



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, JANUARY 10, 2023, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Richard Carpenter, Development and Environmental Review Specialist

ABSENT: Commissioner Patrick Bryant

I. CALL TO ORDER

Mayor Carol C. Pritchett called the meeting to order at 5:00 p.m. Council members led the pledge of allegiance. Mayor wished happy New Year and noted that the lake drawdown had been initiated.

Mayor Pritchett proclaimed that January 9th was national law enforcement day and read the following:

As we know, Law Enforcement Officers of every rank and file have chosen a profession that puts their life on the line every day for their communities.

They've answered a call to public service that is demanding and often unappreciated – but not here in Lake Lure!

From local, state, and federal, their duties command dedication.

The jobs are often thankless and take them away from their families for long hours.

Rarely do they know what their days have in store for them.

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They work in coordination with other local, state, and federal organizations to make communities safer.

In addition to these duties, the Lake Lure Police Department goes above and beyond to develop a strong positive relationship with local youth at the Lake Lure Classical Academy by collecting toys and clothing for those in need.

In recognition of National Law Enforcement Day, we have an opportunity to thank them for their service! If you see one of our Officers, please let them know they are appreciated.

We would like to say thank you to the Lake Lure Police Officer! We wanted to recognize them this evening and we have planned a recognition for the Police Department this week to say thank you!

Commissioner Jim Proctor recommended a formal Mayor's Proclamation and Council members agreed.

II. APPROVE THE AGENDA

Commissioner David DiOrio made a motion to approve the agenda, as presented. Commissioner Proctor seconded and the motion carried 3-0.

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Hank Perkins summarized highlights from his Manager's Report for December. Manager Perkins noted that Michael Dydula has begun his tenure as Project Manager.

V. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner Scott Doster reported the activities of the Parks and Recreation Board, ABC Board, Board of Adjustment / Lake Structure Appeals Board, and noted that the Zoning and Planning Board did not meet.

Mayor Pritchett announced that Town is accepting volunteer board applications and that they should be submitted to the Town Clerk by February 10th.

Commissioner David DiOrio reported the activities of the Lake Advisory Board.

VI. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

There were no comments from the public.

VII. CONSENT AGENDA

Mayor Carol C. Pritchett presented the Consent Agenda and asked if any other items should be removed before calling for action.

Commissioner Proctor made a motion to approve the Consent Agenda, as presented. Commissioner DiOrio seconded. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Approval of the December 13, 2022 Regular Town Council Meeting Minutes and the December 22, 2022 Special Town Council Meeting Minutes
- B. Waivers and suspension of the following for the Carolina Climbers Coalition Rumble 2023 Event scheduled for 2/24/23 – 2/26/23: Waiver of Fees for use of Municipal Hall, Morse Park, and the Gazebo/Pavilion; Suspension of Chapter 36 of the Zoning Regulations: “Campgrounds” and “Camping”; Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances; Suspension of Section 8-115 of the Code of Ordinances Town of Lake Lure Alcohol Ordinance
- C. Waiver of the Noise Regulation, Chapter 20 Article II, for a Fae Nectar Winter Festival on Saturday, January 28, 2023 from 12:00PM – 8:00 PM.

VIII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

IX. NEW BUSINESS

- A. REQUEST FOR TREE REMOVAL FROM WITHIN THE TROUT BUFFER AND BELOW THE ELEVATION OF 995’ – 143 FRADY INLET RD. (PARCEL #1655828)**

Development and Environmental Review Specialist Richard Carpenter explained that months prior, it was approved for multiple trees to be removed at 143 Frady Inlet Road that were outside of the trout buffer and within 995’ limit with the requirement that more trees be planted. Specialist Carpenter further explained that the property owners of 143 Frady Inlet Road are now requesting the removal of three remaining trees. Specialist Carpenter noted that the trout buffer

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currently has no vegetation aside from the three trees being requested for removal. Specialist Carpenter recommended that if Council approve the request, they should require the property owners to plant replacement trees.

Specialist Carpenter and Council members discussed the past request and recommendation.

Specialist Carpenter mentioned encroachment into root line and permit deviation into the trout buffer, which is being resolved.

Shelly Grec, property owner of 143 Frady Inlet Rd., noted that she had received approval from the state of North Carolina to remove the remaining trees on January 5th. Mrs. Grec explained that once property was cleared, the remaining trees were left in the middle of the house view. Mrs. Grec noted that she understood that she will need to replant trees. Mrs. Grec expressed that if the trees fell, she believes they would fall onto a structure. Mrs. Grec provided Town Council and the Town Clerk with a copy of the approval letter from the state.

Commissioner Doster asked if the trees are considered dangerous trees and Specialist Carpenter answered no.

Commissioner DiOrio asked if it is standard for engineers or contractors to obtain permits from the North Carolina Department of Environmental Quality for trout buffers and Specialist Carpenter answered yes.

Commissioner DiOrio asked if the replacement trees will be planted in the trout buffer and Mrs. Grec answered yes.

Commissioner DiOrio made a motion to approve the tree removal request, with the condition that all trees as replanted in the trout buffer. Commissioner Doster seconded and the motion carried 3-0.

It was noted that the Community Development Department will work with the homeowners in the replanting process.

IX. NEW BUSINESS

B. LABELLA TASK 16 DEEP WATER ACCESS PERMITTING AMENDMENT

Manager Perkins explained that the original task was for \$9,500 and the purpose is for LaBella to assist the Town with permitting for the deep water access project. Manager Perkins noted that LaBella sent a request to amend the task order to reflect a cost increase for a total of \$14,500 because their efforts had exceeded what was originally expected.

Commissioner DiOrio made a motion to approve LaBella Task 16 Deep Water Access Permitting Amendment. Commissioner Doster seconded and the motion carried 3-0.

X. CLOSED SESSION

Commissioner Doster made a motion to enter closed session in accordance with G.S. 143-318.11 (a) (3) for attorney client privilege. Commissioner DiOrio seconded and the motion carried 3-0.


During the closed session, Council members reviewed and approved past closed session minutes.

Commissioner DiOrio made a motion to return to open session. Commissioner Doster seconded and the motion carried 3-0.

XI. ADJOURNMENT

With no further business, Commissioner DiOrio made a motion to adjourn the meeting at 5:52 p.m. Commissioner Doster seconded and the motion carried 3-0.

ATTEST:


Olivia Stewman, Town Clerk


Mayor Carol C. Pritchett

