



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, JANUARY 16, 2024, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

William Hank Perkins, Jr., Town Manager
Stephen Ford, Finance Director
Michael Dydula, Project Manager
Michael Williams, Community Development Director
Laura Krejci, Communications Director
Jim Walters, Parks and Recreation Board Chair

ABSENT: Commissioner Patrick Bryant
Commissioner Jim Proctor

William Morgan, Jr., Town Attorney

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 Pritchett explained that the regular Council meeting scheduled for last Tuesday, January 9th, was cancelled due to hazardous weather conditions.

II. APPROVE THE AGENDA

Commissioner David DiOrio made a motion to approve the agenda, as presented. Commissioner Scott Doster seconded and all voted in favor.

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 which is available in the meeting packet.

Town Manager Perkins reviewed the actions taken at December's work session and action meeting. Action items included the following:

- Adoption of Resolution No. 23-12-20 for Lead Service Line Loan Application

V. COUNCIL LIAISON REPORTS & COMMENTS AND BOARD PRESENTATIONS

Commissioner Scott Doster reported the activities of the ABC Board and the Zoning and Planning Board.

Commissioner David DiOrio reported the activities of the Lake Advisory Board and noted that the Board of Adjustment / Lake Structure Appeals Board met.

VI. PRESENTATIONS

A. PARKS AND RECREATION BOARD ANNUAL REPORT

Parks and Recreation Board Chair Jim Walters noted that there has been a vast amount of changes since last month and that his primary focus that he would like to address are the changes and how they impact the board to move forward and demonstrate growth and activity that is so important to the Town. Mr. Walters explained that three Board members have terms expiring and two of which have submitted applications for re-appointment, while Vice Chair Ed Dittmer who has been on the Board for 18 years did not re-apply. Mr. Walters stated that at the last Board meeting, the Board recommended moving the current alternate member to fill Mr. Dittmer's vacancy. Mr. Walters further explained that he and Mo Bay have resigned from the Board, which leaves two additional vacant positions. Mr. Walters explained that he is resigning because he is moving. It was noted that the chair position will now be open and that Mr. Walters would like to see a current member of the Board fill the chair position if they are willing. Mr. Walters noted that the Parks and Recreation Board Chair also serves as the chair of the Steering Committee. Mr. Walters explained that the first order of business for the February meeting is to review all applications and make recommendations to the Council. Mr. Walters reflected on the accomplishments on the Board over the past year. Mr. Walters detailed that the Board had groomed a lot of the Town's park real estate for better use including the green space which will have a master plan completed in the near future. Mr. Walters detailed how the Parks and Recreation Board had contributed to the Morse Park Plan. Mr. Walters explained that through Conserving Carolina, another park was opened in September with the Boulders Trail off of Buffalo Creek Park and that it has been popular and well used. Mr. Walters expressed that the Town's assets are available and that it is important to determine the best use of the assets. Mr. Walters expressed that the Town has made great strides in Morse Park. Mr. Walters also expressed and the Town trails parks are phenomenal and are being well utilized. Mr. Walters explained that his vision of what to

accomplish moving forward is to determine how to continue to enhance the use of all of the Town's parks facilities. Mr. Walters expressed that these facilities are used for events and festivals, but that he thinks that there could be even more use of them. Mayor Pritchett noted that no one could have done a better job at leading the Parks and Recreation Board and Steering Committee than Mr. Walters. Mayor Pritchett expressed that it will be important moving forward to ensure that the Town is making the best use of the existing land, and that the Parks and Recreation Board will be a big part of making that happen. Mr. Walters thanked Vice Chair Ed Dittmer and other Board members, and expressed that current and former Board members have created a depth of knowledge and influence. Mr. Walters thanked Olivia Stewman, Kat Canant, Corbie Bradley, Dean Givens, Dana Bradley, and other Town staff members who have helped the Board. Council members thanked Mr. Walters for all he has done for Lake Lure.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Jonathan Hinkle, 268 Firefly Cove, noted that he was going to comment at the Zoning and Planning Board meeting, but it was canceled. Mr. Hinkle noted that he has lived in Lake Lure for 28 years and seen many administrators who have different interpretations of Town regulations. Mr. Hinkle stated that the current administration is trying to clean up inconsistencies, but this will be ongoing process. Mr. Hinkle explained that Mr. Rick Carpenter has made it more difficult and tedious for developers, has bad interpretations, and has bad communication skills and an attitude. Mr. Hinkle expressed that he has had many problems with Mr. Carpenter. Mr. Hinkle expressed that he also has issues with having to apply for boat house variances when variances should not be required. Mr. Hinkle added that it will become a burden on the Board of Adjustment. Mr. Hinkle stated that he has never had these problems in the past and that it makes contractors look bad. Mr. Hinkle expressed that Mr. Carpenter will find ways to deny permits and that the homeowner incurs all expenses and time as a result. Mr. Hinkle questioned how he can move forward with his needs and make the processes easier, and how he can appeal any of Mr. Carpenter's decisions without going through him. Mr. Hinkle expressed that it keeps getting tougher to deal with Mr. Carpenter and other professionals are being pushed out of the Town as a result. Mr. Hinkle expressed concern that no issues ever gets resolved and that he receives the same answer from all staff members. Mr. Hinkle added that there is never any follow-up and that issues continue and burden homeowners. Mr. Hinkle stated that nothing ever is resolved until it impacts Council members. Mr. Hinkle explained that other professionals in the community agree, but do not want to speak up.

The Town Clerk received the following written comment:

Dear Olivia,

Please include the following public comment in its entirety at the next Lake Lure town council meeting. I am unable to attend in person due to disabilities.

I'm Annie Dance, a journalist from Green Hill. I have a substack newsletter called Cops & Congress, where I work to shine a light on police, policy and public records in Lake Lure, Rutherford County, and beyond. I am also the Founding Editor of Western NC Deaf Community, a public Facebook group, where I cover deaf issues and lead discussions for ways deaf people can get better access to news and information in the 19 counties of

western North Carolina, spanning several congressional districts. I was diagnosed with a profound hearing loss as a child and I am an accessibility advocate, especially for using closed captioning.

Typically I don't insert my views into things I cover as a journalist, but I'd like to briefly discuss an important accessibility issue.

I respectfully ask that you require all speakers to use the microphone, so remote viewers watching the meeting on the town's YouTube channel can understand what is being said. People who speak from the audience are not usually audible on the recordings. There's some vague muffled noise which closed captioning does not pick up. There is no camera pointing toward the audience to identify the speaker. I'm mostly deaf and rely on lip reading and closed captioning to understand speech. It would be helpful if there was another camera facing the audience.

Further, please record work session meetings and ideally all meetings. On the meeting schedule approved by the council, it says there's a virtual option next to the dates but there is no additional information listed and I haven't seen any work sessions listed on the town's YouTube channel. It says "Lake Lure Municipal Center/Virtual" per meeting minute documents.

I hope you would agree that ensuring remote accessibility for all meetings promotes inclusivity, allowing a broader representation of community members to participate, fosters transparency, and accommodates diverse needs. This step aligns with modern communication trends and enhances civic engagement. The work you do is important and it's essential that everyone, including deaf people, can access the information.

Finally, please keep in mind that the policies made here affect people not only in the town limits of Lake Lure but also in the drainage area of the dam, which is approx. 100 sq. miles, according to the data I've read from Schnabel Engineering. Lake Lure is a very beautiful and interesting place, we all deserve to have accurate, immediate access to information by government officials as it happens.

I invite you and the community to subscribe to AnnieDance.substack.com.

Thank you for your attention to these matters.

Sincerely,

Annie Dance
Independent Journalist
Cops & Congress, AnnieDance.substack.com
Founding Editor, Western NC Deaf Community, bit.ly/WNCDeaf
CopsandCongress@gmail.com

There were no further comments.

VIII. CONSENT AGENDA

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

Commissioner Doster 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 12, 2023 Regular Town Council Meeting Minutes and the December 20, 2023 Town Council Work Session and Action Meeting Minutes

IX. UNFINISHED BUSINESS

There was no unfinished business to discuss.

X. NEW BUSINESS

- A. **RESOLUTION NO. 24-01-09 APPROVING USE OF AVAILABLE FUNDS FOR MORSE PARK MASTER PLAN AND APPROVING REDUCED SCOPE FOR CURRENT PHASE**

Manager Perkins explained that this phase of the Morse Park Plan now requires a reduced scope due to a lack of grant funding and is now priced at about \$1,209,970. Manager Perkins added that this reduced scope is doable because the Town has \$1,210,050 from local funds and matching funds, an RHI grant, and a grant from the North Carolina Division of Water Resources (DWR). Manager Perkins stated that DWR has not officially approved the reduced scope, but they have indicated that approval will be eminent. Manager Perkins concluded that adopting this resolution will allow him to sign a grant contract with DWR when it is finalized.

Commissioner Doster made a motion to adopt Resolution No. 24-01-09 Approving Use of Available Funds for Morse Park Master Plan and Approving Reduced Scope for Current Phase. Commissioner DiOrio seconded and all voted in favor. Resolution No. 24-01-09 was adopted as follows:

RESOLUTION NO. 24-01-09

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE APPROVING USE OF AVAILABLE FUNDS FOR MORSE PARK MASTER PLAN AND APPROVING REDUCED SCOPE FOR CURRENT PHASE

WHEREAS, the Town of Lake Lure adopted the Morse Park Master Plan was adopted in 2018 and the Town intends to complete the Plan in phases; and

WHEREAS, the Town has a limited amount of funds to complete the current phase of the Morse Park Master Plan; and

WHEREAS, the Town has a goal to continue progress towards completing the entirety of the plan and to complete as much work as possible with the current available funds including \$884,050 in local funding, \$200,000 grant from the NC Division of Water Resources, \$26,000 Rutherford County Tourism Development Authority Trails grant, and \$100,000 grant from RHI Legacy;

WHEREAS, the current available funds equate to \$1,210,050 and would allow the Town expand parking and restrooms included in the Morse Park Master Plan with an estimated cost of \$1,209,970; and

WHEREAS, the current phase of the Morse Park Master Plan included additional features that cannot be funded at this time; and

WHEREAS, using available funds to complete the reduced scope of the current phase of the Plan to expand parking and install restrooms would support future phases of the Morse Park Master Plan; and

WHEREAS, the Lake Lure Steering Committee has recommended the approval of use of available funds for the Morse Park Master Plan and the reduced scope for the current phase of the plan.

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

SECTION ONE. The Town Council of the Town of Lake Lure hereby approves the use of available funds for the Morse Park Master Plan and the reduced scope for the current phase of the Plan.

READ APPROVED AND ADOPTED this 16th day of January, 2024.

<p>X. NEW BUSINESS</p> <p>B. LAND USE FEE SCHEDULE AMENDMENT TO ADD ANNUAL CHICKEN REGISTRATION FEE</p>

Manager Perkins summarized that Council previously approved a code amendment to allow chickens in Town limits. Community Development Director Michael Williams explained that the chicken ordinance that was approved included an annual registration fee, but it has not yet been incorporated into the fee schedule. Director Williams stated that the annual fee will be in the amount of \$100.

Commissioner Doster made a motion to approve the Land Use Fee Schedule Amendment to add the annual chicken registration fee of \$100. Commissioner DiOrio seconded and all voted in favor.

<p>X. NEW BUSINESS</p> <p>C. 2024 RUMBLE EVENT WAIVER REQUESTS</p>
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Manager Perkins noted that the Rumble has been an annual event for years and this year it is scheduled for March 1st through March 3rd. Manager Perkins added that event coordinators are requesting waivers for various ordinances, which is done each year. It was noted that the event plans are the same as they have been in years past.

Commissioner DiOrio made a motion to approve the following waivers and suspensions for the 2024 Carolina Climbers Coalition Rumble Event: waiver of fees for use of the Municipal Hall and Morse Park, waiver of the Noise Regulation (Code of Ordinances Chapter 20, Article II), suspension of Chapter 36 of the Zoning Regulations: “Campgrounds and “Camping”, and suspension of Chapter 8, Article II: “Peddlers” of the Code of Ordinances. Commissioner Doster seconded and all voted in favor.

X. NEW BUSINESS

D. DOGWOOD HEALTH TRUST GRANT APPLICATION

Manager Perkins explained that there is an opportunity to apply for the Dogwood Health Trust Grant to assist with workforce housing study and Town staff is requesting that Council approve the application submission.

Commissioner Doster made a motion to approve the planned completion of the Strategic Opportunities Engagement Form with Dogwood Health Trust to begin the grant application process for Housing Study. Commissioner DiOrio seconded and all voted in favor.

X. NEW BUSINESS

E. RESOLUTION NO. 24-01-09A AUTHORIZING THE TOWN TO PROCEED WITH OPTION FOUR OF THE LAKE LURE ADVANCED PLANNING FOR FIRE AND POLICE CONCEPTUAL DESIGN

Manager Perkins explained that the Advanced Planning for Fire and Police Conceptual Design was reviewed at the planning retreat meeting. Manager Perkins noted that the Town needed to establish a location for the new fire station prior to pursuing the green space master plan, which was previously mentioned by Mr. Walters. Manager Perkins further explained that ADW Architects recently completed study and when it was reviewed, there was consensus that “Site Four” was the best location for the public safety facility. It was detailed that Site Four is located on HWY 9 near Dittmer-Watts and across from Ingles.

Commissioner DiOrio noted that Option Four was clearly the best option due to great access and affordability. Commissioner DiOrio added that the one downside to Option Four is the possibility of needing preliminary excavating work. Commissioner DiOrio stated that the location maximizes the ability to use all of the remaining green space for green amenities, and uses minimal footprint for green space. Commissioner DiOrio expressed that it is a great location.

Commissioner DiOrio made a motion to adopt Resolution No. 24-01-09A Authorizing the Town to Proceed with Option Four of the Lake Lure Advanced Planning for Fire and Police Conceptual Design. Commissioner Doster seconded and all voted in favor. Resolution No. 24-01-09A was adopted as follows:

RESOLUTION NO. 24-01-09A

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE AUTHORIZING THE TOWN TO PROCEED WITH OPTION FOUR OF THE LAKE LURE ADVANCED PLANNING FOR FIRE AND POLICE CONCEPTUAL DESIGN

WHEREAS, there is a crucial need to replace the existing fire station to increase the health and safety of fire and emergency management staff; and

WHEREAS, it would be beneficial to incorporate the Police Department into the same campus to establish a Public Safety Facility; and

WHEREAS, Town staff has worked with ADW Architects to create the Lake Lure Advanced Planning for Fire and Police Conceptual Design; and

WHEREAS, A Conceptual Design was completed that includes four viable options for space needs and approximate cost the site of the future Public Safety Facility; and

WHEREAS, Town staff and Town Council reviewed the Conceptual Design and evaluated each option at the Council's annual planning meeting held on January 8th, 2024; and

WHEREAS, it was determined that Option Four of the Conceptual Design meets the Town's needs, is reasonably priced in comparison to the other options, and is in a centrally located and visible location which is already owned by the Town.

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

SECTION ONE. The Town Council authorizes the Town to proceed with Option Four of the Lake Lure Advanced Planning for Fire and Police Conceptual Design.

SECTION TWO. Town staff will work towards identifying funding resources based on the costs associated with Option Four and will work with a qualified firm on design and execution following the identification of funding.

READ APPROVED AND ADOPTED this 16th day of January, 2024.

X. NEW BUSINESS

F. RESOLUTION NO. 24-01-09B AUTHORIZING THE TOWN OF LAKE LURE TO ACT AS THE FINANCIALLY RESPONSIBLE PARTY FOR THE LAND DISTURBANCE PERMIT RELATED TO THE CELL TOWER CONSTRUCTION

Director Williams explained that the cell tower is still making progress and that he received the application for the land disturbance permit today. Director Williams further explained that the land disturbance permit involves a financially responsible party and that he would like for Council to approve of the Town being the financially responsible party for documentation. Director Williams stated that this permit is all that is remaining and that the contractors are committed to fast tracking the construction of the tower.

Commissioner DiOrio made a motion to adopt Resolution No. 24-01-09B Authorizing the Town of Lake Lure to Act as the Financially Responsible Party for the Land Disturbance Permit

Related to the Cell Tower Construction. Commissioner Doster seconded and all voted in favor. Resolution No. 24-01-09B was adopted as follows:

RESOLUTION NO. 24-01-09B

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE AUTHORIZING THE TOWN OF LAKE LURE TO ACT AS THE FINANCIALLY RESPONSIBLE PARTY FOR THE LAND DISTURBANCE PERMIT RELATED TO THE CELL TOWER CONSTRUCTION

WHEREAS, the Town understands that it is crucial to have a cell tower to support the safety and wellbeing of residents and visitors; and

WHEREAS, the Town has been in the process of working with AT&T to establish the necessary cell tower; and

WHEREAS, AT&T is contracting with Tillman Infrastructure, LLC to complete the construction of the cell tower; and

WHEREAS, the final requirement for Tillman Infrastructure to begin construction is a land disturbance permit required by the North Carolina Department of Environmental Quality; and

WHEREAS, land disturbance permits require a financially responsible party and the party is typically that who owns the land; and

WHEREAS, the Town of Lake Lure owns the land associated with the land disturbance permit for the construction of the cell tower.

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

SECTION ONE. The Town Council authorizes the Town of Lake Lure to act as the financially responsible party for the land disturbance permit related to the cell tower construction.

SECTION TWO. Town Council permits the Town Manager to execute any necessary documents associated with being the financially responsible party.

READ APPROVED AND ADOPTED this 16th day of January, 2024.

Commissioner Doster expressed appreciation for all that Director Williams has done to make the cell tower happen.


Director Williams expressed that he has great confidence in his department. Mayor Pritchett expressed support for the department, as well.

XI. ADJOURNMENT

With no further business, Commissioner DiOrio made a motion to adjourn the meeting at 5:46 p.m. Commissioner Doster seconded and the motion carried 3-0.

Minutes of the January 16, 2024 Special Town Council Meeting

ATTEST:



Olivia Stewman, Town Clerk



Mayor Carol C. Pritchett

