



**MINUTES OF THE REGULAR WORK GROUP MEETING OF THE LAKE LURE  
TOWN COUNCIL HELD WEDNESDAY, AUGUST 25, 2021, 8:30 A.M. AT THE LAKE  
LURE MUNICIPAL CENTER-CONFERENCE ROOM**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem John W. Moore  
Commissioner David DiOrio  
Commissioner John Kilby

Shannon Baldwin, Town Manager

**ABSENT:** Commissioner Patrick Bryant

**I. CALL TO ORDER**

Mayor Carol Pritchett called the meeting to order at 8:32 a.m.

**II. APPROVE THE AGENDA**

Commissioner David DiOrio made a motion to approve the Agenda, as presented. Commissioner John Kilby Recommended adding a discussion on employees benefiting to public contracts. Commissioner John Moore seconded and the motion as amended. The carried 3-0.

**III. TOWN MANAGER UPDATE**

Town Manager Shannon Baldwin updated a piece of property discussed in closed session in April that became available next to the public works campus. The property owner had reached out to Mr. Baldwin. The town had negotiated on the property and discussed purchase in April closed session. Baldwin stated that on June 1<sup>st</sup> an email was received that John H. Moore agreed to sale the property and the Town Attorney and Moore acted in good faith. Mr. Baldwin provided council and staff members in attendance with a packet regarding this matter. Director Arrowood gave his input on the matter. Commissioner Moore also gave feedback on the issue. Manager Baldwin confirmed that the property is owned by another buyer now.

Town Engineer Kurt Wright discussed the Fire Fly Cove water system. A drawdown will be implemented on wells one and two because they are within 100 feet of each other and one is not actively functioning. He is not sure why this issue occurred. Arrowood directed Camp and Kurt to discuss. Rad levels. 30 GPM of both wells. Both wells can be activated if so, with minimal

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costs. Risk factor is low. Commissioner asked if there is a reservoir for this and Mr. Wright confirmed that there is. Wright has a proposal to Arrowood about fixing tank. It looks as though all is needed is an altitude valve. Kilby questioned state regulations on the reservoir and Mr. Wright gave details on these regulations. Baldwin asked if this could resolve the water issue and Mr. Wright confirmed. Kilby asked who owns the system and Mr. Wright stated that the Town owns it. Arrowood informed council on the issue. Commissioner DiOrio explained that this would allow building on Firefly without restrictions, build asset, and extension. Wright suggested that at some point a calibrated water hydraulic system. Baldwin questions why the Town has waited and Wright explained that it is a matter of waiting on US Fish and Wildlife review and interagency confusion. Wright discussed that the next step is to attend a public hearing. Commissioner DiOrio stated that the Town must go through the Fonzie process. Baldwin explained that no actions can be taken today and that he would like to speak with LaBella associates and that the issue should be addressed quickly. EREID. Baldwin asked for clarification approval was not granted from the State because of confusion with the Federal statement. Wright confirmed. Commissioner DiOrio explained he sees no issue with working on drawdown and Wright agreed.

Public Works Director David Arrowood discussed manhole rehabilitation. He spoke with Reese 90% complete, speaking with contractors for field review in the future and is hoping to make a bid in 35 to 40 days. He explained that this cannot be done unless the EREID to be approved if the Town would like to be reimbursed. Commissioner Moore asked what would be reimbursed. Arrowood explained that the entirety of the manhole project would be reimbursed. Commissioner DiOrio explained funds, that the Town must spend state funded money. DiOrio expressed his approval to complete the project using ARC funds. Arrowood suggested contacting Reese and Baldwin agreed. DiOrio asked Sam Karr if the money will be lost if not spend. Karr explained that the Town has until 2024 to spend the money. DiOrio proposed that LaBella continue planning and drawing bids. Wright suggested that Reese continue with the project but check in with Council. Baldwin also proposed that the manhole project be continued as quickly as possible. Council agreed. Director Arrowood discussed electronic water meters. He explained that he has received a quote that is within budget. Baldwin explained that electronic meters would save staff time and Town money. Arrowood also explained that electronic meters would be more efficient and should be implemented soon. Arrowood discussed that Chimney Rock Homeowners Association has discussed property right of ways and gravel access on road near public works. This would include cost of gravel and signage, which HOA has agreed to pay half on. Arrowood suggested surveying. HOA members attended the meeting and spoke about the issue. DiOrio asked who owned the road. Baldwin explained that it is public property controlled by the Town and this can be added to the Powell Bill if gravel is laid. Commissioner Kilby and Commissioner Moore expressed support. Baldwin explained that this issue will be addressed during the September 14 Regular Council Meeting.

Parks, Recreation, and Lake Director Dean Givens explained that the debris boom failed. He explained that there is no way of testing these booms until a storm occurs. Staff and Tim Edward's employees have been cleaning lake and trails since the large storm that occurred last week. Commissioner Moore questioned if information could be received from the company that the boom was bought from if there is more efficient options. Givens had spoken with the company

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and that heavier steel anchors could be a solution. Moore asked if Wright would take a look at this and he agreed. Shannon directed Givens and Wright to work together on this issue. Givens explained that the dredge plan for 2021-2022 will be addressed at the September council meeting. Dredging should take place next month. Moore asked if the Town goal would be met and Givens expressed that he feels that it would be met. Givens explained that the deep water launch is waiting on permitting. Reese with LaBella is working to get the Island Creek Road Spoils Site permitted. They are trying to get in contact with the property owner to get permission to use their roads, they agreed to a right of way and they are working on this document to send to Attorney Morgan and get signed. This should expedite the permitting process. Baldwin asked about capacity and John Moore asked about bids.

Dam, Hydroelectric, and Wastewater Treatment Plant Director Dean Lindsey explained that generator two is running and the small generator is being evaluated. After this, generators will be back at 100 percent capacity. The chemical room up-fit project is on track, contract will be changed when contractor gets materials. Automation just got contract and work is still scheduled to begin in June 2022. Tearing apart the mixer and preparing to reconfigure with flash mixer repair. Baldwin asked Lindsey to explain the chemical change and he explained the town is now contracting with a new company called Hawkins Chemicals.

Finance Director Sam Karr explained that training is going well with Assistant Director and HR Director. ACH for water and sewer yesterday that went well. Software allows training sessions that will be beneficial. Karr stated three types of audits based on revenues and grants; standard, yellow-book, and single. Greenline project invoices are complete and the project is ready to be continued. ARC money has been received and the rest will be received next year. Baldwin asked Karr to update on the bank closure in October. Karr explained state laws on deposits. Jennifer lives near Forrest City branch and she will take deposits to this branch. Baldwin online bill pay helps this issue. Kilby mentioned keeping in mind changing branches if needed. Assistant Director Ford updated that his training is going well and his experience so far.

Baldwin explained Chimney Rock Village is working with state and local to gain property on Boys Camp Road to exchange with the Town. Community Development Director Michael Williams discussed the AT&T is still on board with the tower construction. He reiterated the change in jurisdiction and explained that zoning would be put in effect. There will be a setback established per government use property zoning. Baldwin explained a certificate could be presented to have a more adequate setback. Baldwin explained that rezoning should be prepared for when the tower bill is passed. Moore asked if the zoning and planning board asked if they needed to wait. Baldwin stated that there needed to be a hearing. Commissioner Kilby asked about opposition and Williams said there has been none. DiOrio suggested that public hearings. Baldwin explained that two are required, one to rezone and one on the tower. Williams will keep council informed. AT&T working on changing jurisdictions. Williams explained Lake Structure Inspections Programs. Ordinance for maintaining and repair. Inspections will be done on the basis of continued enforcement of new permit, referrals for town observations, and referrals from LaBella, complaints from the public. Williams needs someone to ensure structural soundness aside from himself as LaBella could not agree to do this. Contractor, building inspector, engineer, etc.

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The second piece of this would be enforcement. Notify, opportunity to appeal, enforcement. Kilby asked if new structures would be inspected under County. Williams said yes, but the Town is doing extra. Baldwin noted that no staff members are certified to inspect, so standards should be made clearer for staff. Williams explained that there is a program that is not being used because it is no longer practical or sustainable. Williams explained that Rick Carpenter is doing well, has great experience, and a great understanding and he is doing most of the permitting and the two communicate often.

Baldwin explained structure and value of structure of new substation. Fire Chief and Emergency Management Director Dustin Waycaster explained that the best-use is being evaluated. It saves time and allows the Town to take full coverage of limits. Conversations in action. Construction and gas, heating and air has been in discussion with Waycaster. Walker Construction expressed their own time issues. Waycaster working on site plan with Mr. Boyer. Permits may be the next step for community development.

Commissioner Kilby suggested consideration of an evaluation of Boys Camp Road. There has been issues with this area with trees, slides, and power. Evaluation and project to improve area. Shannon will follow up with Craig from Duke Energy. Kilby mentioned the State owns a lot of the property and that should be considered.

Manager Baldwin discussed recent conversation that has been taking place between staff regarding social media comments. All comments must be maintained for public record. Some staff advised no comments prior to this meeting. There is a link for one-way comment on website. Waycaster expressed his concerns regarding the allowance Facebook comments. Moore suggested only one avenue for comments is needed. Laura asked that research be conducted on how other municipalities are handling the situation. Council agreed that this issue be researched more.

Communications Specialist Laura updated on the new website feedback that she is working on. She also mentioned community forums and round-table discussion. She is working to get the real estate meeting schedule. She updated on grants that she is working on.

Commissioner Moore asked Dean Givens asked if there was a plan on collecting data. Givens stated the data should come in by November 1<sup>st</sup>. If residents do not supply data, they will not be able to get a permit next year. Moore also mentioned that notices were sent out in the past. Givens stated that these notices will be sent out.

Mayor Pritchett called for a five minute break.

#### **IV. TOWN MANAGER SELECTION PROCESS**

Mayor Pritchett began discussing the Town Manager Selection Process. Attorney William Morgan has communicated with Council about his research with companies and comments. Morgan asked council if he should begin interviews. Mayor suggested that the Council discuss

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transition planning first and then continue the discussion from there. The remainder of the discussion is co

### **V. TRANSITION PLANNING**

DiOrio explained that a Town manager is wanted by December 1<sup>st</sup>. DiOrio explained that he liked Mercer group because of their experience NC. A town manager and project manager are needed to move forward especially with the dam project. Council agreed. DiOrio explains that the project manager should have a direct link to Council, but should not infringe upon town manager. Myer and Novak Group might be able to recruit both. DiOrio explained that a project manager will be needed around later spring of 2022. DiOrio questioned how to have a plan and build momentum if a manager is not hired by December 1<sup>st</sup>.

Commissioner Kilby asked William to research if a councilmember could work under contract. Kilby suggested DiOrio. The Attorney explained that this is possible with restrictions including the inability to be full-time. DiOrio would agree to be a liaison for Council and the Project Manager and could oversee the project. DiOrio asked for recommendations for Council. Moore expressed his support. Moore mentioned that Attorney Morgan be in communication with Council often regarding this subject. Morgan should get feedback and once a contract is signed, Council will take over.

Mayor Pritchett expressed that she feels that the job descriptions be detailed thoroughly. DiOrio explained when money actions begin to take place for the project (manager) there will be regular audits and he questioned if the project manager will ensure that task orders, contracts, but not financial related actions. DiOrio asked Karr if he sees any issues executing the plan as the project manager being a third party as DiOrio as an interim. Karr explained that in history there has been third party paid as a contract. Baldwin explained that General Statutes prohibits council members to be an interim. DiOrio expressed his support for a contract employee rather than a Town employee. Mayor explains there is money in the budget for an engineer. DiOrio suggested someone with engineering background but not necessarily someone that has an engineer stamp. Suggested FTE (can go to LaBella or Schnabel. Baldwin asked if Council is expecting the project manager to move and how long since it is a long term project. DiOrio explains you can get a subcontract or an independent agent or a straight hire of a self-employed individual with an LLC.

DiOrio expressed his concern with transitioning to a new manager that directs the interim. If the interim is DiOrio he would step aside from his council roles pertaining to the project specifically. Council will reach out to William.

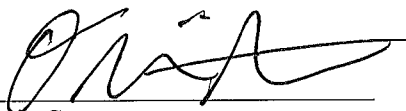
### **VI. PUBLIC EMPLOYEES BENEFITING FROM PUBLIC CONTRACTS DISCUSSION**

Covered under transition planning.

**Vii. ADJOURN THE MEETING**

With no further business, Commissioner John Moore made a motion to adjourn the meeting at 11:07 a.m. Commissioner David DiOrio seconded and the motion carried 3-0.

ATTEST:

  
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Olivia Stewman,  
Town Clerk

  
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Mayor Carol Pritchett