



**MINUTES OF THE REGULAR WORK SESSION MEETING OF THE LAKE LURE TOWN COUNCIL HELD WEDNESDAY, AUGUST 16, 2023, 8:30 A.M. AT THE LAKE LURE MUNICIPAL HALL**

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

William Manager Perkins, Jr., Town Manager  
William Morgan, Jr., Town Attorney  
Steve Metcalf, The Policy Group  
Stephen Ford, Finance Director  
Michael Dydula, Project Manager  
Gary Johanik, Ruby-Collins  
Laura Krejci, Communications Director  
Michael Williams, Community Development Director

**ABSENT:**

**I. CALL TO ORDER**

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

**II. AGENDA ADOPTION**

Commissioner Bryant made a motion to adopt the agenda, as presented. Commissioner DiOrio seconded and the motion carried 4-0.

### **III. UPDATE AND DISCUSSION WITH THE POLICY GROUP**

Mayor Pritchett explained that Steve Metcalf with The Policy Group would be providing Town Council with an update today. Finance Director Stephen Ford provided an overview of infrastructure project financial to prepare for conversations with Mr. Metcalf.

Mr. Steve Metcalf provided an update on the general assembly and explained that they are still in session and the main issue holding them up is the budget. It was noted that there are also discussions on Medicaid funding and casinos. Mr. Metcalf explained that the general assembly will not pass a budget until after Labor Day. Mr. Metcalf anticipates that the budget may not pass at all and the general assembly may operate through one time appropriations. It was noted that the Town had two local bills, one was successful and Mr. Metcalf is hoping for success for the other one. Mr. Metcalf invited Council to ask questions and noted that he would like to plan how to move forward. Mr. Metcalf expressed that he wanted to start the process of asking for more funding next year and to establish a long term plan to show how funds will be used. It was noted that the Town needed to address infrastructure project plans and issues with NCDEQ to secure additional funding.

Manager Perkins noted that he and the Metcalf's had spoken last year and what the Town needed to be prepared for is explaining how and when projects will be completed. Commissioner DiOrio noted that with the dam funding received, it turned out that the valve is about four times as much as the Town anticipated but is the most important near term safety measure. Commissioner DiOrio expanded that with the remaining money, the Town would like to get the engineering design completed as fully as possible including geotech, field study, and final design. Commissioner DiOrio expressed that the Town is a good place with dam funding at this time, but will need to start planning how to fund and complete the project in the future. Project Manager Dydula noted that the Town is looking at about 2 years and \$2.5 million to complete geotech, field study, and design. Project Manager Dydula noted that the Town are good on all funds right now, but noted that sewer work will increase when valves are installed and the lake can be drawn down more. Project Manager Dydula added that the Town still has to settle easements, so the current timeline is good. Commissioner DiOrio noted that funding will be used for land procurement, as well. Manager Perkins noted that one milestone he had heard Schnabel discusses was getting through stage one with finishing the field work and beginning rock work. Commissioner DiOrio noted that NCDEQ would take comfort in knowing that the Town is doing everything necessary to maintain the existing dam while replacement is in process and the Town is being good stewards of funding. Mr. Metcalf expressed optimism and that the Town is on target. Mr. Metcalf also expressed that he would like to meet with the Town at least quarterly. Council and Mr. Metcalf discussed the state budget schedules and it was noted there are more opportunities coming. Mayor Pritchett expressed that it will be important for Mr. Metcalf to understand all projects and where the Town's 10 year plan for funding both infrastructure projects and other projects. It was discussed that it is important to maintain a good relationship with state agencies. Commissioner DiOrio noted that the Town have three ways to pay for sewer project including state appropriations through ARPA, working with LGC for a very low interest and long term loans, and normal cash flow through the Water/Sewer fund. Commissioner Doster expressed that the Town is committed to getting as much work done during drawdowns as possible. Other members of Council agreed. Manager Perkins noted that it would be pertinent to have data available regarding projects and

funding, as well. Commissioner DiOrio noted that the state has to have confidence that the Town is fixing problems and the Town needs to know their expectations.

Mayor Pritchett thanked Mr. Metcalf and expressed optimism with moving forward.

**IV. REVIEW RESIDENT REQUEST REGARDING CODE OF ORDINANCES  
CHAPTER 4 “ANIMALS” AND CHICKENS**

Manager Perkins noted that this was a request regarding chickens submitted by Lake Lure resident Cheryl Daugvila and is included in the meeting packet. Manager Perkins noted that he had spoken with Community Development Director Michael Williams about the request and it was expressed that it would need to be regulated, but asked Council if they had any comments about whether or not to move forward with any further conversations. Mayor Pritchett questioned how it would be regulated. Manager Perkins noted that there are issues that would need to be regulating related to waterways and environment. Commissioner DiOrio noted that the request is essentially asking to designate chickens as pets. Commissioner Proctor expressed that allowing chickens in certain parameters would be acceptable, but not on a half acre lot or near the lake. Other members of Council agreed. Commissioner Proctor noted that a lot of municipalities are making exceptions for chickens recently. It was also noted that the Zoning and Planning Board is aware of the request, but the Board had not discussed it. Director Williams stated that he would be happy to take it to the Board or look at crafting a recommendation himself. Director Williams agreed that chickens should be kept away from water and also advised against free range. Commissioner DiOrio recommended taking the request to the Zoning and Planning Board and revisiting after the Board has reviewed. There was consensus to defer to the Zoning and Planning Board.

**V. REVIEW STAFF REQUEST REGARDING BOAT TRAILER PARKING**

Parks, Recreation, and Trails Coordinator Bradley explained that the current code does not allow enforcement of the regulations stated on the signs for the boat trailer parking area and suggested adding verbiage to allow citations and towing. Council members expressed support.

**VI. DISCUSS HICKORY NUT GORGE OUTREACH FALL ARTS AND CRAFTS  
FESTIVAL 10/21/23 THROUGH 10/22/23**

Communications Director Laura Krejci explained that she wanted to make sure that Council was aware of the Fall Arts and Crafts Festival event. Director Krejci added that the event has taken place in the past and there were no major changes from past events. Director Krejci detailed that the event will be held in front of the arcade building. It was noted that there are requests for waivers that would be included on the regular meeting agenda. There was consensus to add approval of the waivers to the consent agenda.

**VII. DISCUSS LAKE LURE COMMUNITY INDEPENDENCE CELEBRATION WITH FIREWORKS 7/6/24**

Manager Perkins noted that the Independence Celebration event organizers are ready to seek approvals for next July. Manager Perkins also noted that staff had spoken about the event details and no concerns were expressed. It was explained that Assistant Fire Chief Chris Melton and Fire Chief Dustin Waycaster discussed addressed fire code standards with the event organizers and that they advised prohibiting swimming during the time of the firework show. Manager Perkins noted that the Town had received a percentage of concession for the event entry gate this year in the amount of about \$3,000. Commissioner DiOrio expressed that he is in favor as long as the event follows recommendations made by public safety staff. Commissioner DiOrio asked when Rumbling Bald will be hold their event in 2024 and Director Krejci answered she would follow up but it would likely not interfere with this event's date.

**VIII. DISCUSS ADDITIONAL SRF LOAN FOR GLS PROJECT**

Manager Perkins noted that Brian Houston with LaBella had been contacted by NCDEQ and was informed that the Town is eligible for an additional SRF Loan for the GLS project. It was noted that the interest rate is unknown, but Mr. Houston believes that the Town can get the same terms as the existing SRF loan. Council expressed support. Commissioner DiOrio noted that the only issue is having to cover the principal amount though the Water/Sewer funds which may require a future raise in rate, but that would not take place for a long time. Manager Perkins detailed that it would be about a 20 year debt service after project completion. Manager Perkins noted that he and Director Ford had been working towards a savings reserve to cover the debt service and Council expressed that this is a good idea. Commissioner DiOrio noted that existing SRF loan is for 30 years because of the long life of the materials involved, but expressed that he would likely be okay if this loan was 20 years.

**IX. REVIEW RECOMMENDED CHANGES TO THE LAKE USE REGULATIONS**

Coordinator Bradley explained that there is a copy of the proposed amendments to the Lake Use Regulations in the meeting packet. Coordinator Bradley noted that Lake Advisory Board (LAB) recommended changing annual to seasonal, allowing fishing permits, and removing non-motorized permits except for commercial non-motorized. Commissioner Bryant asked if the commercial rate would stay the same and Coordinator Bradley explained that it had been discussed that increasing the cost of vacation rental permits may partially offset the net loss caused by ridding of non-motorized permits, but there will still be an estimated loss of \$87,000. Commissioner DiOrio noted that the only commercial category that will not be required to obtain a non-motorized permit is vacation rentals and explained how increasing rate would offset some losses. Commissioner DiOrio also noted that fishing permits would be another loss offset. Commissioner DiOrio added that there was no revenue loss experienced this year. Commissioner DiOrio mentioned that property managements are considered liveries and will need commercial non-motorized permits, as well. It was explained that a member of the LAB had expressed concern that there will be an increase of non-motorized boats operating in the main channel, but it was concluded that Police can focus more of safety rather than the permitting. Council members and

staff reviewed all other recommended changes. Commissioner DiOrio noted that staff is also working towards identifying all boats in boat houses without permits. Commissioner Doster noted that everyone is supposed to have their addresses on their dock and asked if staff could look for this at the same time and it was answered yes. Council expressed support for the recommended changes. It was noted that there will be a public hearing on the recommended changes at the next marine commission meeting.

## **X. REVIEW PROPOSALS FOR THE LEASE OF THE FORMER ABC STORE**

Manager Perkins noted that the packet includes what the Town advertised and that the Town received four proposal including three from individuals and one from a company. Manager Perkins noted that all of the RFPs are in the meeting packet and Council reviewed each. Commissioner Proctor noted that his big question was how much the Town can relinquish the police boat dock area.

Manager Perkins reviewed the Lake Lure Properties (LLP) RFQ. They want an outfitter and use of our non-motorized ramp. Council discussed and it was mentioned that an extension of concession agreement may be required if this proposal is chosen.

Manager Perkins reviewed the proposal from John Venuto. Commissioner Proctor noted that his issue with this proposals are the demands being requested to be made by the Town. Manager Perkins noted that because of the properties location in the flood zone, there are restrictions and there would be a threshold to the amount of changes that could be made to the building.

Manager Perkins reviewed the proposal from Sonny Carter. Council members noted the necessity of additional parking spaces and the use of docks. It was expressed that there were details that need clarifying.

Manager Perkins reviewed the submittal from Wade Oppliger. It was noted that there was mention of a concession in the proposal. Commissioner DiOrio noted that it looks like he wants to partner with Lured. Council members recalled past discussions with Mr. Oppliger regarding his use of the property.

Commissioners Proctor reiterated his concern about the police boat dock. Commissioner DiOrio noted that when the Town goes into negotiations that can be discussed. Officer Tyler Dills recommended a deep water access for police boats in the future. Commissioner Proctor questioned if the LLP proposal with use of the full property would be amenable to not using the police boat slip.

Mayor Pritchett recommended that the Council narrow down the proposals and go into negotiations. Commissioner Proctor noted that LLP is offering the most amount of money. Mayor Pritchett agreed that the funds are important. Commissioner Bryant mentioned diversity of business owners. Manager Perkins noted that LLP's proposal was good, but the Town need to figure out details regarding concession agreements and the boat house. Commissioner DiOrio noted that LLP could use the non-motorized ramp area and could charge an access fee which had been discussed by the Town in the past. Commissioner DiOrio expressed the footprint of the lease would be a negotiation. Commissioner DiOrio noted that his top two contenders include Sonny Carter and LLP. Manager Perkins noted that LLP noted that the Town would just need to take care of mechanical elements like HVAC. Commissioner Bryant asked how many restrooms the building has and Manager Perkins noted two, but more could be added. Commissioner DiOrio asked Manager Perkins what he thinks is the best

path to selection and Manager Perkins recommended narrowing the proposals down today and he will speak with Attorney Morgan on how to proceed. It was noted that Attorney Morgan is working on a draft lease template. Attorney Morgan advised that the Town will have to advertise that they are considering any lease over year. Manager Perkins advised to keep deliverables in mind. Council discussed how to best proceed with negotiations and support was expressed for holding an interview with LLP. It was determined that Manager Perkins and a representative from Council would interview LLP and Council could hold follow-up discussions based on the interview. It was noted that the police boat needs to be addressed during the interview.

**XI. DISCUSS ADVANCED DATA NETWORKS SOLUTIONS (ADNS) PROPOSED AGREEMENT UPDATES**

Manager Perkins noted that the Town have an old agreement with ADNS that is outdated. Director Ford explained that the proposed updated agreement is a result of another GABS requirement and was presented to staff by ADNS. Director Ford anticipated that there will be updated charges next year, but costs are already budgeted for this year. Staff expressed satisfaction with the updated agreement terms. It was noted that staff discussed getting a new phone system through ADNS in the future. Council members expressed support.

**XII. DISCUSS PROPOSAL FOR THE PURCHASE OF PUBLIC WORKS PROPERTY LOCATED AT 136 BOTTOMLESS POOLS DRIVE BY LAKE LURE PROPERTIES, LLC**

Manager Perkins noted that Lake Lure Properties (LLP) sent a proposal to purchase 136 Bottomless Pools Drive including details as to how they would like to utilize the property. Council members reviewed the proposal. It was noted that the proposal includes the Town's use of the well on the property. Manager Perkins noted that the main issue would be relocating public works. Commissioner DiOrio asked on the status of the public works laydown area that was discussed in the past and Manager Perkins noted it is on hold to accomplish other projects, but can be revisited. Commissioner Doster noted that there is not a pressing need to make a decision in regard to the proposal at this time. Commissioner Proctor asked if Council could enter an option agreement to where the property is closed on at a later date and Attorney William Morgan advised that it would be possible. It was noted that Attorney Morgan would need to work on upset bid procedures and others. Project Manager Dydula expressed that the Town needs the extra space for projects and Mayor Pritchett agreed but noted that the current public works cite is not ideal. Coordinator Bradley provided the former plan for that property in which the property was planned to be used for parking. Council expressed that they would like to resume working on the public works laydown area. Manager Perkins noted that the Town need to be in agreement on the conditions if it is sold. Commissioner DiOrio expressed that it would be a trade to move public works but make a profit from the sale. Commissioner DiOrio noted that it is still his impression that to support infrastructure and projects, it makes more sense to shift public works regardless. Manager Perkins noted that he and the other staff can put together a plan for relocating public works. Council members discussed that the Town need to figure out relocation first. Project Manager Dydula expressed that it would be a good idea to have multiple public works locations as a backup. Mayor Pritchett noted that the town center was supposed to be cultural based on the comprehensive plan and noted that it is a more accessible part of town for projects. Council recalled discussions regarding locations of departments and it was noted that the Town could have a public works annex, but the current place is not the right place for it. Council reiterated there is a need to

proceed with figuring out relocating public works before any decisions are made. Commissioner DiOrio noted that what Council is asking for is for staff to come up with a holistic plan and design a footprint to meet initial goals and plans for the future.

### **XIII. DISCUSS ENTERPRISE FLEET SERVICES**

Manager Perkins explained that the Town has vehicles in the budget that had been being replaced in cash or installment purchases. Manager Perkins had a discussion with Enterprise Fleet Services and recommended starting services beginning with two public works vehicles and two police vehicles. It was noted that the leasing program that will includes 5 year rollover plan. Manager Perkins that up-fit is also added in the agreement. Manager Perkins expressed that it would be low commitment and the first four vehicles would be used as a trial. Manager Perkins noted that after discussion with other staff, it seems to be a good option financially. Manager Perkins noted that the second part would be maintenance of all Town vehicles through Enterprise Fleet which would be done through paying maintenance fees. Officer Tyler Dills that he was given positive feedback on the program. Mayor Pritchett asked if this could be used for fire trucks and Manager Perkins answered that they do not offer large apparatus. Commissioner DiOrio asked if Enterprise gets the government price on vehicles and Manager Perkins answered that he thinks so. Council members expressed support.

### **XIV. PROJECT MANAGER UPDATES**

Project Manager Dydula announced that the Town is trying to hold a meeting next month with Sunset Cove homeowners, LaBella, and Ruby Collins to discuss the upcoming drawdown.

Project Manager Dydula noted that he is speaking with a software company called ProCore on Thursday to get software for project management to keep up with all projects and finances. Project Manager Dydula updated that the cost would be \$15-30k. Mayor Pritchett asked if this could be paid for with any grant money and Project Manager Dydula noted that he would follow-up.

Project Manager Dydula noted that the reservoir drain installation is moving slower than anticipated and that he is working on easements and temporary road crossing. Project Manager Dydula noted that Morgan Corporation and Town staff had developed a plan for storm events. Manager Perkins suggested the Town need some analysis from Schnabel.

It was announced that there would be a ground breaking event for reservoir drain project next week and the valve will be delivered soon.

Project Manager Dydula explained that the Town was prepared for the Tryon Bay demolition and DH Griffin will begin on Monday. Commissioner Doster asked about moving pilings and Project Manager Dydula answered that staff is working with Jay Freeman to remove pilings.

**XV. TOWN MANAGER UPDATES**

Manager Perkins noted that the Town did not receive PARTF funds during the recent application cycle but was notified that when the general assembly passes budget and if any additional funds are allotted PARTF, the Town could be eligible. Tim Johnson had advised that the Town cannot do the Morse Park project's current scope without PARTF. Manager Perkins noted that the Town had been awarded a DWR grant and will not be taking it because the project is not happening at this time.

Manager Perkins noted that the Town is continuing to try to resolve the PARTF issues on Boys Camp Road. It was noted that the cell tower project is progressing regardless.

Commissioner Doster asked if the Town is spending dredging money. Manager Perkins noted that he thinks so, but will be working towards confirmation this week as to whether or not operations can resume with Tim Edwards current agreement. Council members expressed want to proceed with dredging as soon as possible.

Commissioner Doster asked about the progress of holiday decorations. Manager Perkins noted there is a six person committee that is about half way through the planning process for the decorations. Director Krejci noted that the committee is staff and community members and have obtained cost for consistent warm white lights and highlighting unique architecture. Director Krejci also noted that it had been mentioned forgoing a live tree each year and making a tree with the lights, but that is being assessed by the committee. It was estimated that the overall cost will be about \$10,000-\$12,000. It was noted that private businesses will need to purchase their own lights. Director Krejci noted that the Town reached out to Forest City who may be able to help with putting lights up or selling their old lights.

Commissioner Doster noted that the Town have the 100 year anniversary is coming up in a few years and expressed the need to begin planning.

Director Krejci noted that the Town is looking at September 19<sup>th</sup> and 20<sup>th</sup> for the roundtable meetings.

Manager Perkins mentioned that staff is meeting with a firm about the fire department space needs assessment.

Commissioner DiOrio noted that staff needs to work on fixing the fire boat because it is near the ramp and gets stuck on the rocks which is a challenge.

**XVI. ADJOURNMENT**

Commissioner DiOrio made a motion to adjourn. Commissioner Proctor seconded and all voted in favor. The meeting was adjourned at 11:48 a.m.



Minutes of the August 16, 2023 Town Council Work Session Meeting

ATTEST:

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Olivia Stewman, Town Clerk

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Mayor Carol C. Pritchett