



MINUTES OF THE REGULAR WORK SESSION MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, MARCH 22, 2023, 8:30 A.M. AT THE LAKE LURE TOWN HALL

PRESENT: Mayor Carol C. Pritchett
Mayor Pro Tem David DiOrio
Commissioner Patrick Bryant
Commissioner Scott Doster

William Hank Perkins, Jr., Town Manager
William Morgan, Jr., Town Attorney
Kathy Tanner, Lake Lure Flowering Bridge
Dustin Waycaster, Fire Chief
Stephen Ford, Finance Director
Michael Dydula, Project Manager
Dean Lindsey, Public Services Director
Laura Krejci, Communications Director

ABSENT: Commissioner Jim Proctor

I. CALL TO ORDER

Mayor Carol C. Pritchett called the work session to order at 8:30 a.m.

II. AGENDA ADOPTION

Commissioner David DiOrio made a motion to add item XVII for Lake Lure Tours Mobile Food Vendor Request and re-number accordingly. Commissioner Scott Doster seconded and the motion carried 3-0.

Commissioner Patrick Bryant made a motion to adopt the agenda, as amended. Commissioner Doster seconded and the motion carried 3-0.

III. LAKE LURE FLOWERING BRIDGE PARKING LOT REQUEST

Town Manager Hank Perkins explained the Lake Lure Flowering Bridge (LLFB) had submitted a request for Town assistance with funding their volunteer parking lot area. Manager Perkins noted that the request was provided in the meeting packet. Manager Perkins recalled that the LLFB parking lot request had been discussed in a previous meeting in which Council questioned if the Rutherford County Tourism Development Authority (TDA) could help with funding and that it was then discussed with the TDA at the Lake Lure Steering Committee meeting where it was determined that the TDA could not fund the lot unless the Flowering Bridge was a member of Rutherford Bound. Mrs. Kathy Tanner with the Flowering Bridge provided an estimate for the cost of the parking lot from Dale Shields. Manager Perkins noted the remaining \$8,000 needed to fund the parking lot and asked if any work had been done that would be funded by the \$8,000 and Mrs. Tanner answered no. Commissioner DiOrio asked if the parking lot had been permitted and Mrs. Tanner explained that zoning and land disturbance permits are in progress and should be ready to be issued now that the lease between the Flowering Bridge and the Town had been approved. Manager Perkins asked if the permitting is for the Town's Community Development Department with the state and Mrs. Tanner answered that the zoning permit is for the Town and there are both Town and state land disturbance permits. Manager Perkins noted that normally the LLFB would fundraise for their operations and asked if the parking lot could not be paid for through fundraising and if timing issues play a role in the LLFB request. Mrs. Tanner answered that additional funds are still funds needed for the education building and detailed that the majority of their recent fundraiser and donation revenues are going towards maintenance of the bridge operations and the education center. Manager Perkins explained the history of the visitor parking lot and noted that there was going to be a donation, but the donator's position had been replaced by someone who does not have same knowledge about the donation. Mrs. Tanner explained that the parking project would be delayed without the help of the Town. Manager Perkins asked if any money could be taken from education fund and Mrs. Tanner said yes, but it would slow the progress of education center and certain funds had been raised specifically for the education center. Council discussed the need for permitting. Manager Perkins explained that sentiment as to why permitting should be taken into consideration and asked that the request be revisited after obtaining permitting.

IV. DISCUSS LAKE LURE FLOWERING BRIDGE 10 YEAR LEASE

Manager Perkins explained that at the March 14th regular meeting, Town Council approved a 12-month grounds lease agreement between the Town and the Flowering Bridge. Manager Perkins expanded that there has been notice advertised that Town Council will consider a 10-year grounds lease agreement with the Flowering Bridge at the regular meeting on April 11th.

Manager Perkins detailed that the general assembly will discuss a local bill to allow for a longer lease agreement between the Town and Flowering Bridge on the 23rd. Manager Perkins noted that he had met with The Policy Group yesterday and that there seems to be no issues in regard to the proposed local bill.

V. FIRE/EMERGENCY SERVICES PERSONNEL DISCUSSION

Manager Perkins explained that Fire Chief Dustin Waycaster had approached him with concerns regarding a shortage of County emergency services personnel. It was noted that the County lost 6 paramedics in two months over lack of pay. Chief Waycaster explained that the Town Fire and Emergency Services staff had been noticing a problem running recent calls due to the lack of County personnel. Chief Waycaster provided an example of a recent cardiac arrest in which Town staff provided medical assistance for 50 to 60 minutes without an available County paramedic. Chief Waycaster provided another recent instance is when County paramedics had to leave the Rumble event to report to another part of the County.

Chief Waycaster noted that the Town is in the process of filling two part time vacant positions. Chief Waycaster expressed that he does not want to lower standards in Lake Lure, but with the County shortage, the Town gets stuck with a basic unit and that Town staff cannot transfer responsibilities to a basic unit and lower the standard. Chief Waycaster expanded that the Town has had to put staff on EMS duties to aid with County deficits. Chief Waycaster mentioned that the County recently hosted a large training session with a good turnout rate, but their issue retaining employees.

Manager Perkins noted that issues to consider are determining what the Town can do, how the Town can make proactive steps to take care of coverage, and what the County will do to address their own issue. Manager Perkins expressed interest in reviewing the impact if County begins addressing pay and questioned if the impact would be short term or long term. Manager Perkins also questioned how the Town manage operations in the meantime.

Chief Waycaster explained that the County's pay is only one issue, and another is workload because there are not enough paramedic units to handle the entire County and the County had to start operating with staggered units. Commissioner DiOrio asked if nearby Counties help and Chief Waycaster answered yes, Rutherford has been asking for mutual aid from other counties a lot. Chief Waycaster mentioned a mutual aid agreement for helicopter calls because there have been an abundance lately. Commissioner DiOrio asked for clarification that one issue is that Town staff must travel with EMS because Town staff is more advanced and Chief Waycaster answered yes and expressed that one possible issue involved is Town staff get stuck on another call and not being able to report back to Town.

Commissioner DiOrio questioned if the Town should enact an interim solution until the County resolves their personnel issues. Chief Waycaster explained that one proposal is for the Town to hire an additional employee and transfer Assistant Chief Chris Melton to a Monday through Friday schedule. Chief Waycaster expanded that doing so would allow for four firefighters to be available during the day and either he or Assistant Chief Melton will be on call during the nights. Chief Waycaster noted that as of current, he is the only one on call and Assistant Chief Melton is often already on duty at night. Commissioner Doster asked if the Town needs a medic and Chief Waycaster answered that if the Town can hire extra personnel and build a new facility then paramedics could be hired, but it is currently an issue with the County and with funding. Commissioner DiOrio asked what the level above basic is and Chief Waycaster answered advanced, which is what the Town staff is now. Mayor Pritchett asked if a new hire would also be

advanced and Chief Waycaster answered that they would. Commissioner DiOrio noted that changing the Assistant Chief's schedule is an administrative decision, but additional personnel would require a budget decision from Council. Chief Waycaster estimated that the budget increase for hiring an additional employee would be about \$55,000 to \$57,000. Manager Perkins noted that a budget amendment would be necessary and tax rate implications would be required. Manager Perkins suggested that if Council is in support, Town staff can review this in the budget process and in terms of tax rate. There was Council consensus to look into an additional fire/emergency services personnel in the budgetary process and consensus of support.

VI. DISCUSS RUTHERFORD COUNTY TOURISM DEVELOPMENT AUTHORITY LEASE

Manager Perkins explained that there has been notice advertised that Town Council will consider a lease agreement with the Rutherford County Tourism Development Authority at the regular meeting on April 11th. Manager Perkins noted that the lease agreement would be for a one year term with nine one-year options for renewal. Manager Perkins also noted that the proposed lease agreement requires 180 days' notice of termination. Commissioners discussed issues regarding the \$1.00 rent.

VII. CHIMNEY ROCK VILLAGE AGREEMENT TO OPERATE WATER SYSTEM UPDATE

Manager Perkins explained that the Town had been in communication with Chimney Rock Village and that some amendments were made to the draft agreement to operate water system. It was explained that a five year agreement with option for an additional five year term is being recommended and that the second five year option would be automatic unless either party expressed otherwise. Manager Perkins noted that the reservoir previously specified in the agreement will not be needed, so the Town removed \$12,000 in credit for reservoir capacity from the agreement. Manager Perkins mentioned that the Chimney Rock Village Council met last night and discussed the agreement, but that he is unsure of the outcome of the discussion. Manager Perkins stated that he had Village Administrator Steve Duncan that the Town and Village could extend the current agreement to work out any complexities. Manager Perkins expanded that Mr. Duncan is proposing extending the current agreement for the remainder of the calendar year. It was noted that Mr. Duncan is working towards establishing a fee that the Town will charge to Chimney Rock customers in addition to their existing Town fee in order for the Village to collect additional revenue to maintain their system. Manager Perkins expressed that he would like to create a consolatory agreement that feeds the needs of both parties. Commissioner DiOrio noted that knowing the water system management plan will be crucial to determining how to move forward with the Chimney Rock Village water agreement. Manager Perkins explained that Mr. Duncan had also expressed that the Village is interested in contracting with an emergency maintenance firm rather than Town staff and providing their own routine maintenance, but the Village is not currently able to do so due to lack of funds which is why an additional fee is being proposed. Commissioner DiOrio asked if extending the agreement will allow the Village to be imposing the additional fee and Manager Perkins answered that he would have to follow up and it might require an amendment to the existing agreement in the meantime. Commissioner DiOrio

expressed support for a mutual agreement to extend the existing agreement and re-evaluating the draft agreement after water system management plan is approved. Manager Perkins will work with Town Attorney William Morgan on the extension and how to allow Chimney Rock to proceed with charging their customers with an additional fee. Mayor Pritchett expressed the importance of people knowing that the excess fee will be for the Village and not the Town because there had been discussions in the past against charging Chimney Rock customers any differently than Town customers. Commissioner Doster asked if the Town had an administrative fee and Manager Perkins that the \$15,000 specified in the agreement is a fee that the Town receives, but it is currently in debate because the amount does not include a formula and expressed that he would like to create a formula and spreadsheet including administrative fees, supplies, and possible others. Manager Perkins added that at the end of the year he recommends reviewing the actuals of the formula used and complete a 4th quarter reconciliation. Finance Director Ford asked about a rate code on the bill and Manager Perkins questioned if the Town could add narrative and Director Ford expressed that he believes that Black Mountain Software would allow a narrative to be added. Manager Perkins noted that if no progress is made by December, a long term agreement with the Village would not seem likely. Council discussed the term limits and Manager Perkins explained that the agreement would be locked in for first five years, but either party could opt out of the second five year's option with a 180 days' notice. There was consensus from Council to support an extension of the existing agreement.

VIII. REVIEW CAPITAL ORDINANCE FOR DRAIN VALVE INSTALLATION

Manager Perkins noted the Town will be receiving bids on March 28th and that Schnabel Engineering and Project Manager Dydula will review the bids and make a recommendation to Council regarding bid and contract approvals. Manager Perkins expanded that if a contract is approved, Council will need to adopt a capital project ordinance for the project based on the bid winner's bid. Manager Perkins expressed that best case scenario is that the Town award a bid, the drains arrive in May, and construction can start as soon as possible.

IX. DISCUSS PUBLIC WORKS BUILDING AND EQUIPMENT LAYDOWN AREA

Manager Perkins explained that the public works building and equipment laydown area had been an ongoing project and \$450,000 was budgeted for the project. Project Manager Dydula explained that when he spoke with Public Services Director Dean Lindsey, the building was priced at about \$400,000 and that there should be a laydown area. Project Manager Dydula noted that if you consider the building and the laydown area to be one project, the total estimated will exceed \$500,000 and formal bidding requirements would need to be addressed. Project Manager Dydula detailed that the original agreement had been terminated and that moving forward, the laydown area is the most pressing aspect of the project because it will be used for major infrastructure projects. Project Manager Dydula estimated that the site plans and cost of laydown area would likely be about \$250,000. Commissioner DiOrio asked why we have to combine the building and the laydown area into one project and Project Manager Dydula explained that they are both on the same site and the general assembly frowns upon separating projects located on the same site. Manager Perkins summarized that staff's proposal is to first complete the laydown area and then complete building in the future. Commissioner Doster asked if the Town funds the laydown area

with no building and then funds the building separately in the future, would it still be a considered the same project. Project Manager Dydula noted that the laydown area is necessary because the building cannot be on an empty site and estimated \$100,000 just for site plan including solid waste, water, and any other utilities. Manager Perkins asked if Council wants a habitable space and the consensus was that Council would like a habitable space. Commissioner DiOrio noted that the originally discussed primary use of the building was for storage with the temporary laydown area to support projects moving forward. Commissioner DiOrio expressed uncertainty regarding the change to incorporating the temporary laydown area into the building project and Project Manager Dydula stated that there is no “temporary” in building code. Commissioner DiOrio expressed concern with expense of gravel for the laydown area.

Commissioner DiOrio noted that another factor for the past decision was to remove the existing public works storage area from behind the Arcade Building. Commissioner Doster noted that the bridge in front of the dam may impact site, as well. Manager Perkins detailed that he had entered into a contract with an appraiser to determine the rent rate study for ABC Store and a value for current Public Works site, which will be completed in about 5 to 6 weeks. Manager Perkins noted that the pool creek well is located on current the Public Works site and that will factor into the property disposal decision. Manager Perkins noted that another proposal is to work with the North Carolina Department of Transportation (DOT) to determine replacement bridge placement, which could impact Town’s space needs. Manager Perkins expressed that it might be beneficial to holistically look and review at all factors and properties. Commissioner DiOrio noted that DOT might even provide the Town with a laydown area in lieu of using our properties, but expressed that the Town needs a laydown area sooner rather than later. Commissioner DiOrio asked if the existing Public Works facility were to be reconfigured behind arcade, if it would be adequate to remain for a little longer than anticipated and Manager Perkins expressed yes. Manager Perkins noted that he agrees that the current Public Works facility needs to be relocated, but other factors need to be considered before making the move.

Commissioner Doster asked about the gravel that was already laid on the driving range and asked about a grading permit and Project Manager Dydula explained that the state is requiring a grading permit. Project Manager Dydula noted that laydown area needs to be as close to project sites as possible. Project Manager Dydula also noted that he would like to talk to a number of small firms regarding a civil engineering report for laydown area which would cost about \$1,000 to \$5,000. It was reiterated that the most pressing matter is the laydown area, especially with upcoming valve installation project. Director Lindsey Dean noted that the existing Public Works area and the treatment plant would be laydown site for valve installation, if the new laydown area was not available in time. Project Manager Dydula recommended making preparations for the laydown area and begin construction as soon as possible. Manager Perkins noted that the Town should look at the entire site with consideration for the building and building location. Commissioner DiOrio asked if the assessment mentioned by Project Manager Dydula would include review of utilities and Project Manager Dydula answered no and that it would be solely for evaluating the site. It was noted that funds to begin the project are already available. Director Lindsey suggested that American Rescue Plan Act funds may be utilized. Commissioner DiOrio noted the dam fund could be applicable, as well. There was Council consensus to proceed with preparations for the laydown area. Manager Perkins noted that the project will require capital ordinance. Project Manager Dydula suggested paying for laydown area with dam funds. Manager

Perkins reiterated need to keep good record of all funds used and others agreed. It was reiterated that dam fund should be used to fund laydown area and there was further consensus to begin preparations for the laydown area.

X. HUMAN RESOURCES / CUSTOMER SERVICES SPECIALIST JOB DESCRIPTION

Manager Perkins explained that Jennifer Duncan currently has two job description, and only one had been approved by Council. Manager Perkins noted that Mrs. Duncan has been working on crafting one description for both positions, but it is not yet completed and will come back to Council for review at a later date.

XI. REVIEW OLYMPIAD LURE OF THE LAKE SWIM EVENT REQUEST FOR WAIVERS

Communications Director Laura Krejci explained the event and their request for waivers. Director Krejci noted that the event will be hosted on the beach and that the event committee has coordinated with Lake Lure Tours. It was noted that attendees will likely gather around 6:00 a.m., the event will begin at 8:00 a.m., and the event should be done by 10:00 a.m. Director Krejci expressed that the waiver request is for the noise ordinance because microphones will be used. Director Krejci noted the Town events team had discussed the event. There was Council consensus of support and no concerns were expressed.

Manager Perkins noted he will be looking into possible alternative ways to handle waivers in the future.

XII. TOWN EMAIL DISCUSSION

Manager Perkins explained that there had been a recent request for personal and Town texts and emails regarding specific items, which is a good example of why it is important to use Town emails for Town matters rather than personal. It was noted that private emails could be subject to legal matters. Manager Perkins noted that he had experienced an issue in the past with a different municipality using personal email addresses. It was also noted that using Town email makes it easier to compile information for records requests and credentials for the Town accounts already exist. Manager Perkins suggested moving away from private emails and using Town emails when discussing any Town related issues. Council noted that there were technological issues with their Town email addresses in the past. Commissioner Doster expressed support for the use Town email. Council discussed how personal emails in connection with Town operations are public record. Commissioner Doster noted that business cards will need to be changed. It was determined that the Town Clerk will work with Advanced Data Network Solutions to access Town email addresses for Commissioners.

XIII. PROJECT UPDATES

Mayor Pritchett expressed that the Town needs to be crafted messages for the public regarding various projects, so all information is accurate and available. Manager Perkins noted that the project manager reports will be a monthly item at work sessions moving forward.

Project Manager Dydula provided Council with the following project update report (in italics) and reviewed it:

Project Manager Progress Report 03-20-23:

1) Dam: Working on getting funding for survey & geotech work. This will allow Schnabel to start the 30% design documents

2) Sunset Cove Sanitary Sewer: Ruby Collins is working on 9th Boring this week. Will try to get 10th boring next week if site constraints allow. All stakeholders had meeting 2 weeks ago and we are expecting a GMP proposal from Ruby Collins in Early March. We are currently working on exact dates for next year's draw down.

Council discussed that the next drawdown schedule will need to be discussed soon. It was noted that Ruby Collins is estimating that the next drawdown should be for five month unless otherwise determined. Council and staff discussed that a five month drawdown should likely begin in November and end in March.

3) Deep Water Access: Awaiting response from Engineer of record Kim Warner to make site visit and address Tim Edwards's retaining wall questions. Still waiting for a signed contract from Chris Tott who will be the General Contractor on the project.

4) Reservoir Drain (Dam Valves): Bid Opening has been extended to 3/28 to allow Contractors more time address addendums and additional questions. Schnabel has given us their proposal for \$467,785.96 for CA services for the project. We are in the process of retaining a Real Estate lawyer for use of land on the downstream side of dam not owned by the Town.

5) HDD Subaqueous Sewer: Bid opening has been extended to 4/18 to allow contractors more time to review. We technically do not have a formal engineers estimate.

Commissioner Doster asked Project Manager Dydula his opinion regarding HDD contractor bids and Project Manager Dydula answered that is money sensitive and that he is working with Brian Houston and having complex discussions with him. Project Manager Dydula expanded that in terms of bids, there are interested groups. Project Manager Dydula shared that he had asked Mr. Houston about a hydraulic analysis and it is currently unknown. Project Manager Dydula expressed that he is excited about the project.

6) Dredging: Still have not retained a design firm at this time. Will be working on a RFQ soon. Tim Edwards has been making progress at the eastern end of the channel where it flows into the opening of the lake.

7) WWTP: Will be retaining a real estate lawyer soon to help with a realtor firm in looking at potential sites for the new WWTP.

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8) *New Public Works Relocation/Site: Terminated agreement with Willis General Contracting for the pre-engineered building. Project was not bid per NC statues for a "formal" project. Scope will be reduced to just a laydown yard for Dam projects moving forward. Will be sending out an RFQ for engineering services to develop and build the site.*

9) *AIA Grant – Sewer: Progress is ongoing.*

10) *AIA Grant – Water: Labella is still working on this.*

11) *AIA Grants– Storm: I will be trying to work with Labella on this in the near future.*

12) *Underground Storage Tanks: No change since last meeting. Hope to start in the next week.*

13) *Firefly Cove Water Wells: Labella is still working with Public Works. They are around 85% complete.*

Commissioner DiOrio asked when we are completing this the Firefly Cove water wells project. Public Services Director Dean Lindsey estimated completion being eight weeks from now because installation will begin next week. Commissioner DiOrio asked about the water system management plan. Director Lindsey explained that he had spoken with the North Carolina Department of Environmental Quality (DEQ) and the current plan is not accurate, but accurate plan will soon be submitted. Director Lindsey explained that right now the Firefly Cove water project is the addition of a well, but by the time the plan is submitted the eight week window will include setting meters and power, but until then the Town is only moving forward with the well. It was noted that even if the well were to be completed, the Town could not certify the system until the water system management plan is completed and approved, so the two are being done in conjunction with one another. Commissioner DiOrio noted the management plan will determine if the Town needs the Chimney Rock Village water system for redundancy, so it is crucial. Commissioner DiOrio asked when the plan should be submitted and Director Lindsey explained that DEQ is requiring the submittal of organizational descriptions and financial information. Manager Perkins asked about the turnaround time for the plan approval after it is submitted and Director Lindsey expressed that it should be approved fairly quickly. Director Lindsey reiterated that he believes the Firefly Cove water well will be completed in six to eight weeks and expressed that he will determine an estimated date for submitting the master plan.

14) *Chimney Rock Water/Sewer Agreement: Refer to Town Managers comments.*

15) *Chimney Rock/Lake Lure River Walk/ Streetscape: Had initial meeting with key stakeholders recently and will be getting more involved soon. (No change since last meeting).*

16) *RAISE Grant – NCDOT: Will be working with Town Manager on this. Have upcoming meetings planned with Design firm.*

New:

Luremont Bridge: *Helping Parks and Rec to get an agreement for design services.*

Commissioner DiOrio suggested consideration for establishing cross connector for the water system at the same location as the bridge and Director Lindsey noted that there is already a cross connector at that location.

177 Tryon Bay Circle: Working on getting a structural engineer under contract to provide scope documents and demo plans to put out for bid.

Council discussed legalities regarding 177 Tryon Bay Circle. Manager Perkins noted that it will be a two part process with the removal of the structure and assessment of the environmental impact occurring first and the determination regarding what will be needed to remove the slope and foundation of the house will occur second.

NCDOT – New Bridge: Will be having several meeting with stakeholders on new bridge and dam location and scope of work.

Knight Strategies Financial Audit: Working with finance director on projects/documents/finances for Morse Park and Dredging activities.

Mayor Pritchett asked about the HDD project easements. Town Attorney William Morgan answered that the easements are prepared, but have not been sent to anyone. Council and staff discussed options regarding how easements will be delivered and addressed with property owners.

XIV. TOWN MANAGER UPDATES

Manager Perkins invited Council to ask any questions that had not yet been addressed.

Commissioner Bryant asked for an update on the cell tower. Director Krejci noted various town staff held a meeting last week with AT&T's contractor and the State Historic Preservation Office (SHPO) and a statement of work has been forwarded and agreed upon which provides the history of the bridge. Director Krejci also noted that the SHPO representative said that they give permission for the Town to move forward as long as scope of work is completed within 6 months. It was determined that the project making progress. Director Krejci mentioned that aside from AT&T, Verizon has expressed interest and there will also be room for additional carriers.

Mayor Pritchett explained that in the future, an item will be included on each work session agenda for town manager updates. Mayor Pritchett suggested that any questions that Council members might have should be submitted to the Town Clerk prior to the meeting.

Commissioner Doster asked why land appraisals for Town sites would take weeks to complete. Manager Perkins explained that he had gotten the appraisal contract signed two weeks ago and the contractor provided him with an estimated timeline.

Commissioner Doster asked about Town Hall security locks. Manager Perkins noted that the security keypad locks should be funded in the next budget.

Commissioner Doster asked for an update on electronic water meters. Director Lindsey explained that the electronic meters are ready and training will be held tomorrow. Director Lindsey mentioned that that some meters will still be read manually, such as meters located in Chimney Rock Village.

Manager Perkins announced that the individual who had cleaning Town Hall had recently passed away and that the Town is going to begin looking for a new cleaner. Manager Perkins noted that the contract will include cleaning after events, which is a good example of how the security keypads will be beneficial for everyone who accesses Town Hall.

Manager Perkins announced that Dam Safety offices will hold their annual meeting in Lake Lure.

Director Lindsey noted that the Town is going to submit a request to DEQ to empty the basin for the Wastewater Treatment Plant (WWTP) to prepare for sludge management with a belt press.

XV. LAKE DRAWDOWN SCHEDULE UPDATE

The drawdown was discussed under project updates.

Commissioner DiOrio asked if the Town is on schedule to being raising the lake on April 1st and it was answered yes.

XVI. FIREWORK DISCUSSION

Manager Perkins described that there had been feedback regarding the decision to forgo 4th of July fireworks event after the Chamber had asked the Town to take over the event and the Town opted to abstain from holding the event.

Manager Perkins explained that new information had emerged that Lake Lure Tours requested to hold a fireworks display on July 1st on the beach via an admission rate of \$20 which would include beach access and a meal. Manager Perkins noted that Lake Lure Tours would pay for the display and that they display would take place be the dock close to existing ABC Store. It was mentioned that Fire Chief Dustin Waycaster had been made aware of the request, but it is uncertain whether or not Police Chief Sean Humphries is aware or not. Manager Perkins detailed that the Town would receive 15% of gate concessions. Manager Perkins concluded that Lake Lure Tours is requesting the Town's permission to hold the event, but it also requesting that the Town contribute through the assistance of Town staff, public safety, and possibly equipment. It was noted that the only dilemma is that in the past, the Town had only contributed staff aid to non-profit organizations, but Attorney Morgan confirmed that there are no legal issues with granting the request for staff assistance.

Commissioner Doster asked if Chief Waycaster was in favor of the plan and Chief answered that he had reviewed the plan and had set necessary restrictions. Chief Waycaster expressed that his concern is overcrowding and straining public safety, specifically foot traffic on the board walk and vehicle traffic on Memorial highway.

Mayor asked if public safety would need to be there prior to event and Chief Waycaster answered that Fire/Emergency Services would have to be on site the entire time.

Commissioner DiOrio expressed concern that there might be misconceptions that it is a Town event. Commissioner DiOrio also expressed concern regarding boat traffic created by an abundance of boats trying to enter the Marina. Chief Waycaster noted that the Town would have to secure the Marina.

Manager Perkins asked Chief Waycaster if the Town provides public safety services for the Rumbling Bald fireworks event and Chief Waycaster said yes, but noted that Rumbling Bald does not pay for the services. Commissioner DiOrio noted that even though the Town would be providing services, Lake Lure Tours would be giving the Town a portion of the revenues.

Project Manager Dydula asked if a permit would be needed from DEQ since it would be a water based show and it was answered no because Town owns the lake.

Mayor Pritchett expressed that she thinks that the community would appreciate the event and that it seems that it may be more of a resident friendly event. Mayor Pritchett discussed that it will be a smaller event than those that occurred in the past.

Commissioner DiOrio expressed that the Town should not advertise the event, since it is not Town sponsored. Mayor Pritchett responded that the Town should not advertise for the Rumbling Bald event either, if the Lake Lure Tours event is not advertised. Council discussed informing the community that the event will not be sponsored by the Town or the Chamber. Mayor Pritchett noted that Director Krejci has included the Rumbling Bald event in previous responses to questions about fireworks, so she should now add the Lake Lure Tours event in her responses. Manager Perkins recommended ensuring that it is clear that both are private events.

Manager Perkins stated that he had spoken with Lake Lure Tours about getting insurance for the event and Lake Lure Tours has agreed to get insurance and will include the Town.

It was noted that no special event permit will be needed because it is included in the concession agreement.

There was consensus from Council to support staff discussions with Lake Lure Tours regarding the proposed fireworks event.

XVII. LAKE LURE TOURS MOBILE FOOD VENDOR REQUEST

Manager Perkins explained that Lake Lure Tours had submitted a request to utilize a mobile food vendor (food truck) in lieu of providing traditional concessions at the Marina. Manager Perkins pointed out that the request included Lake Lure Tours charging an upfront cost of \$3500 and the Town would receive 15%, which is comparable to the funds from regular concessions.

It was asked if it would be permanently placed there as long as the beach was open and it was answered yes.

Manager Perkins noted that Lake Lure Tours does not want to amend the concession agreement yet because they is unsure if this plan will be successful. Attorney Morgan suggested that the Town could amend the agreement to add that there is the option for one or the other, so either the concession or a mobile food vendor could be utilized.

Manager Perkins stated that Lake Lure Tours is aware of the requested mobile food vendors permits.

There was consensus of support from Council. Attorney Morgan agreed to draft language allowing both options in the concession agreement.

XVIII. ABC STORE MOVE

Manager Perkins explained that there will be an appraisal completed to determine a fair market rent rate for the current ABC Store location. It was noted that the new ABC Store location was approved by the state and the lease was signed and is effective on April 15th. It was also noted that the landlord will begin making improvements, but the store cannot move in before April 15th. Commissioner Doster expressed that the ABC Board had set a goal to open the new store by May 15th. Council discussed the current building and security. Manager Perkins suggested the possibility of leaving the existing monitoring system as is until security is addressed for other buildings as well. It was also noted that the utilities for the existing store building are already in Town's name.


XIX. SCHNABEL WORK ORDER NO. 7A

Manager Perkins asked for Council input regarding the proposal and price and it was noted that this was discussed under project updates. Council expressed no concerns in regard to Work Order No. 7A.

XX. ADJOURNMENT

Commissioner Bryant made a motion to adjourn. Commissioner DiOrio seconded and all voted in favor. The meeting was adjourned at 11:35 a.m.

ATTEST:


Olivia Stewman, Town Clerk


Mayor Carol C. Pritchett

