



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, NOVEMBER 14, 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 Patrick Bryant
Commissioner Jim Proctor

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Stephen Ford, Finance Director
Dean Lindsey, Public Services Director
Laura Krejci, Communications Director

ABSENT: N/A

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 and Commissioner Patrick Bryant led invocation.

II. APPROVE THE AGENDA

Commissioner Proctor made a motion with the requested that Council amend the agenda to remove Item I (“Maintenance Agreement for Electric Vehicle Chargers”) from Section IX (“New Business”). Commissioner DiOrio seconded and all voted in favor.

III. MAYOR’S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance. Mayor noted that Commissioner Bryant was ill and had to leave the meeting early.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Hank Perkins summarized highlights from his Manager's Report for October which is available in the meeting packet.

Manager Perkins announced that Mayor Pritchett's birthday was yesterday and presented her with flowers and cake. Audience members sang happy birthday and five minute break was taken to enjoy Mayor Pritchett's birthday cake.

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

- Approval of Duke Energy Power Purchase Agreement and Renewable Energy Certifications Transaction Agreement
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- Approval of Lake Lure Tours Off-Season Beach Request

V. COUNCIL LIAISON REPORTS & COMMENTS

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

Commissioner Doster noted that the Town is accepting applications for volunteer boards and that applications can be submitted to the Town Clerk. Mayor Pritchett encouraged those who are interested in serving on a board to visit the Town's website and watch the video on boards to better understand the purpose of them.

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

Commissioner Jim Proctor noted that the activities of the Parks and Recreation Board were covered in the Town Manager's report.

Mayor Pritchett thanked all boards and staff liaisons to boards.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Moe Bay, 193 Deer Trail, announced that the Lake Lure Flowering Bridge sold 41 dogwoods that were embellished by artists and volunteers. Mrs. Bay noted that an additional \$6,000 was raised for the education center. Mrs. Bay stated that the Flowering Bridge is seeking volunteers. It was detailed that the Lake Lure artists had their art show this Saturday and \$1,000 was raised through art sales, refreshments, and raffle sales. Mrs. Bay added that Keys Open Doors Foundation has matched the donations and that donations will be dispersed to the Lake Lure Classical Academy and the Theater and Arts Program.

Dan Gorman, 241 Washburn Road, asked that Council move forward with allowing chicken. Mr. Gorman expressed that it is a property rights issue and that there is no reason to not to allow chickens. Mr. Gorman added that it is doable and there are no reports of jurisdictions that have legalized chickens and later repealed that decision. Mr. Gorman explained that four to six hens for non-commercial use is acceptable. Mr. Gorman further explained that he does not think that setbacks and fees are necessary. Mr. Gorman stated that noise and sanitation would not be issues, but could be addressed by nuisance ordinances if so. Mr. Gorman noted that the current ordinances are adequate if someone violates hobby chicken regulations. Mr. Gorman proposed that the Council should avoid setbacks unless there is clear and concrete evidence that issues will be addressed by setting these limitations. Mr. Gorman stated that he has witnessed chickens in different types of places that are less intrusive than dogs would be. It was noted that inconsiderate neighbors would be addressed by the nuisance ordinances as well. Mr. Gorman reiterated that there should be no setbacks for lawful activities.

Ronnie Wood, 355 Shady Grove, explained that a new bar has opened in Willow Brook and the music is so loud that he cannot sit on his deck without interruption. Mr. Wood added that the bar has music three to four nights a week and reiterated that it is very loud. Mr. Wood expressed that he would like for the Town to take action before the summer and busy season returns. Mr. Wood stated that he is not the only that has an issue with this establishment and their music. Mr. Wood also stated that he cannot enjoy his property because of this issue and that he had heard that the establishments had not obtained permit approval to hold the music events. Mr. Wood reiterated that he would like something to be done to resolve the matter.

There were no further comments.

VII. CONSENT AGENDA

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

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

- A. Approval of the October 10, 2023 Regular Town Council Meeting Minutes and the October 25, 2023 Town Council Work Session and Action Meeting Minutes
- B. Approval of Hydro Utilities Technician Position Description
- C. Resolution No. 23-11-14 Amending Town of Lake Lure Personnel Policy
- D. Approval of Request to Waive Noise Ordinance for Lighting up Lake Lure Event

VIII. UNFINISHED BUSINESS

There was no unfinished business to discuss.

IX. NEW BUSINESS

A. ORDINANCE NO. 23-11-14 AMENDING CODE OF ORDINANCES CHAPTER 30 (“TRAFFIC AND VEHICLES”) ARTICLE IV (“TRAFFIC SCHEDULES”) SECTION 30-95 (“SCHEDULE I SPEED LIMITS”)

Manager Perkins explained that this ordinance will add support to the town wide speed limit that has been maintained at 25 MPH unless otherwise posted. Manager Perkins added that speed limits that differ from 25 MPH would need to be approved by Council and the ordinance would be amended accordingly.

Commissioner DiOrio made a motion to adopt Ordinance No. 23-11-14 Amending Code of Ordinance Chapter 30 (“Traffic and Vehicles”) Article IV (“Traffic Schedules”) Section 30-95 (“Schedule I Speed Limits”). Commissioner Doster seconded and all voted in favor. Ordinance No. 23-11-14 was adopted as follows:

ORDINANCE NO. 23-11-14

AN ORDINANCE AMENDING CODE OF ORDINANCES CHAPTER 30 (“TRAFFIC AND VEHICLES”) ARTICLE IV (“TRAFFIC SCHEDULES”) SECTION 30-95 (“SCHEDULE I SPEED LIMITS”)

WHEREAS, Town staff has identified the need to amend the Town of Lake Lure Code of Ordinances address streets in town limits that are not a part of the state highway system; and

WHEREAS, Town staff has also concluded that the Code of Ordinances should also specify that nothing in Section 30-95 (“Schedule 1 Speed Limits”) shall be interpreted to permit any person to drive a vehicle at a speed greater than is reasonable and prudent under the existing conditions; and

WHEREAS, the Board of Commissioners has considered the issues and the Town staff’s recommendations and has determined that the Staff’s recommendations are well-founded.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, AND MEETING IN REGULAR SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

SECTION ONE. Code of Ordinances Chapter 30 (“Traffic and Vehicles”) Article IV (“Traffic Schedules”) Section 30-95 (“Schedule I Speed Limits”), is hereby amended as follows:

Sec. 30-95. Schedule I speed limits.

- (a) Based upon an engineering and traffic investigation pursuant to authority granted by G.S. 20-141(f), the town does hereby declare the following speed limit modifications on the following described portion of a state highway system street:

<i>Speed Limit</i>	<i>Ordinance Number</i>	<i>Description</i>
25	1073278	Between a point 0.34 miles east of SR 1304 and a point 0.93 miles east of SR 1304
35	800200032	SR 1306 from a point 0.50 miles west of the eastern corporate limits eastward to the eastern corporate limits

(Code 1989, ch. 72, sched. I; Ord. of 4-24-1991; Ord. of 11-13-2018)

(b) Streets in town that are not a part of the state highway system:

<u><i>Speed Limit</i></u>	<u><i>Ordinance Number</i></u>	<u><i>Description</i></u>
<u>25</u>		<u>All streets unless otherwise posted</u>
<u>15</u>		

(c) Nothing in this section shall be interpreted to permit any person to drive a vehicle at a speed greater than is reasonable and prudent under the conditions then existing.

SECTION TWO. All ordinances, resolutions, or policies of the Town in conflict with the amendments herein adopted are void to the extent of the conflicts.

SECTION FIVE. This Ordinance shall become effective upon adoption.

IX. NEW BUSINESS

B. RESOLUTION NO. 23-11-14A SETTING PUBLIC HEARING FOR DECEMBER 12, 2023 TO RECEIVE COMMENTS REGARDING AMENDMENT OF REGULATIONS RELATED TO ALCOHOL SALES IN LAKE LURE CODE OF ORDINANCES CHAPTER 36 (“ZONING”)

Manager Perkins noted that the purpose of the resolution is to set the public hearing for an ordinance amending zoning ordinances related to the sale of alcohol. It was further detailed that the public hearing will take place at the December 12th Council meeting and that any questions can be directed to Community Development Director Michael Williams.

Commissioner Doster made a motion to adopt Resolution No. 23-11-14A Setting Public Hearing for December 12, 2023 to Receive Comments Regarding Amendment of Regulations Related to Alcohol Sales in Lake Lure Code of Ordinances Chapter 36 (“Zoning”). Commissioner DiOrio seconded and all voted in favor. Resolution No. 23-11-14A was adopted as follows:

RESOLUTION NO. 23-11-14A

RESOLUTION BY THE TOWN OF LAKE LURE TOWN COUNCIL SETTING PUBLIC HEARING DATE TO RECEIVE COMMENTS REGARDING AMENDMENT OF

**REGULATIONS RELATED TO ALCOHOL SALES IN LAKE LURE CODE OF ORDINANCES
CHAPTER 36 (“ZONING”)**

WHEREAS, the Zoning and Planning Board has provided the Town Council with recommended amendments to Chapter 36 (“Zoning”) of the Town of Lake Lure Code of Ordinances related to alcohol sales in Lake Lure; and

WHEREAS, North Carolina General Statute § 160D-605 mandates that the Town must hold a public hearing prior to amending any development regulations.

NOW, THEREFORE BE IT RESOLVED, that the Town of Lake Lure will hold a public hearing, in accordance with North Carolina General Statutes, during its regular meeting on December 12, 2023 beginning at 5:00 p.m. or shortly thereafter at the Lake Lure Municipal Center to receive comments in regard to amendment of regulations related to alcohol sales in Lake Lure Code or Ordinances Chapter 36 (“Zoning”).

IX. NEW BUSINESS

**C. RESOLUTION NO. 23-11-14B ESTABLISHING A CAPITAL RESERVE FUND
FOR LAND, BUILDINGS, PARKS, AND OTHER IMPROVEMENTS**

Manager Perkins explained that the Town is going to establish a capital reserve for expenditures related to land, buildings, parks, and other improvements. It was noted that a budget amendment will be require to establish the initial fund of \$650,000 and that the budget amendment is the next item on the agenda. Manager Perkins added that figure contributions will consist of \$150,000 per year until the contribution has met the goal of \$1,000,000.

Commissioner DiOrio asked if the initial \$650,000 is already possessed by the Town and if the budget amendment is just for the transfer of the funds into the capital reserve. Manager Perkins answered that this is correct. Manager Perkins explained that by creating the reserve the Town is establishing a “piggy bank” for the intent specified and that money will go out of the general fund and into this reserve. Commissioner Proctor noted that reserve funds are beneficial for auditing purposes. Mayor Pritchett explained that this is similar to the dam capital reserve.

Commissioner Proctor made a motion to adopt Resolution No. 23-11-14B Establishing a Capital Reserve Fund for Lake, Buildings, Parks, and Other Improvements. Commissioner DiOrio seconded and all voted in favor. Resolution No. 23-11-14B was adopted as follows:

RESOLUTION NO. 23-11-14B

**RESOLUTION TO ESTABLISHED AND MAINTAIN
A CAPITAL RESERVE FUND FOR THE TOWN OF LAKE LURE
RELATED TO THE LAND, BUILDINGS, PARKS
AND OTHER IMPROVEMENTS**

WHEREAS, under North Carolina General Statute 159-18 the Town is authorized to establish and maintain a capital reserve for any purposes; and

WHEREAS, the Town Council deems it in the best interest of the citizens of the Town of Lake Lure to established a capital reserve to fund for major projects, significant improvements to land, transportation enhancements, and construction of facilities.

WHEREAS, this Capital Reserve Fund shall be established to provide funds for a parking area and lot on Town property and the construction of a Public Works equipment facility as well as other land and construction projects in the future as authorized by Town Council.

WHEREAS, the Town shall maintain and review the progress of the selected projects and any future projects as part of the budget process to determine and prioritize capital needs. During the annual budget process, appropriations will be approved for the contributions to this capital reserve fund. For any applicable project, Rutherford County Tourism Development Authority's (TDA) partnership funds will be allotted to this fund as revenues to be used for that specific project. Also, Council may authorized transfers from the General Fund initially and in the future to provide adequate funding.

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

- Section 1.** The Lake Lure Town Council hereby creates a Capital Reserve Fund for the purpose of improving land building and other amenities for operations, parks, transportation, and facilities.

- Section 2.** This fund will remain operational for a period not to exceed seven years (beginning December 1, 2023 and ending December 1, 2030) or until the capital reserve fund reaches a balance of \$1,000,000

- Section 3.** The Town Council of Lake Lure will appropriate or transfer an amount of no less than \$150,000 each year from the General Fund to this fund. This is after an initial transfer of funds from the General Fund for \$650,000 with the adoption of the resolution.

The initial transfer of funds for \$650,000 will be allocated as follows:

TDA-Parking Area and Lot:	\$225,000
Public Works Facilities Building/Area:	<u>\$425,000</u>
Total:	<u>\$650,000</u>

Section 4. This ordinance shall become effective upon its adoption.

IX. NEW BUSINESS

D. BUDGET AMENDMENT #358 FOR CAPITAL RESERVE FUND FOR BUILDINGS, LAND, PARKS, AND OTHER IMPROVEMENTS

Manager Perkins explained that this budget amendment is for transferring funds from the general fund into the capital reserve fund that was established under the previous agenda item.

Commissioner Doster made a motion to approve Budget Amendment #358 for Capital Reserve Fund for Buildings, Land, Parks, and Other Improvements. Commissioner DiOrio seconded and all voted in favor.

IX. NEW BUSINESS

E. RESOLUTION NO. 23-11-14C ACCEPTING UPDATED STATE REVOLVING LOAN OFFER FOR \$7,080,261 AND REPLACING RESOLUTION NO. 23-10-10B ACCEPTING STATE REVOLVING LOAN OFFER OF \$7 MILLION

Manager Perkins explained that the Town had received a revised State Revolving Fund (SRF) Loan offer letter because the original letter indicated that the Town was awarded an additional \$7 million loan offer, but the amount should have been \$7,080,261. Manager Perkins added that this resolution would accept the corrected loan offer.

Commissioner DiOrio noted that the resolution is fine, but he wants to see projections for the water and sewer fund impacts when the \$12 million and \$7 million loans start being paid off. Commissioner DiOrio expanded that he would like to know how much debt the fund will absorb and that he would like an assessment to be completed to identify goals. Manager Perkins stated that staff can work on this. Manager Perkins noted that he is working with Finance Director Stephen Ford on a capital reserve for sewer which will be helpful. Manager Perkins also noted that the Town will need to talk about Waste Water Treatment Plant master plan in the near future.

Commissioner DiOrio made a motion to adopt Resolution No. 23-11-14C Accepting Updated State Revolving Loan Offer for \$7,080,261 and Replacing Resolution No. 23-10-10B Accepting State Revolving Loan Offer of \$7 Million. Commissioner Proctor seconded and all voted in favor. Resolution No. 23-11-14C was adopted as follows:

RESOLUTION NO. 23-11-14C

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE ACCEPTING UPDATED STATE REVOLVING LOAN OFFER FOR \$7,080,261 AND REPLACING RESOLUTION NO. 23-10-10B ACCEPTING STATE REVOLVING LOAN OFFER OF \$7 MILLION

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of

construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Revolving Loan in the amount of \$7,080,261 for the construction of the subaqueous sanitary sewer replacement and wastewater collection system improvements, and

WHEREAS, the Town of Lake Lure intends to construct said project in accordance with the approved plans and specifications; and

WHEREAS, the Town of Lake Lure adopted Resolution No. 23-10-10B Accepting a State Revolving Loan Offer of \$7 Million prior to receiving an updated offer letter for \$7,080,261.

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

SECTION ONE. That Town of Lake Lure does hereby accept the State Revolving Loan offer of \$7,080,261.

SECTION TWO. That the Town of Lake Lure does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II - Assurances will be adhered to.

SECTION THREE. That Town Manager Hank Perkins, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

SECTION FOUR. That the Town of Lake Lure has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

IX. NEW BUSINESS

F. ORDINANCE NO. 23-11-14A AMENDING SUBAQUEOUS SANITARY SEWER SYSTEM REPLACEMENT AND SEWER UPGRADES PHASE I CAPITAL PROJECT ORDINANCE TO REFLECT ADDITIONAL SRF LOAN FUNDS

Manager Perkins explained that this is related capital ordinance amendment is related to the SRF loan accepted under the previous item and that the amendment will account for the additional \$7,080,261 and related expenditures.

Commissioner Doster made a motion to adopt Ordinance No. 23-11-14A Amending Subaqueous Sanitary Sewer System Replacement and Sewer Upgrades Phase I Capital Project Ordinance to Reflect Additional SRF Loan Funds. Commissioner DiOrio seconded and all voted in favor. Ordinance No. 23-11-14A was adopted as follows:

ORDINANCE NO. 23-11-14A

AN ORDINANCE AMENDING SUBAQUEOUS SANITARY SEWER SYSTEM REPLACEMENT AND SEWER UPGRADES PHASE I CAPITAL PROJECT ORDINANCE

WHEREAS, The Town Council and the Town of Lake Lure adopted Capital Project Ordinance No. 22-01-11 on January 11, 2022 and it was amended on November 30, 2023; and

WHEREAS, Town staff has determined that it is necessary to add funds to reflect an additional State Revolving Fund Loan in the amount of \$7,080,261; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN SPECIAL SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE.

SECTION ONE. The Subaqueous Sanitary Sewer System Replacement and Sewer Upgrades Phase I Capital Project Ordinance is hereby amended, as follows:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~]

Lake Lure SASS Replacement & Sewer Upgrades Phase I

Section 1. The project includes the installation of a sewer access valve in the Lake Lure hydroelectric dam, the installation of a section of the gravity/pump HDPE perimeter sanitary sewer system, consisting of approximately 14,403 LF of 14-inch and 1,950 LF of 16-inch HDPE gravity sewers, 1,271 service connections, and 19 manholes. Wastewater Treatment Plant work consisting of the installation of a grit removal system, the rehabilitation of the fine screen, and the demolition and replacement of the existing digester at the Lake Lure Wastewater Treatment Plant.

Section 2. The officers of the Town of Lake Lure are hereby directed to proceed with the capital project within the terms of the council's resolution, loan documents, grants and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

ER-EID, SOC	\$426,386	<u>\$460,065</u>
Design/Engineering	\$1,050,000	<u>\$1,185,000</u>
Design Build	\$15,369,614	<u>\$23,185,196</u>
Design, permit, bid	\$354,000	<u>\$415,000</u>
Construction	\$2,500,000	<u>\$3,500,000</u>
Loan Origination Fees	\$50,000	<u>\$85,000</u>
Equipment		\$750,000
Total	\$22,500,000	<u>\$29,580,261</u>

Section 4. The following revenues are available for this project:

Loan from North Carolina Dept. of Environmental Quality- Division of Water Infrastructure- Clean Water State Revolving Funds	\$12,750,000	<u>\$19,580,261</u>
American Rescue Plan Act (ARPA) Funds		\$8,000,000
Local Funds		\$250,000
General Fund/Reimbursable State Funds		\$1,750,000
Total	\$22,500,000	<u>\$29,580,261</u>

Section 5. The finance officer is hereby directed to maintain within the Capital Project Fund, sufficient detailed accounting records related to the project.

Section 6. The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3.

Section 7. The budget officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 8. Copies of this capital project ordinance shall be furnished to the Clerk to Town Council, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

SECTION TWO. This Ordinance shall take effect upon adoption.

IX. NEW BUSINESS

G. RESOLUTION NO. 23-11-14D EXTENDING THE EXISTING AGREEMENT TO OPERATE WATER SYSTEM BETWEEN THE TOWN OF LAKE LURE AND CHIMNEY ROCK VILLAGE UNTIL JUNE 30, 2024

Manager Perkins explained that the Town has had an agreement with Chimney Rock Village for 20 years to operation their water system, which was to come to end in April of this year, but was extended to allow for additional time to discuss details. Mr. Perkins further explained that the two municipalities would now like to extend the agreement for an additional six months. Mr. Perkins detailed that this would put the agreement in line with the fiscal year and will allow the Town to adjust any financial figures.

Commissioner DiOrio asked about the cross connect test. Public Services Director Dean Lindsey explained that this should be discussed at next work session meeting. Director Lindsey stated that Firefly Cove will be complete after wells are active and that LaBella will propose Task Order 17 for the cross connect. Commissioner DiOrio noted that the Town should have all of the data by the spring to better determine decisions for this agreement. Manager Perkins noted that there will be no regular exchange in the agreement and that a memorandum of agreement for emergencies is in progress. Commissioner DiOrio stated that it seems that the Town is crafting the

new agreement with anticipation that the Town will have a self-sufficient system and Manager Perkins agreed.

Commissioner Proctor thanked the water department for checking on a potential disaster today when Spectrum hit water line. Commissioner Proctor advised to call 811 if you dig a hole.

Commissioner Proctor made a motion to approve Resolution No. 23-11-14D Extending the Existing Agreement to Operate Water System between the Town of Lake Lure and Chimney Rock Village until June 30, 2024. Commissioner DiOrio seconded and all voted in favor. Resolution No. 23-11-14D was adopted as follows:

RESOLUTION NO. 23-11-14D

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
EXTENDING THE EXISTING AGREEMENT TO OPERATE WATER SYSTEM
BETWEEN THE TOWN OF LAKE LURE AND CHIMNEY ROCK VILLAGE UNTIL
JUNE 30, 2024**

WHEREAS, the Town and Village previously entered into an Agreement to Operate Water System ("prior agreement") on or about April 15, 2003; and

WHEREAS, Village tended written notice as required by the prior agreement to Town of its intent to renew the prior agreement subject to the modifications contained herein; and

WHEREAS, the Town and Village previously extended the prior agreement until December 31, 2023.

WHEREAS, the Village has requested additional time to respond to notices of intent to renew the prior agreement; and

WHEREAS, the Town and Village have a mutual interest in maintaining a level of cooperation between their water services delivery programs until the Town and Village have sufficient time to investigate and respond to each municipality's proposals;

WHEREAS, the expiration of the prior agreement is approaching and it is in the best interests of the Town and Village to extend the prior agreement until the end of the current fiscal year on June 30, 2024.

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

SECTION ONE. The Town of Lake Lure and Chimney Rock Village mutually agree to extend the prior agreement to operate water system until June 30, 2024.

IX. NEW BUSINESS

H. NELON GARBAGE SERVICES AGREEMENT

Manager Perkins noted that current agreement with Nelon Garbage Services expired at end of June and has been operating on a monthly basis. Manager Perkins added that the Town and Nelon now have new proposed agreement that will entail the same services and an increase of \$100 a month to account for fuel and other items. Manager Perkins stated that the agreement with Nelon has traditionally been on a fiscal year basis, but suggested that the new agreement begin upon approval and conclude on June 30, 2025. It was noted that the Town will advertise for bids in the future to ensure that the numbers are competitive. Manager Perkins expressed that the Town has had a positive partnership with Nelon.

Commissioner Proctor made a motion to approve the Nelon Garbage Services Agreement. Commissioner DiOrio seconded and all voted in favor.

IX. NEW BUSINESS

I. SCHNABEL WORK ORDER NO. 12, TASK 1, PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR DAM INSPECTION

Manager Perkins noted that this Schnabel Work Order 12 was discussed at the work session and there was consensus to move forward with the inspection of the dam under Task 1, but further discuss inspection of the spillway gates under Task 2 prior to taking any action on that Task.

Commissioner DiOrio asked if the work being completed at the dam now will impact ability to inspect the dam and it was answered that staff does not think it will impact inspection.

Commissioner DiOrio made a motion to approve Schnabel Work Order No. 12, Task 1, Proposal for Professional Engineering Services for Dam Inspection. Commissioner Doster seconded and all voted in favor.

IX. NEW BUSINESS

J. BUDGET AMENDMENT #359 FOR SCHNABEL WORK ORDER NO. 12 TASK 1

Manager Perkins explained that this budget amendment is related to Schnabel Work Order No. 12, Task 1, which was approved under the previous item.

Commissioner DiOrio made a motion to approve Budget Amendment #359 for Schnabel Work Order No. 12 Task 1. Commissioner Proctor seconded and all voted in favor.

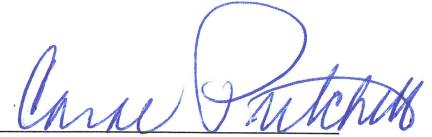
X. ADJOURNMENT

With no further business, Commissioner Doster made a motion to adjourn the meeting at 5:54 p.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:



Olivia Stewman, Town Clerk



Mayor Carol C. Pritchett

