

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Michael Williams, Community Development 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.

II. APPROVE THE AGENDA

Commissioner Jim Proctor made a motion to approve the agenda, as presented. Commissioner David DiOrio seconded and the motion carried 4-0.

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance and announced that the refilling of the lake will begin in April and the rate of the refilling is dependent upon rain.

IV. TOWN MANAGER COMMUNICATIONS

Town Manager Hank Perkins summarized highlights from his Manager's Report for February (available in the meeting packet).

V. COUNCIL LIAISON REPORTS & COMMENTS

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 the Board of Adjustment / Lake Structure Appeals Board.

Commissioner Jim Proctor reported the activities of the Parks and Recreation Board.

Mayor Pritchett reported that the Steering Committee should meet in April.

VI. PRESENTATIONS

A. FINANCIAL, BUDGET, AND AUDIT UPDATES

Finance Director Stephen Ford presented on property re-appraisals and budget planning. Director Ford expressed that additional information from the County should be available by the end of the month. Director Ford noted that he had not received any calls regarding re-appraisals, but was certain that the County had. Director Ford also noted that re-appraisal information is available on Rutherford County website. Director Ford detailed that appraisals are received and there is an appeal period which can slow the Town's budgeting process due to unknown tax values. Director Ford warned that values could increase or decrease during an appeal process. Director Ford noted that he is monitoring projections from the County, and should know actual values in late April or early May. Director Ford explained that there is currently an average of 50% increase in property values. Director Ford noted that re-appraisals are based on a four year cycle in Rutherford County and that Rutherford County determines values. Director Ford detailed that each property owner will receive a tax bill with their tax value divided by 100 and multiplied by the tax (mill) rate. It was explained that the current Town tax rate is 5.3% and the County is 5.7%. Director Ford noted that the Town will need to consider a revenue neutral rate. Director Ford also noted that the Town's tax rate is around the average rate in the state, and will be updated in the upcoming budget cycle based on changes in property values. Commissioner DiOrio noted that Lake Lure's property values had increased by about 62% and asked how much the County increased at large. Director Ford answered that the average increase for the county at large is around 45%. Commissioner DiOrio noted that the Town might be impacted by revenue neutral. Manager Perkins explained that each re-appraisal year, the Town must display the revenue neutral information in the budget message. Director Ford provided Council with the County's FAQs.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Moe Bay, 193 Deer Trail, noted that she will be holding the 5th Annual Trash Talkin' Event. Mrs. Bay explained that in the past there have been about 25 bags of trash collected on Boys Camp Road. Mrs. Bay noted that Rutherford County is providing supplies. Mrs. Bay detailed that Trash Talkin' will take place on April 18th at 9:00 a.m. and volunteers will meet at the Lake Lure Village Resort main entrance. Mrs. Bay also detailed that the Flowering Bridge will be celebrating its 10th year anniversary on June 2nd this year. Mrs. Bay expanded that the Flowering Bridge is almost fully supported by donations and volunteers and that the Flowering Bridge looks forward to celebrating, but also is hoping raise money for the education center. Mrs. Bay detailed that the Flowering Bridge 10th anniversary event will be at Riverside on June 2nd and that limited tickets are available, there will be a silent auction, and tickets will go on sale in April and will cost \$80. Mrs. Bay advised that anyone with questions or those who want to volunteer or donate should visit the Lake Lure Flowering Bridge website.

There were no further comments from the public.

VIII. CONSENT AGENDA

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

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

- A. Approval of the February 14, 2023 Regular Town Council Meeting Minutes and the February 22, 2023 Regular Town Council Work Session Meeting Minutes
- B. Resolution No. 23-03-14 Amending the Advisory and Statutory Board Handbook
- C. Resolution No. 23-03-14A Approving Rumbling Bald Concession Agreement

RESOLUTION NO. 23-03-14

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
AMENDING THE ADVISORY AND STATUTORY BOARD HANDBOOK**

WHEREAS, The Town of Lake Lure Town Council adopted the Advisory and Statutory Board Handbook on February 8, 2022; and

WHEREAS, The Advisory and Statutory Board Handbook acts as a guide for Town of Lake Lure volunteer board members and provides them with details regarding rules and regulations; and

WHEREAS, The Town Council has determined that the Handbook requires various updates.

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

(ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~)

SECTION ONE. The Advisory and Statutory Board Handbook is hereby amended as follows:

**Lake Lure Advisory and Statutory Board
Handbook**

Thank you for your interest in public service and your dedication to your community. This handbook may assist you in understanding the purpose of statutory and advisory boards and provide you guidance to take full advantage of the opportunity that your service offers. The Town leadership appreciates your contributions of experience and judgment and is ready to help you advise the decision-making process. You represent the citizens of Lake Lure and it is important to be the voice of the community in your deliberations. Your experience is essential and your personal views are important, but researching and presenting general consensus is a vital part of helping Town Council formulate policy for the greater good of all residents.

The Lake Lure Town Council has chartered several statutory and advisory boards in accordance with North Carolina General Statutes G.S. 160A-146. North Carolina law stipulates that “The council may create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the city government and generally organize and reorganize the city government in order to promote orderly and efficient administration of city affairs ... and may not abolish any board required by law.” Statutory Boards required by law include the ABC Board, Zoning and Planning Board, and Board of Appeals/Lake Structure Appeals Boards. All other boards are considered “Advisory Boards” chartered by the Town Council to address Lake Lure specific issues and serve at the discretion of Town Council.

Applying to Serve on a Volunteer Board:

- Applications may be submitted to the attention of the Town Clerk via email at ostewman@townoflakelure.com or delivered to the Lake Lure Municipal Center. The Lake Lure Municipal Center is located at 2948 Memorial Highway, Lake Lure, NC 28746 and the mailing address is P.O. Box 255, Lake Lure, NC 28746.
- The application deadline for March appointments is January 1st.
- Applications will be considered active for two years. Following two years, applications will become inactive and an updated application submittal will be required for past applicants who are still interested in serving on a board.

Roles and Responsibilities:

Town Council or Marine Commission:

- Charter and Appoint Members to Statutory and Advisory Boards. Town Council has the broad authority to determine how vacancies are filled (with some exceptions set by law). Appointment and removal decisions of board members must occur during open meetings.
- Adopt Rules of Procedure as stipulated in your specific board charter. However, the default position is that boards exercise procedural rules consistent with state law and general parliamentary principles such as Robert's Rules of Order. Boards are "public bodies" and must conform to laws on public notice, public access and minutes under the state open meetings law.
- Delegate Authorities as Appropriate. The most prominent *delegated authorities* for Lake Lure Statutory Boards include:
 1. The authority for the ABC Board to buy, sell, and transport, possess, and administer alcoholic beverages.
 2. The authority for the Board of Adjustment to conduct quasi-judicial proceedings to enforce zoning regulations and decide appeals to zoning and regulation determinations made by Town staff, and issue Special Use Permits.
 3. The authority of the Zoning and Planning Board to conduct public hearings on proposed changes to the Lake Lure Zoning Ordinances.
- **Note:** Advisory Boards are strictly advisory and do not normally exercise decision-making or possess approval authority unless specifically directed by Town Council or the Marine Commission.
- Task and Direct Boards to make recommendations on issues of concern.
- Review and Approve/Deny Board recommendations for changes or additions to Town ordinances, regulations, appropriations, policy and plans.
- Conduct Periodic Reviews of Board Charters and By-Laws to ensure compliance with State Statutes and maintain relevance to current Lake Lure issues.
- Designate a Town Council liaison to each board.

Town Council Liaison:

- Appointed by Town Council to serve as the primary communication conduit between the board and Town leadership.
- Provides the Chairman of the board the tasks directed by the Town Council or Marine Commission and works with the Chairman to develop annual goals and objectives.
- Briefs Town Council on board deliberations and solicits Town Council approval to explore additional issues or tasks not included in the annual goals and objectives statement.
- Forwards Board recommendations to Town Council via the Mayor for review and possible inclusion in the Town Council monthly agenda.
- Collaborates with the Board Chairman on suggested approaches or courses of action to resolve issues of concern.
- Monitors Board Meetings and may participate to clarify Town Council guidance or provide information as requested by Board members.

Board Chairman or Vice Chairman in their absence:

- Nominated and Elected by the Board Members.
- Determines Board Agenda and Presides at meetings and decides all points of order consistent with North Carolina Statutes, the Board charter, and Robert's Rules of Order.
- Serves as the Board Team Leader for deliberations and formulation of recommendations.
- Collaborate with Town Council Liaison to provide strategic focus and develop goals and objectives relative to the interests of the Town of Lake Lure.
- Advocates for the interests of the Board with Town Staff and Town Council.
- Presents the Board Annual Report that includes specific goals and objectives for the upcoming year to the Town Council or Marine Commission.

Board Member:

- Appointed by the Town Council normally for a three-year term.
- Actively participates in monthly Board deliberations. Members may be subject to dismissal ~~if attendance requirements as stipulated in By-Laws are not met~~ if they are absent from three consecutive regularly scheduled meetings in a calendar year, and/or a total of four meetings in a calendar year. Board chairs have the discretion to recommend board member dismissals to Council if attendance issues arise.
- Understands the purpose of their board and their role in providing community expertise or viewpoints.
- Presents research, community viewpoints, or other relevant data for Board consideration.
- Votes for recommendations. Majority consensus recommendations will be forwarded to the Town Council or Marine Commission.

Notes:

1. Boards are encouraged to rotate members and positions to build a depth of experience and promote new ideas in keeping with the evolving concerns of the community.
2. Members are not employees, and thus do not have protection under personnel privacy exemptions from public records laws, however, a range of information collected about members (e.g., Social Security numbers, driver's license numbers) may not be released (G.S. 132-1.10(b)(5) & 14-113.20(b)). The following may be made public: Name, Address, Telephone/Cellphone number, E-mail address, Internet ID names.

Town Staff:

- Applicable Town Department Head will be assigned to each Board by the Town Manager.
- Town Staff member will present Town issues for consideration or general information as stipulated in the Board Charters/By-Laws or as directed by the Town Manager.
- Boards do not have directive authority over Town Staff but may request specific Staff assistance from the Town Manager.
- Support each Board with a recording secretary to develop and maintain Board minutes for public record.

General Schedule:

<u>January 1st</u> January Board Meeting	<u>Volunteer Board Applications Due</u> Selection of Chairman/Vice Chairman <u>Review Board Applications and Make Recommendation(s) to Council</u>
January Town Council Meeting necessary	Appointment of Town Council Liaisons as necessary
February Town Council Meeting	Recognition of departing Board members and Appointment of New/Renewed Members
March Special Board Meeting	New Member Orientation <u>and Selection of Chairman/Vice Chairman</u>
December Town Council Meeting	Chairman (Advisory Boards) Presentation of Annual Report and Proposed Goals and Objectives

Reports:

- Annual Report from the Board to Town Council. Report should include:
 - a. Short list of the most important topics addressed or decisions made
 - b. Ongoing topics for formulating advice (goals and objectives for the upcoming year).
 - c. Membership status and connection to the community (including diversity of members/representativeness to the overall community).

SECTION TWO. This Resolution shall become effective upon adoption.

RESOLUTION NO. 23-03-14A

**RESOLUTION BY THE TOWN OF LAKE LURE TOWN COUNCIL
APPROVING RUMBLING BALD CONCESSION AGREEMENT**

WHEREAS, The Town of Lake Lure and Rumbling Bald entered into a Concession Agreement on April 10, 2018; and

WHEREAS, the existing Concession Agreement is set to expire in April of 2023; and

WHEREAS, the original Concession Agreement is for the management, maintenance, and operation of tour and non-motorized boat operations; and

WHEREAS, Rumbling Bald is now an agenda for the Town for the purpose of selling boat permits; and

WHEREAS, each party has expressed desire to enter into a new Concession Agreement for the purpose of the management, maintenance, and operation of tour and non-motorized boat operations, and for the sale of boat permits.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Lake Lure, North Carolina:

Section 1. The Town of Lake Lure and Rumbling shall enter into a Concession Agreement on March 28, 2023 and it shall expire on March 27, 2028.

Section 2. The Town of Lake Lure and Rumbling Bald shall abide by all terms and conditions specified in the Concession Agreement.

IX. UNFINISHED BUSINESS

**A. RESOLUTION NO. 23-03-14B AUTHORIZING THE SHORT TERM GROUNDS
LEASE AGREEMENT BETWEEN THE TOWN OF LAKE LURE AND THE LAKE
LURE FLOWERING BRIDGE**

Manager Perkins explained that there had been discussion regarding the Town's great working relationship with the Lake Lure Flowering Bridge (LLFB) for 10 years following conveyance of the old bridge to the Town. Manager Perkins expanded that the arrangement between the Town and the LLFB has been informal, but due to substantial investment the Town wanted to enter into a grounds lease arrangement to cement the relationship between the two entities.

Manager Perkins noted that the Council may consider approving a 12 month lease tonight, but an advertisement for the Town to consider a 10 year lease in April will be published if there is consensus from Council to do so. Manager Perkins explained that any lease over 12 months requires a 30 day published notice which was not possible until the April regular meeting and that delaying a lease altogether would hinder the timeline of the Flowering Bridge's upcoming projects. Manager Perkins detailed that the 12 month lease being proposed is substantially the same as leases reviewed in the past months, but the Town would now be responsible for bridge inspections and inspection schedules, and sewer had been added to the utilities that the Town is going to cover in anticipation for sewer in the education building. Manager Perkins also detailed that the Town has is in the process for requesting a local bill for the Town and the Lake Lure Flowering Bridge to enter into a lease that exceeds 10 years without the required real property sale regulations, using state precedence.

Commissioner DiOrio made a motion to adopt the Resolution No. 23-03-14B Authorizing the Short Term Grounds Lease Agreement between the Town of Lake Lure and the Lake Lure Flowering Bridge. Commissioner Proctor seconded and the motion carried 4-0.

RESOLUTION NO. 23-03-14B

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
AUTHORIZING THE SHORT TERM GROUNDS LEASE AGREEMENT BETWEEN
THE TOWN OF LAKE LURE AND THE LAKE LURE FLOWERING BRIDGE**

WHEREAS, the Town Council of the Town of the Town of Lake Lure expressed its intent to consider at its regular meeting to be held on the 14th day of March, 2023, the lease or rental of certain real property of the Town; and

WHEREAS, the Town of Lake Lure abided by all General Statutes in regard to the lease of real property for a term of less than one year; and

WHEREAS, at its regular meeting on the 14th day of March, 2023, the Town Council considered the lease or rental of the property and desires to lease or rent the real property of the Town described below;

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

SECTION ONE. The following described property is hereby declared to be surplus to the needs of the Town:

Lake Lure Bridge No. 7 and a .36 acre lot (PIN #23163)

SECTION TWO. The Mayor and the Town Clerk are hereby authorized to execute a lease or rental agreement for the real property of the Town described above, said lease or rental agreement for a term of 12 months.

SECTION THREE. The annual rental or lease payment for the real property of the Town of Lake Lure described above will be \$1.00.

X. NEW BUSINESS

A. REQUEST FOR TOWN COUNCIL APPROVAL TO RE-SAND THE EXISTING PRIVATE BEACH LOCATED AT 259 NORTH SHORE DRIVE

Community Development Director Michael Williams explained that the Town had previously approved several similar requests and recalled the allowance from the Army Corp of Engineers to re-sand existing beaches.

Commissioner Doster made a motion to grant the request for approval to re-sand the existing private beach located at 259 North Shore Drive. Commissioner Bryant seconded and the motion carried 4-0.

X. NEW BUSINESS

B. RESOLUTION NO. 23-03-14C EXPRESSING INTENT TO REDISTRIBUTE FUNDS FOR FOURTH OF JULY FIREWORKS TO FUND HOLIDAY LIGHTING AND DECOR

Manager Perkins explained that this resolution formalizes past discussions between Council and staff in regard to the 4th of July fireworks event and holiday lighting. Manager Perkins expanded that there was previous consensus was to forgo investing in fireworks and use such funds to pay for enhanced holiday lighting and décor. Manager Perkins noted that Town staff will create a holiday lighting and décor package to present to Council during the upcoming budget cycle.

Commissioner DiOrio mentioned that the Lake Lure Inn used to market the town fireworks and would sale rooms and hold a brunch. Commissioner DiOrio expanded that the Lake Lure Inn is aware that the Town would not be holding fireworks and have expressed interest in holding their own mini firework show. Commissioner DiOrio noted that this was an unintended consequence to forgoing the fireworks event. Mayor Pritchett noted that the Lake Lure Inn would need to hold discussion with Rumbling Bald.

Commissioner Bryant recalled the economic benefits of enhancing holiday lighting and décor. Commissioner Doster recommended creating a steering committee to make recommendations in regard to holiday lighting and décor.

Commissioner Bryant made a motion to adopt Resolution No. 23-03-14C Expressing Intent to Redistribute Funds for Fourth of July Fireworks to Fund Holiday Lighting and Décor. Commissioner Doster seconded and the motion carried 4-0.

RESOLUTION NO. 23-03-14C

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
EXPRESSING INTENT TO REDISTRIBUTE FUNDS FOR FOURTH OF JULY
FIREWORKS TO FUND HOLIDAY LIGHTING AND DÉCOR**

WHEREAS, the Town Council of the Town of the Lake Lure have determined that it is in the best interest of the Town, Town residents, and business owners within the Town to retire the Town sponsored 4th of July Fireworks Event; and

WHEREAS, the Town recognizes the importance of utilizing these funds to enhance the presence of Lake Lure and to increase tourism during the holiday season; and

WHEREAS, the Town wishes improve holiday lighting and décor, create a classic look that represents Lake Lure, and highlights landmarks and the major architectural features of the Town for residents and visitors to enjoy during the holiday season;

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

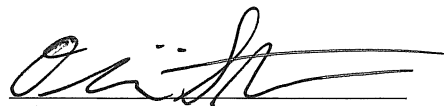
SECTION ONE. The Town of Lake Lure shall retire the Town sponsored 4th of July Fireworks Event for the foreseeable future.

SECTION TWO. The Town of Lake Lure intends to redistribute funds that would typically fund the 4th of July Fireworks Event and instead fund enhanced holiday lighting and décor in future budget cycles.

XI. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 5:39 p.m. Commissioner DiOrio seconded and the motion carried 4-0.

ATTEST:


Olivia Stewman, Town Clerk


Mayor Carol C. Pritchett

