendations to present to Town Council and Manager Baldwin in the near future.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**D. BOYS CAMP ROAD PROPERTY / COMMUNICATIONS TOWER**

Community Development Director Williams explained that the Town is still working with AT&T. Williams noted that the site is being surveyed and tree preservation is being assessed. Director Williams explained that the property will have to be zoned and that the Zoning and Planning Board recommended Government Use (GU) zoning. Williams also explained that a text amendment will be needed regarding the cell tower ordinance. Williams discussed recommended set-backs, the need for a text amendment to alter language for fall zone, and zoning the property to Government Use. Baldwin explained that Boys Camp Road Property history and the need for reduction of setbacks due to change in technology. Williams mentioned that the tower zoning would need to be incorporated into the Master Plan. Commissioner DiOrio explained the three part process to this project includes a statutory requirement to hold a public hearing to rezone the property to GU as recommended by the Zoning and Planning Board and regulation change, holistically examine the Master Plan and approve, and signing the contract with AT&T and execute the plan. Director Williams is planning to address steps one and two by November. Williams announced that he is currently communicating with AT&T to establish a leasing agreement and that he has proposed that AT&T pay for all of the swinging bridge and that AT&T is receptive to this idea. Council discussed the presentation of the Master Plan if voted to change.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**E. SEWER REPLACEMENT ER/EID PROGRESS**

Maurice Walsh, PE, reported the progress on the ER/EID. He explained that he has not received any pushback in terms of residents participating in the online public hearing and he does not anticipate any further obstructions. He noted that the ER/EID should be approved next month.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**F. MANHOLE REHABILITATION**

Maurice Walsh, PE, informed Council of the progress that has been made regarding manhole rehabilitation. Walsh explained that drawings are complete and that he and Public Works Director David Arrowood studied a manhole being rehabilitated in another location, helping them know how they would like the rehab to be done. Walsh explained that interior preparation is necessary including a multicoated system. Walsh noted that the project is anticipated to progress during the lake draw down period. Commissioner Kilby asked what the goal is for this drawdown. Walsh explained that 62 manholes have been identified and the goal is to rehabilitate all of them this drawdown. Commissioner DiOrio reminded that ARP funding is available for this project.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**G. RESERVOIR DRAIN / SEWER ACCESS VALVE**

Jonathan Pittman, PE, explained the current state of the reservoir drain and sewer access valve project. Pittman noted that the project is within the design phase and that he needs to meet with Maurice Walsh to discuss this. Pittman expressed that his plan is to have the design completed by October. Pittman explained that the biggest challenge at this time is the lead time to receive the valves. Pittman informed Council that another factor in project progress is the NC Dam Safety approval, and that he has been communicating with NCDEQ's George Eller who claimed that this is on the top of the priority list. Manager Baldwin expressed the importance of installing the reservoir drain and that it will serve a dual purpose. Pittman presented a cross section view of the current reservoir plan. Manager Baldwin asked that Pittman send his schedule meeting times for next week to him, Maurice Walsh, Commissioner DiOrio, and Mayor Pritchett. Commissioner DiOrio mentioned that there is multiple funds that this may be tapped into to pay for this project. Commissioner DiOrio asked about a timeline. Pittman stated that if the plan is submitted to the state by mid-November he will be hopeful that the project will be approved by mid-January. Baldwin mentioned that NC Budget is forecasting to be successful for this project when it is passed.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**H. LAKE DRAWDOWN SCHEDULE**

Kurt Wright, PE, presented the Lake Drawdown Schedule. Wright explained that the schedule is dependent upon the manhole project, beginning on November 1<sup>st</sup> and estimated to end by February 14<sup>th</sup>. Maurice Walsh added that the timing is consistent, and that the lake level should be discussed with the contractor. Commissioner Bryant asked Wright to verify whether or not the drawdown will be one foot per day and the draw-up would be six inches per day. Wright explained it is dependent on rain and noted that the main target date is to begin filling in January. Commissioner Bryant noted that there is leeway in the schedule since the town is ahead and the target date may be extended. Wright explained that this can be done. Commissioner DiOrio explained that lake draw-up is a Town decision and will likely be based on the manhole rehabilitation project, including a two month buffer. Wright change to the lake drawdown schedule. Wright extended the target date to the end of February.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**I. ADMINISTRATION SUPPORT SPECIALIST RECRUITMENT**

Finance Director Karr explained process in recruiting an Administration Support Specialist. Karr explained that an interview panel had been established consisting of himself, HR Specialist Jennifer Duncan, Assistant Finance Director Steve Ford, Director Michael Williams, and Commissioner DiOrio. Director Karr noted that there were about 20 applications and four candidates were recruited to be interviewed. Karr announce that the interview panel unanimously came to a decision regarding a top candidate. Karr informed the Council that HR Specialist Duncan and Baldwin will call references today and are hoping to make an offer by tomorrow. Karr expressed that the goal is to have the position filled and training initiated within two weeks.

**III. COUNCIL WORK SESSION DISCUSSIONS**

**J. TOWN CODE RECODIFICATION**

Town Clerk Olivia Stewman informed the Council that former Clerk Michelle Jolley and Attorney Morgan had worked with Municode to recodify the Code of Ordinances. Stewman noted that books had arrived and a staff member had noticed a change in formatting particularly in terms of numbering. Stewman explained that this was done with the approval of the former Clerk and that she and other staff were not aware of the changes that were made until the arrival of the updated Code of Ordinances. Stewman stated that she, Manager Baldwin, and Director Williams met with Municode Code Attorney Dan Walker to discuss changes in which Walker noted that such changes are standard. Stewman explained that emails were sent to staff containing an

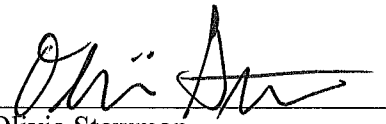
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attachment of the Code of Ordinances Recodification and staff was asked to review and report back any questions or concerns for the purpose of ensuring that staff understood the changes before the document went before Council for approval. Mr. Walker agreed upon holding a training session if staff found the new formatting to be challenging to understand. Stewman noted that no negative feedback had been received and that it was likely not necessary to hold a training session.

**IV. ADJOURN THE MEETING**

With no further business, Commissioner John Moore made a motion to adjourn the meeting at 10:06 a.m. Commissioner David DiOrio seconded and the motion carried 4-0.

ATTEST:

  
Olivia Stewman,  
Town Clerk

  
Mayor Carol Pritchett

