

# **LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET**

Tuesday, November 9, 2021



**Mayor Carol C. Pritchett  
Mayor Pro Tem John Moore  
Commissioner Patrick Bryant  
Commissioner David DiOrio  
Commissioner John Kilby**

# TOWN OF LAKE LURE

## Town Council Regular Meeting

Tuesday, November 09, 2021 - 5:00 PM

Meeting held virtually via Zoom



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## Agenda

**Zoom Link:** <https://us02web.zoom.us/j/81736880882>

**Phone Number:** +1 312 626 6799

**Meeting ID:** 817 3688 0882

**I. Call to Order**

**II. Agenda Adoption**

**III. Mayor's Communications**

**IV. Town Manager's Communications**

**V. Public Hearing**

*G.S. 166A-19.24 requires the public body to allow for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing for public hearings during a remote meeting.*

- A. Ordinance No. 21-11-09 - An ordinance amending chapter 92 zoning regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.042(D) (Sec. 4) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area
- B. Ordinance No. 21-11-09A - An ordinance amending Chapter 92 Zoning Regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.062(A) to waive a zoning review fee structure for home occupation permit applications due to the requirement to have the Board of Adjustment approve such applications as a special use, rather than administrative approval
- C. Ordinance No. 21-11-09B - An ordinance adopting the Town of Lake Lure Boy's Camp Road Park Master Plan, and to incorporate a communications tower into the park planned for parcel #1655367

**VI. Council Liaison Reports and Comments**

**VII. Public Comment**

*The public is invited to speak. Please keep comments limited to five minutes or less. If*

*you wish to speak, wait for the Mayor to ask if anyone would like to make a comment and then unmute your phone or mic and state your name and address. Comments may also be submitted in writing to the Town Clerk, [ostewman@townoflakelure.com](mailto:ostewman@townoflakelure.com), at least one hour prior to the meeting.*

### **VIII. Consent Agenda**

- A. Approval of the October 12, 2021 Regular Meeting Minutes and the October 27, 2021 Special Meeting Minutes
- B. Resolution No. 21-11-09 - Appointing Wendy Terry Deputy Town Clerk
- C. Budget Amendment #314 to cover expenses associated with workplace investigation research/report
- D. Budget Amendment #315 for Schnable work order #8 - Conceptual design of a replacement Dam.
- E. Budget Amendment #316 for Manhole Rehabilitation Project
- F. Resolution No. 21-11-09A - Honoring The Dedicated Service of Public Works Director David Arrowood

### **IX. Unfinished Business**

- A. Ordinance No. 21-11-09C - An ordinance adopting and enacting the Town of Lake Lure Code of Ordinances Recodification

### **X. New Business**

- A. Ordinance No. 21-11-09 - An ordinance amending chapter 92 zoning regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.042(D) (Sec. 4) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area
- B. Ordinance No. 21-11-09A - An ordinance amending Chapter 92 Zoning Regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.062(A) to waive a zoning review fee structure for home occupation permit applications due to the requirement to have the Board of Adjustment approve such applications as a special use, rather than administrative approval
- C. Ordinance No. 21-11-09B - An ordinance adopting the Town of Lake Lure Boy's Camp Road Park Master Plan, and to incorporate a communications tower into the park planned for parcel #1655367
- D. FEMA Grant Funding – Schnable Work Order #8 – Conceptual Design for the Dam Rehabilitation
- E. Communications Tower Agreement Update

F. Certified Public Safety Personnel Compensation and Budget Amendment #317

G. Manhole Rehabilitation Project Bid Award

**XI. Closed Session**

*In accordance with G.S. 143-318.11(a) (3) for attorney client privilege or legal claims.*

**XII. Adjournment**

# IV TOWN MANAGER COMMUNICATIONS

10 GENERAL FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
<b>310000 TAXES</b>					
310100 P & I - Taxes	169.41	1,940.20	5,500.00	3,559.80	35 %
<b>Account Group Total:</b>	<b>169.41</b>	<b>1,940.20</b>	<b>5,500.00</b>	<b>3,559.80</b>	<b>35 %</b>
<b>311000 Ad Valorem Taxes-2000</b>					
311200 AD VALOREM TAXES-2020	707.85	10,442.56	28,000.00	17,557.44	37 %
311210 AD VALOREM TAXES-2021	449,836.74	2,447,801.00	4,328,367.00	1,880,566.00	57 %
<b>Account Group Total:</b>	<b>450,544.59</b>	<b>2,458,243.56</b>	<b>4,356,367.00</b>	<b>1,898,123.44</b>	<b>56 %</b>
<b>312000 Ad Valorem-Veh-2000</b>					
312021 AD VALOREM VEH TAXES-2021	0.00	6,528.85	67,915.00	61,386.15	10 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>6,528.85</b>	<b>67,915.00</b>	<b>61,386.15</b>	<b>10 %</b>
<b>332000 STATE SHARED REVENUES</b>					
332100 FEMA Reimbursements	0.00	0.00	158,783.00	158,783.00	0 %
332200 Beer & Wine Tax	0.00	0.00	5,200.00	5,200.00	0 %
332300 Court Costs, Fees and Chrgs	13.50	49.50	550.00	500.50	9 %
332400 Utilities Franchise Tax	0.00	45,195.63	220,000.00	174,804.37	21 %
332600 Powell Bill - Tax on Gas	0.00	33,374.06	65,000.00	31,625.94	51 %
332930 State Shared Sales Tax	148,835.26	566,724.04	1,372,527.00	805,802.96	41 %
332933 Solid Waste Disposal Tax	0.00	229.15	650.00	420.85	35 %
332942 Video Programming Tax	0.00	5,735.43	17,600.00	11,864.57	33 %
332946 Stabilize 117 Tryon Bay	0.00	0.00	165,000.00	165,000.00	0 %
332991 NC DEQ Dredging Grant	0.00	0.00	637,500.00	637,500.00	0 %
<b>Account Group Total:</b>	<b>148,848.76</b>	<b>651,307.81</b>	<b>2,642,810.00</b>	<b>1,991,502.19</b>	<b>25 %</b>
<b>347000 LAND USE FEES</b>					
347100 Zoning Permits	2,780.00	8,980.00	22,445.00	13,465.00	40 %
347200 Land Disturbance Permit	445.00	1,265.00	5,358.00	4,093.00	24 %
347300 Sign Permit	0.00	192.00	584.00	392.00	33 %
347400 Rezoning Fee/Annexation	0.00	0.00	816.00	816.00	0 %
347550 Vacation Rental Fees	600.00	3,920.00	8,504.00	4,584.00	46 %
347600 Lake Structure Permit/LSA	250.00	1,700.00	9,254.00	7,554.00	18 %
<b>Account Group Total:</b>	<b>4,075.00</b>	<b>16,057.00</b>	<b>46,961.00</b>	<b>30,904.00</b>	<b>34 %</b>
<b>361000 LAKE</b>					
361201 Lake Lure Tours	9,061.80	44,336.72	60,000.00	15,663.28	74 %
361202 Lake Fines	0.00	589.00	300.00	-289.00	196 %
361203 Lake Comm License Fees	2,250.00	2,685.00	4,000.00	1,315.00	67 %
361204 Boat Permits	4,400.50	68,876.47	595,000.00	526,123.53	12 %
361205 RBR CONCESSIONS	0.00	18,882.88	25,000.00	6,117.12	76 %
361206 LODGE CONCESSIONS	0.00	0.00	500.00	500.00	0 %
361207 Cluster Mooring Fees	0.00	0.00	24,000.00	24,000.00	0 %
<b>Account Group Total:</b>	<b>15,712.30</b>	<b>135,370.07</b>	<b>708,800.00</b>	<b>573,429.93</b>	<b>19 %</b>
<b>363000 BEACH</b>					
363801 Beach-Admission Fee-Adult	2,951.85	63,630.45	55,000.00	-8,630.45	116 %
363804 Beach-Concessions	44.16	5,068.19	10,000.00	4,931.81	51 %
<b>Account Group Total:</b>	<b>2,996.01</b>	<b>68,698.64</b>	<b>65,000.00</b>	<b>-3,698.64</b>	<b>106 %</b>
<b>364000 MARINA</b>					

TOWN OF LAKE LURE  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 10 / 21

Item V.A.

10 GENERAL FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
364902 Marina-Open Slip Rental	1,340.00	5,240.00	305,000.00	299,760.00	2 %
364905 Marina-Concessions	2,145.00	13,780.60	18,500.00	4,719.40	74 %
364908 Marina-Rentals	4,233.23	42,307.24	30,000.00	-12,307.24	141 %
<b>Account Group Total:</b>	<b>7,718.23</b>	<b>61,327.84</b>	<b>353,500.00</b>	<b>292,172.16</b>	<b>17 %</b>
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	1,115.52	3,000.00	1,884.48	37 %
383200 Beer and Wine Permits	0.00	0.00	1,000.00	1,000.00	0 %
383321 Fire-Rural Fire Protection	839.67	3,235.09	8,592.00	5,356.91	38 %
383410 ABC-Rents	0.00	3,999.99	16,000.00	12,000.01	25 %
383430 Community Center Rental	0.00	40.00	250.00	210.00	16 %
383440 Pavilion/Gazebo Rental	250.00	-250.00	3,500.00	3,750.00	-7 %
383450 Meadows Rental	0.00	0.00	250.00	250.00	0 %
383462 TDA GRANT	0.00	0.00	100,000.00	100,000.00	0 %
383500 Sale of Assets	0.00	116.00	3,500.00	3,384.00	3 %
383600 Golf Cart Permit	20.00	60.00	200.00	140.00	30 %
383700 LLABC-Distribution for Law Enforcement	0.00	0.00	750.00	750.00	0 %
383701 ABC-Dist. for Drug/Alcohol	0.00	0.00	1,250.00	1,250.00	0 %
383800 ABC-Distribution of Funds	0.00	0.00	20,000.00	20,000.00	0 %
383900 Misc Revenue	25.00	97.00	1,200.00	1,103.00	8 %
383903 Town Promotional Materials	0.00	38.48	750.00	711.52	5 %
383910 Copies	0.00	142.15	775.00	632.85	18 %
383930 Recycling Collections	68.00	15,481.19	15,250.00	-231.19	102 %
<b>Account Group Total:</b>	<b>1,202.67</b>	<b>24,075.42</b>	<b>176,267.00</b>	<b>152,191.58</b>	<b>14 %</b>
398000 TRANSFERS					
398502 Installment Agreement Proceeds	0.00	0.00	502,000.00	502,000.00	0 %
398604 Transfer from Fund Balance	0.00	0.00	420,428.00	420,428.00	0 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>922,428.00</b>	<b>922,428.00</b>	<b>0 %</b>
<b>Fund Total:</b>	<b>631,266.97</b>	<b>3,423,549.39</b>	<b>9,345,548.00</b>	<b>5,921,998.61</b>	<b>37 %</b>

TOWN OF LAKE LURE  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 10 / 21

Item V.A.

53 WATER AND SEWER FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
371000					
371105 Chimney Rock Water	0.00	0.00	15,000.00	15,000.00	0 %
371300 Charges for Water	31,524.00	124,849.51	330,000.00	205,150.49	38 %
371400 Charges for Sewer	103,991.16	415,167.78	1,275,000.00	859,832.22	33 %
371500 Taps and Connect-Water	2,405.00	4,715.00	5,000.00	285.00	94 %
371600 Taps and Connect-Sewer	0.00	0.00	5,000.00	5,000.00	0 %
371700 Transfer Fee-Water/Sewer	60.00	480.00	1,000.00	520.00	48 %
371800 W/S - Penalty and Interest	1,310.00	4,235.00	6,000.00	1,765.00	71 %
<b>Account Group Total:</b>	<b>139,290.16</b>	<b>549,447.29</b>	<b>1,637,000.00</b>	<b>1,087,552.71</b>	<b>34 %</b>
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	374.54	750.00	375.46	50 %
383460 Water Tank Rental	1,030.00	4,120.00	12,360.00	8,240.00	33 %
<b>Account Group Total:</b>	<b>1,030.00</b>	<b>4,494.54</b>	<b>13,110.00</b>	<b>8,615.46</b>	<b>34 %</b>
398000 TRANSFERS					
398602 Transfer from Water/Sewer	0.00	0.00	76,500.00	76,500.00	0 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>76,500.00</b>	<b>76,500.00</b>	<b>0 %</b>
<b>Fund Total:</b>	<b>140,320.16</b>	<b>553,941.83</b>	<b>1,726,610.00</b>	<b>1,172,668.17</b>	<b>32 %</b>



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TOWN OF LAKE LURE  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 10 / 21

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Item V.A.

56 ELECTRIC FUND

Account	Received Current Month	Received YTD	Estimated Revenue	Revenue To Be Received	% Received
372000					
372300 Charges for Utilities-Electric	46,696.27	155,910.16	400,000.00	244,089.84	39 %
<b>Account Group Total:</b>	<b>46,696.27</b>	<b>155,910.16</b>	<b>400,000.00</b>	<b>244,089.84</b>	<b>39 %</b>
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	48.01	325.00	276.99	15 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>48.01</b>	<b>325.00</b>	<b>276.99</b>	<b>15 %</b>
<b>Fund Total:</b>	<b>46,696.27</b>	<b>155,958.17</b>	<b>400,325.00</b>	<b>244,366.83</b>	<b>39 %</b>
<b>Grand Total:</b>	<b>818,283.40</b>	<b>4,133,449.39</b>	<b>11,472,483.00</b>	<b>7,339,033.61</b>	<b>36 %</b>

TOWN OF LAKE LURE  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 10 / 21

Item V.A.

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
411000	COMMISSION						
411000	COMMISSION						
	102 Salaries-Part Time	1,100.00	4,400.00	13,200.00	13,200.00	8,800.00	33 %
	109 FICA	84.15	336.60	1,100.00	1,100.00	763.40	31 %
	214 Supplies-Dept	217.07	645.58	3,000.00	3,000.00	2,354.42	22 %
	215 Supplies-Materials	226.41	6,236.42	15,000.00	15,000.00	8,763.58	42 %
	310 Travel and Transportation	0.00	0.00	2,750.00	2,750.00	2,750.00	%
	691 Contractual Services	0.00	0.00	0.00	23,500.00	23,500.00	%
	<b>Account Total:</b>	<b>1,627.63</b>	<b>11,618.60</b>	<b>35,050.00</b>	<b>58,550.00</b>	<b>46,931.40</b>	<b>20 %</b>
	<b>Account Group Total:</b>	<b>1,627.63</b>	<b>11,618.60</b>	<b>35,050.00</b>	<b>58,550.00</b>	<b>46,931.40</b>	<b>20 %</b>
413000	ADMINISTRATION						
413000	ADMINISTRATION						
	100 SALARIES	44,044.72	165,291.53	472,950.00	472,950.00	307,658.47	35 %
	103 Professional Services	0.00	12,250.00	48,000.00	48,000.00	35,750.00	26 %
	109 FICA	3,151.17	12,238.92	36,181.00	36,181.00	23,942.08	34 %
	110 Retirement	7,941.24	28,890.25	83,279.00	83,279.00	54,388.75	35 %
	111 Group Insurance	4,471.61	16,885.84	62,250.00	62,250.00	45,364.16	27 %
	120 401 (K) Contribution	1,411.78	6,182.65	23,094.00	23,094.00	16,911.35	27 %
	180 Legal Services	6,474.00	16,236.00	49,200.00	49,200.00	32,964.00	33 %
	190 Engineering Services	8,333.33	24,999.99	100,000.00	100,000.00	75,000.01	25 %
	214 Supplies-Dept	284.50	1,801.46	8,000.00	8,000.00	6,198.54	23 %
	215 Supplies-Materials	35.75	133.00	2,300.00	2,300.00	2,167.00	6 %
	310 Travel and Transportation	610.48	1,524.44	6,500.00	6,500.00	4,975.56	23 %
	320 Postage	508.70	531.90	4,000.00	4,000.00	3,468.10	13 %
	322 Printing	0.00	0.00	1,200.00	1,200.00	1,200.00	%
	324 Dues and Subscriptions	1,223.89	3,848.89	6,500.00	6,500.00	2,651.11	59 %
	330 Utilities	3,802.26	7,857.86	25,000.00	25,000.00	17,142.14	31 %
	350 Repairs and Maint-Buildings	0.00	3,483.20	12,500.00	12,500.00	9,016.80	28 %
	353 Repairs and Maint-Equipment	312.50	766.73	4,000.00	4,000.00	3,233.27	19 %
	370 Advertising	556.88	556.88	1,200.00	1,200.00	643.12	46 %
	614 Lobbyist	5,000.00	25,000.00	60,000.00	60,000.00	35,000.00	42 %
	687 Contractual - County Tax	0.00	14,520.00	16,000.00	16,000.00	1,480.00	91 %
	691 Contractual Services	23,650.99	47,198.96	46,500.00	46,500.00	-698.96	102 %
	<b>Account Total:</b>	<b>111,813.80</b>	<b>390,198.50</b>	<b>1,068,654.00</b>	<b>1,068,654.00</b>	<b>678,455.50</b>	<b>37 %</b>
	<b>Account Group Total:</b>	<b>111,813.80</b>	<b>390,198.50</b>	<b>1,068,654.00</b>	<b>1,068,654.00</b>	<b>678,455.50</b>	<b>37 %</b>
420000	CENTRAL SERVICES-Technology						
420000	CENTRAL SERVICES-Technology & Telecommunications						
	321 Telephone	2,440.78	8,102.80	25,500.00	25,500.00	17,397.20	32 %
	325 Internet Services	395.65	1,790.23	4,800.00	4,800.00	3,009.77	37 %
	380 IT Support Services	5,683.00	22,732.00	79,720.00	79,720.00	56,988.00	29 %
	527 TECH-Website Update	0.00	0.00	4,100.00	4,100.00	4,100.00	%
	<b>Account Total:</b>	<b>8,519.43</b>	<b>32,625.03</b>	<b>114,120.00</b>	<b>114,120.00</b>	<b>81,494.97</b>	<b>29 %</b>
	<b>Account Group Total:</b>	<b>8,519.43</b>	<b>32,625.03</b>	<b>114,120.00</b>	<b>114,120.00</b>	<b>81,494.97</b>	<b>29 %</b>

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
431000 POLICE							
431000 POLICE							
100	SALARIES	45,662.73	145,253.58	484,943.00	484,943.00	339,689.42	30 %
101	OVERTIME	0.00	1,540.14	4,000.00	4,000.00	2,459.86	39 %
102	Salaries-Part Time	2,452.76	5,875.85	35,000.00	35,000.00	29,124.15	17 %
104	Separation Allowance-Law	2,190.24	6,570.72	20,435.00	20,435.00	13,864.28	32 %
109	FICA	3,762.00	11,918.37	37,099.00	37,099.00	25,180.63	32 %
110	Retirement	8,516.06	27,383.78	83,279.00	83,279.00	55,895.22	33 %
111	Group Insurance	7,900.87	25,493.52	85,550.00	85,550.00	60,056.48	30 %
112	Special Benefit Fund-Police	2,283.16	7,339.76	24,250.00	24,250.00	16,910.24	30 %
212	Supplies-Fuel	1,708.11	7,790.56	20,000.00	20,000.00	12,209.44	39 %
214	Supplies-Dept	1,015.87	2,739.52	11,000.00	11,000.00	8,260.48	25 %
217	Supplies-Uniforms	381.05	4,516.15	16,000.00	16,000.00	11,483.85	28 %
220	Alcohol & Drug Ed.	148.50	148.50	1,000.00	1,000.00	851.50	15 %
310	Travel and Transportation	0.00	410.59	2,500.00	2,500.00	2,089.41	16 %
324	Dues and Subscriptions	342.45	1,862.25	6,300.00	6,300.00	4,437.75	30 %
333	Utilities-Boat House and Range	34.21	98.61	500.00	500.00	401.39	20 %
353	Repairs and Maint-Equipment	0.00	2,270.51	3,750.00	3,750.00	1,479.49	61 %
354	Repairs and Maint-Vehicles	350.55	11,681.47	23,000.00	23,000.00	11,318.53	51 %
490	Miscellaneous	0.00	0.00	1,000.00	1,000.00	1,000.00	%
524	Computers	1,020.21	5,276.58	9,800.00	9,800.00	4,523.42	54 %
691	Contractual Services	0.00	977.80	6,500.00	6,500.00	5,522.20	15 %
	<b>Account Total:</b>	<b>77,768.77</b>	<b>269,148.26</b>	<b>875,906.00</b>	<b>875,906.00</b>	<b>606,757.74</b>	<b>31 %</b>
	<b>Account Group Total:</b>	<b>77,768.77</b>	<b>269,148.26</b>	<b>875,906.00</b>	<b>875,906.00</b>	<b>606,757.74</b>	<b>31 %</b>
434000 FIRE							
434000 FIRE							
100	SALARIES	32,145.98	121,775.62	359,130.00	359,130.00	237,354.38	34 %
101	OVERTIME	0.00	0.00	20,000.00	20,000.00	20,000.00	%
102	Salaries-Part Time	2,694.03	6,199.16	35,000.00	35,000.00	28,800.84	18 %
109	FICA	2,566.72	9,486.14	31,681.00	31,681.00	22,194.86	30 %
110	Retirement	5,795.95	20,707.64	56,845.00	56,845.00	36,137.36	36 %
111	Group Insurance	5,597.33	18,172.43	60,275.00	60,275.00	42,102.57	30 %
120	401 (K) Contribution	1,340.94	4,979.25	17,957.00	17,957.00	12,977.75	28 %
212	Supplies-Fuel	1,259.32	6,917.67	15,000.00	15,000.00	8,082.33	46 %
214	Supplies-Dept	217.85	693.62	3,000.00	3,000.00	2,306.38	23 %
215	Supplies-Materials	1,101.71	1,665.07	7,500.00	7,500.00	5,834.93	22 %
217	Supplies-Uniforms	1,951.40	2,686.90	3,500.00	3,500.00	813.10	77 %
218	Supplies-Equipment	363.90	7,001.66	15,000.00	15,000.00	7,998.34	47 %
310	Travel and Transportation	499.05	1,268.52	5,000.00	5,000.00	3,731.48	25 %
324	Dues and Subscriptions	2,601.30	2,776.30	8,100.00	8,100.00	5,323.70	34 %
330	Utilities	1,182.11	3,543.25	11,500.00	11,500.00	7,956.75	31 %
351	Repairs and Maint-Grounds	0.00	1,494.20	5,000.00	5,000.00	3,505.80	30 %
353	Repairs and Maint-Equipment	437.37	5,965.90	12,000.00	12,000.00	6,034.10	50 %
354	Repairs and Maint-Vehicles	0.00	7,620.96	17,000.00	17,000.00	9,379.04	45 %
490	Miscellaneous	0.00	75.00	3,000.00	3,000.00	2,925.00	3 %
514	Protective Clothing	0.00	0.00	12,000.00	12,000.00	12,000.00	%
516	FIRE BLDG Expansion	0.00	0.00	62,658.00	62,658.00	62,658.00	%
553	RADIO REPLACEMENT	0.00	0.00	7,000.00	7,000.00	7,000.00	%
693	Fairfield Volunteer Fire Dept	0.00	0.00	67,000.00	67,000.00	67,000.00	%
694	Chimney Rock Volunteer Fire	0.00	0.00	35,000.00	35,000.00	35,000.00	%

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
695	Bills Creek Volunteer Fire	0.00	0.00	42,800.00	42,800.00	42,800.00	%
	<b>Account Total:</b>	<b>59,754.96</b>	<b>223,029.29</b>	<b>912,946.00</b>	<b>912,946.00</b>	<b>689,916.71</b>	<b>24 %</b>
	<b>Account Group Total:</b>	<b>59,754.96</b>	<b>223,029.29</b>	<b>912,946.00</b>	<b>912,946.00</b>	<b>689,916.71</b>	<b>24 %</b>
451000	PUBLIC WORKS-STREETS						
451000	PUBLIC WORKS-STREETS						
100	SALARIES	29,621.44	91,210.17	272,500.00	272,500.00	181,289.83	33 %
101	OVERTIME	0.00	0.00	2,000.00	2,000.00	2,000.00	%
103	Professional Services	52.00	1,562.82	2,800.00	2,800.00	1,237.18	56 %
109	FICA	2,210.76	6,810.29	21,000.00	21,000.00	14,189.71	32 %
110	Retirement	5,332.01	16,418.97	47,308.00	47,308.00	30,889.03	35 %
111	Group Insurance	4,427.71	13,460.41	45,318.00	45,318.00	31,857.59	30 %
120	401 (K) Contribution	1,177.87	3,634.32	13,725.00	13,725.00	10,090.68	26 %
211	Supplies-Automotive	815.29	5,644.87	15,000.00	15,000.00	9,355.13	38 %
214	Supplies-Dept	174.70	364.86	1,200.00	1,200.00	835.14	30 %
215	Supplies-Materials	1,190.51	13,284.30	23,000.00	23,000.00	9,715.70	58 %
217	Supplies-Uniforms	0.00	0.00	1,500.00	1,500.00	1,500.00	%
310	Travel and Transportation	0.00	70.36	500.00	500.00	429.64	14 %
331	Utilities-Street Lights	2,227.05	5,949.55	15,000.00	15,000.00	9,050.45	40 %
334	Utilities-Buildings	453.93	3,220.45	11,500.00	11,500.00	8,279.55	28 %
350	Repairs and Maint-Buildings	0.00	4,566.36	13,000.00	13,000.00	8,433.64	35 %
351	Repairs and Maint-Grounds	3,143.00	8,138.80	12,000.00	12,000.00	3,861.20	68 %
353	Repairs and Maint-Equipment	64.99	5,395.55	20,000.00	20,000.00	14,604.45	27 %
354	Repairs and Maint-Vehicles	6,890.22	10,984.74	18,000.00	18,000.00	7,015.26	61 %
691	Contractual Services	25.00	360.00	750.00	750.00	390.00	48 %
	<b>Account Total:</b>	<b>57,806.48</b>	<b>191,076.82</b>	<b>536,101.00</b>	<b>536,101.00</b>	<b>345,024.18</b>	<b>36 %</b>
	<b>Account Group Total:</b>	<b>57,806.48</b>	<b>191,076.82</b>	<b>536,101.00</b>	<b>536,101.00</b>	<b>345,024.18</b>	<b>36 %</b>
472000	SANITATION						
472000	SANITATION						
691	Contractual Services	14,750.00	61,650.00	177,000.00	177,000.00	115,350.00	35 %
692	Contractual Services-Recycling	1,320.00	5,360.00	14,400.00	14,400.00	9,040.00	37 %
696	Tipping Fees	2,902.71	8,812.13	38,000.00	38,000.00	29,187.87	23 %
	<b>Account Total:</b>	<b>18,972.71</b>	<b>75,822.13</b>	<b>229,400.00</b>	<b>229,400.00</b>	<b>153,577.87</b>	<b>33 %</b>
	<b>Account Group Total:</b>	<b>18,972.71</b>	<b>75,822.13</b>	<b>229,400.00</b>	<b>229,400.00</b>	<b>153,577.87</b>	<b>33 %</b>
473000	DAM/Watershed Protection						
473000	DAM/Watershed Protection						
190	Engineering Services	45,745.35	74,760.85	0.00	185,711.00	110,950.15	40 %
351	Repairs and Maint-Grounds	0.00	0.00	9,000.00	9,000.00	9,000.00	%
352	Repairs and Maint-Dam	0.00	0.00	14,000.00	14,000.00	14,000.00	%
	<b>Account Total:</b>	<b>45,745.35</b>	<b>74,760.85</b>	<b>23,000.00</b>	<b>208,711.00</b>	<b>133,950.15</b>	<b>36 %</b>
	<b>Account Group Total:</b>	<b>45,745.35</b>	<b>74,760.85</b>	<b>23,000.00</b>	<b>208,711.00</b>	<b>133,950.15</b>	<b>36 %</b>
492000	ECONOMIC DEVELOPMENT						
492000	ECONOMIC DEVELOPMENT						
100	SALARIES	5,260.81	15,700.88	57,800.00	57,800.00	42,099.12	27 %
109	FICA	401.91	1,199.49	4,422.00	4,422.00	3,222.51	27 %
110	Retirement	948.52	2,830.85	8,654.00	8,654.00	5,823.15	33 %
111	Group Insurance	892.53	2,713.11	8,998.00	8,998.00	6,284.89	30 %
120	401 (K) Contribution	263.04	785.04	2,890.00	2,890.00	2,104.96	27 %

TOWN OF LAKE LURE  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 10 / 21

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
585	Community Branding	2,165.00	2,318.80	15,500.00	15,500.00	13,181.20	15 %
	<b>Account Total:</b>	<b>9,931.81</b>	<b>25,548.17</b>	<b>98,264.00</b>	<b>98,264.00</b>	<b>72,715.83</b>	<b>26 %</b>
	<b>Account Group Total:</b>	<b>9,931.81</b>	<b>25,548.17</b>	<b>98,264.00</b>	<b>98,264.00</b>	<b>72,715.83</b>	<b>26 %</b>
493000	COMMUNITY DEVELOPMENT						
493000	COMMUNITY DEVELOPMENT						
100	SALARIES	12,464.67	36,920.15	120,541.00	120,541.00	83,620.85	31 %
109	FICA	951.21	2,817.38	9,222.00	9,222.00	6,404.62	31 %
110	Retirement	2,247.37	6,656.67	21,476.00	21,476.00	14,819.33	31 %
111	Group Insurance	1,793.38	5,459.50	17,650.00	17,650.00	12,190.50	31 %
120	401 (K) Contribution	330.03	1,007.04	6,027.00	6,027.00	5,019.96	17 %
180	Legal Services	36.00	648.00	20,000.00	20,000.00	19,352.00	3 %
212	Supplies-Fuel	27.21	132.98	750.00	750.00	617.02	18 %
214	Supplies-Dept	0.00	131.23	5,500.00	5,500.00	5,368.77	2 %
310	Travel and Transportation	0.00	1,104.00	4,000.00	4,000.00	2,896.00	28 %
324	Dues and Subscriptions	0.00	0.00	1,000.00	1,000.00	1,000.00	%
370	Advertising	455.84	455.84	1,000.00	1,000.00	544.16	46 %
691	Contractual Services	546.77	1,471.07	17,000.00	17,000.00	15,528.93	9 %
698	Contractual Services-Design	0.00	0.00	1,000.00	1,000.00	1,000.00	%
	<b>Account Total:</b>	<b>18,852.48</b>	<b>56,803.86</b>	<b>225,166.00</b>	<b>225,166.00</b>	<b>168,362.14</b>	<b>25 %</b>
	<b>Account Group Total:</b>	<b>18,852.48</b>	<b>56,803.86</b>	<b>225,166.00</b>	<b>225,166.00</b>	<b>168,362.14</b>	<b>25 %</b>
613000	PARKS, RECREATION & LAKE						
613000	PARKS, RECREATION & LAKE						
100	SALARIES	22,054.80	63,703.13	203,796.00	203,796.00	140,092.87	31 %
102	Salaries-Part Time	461.17	5,768.83	17,000.00	17,000.00	11,231.17	34 %
109	FICA	1,638.51	5,062.75	16,891.00	16,891.00	11,828.25	30 %
110	Retirement	4,015.64	11,182.65	36,564.00	36,564.00	25,381.35	31 %
111	Group Insurance	2,683.99	8,142.25	38,250.00	38,250.00	30,107.75	21 %
120	401 (K) Contribution	1,099.26	3,058.10	10,190.00	10,190.00	7,131.90	30 %
212	Supplies-Fuel	778.99	3,026.40	11,000.00	11,000.00	7,973.60	28 %
213	Supplies-Boat Fuel & Supplies	323.71	2,469.20	12,000.00	12,000.00	9,530.80	21 %
214	Supplies-Dept	53.02	171.86	4,500.00	4,500.00	4,328.14	4 %
215	Supplies-Materials	2,957.00	5,137.14	25,000.00	25,000.00	19,862.86	21 %
216	Supplies-Fish Purchase	0.00	0.00	8,000.00	8,000.00	8,000.00	%
217	Supplies-Uniforms	0.00	283.57	1,000.00	1,000.00	716.43	28 %
219	Boat and Fishing Permits	0.00	646.71	5,500.00	5,500.00	4,853.29	12 %
310	Travel and Transportation	0.00	1,013.37	2,000.00	2,000.00	986.63	51 %
335	Flowering Bridge Lighting	140.07	355.99	3,500.00	3,500.00	3,144.01	10 %
351	Repairs and Maint-Grounds	1,911.87	18,730.89	80,000.00	80,000.00	61,269.11	23 %
353	Repairs and Maint-Equipment	66.51	5,315.43	14,000.00	14,000.00	8,684.57	38 %
633	GEESE MITIGATION	0.00	0.00	2,500.00	2,500.00	2,500.00	%
691	Contractual Services	0.00	728.66	30,000.00	30,000.00	29,271.34	2 %
697	Dredging & Debris Removal	192,826.93	359,595.35	850,000.00	850,000.00	490,404.65	42 %
	<b>Account Total:</b>	<b>231,011.47</b>	<b>494,392.28</b>	<b>1,371,691.00</b>	<b>1,371,691.00</b>	<b>877,298.72</b>	<b>36 %</b>
	<b>Account Group Total:</b>	<b>231,011.47</b>	<b>494,392.28</b>	<b>1,371,691.00</b>	<b>1,371,691.00</b>	<b>877,298.72</b>	<b>36 %</b>

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
615000 BEACH & MARINA							
615000 BEACH & MARINA							
	214 Supplies-Dept	0.00	0.00	2,000.00	2,000.00	2,000.00	%
	350 Repairs and Maint-Buildings	256.50	1,750.70	4,000.00	4,000.00	2,249.30	44 %
	351 Repairs and Maint-Grounds	871.04	2,613.22	10,200.00	10,200.00	7,586.78	26 %
	353 Repairs and Maint-Equipment	0.00	403.52	1,300.00	1,300.00	896.48	31 %
	<b>Account Total:</b>	<b>1,127.54</b>	<b>4,767.44</b>	<b>17,500.00</b>	<b>17,500.00</b>	<b>12,732.56</b>	<b>27 %</b>
	<b>Account Group Total:</b>	<b>1,127.54</b>	<b>4,767.44</b>	<b>17,500.00</b>	<b>17,500.00</b>	<b>12,732.56</b>	<b>27 %</b>
617000 GOLF							
617000 GOLF							
	350 Repairs and Maint-Buildings	0.00	0.00	5,000.00	5,000.00	5,000.00	%
	618 GOLF-Contractual Payments	20,000.00	60,000.00	100,000.00	100,000.00	40,000.00	60 %
	691 Contractual Services	30.00	290.00	1,000.00	1,000.00	710.00	29 %
	<b>Account Total:</b>	<b>20,030.00</b>	<b>60,290.00</b>	<b>106,000.00</b>	<b>106,000.00</b>	<b>45,710.00</b>	<b>57 %</b>
	<b>Account Group Total:</b>	<b>20,030.00</b>	<b>60,290.00</b>	<b>106,000.00</b>	<b>106,000.00</b>	<b>45,710.00</b>	<b>57 %</b>
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
800000 CAPITAL OUTLAY/SPECIAL PROJECTS							
	504 VEHICLES	0.00	47,000.00	48,000.00	48,000.00	1,000.00	98 %
	521 SOFTWARE UPGRADE	0.00	0.00	15,000.00	15,000.00	15,000.00	%
	523 PW-Pickup Truck Replacement	1,143.23	43,532.92	45,000.00	45,000.00	1,467.08	97 %
	524 Computers	0.00	3,644.84	25,500.00	25,500.00	21,855.16	14 %
	526 Heart Monitor	51,520.07	51,520.07	55,000.00	55,000.00	3,479.93	94 %
	530 P&R-Mower	0.00	13,450.00	27,000.00	27,000.00	13,550.00	50 %
	536 PR&L-Truck Replacement	0.00	48,962.83	55,000.00	55,000.00	6,037.17	89 %
	541 POLICE-Vehicles	0.00	0.00	104,000.00	104,000.00	104,000.00	%
	551 SIGN	0.00	0.00	19,000.00	19,000.00	19,000.00	%
	553 RADIO REPLACEMENT	5,600.00	5,600.00	5,600.00	5,600.00	0.00	100 %
	558 Small Area Recreation Plan	0.00	0.00	45,000.00	45,000.00	45,000.00	%
	573 Barge/Excavator	8,538.13	206,016.80	250,000.00	250,000.00	43,983.20	82 %
	576 DAM-AUTOMATION	0.00	113,440.00	0.00	370,000.00	256,560.00	31 %
	587 DAM BOOM REPLACEMENT	0.00	0.00	70,000.00	70,000.00	70,000.00	%
	592 PW-Street Paving	33,403.00	26,356.08	185,000.00	185,000.00	158,643.92	14 %
	623 Fence & Gates	0.00	0.00	50,000.00	50,000.00	50,000.00	%
	<b>Account Total:</b>	<b>100,204.43</b>	<b>559,523.54</b>	<b>999,100.00</b>	<b>1,369,100.00</b>	<b>809,576.46</b>	<b>41 %</b>
	<b>Account Group Total:</b>	<b>100,204.43</b>	<b>559,523.54</b>	<b>999,100.00</b>	<b>1,369,100.00</b>	<b>809,576.46</b>	<b>41 %</b>
910000 DEBT SERVICE							
910000 DEBT SERVICE							
	504 VEHICLES	7,151.76	28,444.17	48,675.00	48,675.00	20,230.83	58 %
	531 FIRE-Fire Engine	0.00	0.00	45,207.00	45,207.00	45,207.00	%
	541 POLICE-Vehicles	0.00	0.00	32,750.00	32,750.00	32,750.00	%
	550 Other Equipment	2,111.41	8,397.49	25,530.00	25,530.00	17,132.51	33 %
	561 Brdwalk-Marina Bay	0.00	49,218.63	98,912.00	98,912.00	49,693.37	50 %
	573 Barge/Excavator	0.00	0.00	46,000.00	46,000.00	46,000.00	%
	622 LAKE-Marina Slips	0.00	0.00	32,500.00	32,500.00	32,500.00	%
	720 Bond Interest	702.51	17,753.28	66,365.00	66,365.00	48,611.72	27 %
	<b>Account Total:</b>	<b>9,965.68</b>	<b>103,813.57</b>	<b>395,939.00</b>	<b>395,939.00</b>	<b>292,125.43</b>	<b>26 %</b>
	<b>Account Group Total:</b>	<b>9,965.68</b>	<b>103,813.57</b>	<b>395,939.00</b>	<b>395,939.00</b>	<b>292,125.43</b>	<b>26 %</b>

11/01/21  
11:47:23

TOWN OF LAKE LURE  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 10 / 21

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Report ID: B100

Item V.A.

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
920000	Non-Governmental						
920000	Non-Governmental						
	130 Unemployment	0.00	0.00	5,000.00	5,000.00	5,000.00	%
	450 Insurance	24,393.33	153,558.33	150,000.00	150,000.00	-3,558.33	102 %
	751 Bank Fees	0.00	50.00	2,500.00	2,500.00	2,450.00	2 %
	<b>Account Total:</b>	<b>24,393.33</b>	<b>153,608.33</b>	<b>157,500.00</b>	<b>157,500.00</b>	<b>3,891.67</b>	<b>98 %</b>
	<b>Account Group Total:</b>	<b>24,393.33</b>	<b>153,608.33</b>	<b>157,500.00</b>	<b>157,500.00</b>	<b>3,891.67</b>	<b>98 %</b>
980000	TRANSFERS						
980000	TRANSFERS						
	967 Transfer to Capital Reserve	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>1,600,000.00</b>	<b>1,600,000.00</b>	<b>1,600,000.00</b>	<b>%</b>
	<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>1,600,000.00</b>	<b>1,600,000.00</b>	<b>1,600,000.00</b>	<b>%</b>
	<b>Fund Total:</b>	<b>797,525.87</b>	<b>2,727,026.67</b>	<b>8,766,337.00</b>	<b>9,345,548.00</b>	<b>6,618,521.33</b>	<b>29 %</b>

53 WATER AND SEWER FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
713000	WATER						
713000	WATER						
	214 Supplies-Dept	192.25	1,355.12	8,000.00	8,000.00	6,644.88	17 %
	310 Travel and Transportation	0.00	145.00	1,000.00	1,000.00	855.00	15 %
	324 Dues and Subscriptions	0.00	840.00	1,000.00	1,000.00	160.00	84 %
	330 Utilities	2,187.69	5,010.69	15,000.00	15,000.00	9,989.31	33 %
	350 Repairs and Maint-Buildings	453.41	13,300.61	20,000.00	20,000.00	6,699.39	67 %
	353 Repairs and Maint-Equipment	0.00	8,073.70	15,000.00	15,000.00	6,926.30	54 %
	358 Repairs and Maint-Lines	759.79	1,227.79	13,000.00	13,000.00	11,772.21	9 %
	430 Equipment Rental	0.00	0.00	500.00	500.00	500.00	%
	691 Contractual Services	605.00	7,050.00	18,000.00	18,000.00	10,950.00	39 %
	<b>Account Total:</b>	<b>4,198.14</b>	<b>37,002.91</b>	<b>91,500.00</b>	<b>91,500.00</b>	<b>54,497.09</b>	<b>40 %</b>
	<b>Account Group Total:</b>	<b>4,198.14</b>	<b>37,002.91</b>	<b>91,500.00</b>	<b>91,500.00</b>	<b>54,497.09</b>	<b>40 %</b>
714000	SEWER						
714000	SEWER						
	103 Professional Services	0.00	0.00	3,000.00	3,000.00	3,000.00	%
	190 Engineering Services	0.00	45,380.00	0.00	45,500.00	120.00	100 %
	214 Supplies-Dept	0.00	0.00	800.00	800.00	800.00	%
	215 Supplies-Materials	7,626.52	69,082.88	180,000.00	180,000.00	110,917.12	38 %
	310 Travel and Transportation	0.00	913.89	500.00	500.00	-413.89	183 %
	320 Postage	234.80	890.36	4,000.00	4,000.00	3,109.64	22 %
	330 Utilities	1,978.58	4,968.23	16,000.00	16,000.00	11,031.77	31 %
	350 Repairs and Maint-Buildings	871.31	1,212.65	5,000.00	36,000.00	34,787.35	3 %
	353 Repairs and Maint-Equipment	1,432.37	8,321.24	19,000.00	19,000.00	10,678.76	44 %
	355 Repairs and Maint-Collection	0.00	4,352.50	20,000.00	20,000.00	15,647.50	22 %
	690 Contractual Services-Sludge	0.00	62,052.48	160,000.00	160,000.00	97,947.52	39 %
	691 Contractual Services	120.18	6,008.77	79,000.00	79,000.00	72,991.23	8 %
	699 Contractual Services-WWTP	13,573.10	30,112.06	125,000.00	125,000.00	94,887.94	24 %
	<b>Account Total:</b>	<b>25,836.86</b>	<b>233,295.06</b>	<b>612,300.00</b>	<b>688,800.00</b>	<b>455,504.94</b>	<b>34 %</b>
	<b>Account Group Total:</b>	<b>25,836.86</b>	<b>233,295.06</b>	<b>612,300.00</b>	<b>688,800.00</b>	<b>455,504.94</b>	<b>34 %</b>
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
	511 WATER METERS	0.00	0.00	200,000.00	200,000.00	200,000.00	%
	518 WATER-Water Tank Maintenance	0.00	0.00	6,000.00	6,000.00	6,000.00	%
	547 CAMERAS/CAMERAS	0.00	0.00	8,500.00	8,500.00	8,500.00	%
	557 FIREFLY COVE SYSTEM	0.00	0.00	197,000.00	197,000.00	197,000.00	%
	598 SEWER-Manhole Repairs	0.00	0.00	20,000.00	20,000.00	20,000.00	%
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>431,500.00</b>	<b>431,500.00</b>	<b>431,500.00</b>	<b>%</b>
	<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>431,500.00</b>	<b>431,500.00</b>	<b>431,500.00</b>	<b>%</b>
910000	DEBT SERVICE						
910000	DEBT SERVICE						
	611 SRL Fund Project	0.00	0.00	55,955.00	55,955.00	55,955.00	%
	612 Joint Wrapping Project	0.00	0.00	63,990.00	63,990.00	63,990.00	%
	720 Bond Interest	3,224.36	3,224.36	7,740.00	7,740.00	4,515.64	42 %
	<b>Account Total:</b>	<b>3,224.36</b>	<b>3,224.36</b>	<b>127,685.00</b>	<b>127,685.00</b>	<b>124,460.64</b>	<b>3 %</b>
	<b>Account Group Total:</b>	<b>3,224.36</b>	<b>3,224.36</b>	<b>127,685.00</b>	<b>127,685.00</b>	<b>124,460.64</b>	<b>3 %</b>



11/01/21  
11:47:23

TOWN OF LAKE LURE  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 10 / 21

Page: 8 of 9  
Report ID: B100

Item V.A.

53 WATER AND SEWER FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
980000	TRANSFERS						
980000	TRANSFERS						
	958 Transfer to Fund Balance	0.00	0.00	387,125.00	387,125.00	387,125.00	%
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>387,125.00</b>	<b>387,125.00</b>	<b>387,125.00</b>	<b>%</b>
	<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>387,125.00</b>	<b>387,125.00</b>	<b>387,125.00</b>	<b>%</b>
	<b>Fund Total:</b>	<b>33,259.36</b>	<b>273,522.33</b>	<b>1,650,110.00</b>	<b>1,726,610.00</b>	<b>1,453,087.67</b>	<b>16 %</b>

TOWN OF LAKE LURE  
Statement of Expenditure - Budget vs. Actual Report  
For the Accounting Period: 10 / 21

Item V.A.

56 ELECTRIC FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
720000	ELECTRIC OPERATIONS						
720000	ELECTRIC OPERATIONS						
100	SALARIES	19,847.13	65,064.09	150,787.00	150,787.00	85,722.91	43 %
101	OVERTIME	0.00	114.31	15,000.00	15,000.00	14,885.69	1 %
103	Professional Services	0.00	0.00	40,000.00	40,000.00	40,000.00	%
109	FICA	1,522.87	5,001.20	12,683.00	12,683.00	7,681.80	39 %
110	Retirement	3,578.43	11,071.92	25,655.00	25,655.00	14,583.08	43 %
111	Group Insurance	2,672.47	8,118.85	21,650.00	21,650.00	13,531.15	38 %
120	401 (K) Contribution	779.95	2,469.38	7,550.00	7,550.00	5,080.62	33 %
212	Supplies-Fuel	351.39	1,727.77	6,000.00	6,000.00	4,272.23	29 %
214	Supplies-Dept	344.31	1,340.46	6,200.00	6,200.00	4,859.54	22 %
310	Travel and Transportation	20.78	36.42	5,000.00	5,000.00	4,963.58	1 %
321	Telephone	203.37	863.69	3,000.00	3,000.00	2,136.31	29 %
330	Utilities	405.55	1,499.66	4,000.00	4,000.00	2,500.34	37 %
350	Repairs and Maint-Buildings	3,568.00	4,296.65	10,000.00	10,000.00	5,703.35	43 %
353	Repairs and Maint-Equipment	4,477.33	20,650.52	28,000.00	28,000.00	7,349.48	74 %
691	Contractual Services	0.00	12,635.87	42,000.00	42,000.00	29,364.13	30 %
	<b>Account Total:</b>	<b>37,771.58</b>	<b>134,890.79</b>	<b>377,525.00</b>	<b>377,525.00</b>	<b>242,634.21</b>	<b>36 %</b>
	<b>Account Group Total:</b>	<b>37,771.58</b>	<b>134,890.79</b>	<b>377,525.00</b>	<b>377,525.00</b>	<b>242,634.21</b>	<b>36 %</b>
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
507	HYDRO-Lighting Upgrade	0.00	0.00	6,800.00	6,800.00	6,800.00	%
590	Other structures,	0.00	6,200.00	7,500.00	7,500.00	1,300.00	83 %
621	VENTILATION FAN	0.00	7,640.00	8,500.00	8,500.00	860.00	90 %
	<b>Account Total:</b>	<b>0.00</b>	<b>13,840.00</b>	<b>22,800.00</b>	<b>22,800.00</b>	<b>8,960.00</b>	<b>61 %</b>
	<b>Account Group Total:</b>	<b>0.00</b>	<b>13,840.00</b>	<b>22,800.00</b>	<b>22,800.00</b>	<b>8,960.00</b>	<b>61 %</b>
	<b>Fund Total:</b>	<b>37,771.58</b>	<b>148,730.79</b>	<b>400,325.00</b>	<b>400,325.00</b>	<b>251,594.21</b>	<b>37 %</b>
	<b>Grand Total:</b>	<b>868,556.81</b>	<b>0.00</b>	<b>3,149,279.79</b>	<b>10,816,772.00</b>	<b>11,472,483.00</b>	<b>8,323,203.21 27 %</b>



**Dean Givens; Parks, Recreation, and Lake Director**

**DEPARTMENT: Parks, Recreation, and Lake**

**REPORT DATE:**

**PREPARED FOR:**

October 28, 2021

Town Manager

## I. ACCOMPLISHMENTS

### Current Parks, Recreation, and Lake Projects:

1. Boy's Camp Rd. Campground – <i>New master plan has been adopted</i>	2. Luremont Trails – <i>Trail scouted; permits filed; Plan approved by Parks and Rec. Board, legal opinion received; working on next steps</i>	3. Marina Phase II and Amphitheater Funding – <i>Working with TDA/ Rutherford Bound to keep projects moving forward</i>
4. Monetization Schedule for P&R Assets and Facilities – <i>New ideas being considered</i>	5. Updating Parks and Recreation Open Space Plan – <i>Working with Ed Dittmer and Moe Bay on updates</i>	6. Morse Park Walking Path Expansion Grant – <i>To expand the pavement back to town hall</i>
7. Morse Park Master Plan update which includes the design of the amphitheater and additional parking	8. Replacement of boardwalk/seawall at the gazebo – <i>Applying for permits</i>	9. Buffalo Creek Park parking lot expansion – <i>Not selected for grant funding; researching other grant options</i>
10. Permit for Filling in Half of Pond in Morse Park – <i>According to the Morse Park master plan</i>	11. Deep Water Launch – <i>Applying for permits</i>	12. Finishing the paver walkway from the small beach house to the big beach house
13. Island Creek spoils site	14. Lake access for dredge equipment	15. Storm Damage Repair

**PR&LD ACTIVITIES:**

1. Oversee daily operations for Parks, Rec, & Lake
2. Attended multiple staff/public meetings
3. Attended multiple project meetings
4. Picked up the new work barge
5. Worked on multiple projects
  - Dredging
  - Island Creek Rd. silt disposal site
  - Deepwater Launch
  - Walkway pavers in front of beach
  - New seawall at gazebo
  - Mining permit
  - Boys Camp Rd. plans
  - Police in-service training
  - New permitting soft ware
  - Assisted Police department due to staffing shortages

**PR&TC ACTIVITIES:**

1. Was sworn in as a Lake Lure law enforcement officer on 10/19
2. Mailed commercial boat licensing renewal letters
3. Began checking the renewal applications we received and filing them
4. Continued working on project permit applications
5. Made reminder phone calls to people with boats still in the marina about the lake drawdown
6. Ordered the 2022 boat permit stickers
7. Began working on the 2022 dredging grant application
8. Continued training the new AmeriCorps member, Samantha Brooks
9. Updated the Parks, Recreation, and Lake Department Standard Operating Procedures
10. Continued research for a new permitting software company
11. Continued lake debris clean-up efforts
12. Recruited volunteer to help with lake debris clean-up - 1 volunteer; 16 volunteer hours
13. The trail boss for the Weed Patch Mountain Trail walked the trail, cleared several trees, and reported issues on 10/10 – 1 volunteer; 8 hours
14. The trail boss for Buffalo Creek Park and the AmeriCorps member walked the trail and reported issues – 1 volunteer; 4 hours
15. Led Buffalo Creek Park workday on 10/12 to repair erosion and remove a large tree blocking the trail – 5 volunteers; 30 volunteer hours
16. Led Weed Patch Mountain Trail workday on 10/13 to remove fallen trees – 6 volunteers; 48 volunteer hours
17. More trees were cleared from the Weed Patch Mountain Trail on 10/18 – 2 volunteers; 12 hours
18. Erosion issues were repaired on the Weed Patch Mountain Trail on 10/21 - 1 volunteer; 6 volunteer hours
19. Fallen trees and storm damage was reported on Buffalo Creek Park and the Weed Patch Mountain Trail on 10/26 and 10/27. A fallen tree and other debris was removed from the trails – 2 volunteers; 16 volunteer hours
20. Recruited volunteers for a Dittmer-Watts workday on 10/27 to repair minor erosion and remove a tree from the trail – 2 volunteers; 6 volunteer hours

21. Planned upcoming trail maintenance days and recruited volunteers to help
22. We will check trail counters on 11/1 and continued training Samantha on the process
23. Checked Buffalo Creek Park, Dittmer-Watts Nature Trails, and Weed Patch Mountain for damage
24. Utilized volunteer to collect water samples from streams – 2 volunteers; 12 volunteer hours
25. Took water samples to EQI for testing
26. Utilized a total of **158 volunteer hours**
27. Attended several meetings

### **P&R Maintenance Activities:**

1. Helped with storm damage clean-up
2. Performed regular ground maintenance activities at all areas
3. Cleaned parks, boat ramp, and marina
4. Sprayed playground equipment and picnic tables with bleach
5. Put up/took down arts and crafts festival and library banners

### **Lake Activities:**

1. Debris pickup
2. Storm debris clean up
3. We now have the new work boat and barge here

## **1. FOLLOW UP**

1. Open Space Plan: Will continue working with Ed Dittmer and Moe Bay to update the Open Space Plan
2. Luremont Trail: Plan has been approved by Parks and Recreation Board; legal opinion received; working on next steps
3. Boys Camp Road: Not selected for PARTF funding.
4. Dredging Grant: \$637,500 grant awarded, applying for 2022 grant
5. Naming Rights Policy: Continuing to gather information for Naming Rights Policy for Town properties
6. Lake Lure Trails: Work days held on Lake Lure trails each month to ensure they are properly maintained

## **2. OTHER**

1. Marina Slips Available: 0



**NAME:**  
 Mike Williams: Community Development Director  
 Rick Carpenter: Development and Environmental Review Specialist

**DEPARTMENT:**  
 Community Development



**REPORT DATE:** November 3, 2021 (reporting period 10/1-10/31/21) **PREPARED FOR:** Town Manager/Town Council

**I. REOCCURRING WORK ACTIVITIES**

**1. Zoning Administration/Code Enforcement**

Certificate of Zoning Compliance Issued .....	11
Certificates of Zoning Compliance Denied .....	0
Certificates of Occupancy Issued.....	6
Vacation Rental Operating Permits Issued.....	2
Permanent Sign Permits Issued (0) Temporary (0) .....	0
Complaints Logged .....	0
Complaints Investigated .....	0
Notices of Violation Issued .....	0
Civil Penalties Issued .....	0
Stop Work Orders Issued.....	0
Improperly Posted Address Notifications Issued .....	0
Abandoned/Dilapidated Structures Cases Open..... (0 closed by demo)...	0
Z&P Hearings Processed.....	0
BOA Hearings Processed.....	0
Demolition Permits Issued .....	0
VROPs Active to Date.....	449

**2. House/Modular/Heavy Load Moves Through Town..... 1**

**3. Environmental**

Land Disturbance Permits Issued. ....	2
Complaints Logged .....	0
Complaints Investigated .....	1
Stop Work Orders Issued.....	0
Floodplain Development Permits Issued.....	1

**4. Lake Structures/Shoreline Stabilization**

Lake Structure Permits Issued .....	1
Shoreline Stabilization Permits Issued .....	0
LSAB Hearings Processed .....	0

**5. Subdivision Administration**

Preliminary Plat: .....	0
Final Plat .....	0

Minor Subdivisions: ..... 1  
 Exempt Plat Reviews: ..... 0  
 Lots Approved ..... 2

As Rutherford County Plat Review Officer (per GS 47-30):

Plats Reviewed: ..... 2  
 Plats Approved: ..... 2

**II. PROJECTS UPDATE**

Sedimentation into Lake/Water Quality Concerns; sub watershed 5-Grey Logs Cove and the Highlands Subdivision —

The Town, at the advice of our attorney, has agreed to hold Civil Penalties in abeyance for the opportunity for all parties to meet. Amy Annino with the State of NC, Brandee Boggs with USACE, Pete Dickerson with Odom Engineering, Clear Water Environment Consultants, and Highlands HOA have met at the upper road failure site on 02/26/2020. Odom Engineering, as a consultant for Highlands HOA, provided the Town with plans. Staff coordinated and reviewed plans with Amy Annino from NCDEQ and Brandee Boggs from the USACE to ensure all regulations measures are satisfied. Plan revision requests and comments were sent to Pete Dickerson with Odom Engineering on 04/02/2020. Town staff have reviewed the revised plans submitted by Odom Engineering. NCDWR, USACE, and Town Staff have approved the revised plans and have released permits to the applicants.

CDD staff received plan revision requests from Odom Engineering for the upper slope failure repair. Staff reviewed the plan revisions and coordinated comments with NCDEQ and USACE. These comments were shared with Odom Engineering and the Highlands POA on 2/11/21. **Update:** No final revisions were submitted nor has work commenced on this repair. On 4/1/21, the USACE issued a deadline for final plans to be submitted by 5/15/21 and the project be completed within 180 days. **Update:** 8/12/21 communication with USACE: their purview is the redirected stream without permits. They returned Odom Engineering’s last resubmission due to incorrectly calculated specs and, for what USACE considered, an inadequate solution. On 8/18/21, Mitchell Anderson from NCDEQ told me that they have not received an application or acceptable plans. Their purview issue is the sediment runoff from The Highlands’ road/slope failure into stream. The Town issued a NOV letter on 9/6/19 addressing the failure to file an Erosion Control Plan and related failures of control measures. On 5/1/20, the Town issued a Land Disturbance Permit and erosion & sedimentation control plan Letter of Approval. While some measures have been taken, the approved plans have not been followed. We are evaluating, with USACE and NCDEQ, how to proceed.

**Update:** Working with NCDEQ/Mitchell Anderson and a representative from Zoning & Planning Board to meet at site to evaluate current situation and appropriate actions to move forward with. **No Update: 10/31/21**

Lake Structure Tag Maintenance Program – The Town of Lake Lure’s Lake Structure Regulations require that all lake structures be maintained and in good repair. There is to be a lake structure certificate and accompanying structure tag issued for all structures on the waters of Lake Lure certifying that the structure is in compliance with the ordinance. The ordinance provides that the town shall have the authority to condemn any lake structure due to decay, disrepair, or any hazardous condition. The property owner will be given a written notice and 90 days to comply with the Town Council's determination. If the owner fails to appeal to the Town Council for a hearing or comply with their determination, Council may revoke their lake structure certificate and accompanying tag (if one had been issued) and remove the structure at the property owner's expense. It also provides that owners of upland property who fail to comply with this section of the Lake Structure Regulations (§ 94.08), shall be ineligible to receive a boat permit.

As this program has not been enforced in over 20 years, some lake structure have not been maintained, resulting in potentially hazardous conditions. In an effort to ensure all lake structures built or installed over the Town’s lake

property, the Community Development Department has been asked to restart the enforcement of the lake structures tag program. The department is working with the Town's attorney to ensure all elements of this program align with state regulations and can be restarted, as well as evaluating how to develop a sustainable means of monitoring/enforcing the program. As staff are not qualified to inspect the structural integrity of structures, a qualified professional (engineer) will have to perform the inspections. **Update:** Reinstating the program with focus on 1) communicating Town's ownership of Lake where structures stand, 2) communicating the responsibility of Lake Structure owners to maintain those structures in good repair, and 3) Town will begin periodic inspections of structures, including having certified engineering inspections and utilize those professional opinions as a basis for enforcement of the existing Lake Structure regulations. We are negotiating a contract with LaBella to conduct inspections and provide written opinion of structure compliance with Town's Regulations. Inspections will begin during this year's drawdown. **Update:** No contract with LaBella/working on referral-based enforcement of Town's existing Lake Structures requirement that property owners maintain their lake structures in good repair and not create a "hazardous condition". Referrals will come from LaBella's engineers as they conduct Sewer Modification inspections, general public complaints/referrals, and staff referrals based on "float-by" inspections of all lake structures. The staff referrals will be based on inspections done by a selected team of staff and structural review-qualified inspectors. During September-October, we will conduct visual inspection from boat of all lake structures, creating new digital image file of existing structures, and identifying structures that appear to be less than structurally sound and not in compliance with Town requirements. Property owners of those identified structures will be notified of their need to either correct those structural hazards or provide professional certification that the structure is structurally sound and should not be considered a hazard. The other component of the program is communication of the Town's right, as owner of the lake, to require that property owners of structures built on the lake do maintain their structures in good, safe repair or potentially lose their right to maintain a structure on the Town's property. This will be a significant change after many years of very limited enforcement of that requirement but should greatly enhance the safety and enjoyment of the lake for our community as we go forward. **Update:** Have begun CDD inspections of lake structures by boat. Compiling current photo record of each structure and evaluating each structure using a program checklist. Checklist uses a visual inspection assessment ranking of 1) "Excellent Condition" (like new/no obvious damage), 2) "Good Condition" (minimal signs of wear or damage/decay), 3) "Poor Condition" (missing/damaged boards, decay, not an immediate health/safety hazard), or 4) "Bad Condition/Hazard" (damage, disrepair and/or decay that may constitute a hazard). Structures identified with "Poor Condition" will receive a notice of advisement that their structure may soon require repairs or action in order to continue to meet the Town's requirement of maintaining structures built on the Town-owned lake in good repair. Structures identified with "Bad Condition/Hazard" will be notified that they are being referred to an outside evaluator to make a recommendation as to whether *immediate* action may be necessary in order to meet the "Good Repair" requirement. **Update: CDD completed visual inspections from boat of all lake structures within "first priority area" (Phase 1 of Town's Sewer Project), and took structure photos. Now working on post-inspection communications to property owners and follow-up inspections of about 5 properties containing structures identified as potentially "Bad Condition/Hazard".**

**Deep-water Ramp project:** CDD is working with Dana Bradley and Dean Givens to obtain Federal and State approval for the critical ramp beside the dam, and then to issue the Town permits to allow the ramp to be built during this year's lake drawdown. To try to push through complications with the U.S. Army Corp of Engineers and NCDEQ processes, we have scheduled a review meeting with their representatives here in Lake Lure on September 13<sup>th</sup>. **Update: Continuing to work with Dana Bradley and Dean Givens on Federal, State and Town permitting.**

**Town Park/Cell Tower Project:** CDD working with AT&T and their design/construction partners on potential tower, with plan to site it within a planned park/campground development. A proposed 70' X 100' lease area, containing a



50' X 70' fenced tower site has been surveyed and marked. AT&T has recommended a 199' monopole tower based upon the signal effectiveness that our community needs, while keeping the tower under the 200' FAA's required lighting height. AT&T/contractor have also agreed to an engineered tower design that would have a fall-zone of no more than 75', creating the opportunity for safe placement within a smaller setback. The Zoning and Planning Board has recommended that the Boys Camp Road site be rezoned from the previous zone (Chimney Rock Village's "Commercial Business" Zone) to Town's "Government Use" Zone. This will be presented to the Town Council on November 9<sup>th</sup>. We will also present a Master Plan revision to include both the park and tower and a text amendment relating to the fall-zone setback at that same meeting. We are also working on a potential lease agreement between the tower owner and the Town that could provide valuable funding for the park project. Potential project completion/tower operation could be mid-2022. **Update: Public Hearing and Town Council decision scheduled for 11/9/21 for 1) Zoning and Planning Board reviewed and prepared recommendation to Town Council to zone Boys Camp Road site as Government Use and 2) to adopt the Proposed Master Plan prepared by Parks and Recreation Department which combines the planned public park and tent camping area with the tower. Presented to Town Council as 11/9/21 agenda items for public hearing and Council review/vote.**

### III. OTHER

In addition to what has already been covered, the Community Development Department has been involved in:

#### 1) Staff Development/Training

- a. Rick continuing classes through UNC School of Government classes (virtual) for his Certified Zoning Official credentials. Plans to sit for the CZO testing on November 18<sup>th</sup>.
- b. I attended the NC Floodplain Managers Conference October 20-22<sup>nd</sup> for information, peer contacts and required training credits.

#### 2) Other Projects

- a. CDD is studying and evaluating permitting processes, forms and our code interpretations by asking questions of "why" and "what was the intent of the code as written". We do/will continue to take these issues to the Zoning and Planning Board for follow-up reviews and for recommendations to ensure that we are fairly, consistently and accurately administering the Town's development permitting processes.

If questions or ideas, please let Rick or me know.



Mike Williams, CZO, CFM  
Community Development Director



Name: David Arrowood

Department: Public Works

**REPORT DATE:**

October 31, 2021

**PREPARED FOR:**

Town Manager

**I. ACCOMPLISHMENTS**

- 1.
- 2.
- 3.

**II. FOLLOW UP**

- 1.
- 2.
- 3.

**III. OTHER**

10-5-21 I talked with Reese today about Manhole Rehab.

10-5-21 I talked with Dean Lindsey today about the Water Meter project.

10-5-21 I talked with Mike Willams today about House Move coming to Town.

10-5-21 We checked a ditch on Ridge Road. We will clean Ditch.

10-6-21 I talked with Shannon about NOV that we received for water system. This happened when Chuck was out with Covid-19 and we were late sending in paperwork.

10-6-21 I talked with Kurt about project for FFC Water System.

10-7-21 We had a spill at Pumpstation today due to all the heavy rain. We turned it into DEQ.

10-8-21 We removed fallen tree on Washburn Rd.

10-8-21 We read some water meters in Chimney Rock.

10-8-21 Completed press release and sent 5 day report to DEQ about spill.

- 10-11-21 We replaced old flags at Town Hall.
- 10-11-21 We fixed a washout on North Shore Today where slope fell down hill during heavy rains. We also cleaned culvert that was about stopped up.
- 10-11-21 We added gravel to shoulder of Chapel Point and Boys Camp Road today.
- 10-11-21 I attended a Zoom Meeting for the manhole rehab today.
- 10-12-21 We started mowing Street Rights of Way.
- 10-12-21 We cleaned out pumps at pumpstation.
- 10-12-21 We took blower and blew leaves off Harris Rd.
- 10-12-21 We purchased a air compressor to help fix problems at pumpstation.
- 10-12-21 Contractor started repaving back section on Lakeview today.
- 10-13-21 We worked on water monthly reports today.
- 10-13-21 We cleaned up fallen trees on Snug Harbor today.
- 10-13-21 We made repairs to pump station today. We got all 3 pumps back online.
- 10-14-21 Helped fix broken valve wrench at WWTP.
- 10-14-21 Cleaned ditches on Sunset Cove Today.
- 10-13-21 We mowed intersections today.
- 10-15-21 We met with homeowners on Blarney about a ditch that we will clean out.
- 10-15-21 We fixed a  $\frac{3}{4}$  water leak on Anglers Way today.
- 10-18-21 We fixed a  $\frac{3}{4}$  water leak today on Snug Harbor.
- 10-18-21 Finished fixed hole from water leak on Anglers Way.
- 10-19-21 We cleaned up broken tents from Arts and Crafts Festival.
- 10-21-21 We started fixing a washout today on Youngs Mountain.
- 10-21-21 We removed and chipped fallen trees on Proctor Rd and Washburn Rd.
- 10-22-21 We finished repairing slide on Youngs Mountain.
- 10-22-21 We cut back bushes between Arcade Building and Public Works.
- 10-25-21 We started blowing leaves off strrets with blower on tractor.

10-25-21 We cleaned ditch on Blarney Rd today.

10-26-21 Helped with sludge project at WWTP.

10-27-21 Worked all day at WWTP on sludge.

10-28-21 Helped clean up everything at WWTP from sludge project.

10-28-21 We checked sewer problem at 238 Thomas Drive. Problem was homeowners.



**NAME: DEAN LINDSEY**

**Department: HYDRO/DAM/WWTP**

**REPORT DATE:**

**CLOSE OUT MONTH:**

**PREPARED FOR:**

01 November 2021

October 2021

Town Manager

**I. REVENUE**

**Top 5 Months of Revenue**

Rank	Year	Month	Revenue
1	2016	January	\$124,215.00
2	2013	July	\$114,057.00
3	2013	August	\$109,521.00
4	2019	January	\$108,199.00
5	2019	February	\$107,935.00

**2021-2022 Budget Year Revenue  
Red Denotes Off Peak Months**

July	392,317 KWH	\$33,765.71
August	435,040 KWH	\$32,829.40
September	519,541 KWH	\$42,545.78
October	Report Not Received from Duke Energy	\$46,696.27
November		
December		
January		
February		
March		
April		
May		
June		
<b>TOTAL:</b>		\$155,837.16

**II. GENERATOR RUN TIMES & LAKE LEVELS**

Generator # 1 (Small Unit) = 220 Hours  
 Generator # 2 (Big Unit) = 85 Hours  
 Minimum Recorded Lake call in Level = 34.00 Inches  
 Max Gate Opening = 1 Feet Cumulative (Daily Maintenance)

- The Weather was cooperative with our run schedule.

### IV. SCHEDULED MAINTENANCE AND IMPROVEMENTS

- Replaced Battery for DC Excitation Circuit @ Hydro plant.
- Continued Cleaning at WWTP to remove obsolete items.
- Prepping parts for WWTP Mixer motor and gearbox project.
- Water line for WWTP office hut had to be abandoned due to breakage under slab. Still in process of running new piping for facility. Sink is operational. During renovation found excessive termite damage and mold issues. Repairs have been added to list.
- WWTP Bar Screen hydraulic motor has been tripping breaker. Contactor has been replaced with new and is working as should.
- WWTP Chem room Roofing had been damaged from weather events. Patched and installed new ridge vents.
- WWTP Chemical room upfit progress report. 1 tank left to be drained and removed. Interior Masonite walls have been removed, Piping and pumps removed, up next is rewiring the Chem room, sealing floors, installing tanks, and plumbing for our process.
- Completed Sludge trials with a lot of positive results. Awaiting on trial data from manufacturer so we can analyze and determine next steps for our sludge management. A big attaboy for the help from the public works team. I couldn't have done this without their help for setting up the site and operations for the trial.
- The Flow Monitor for the WWTP had a probable surge and control board was unresponsive. Replaced with new flow monitor and ultrasonic sensor. Will send old unit out for repair and if it can be repaired economically, we will keep it for our spare.
- The Well pump for the WWTP has been home to the local habitat and the wiring insulation has been chewed and removed. The local habitat did not fair well with this. Have temporarily repaired, and parts have been ordered to perform permanent repairs and reinsulating from cold weather.

**Name:** Laura Krejci

**Department:** Communications\Events\Grants

**REPORT DATE:** OCTOBER 31, 2021

**PREPARED FOR:** TOWN MANAGER

## I. WEBSITE UPDATES

- a. The following articles were posted this month. A listing of these titles with hyperlinks was emailed to 1,482 citizens, along with a link to the Town Calendar.

Oct 29, 2021

[Thank You Lake Lure Artists, Volunteers, Supporters, and Bear Buyers!](#)

Oct 28, 2021

[Employment Opportunity - Town Manager for the Town of Lake Lure, NC](#)

Oct 27, 2021

[Lake Levels - Drawdown Schedule and Planned Projects](#)

Oct 26, 2021

[Town Council Special Meeting Wednesday, October 27, 2021 - 8:30 AM](#)

[Boosters for All Vaccines Available Now](#)

[Seeking Design-Build Team for Subaqueous Sanitary Sewer Replacement Project](#)

Oct 25, 2021

[Press Release - Rutherford County Expands Paramedic Service To Ensure 911 Coverage Dittmer-Watts Nature Trail Workday - 10/27/21 at 8:00 am](#)

Oct 21, 2021

[Will Bears Find A Good Winter Den At Your Place?](#)

[Veterans Day Program 11/11/21 at 9:00 am](#)

[Election Information](#)

Oct 20, 2021

[Town Hall Phone Lines are Temporarily Out of Service](#)

[LOADED FOR BEAR Ends Sunday, October 24th.](#)

[Mentoring for Medicine Learning Session - Please Join Us](#)

Oct 19, 2021

[10/19/21 COVID-19 Update](#)

[Town of Lake Lure Swears in New Police Officer Dana Bradley](#)

Oct 18, 2021

[Trips to Discover: The 15 Best Lake Towns in the U.S. By K.C. Dermody](#)

Oct 16, 2021

[Water is on 10/18/21 - Snug Harbor](#)

Oct 15, 2021

[Board Vacancies](#)

[Check Out Our Online Work orders?](#)

Oct 12, 2021

[Final Books and Bites Event with Author Michael Almond](#)

[Repairs/Paving on Lake View Drive](#)

Oct 11, 2021

[Town Council Zoom Meeting Reminder - 10/12/21 at 5:00 pm](#)

[Yoga on the Bridge](#)

[Register for Lake Lure's Emergency Notification System - Everbridge](#)

Oct 08, 2021

[NOTICE - Intermittent Delays for House Move 10/12/21](#)

[Preserving Lake Lure for Future Generations](#)

Oct 07, 2021

[Press Release -General Statue 143-215.1c](#)

[State of Emergency 10/7/21 - Town of Lake Lure Warning - Flood Alert](#)

Oct 06, 2021

[Fallen Tree - Buffalo Shoals Rd.](#)

[Weed Patch Mountain Workday 10/13/21](#)

[10/6/21 COVID-19 Update](#)

[Employment Opportunity - Firefighter](#)

[Employment Opportunity - Police Officer](#)

Oct 05, 2021

[Bill's Creek Volunteer Fire Department Yard Sale](#)

[Please Use Caution - Fraudulent Request for Funds](#)

[Employment Opportunity: Lake Lure ABC Store Manager](#)

Oct 01, 2021

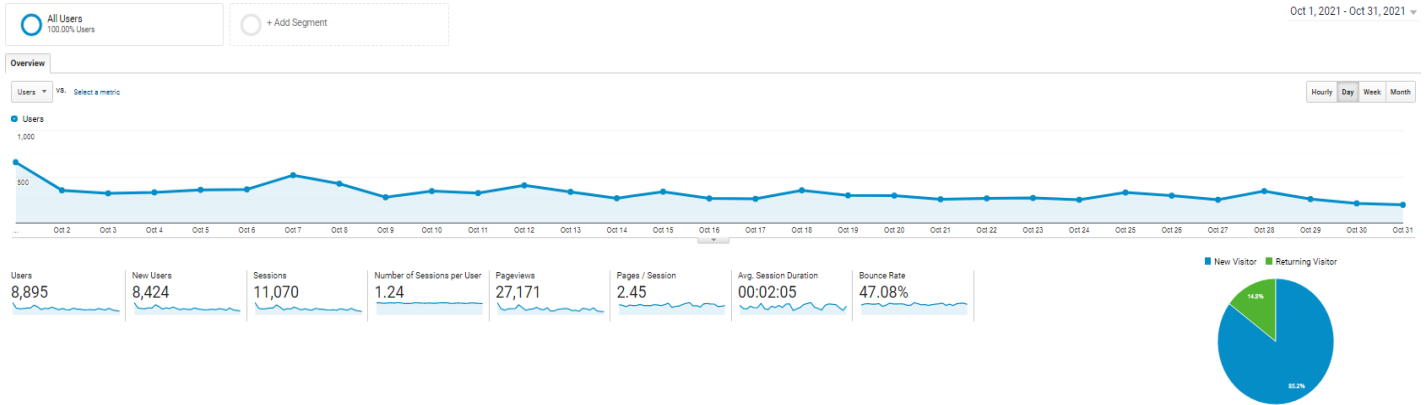
[Lake Lure Flowering Bridge Seasonal Features](#)

# I. WEBSITE UPDATES

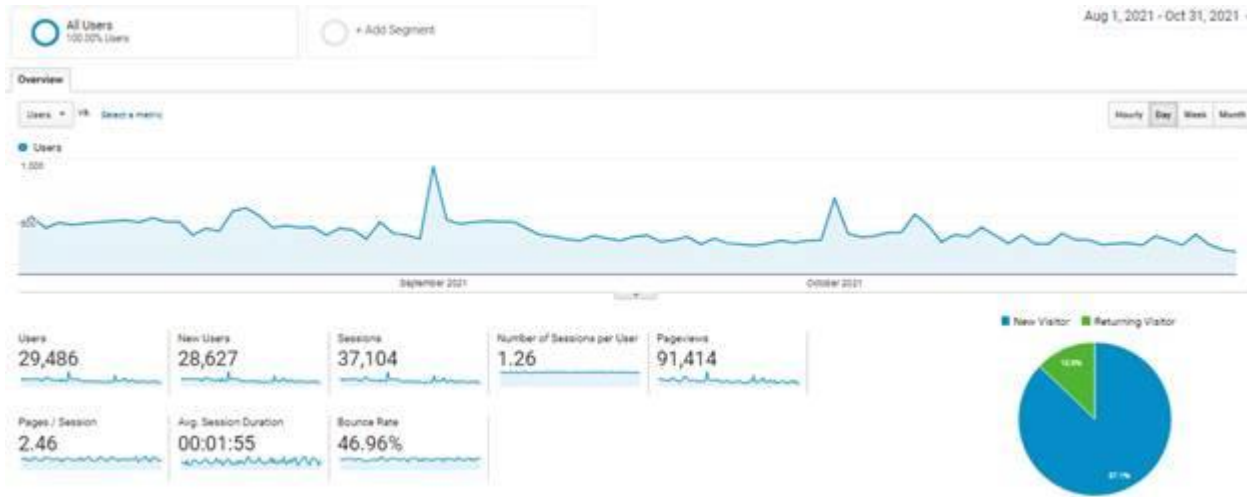
## b. Website Analytics:

1) Website Inquiries: Responded timeline to 17 website inquiries, 6 online work orders and 16 online facility reservations.

### 2) Monthly Statistics:



### 3) Quarterly Statistics:



### 4) Top Pages this quarter:

		109,357		
		% of Total: 100.00% (109,357)		
1.	<a href="https://www.townoflakelure.com/">https://www.townoflakelure.com/</a>	32,684 (29.89%)	11. /parksreclak/page/buffalo-creek-park	1,193 (1.09%)
2.	<a href="/parksreclak/page/town-lake-lure-parks-and-trails">/parksreclak/page/town-lake-lure-parks-and-trails</a>	6,465 (5.91%)	12. /parksreclak/page/recreation-and-around-lake-lure	1,162 (1.06%)
3.	<a href="/parksreclak/page/lake-lure-beach-and-water-park">/parksreclak/page/lake-lure-beach-and-water-park</a>	3,564 (3.26%)	13. /jobs	1,103 (1.01%)
4.	<a href="/parksreclak/page/fishing-and-around-lake-lure-nc">/parksreclak/page/fishing-and-around-lake-lure-nc</a>	2,818 (2.58%)	14. /parksreclak/page/lake-use-regulations	1,088 (0.99%)
5.	<a href="/calendar">/calendar</a>	2,720 (2.49%)	15. /news	1,082 (0.99%)
6.	<a href="/parksreclak/page/getting-out-lake-lure">/parksreclak/page/getting-out-lake-lure</a>	2,642 (2.42%)	16. /404-error	898 (0.82%)
7.	<a href="/forms">/forms</a>	1,836 (1.68%)	17. /contact	893 (0.82%)
8.	<a href="/parksreclak/page/washburn-marina">/parksreclak/page/washburn-marina</a>	1,606 (1.47%)	18. /parksreclak/custom-contact-page/parks-recreation-lake-contact-information	843 (0.77%)
9.	<a href="/parksreclak/page/lake">/parksreclak/page/lake</a>	1,492 (1.36%)	19. /cd/page/town-ordinances	811 (0.74%)
10.	<a href="/community/page/4th-july-fireworks">/community/page/4th-july-fireworks</a>	1,299 (1.19%)	20. /administration/page/fee-schedules	800 (0.73%)



## II. FACEBOOK UPDATES

- Followers: as of 10/31/21, the Town has 17,261 followers, a 6% increase over 10/31/21.**
- The following posts were made in October 2021:**

Image	Text	Post Reach	Engagement	Image	Text	Post Reach	Engagement
	Employment Opportunity - Town Manager for the Town of Lake Lure, NC. Located in western... Thu, Oct 28	4460	262		Important Lake Drawdown Schedule and Construction Timeline: In May 2021, the Town ... Tue, Oct 12	2627	191
	Dittmer-Watts Nature Trail Workday Tue, Oct 26	0	--		TOWN COUNCIL ZOOM MEETING REMINDER - 10/12/21 AT 5:00 PM: Please join us for the monthly... Tue, Oct 12	668	17
	Town Council Special Meeting - Wednesday, October 27, 2021 - 8:30 AM: The Town Council has... Tue, Oct 26	512	9		House Moving Update - 10/12/21 2:00 PM: Thank you for your patience today with the... Tue, Oct 12	1303	15
	Boosters for All Vaccines Available Now: COVID-19 vaccine booster shots are now available for more... Tue, Oct 26	828	24		Have You Missed an Emergency Notification? Register now for the Town of Lake Lure, NC's... Thu, Oct 7	2427	112
	Seeking Design-Build Team for Subaqueous Sanitary Sewer Replacement Project: The public ... Tue, Oct 26	736	13		State of Emergency 10/7/21 - Town of Lake Lure: This morning, Rutherford County and the Tow... Thu, Oct 7	15830	1776
	Mentoring for Medicine (M4M) Learning Session 10/26/21 at 5:30PM: The Lake Lure communi... Mon, Oct 25	1019	21		Warning - Flood Warning: Heavy rain in the area is continuing to cause localized flooding! Please... Thu, Oct 7	2726	119
	2021 Veterans Day Program Thu, Oct 21	0	--		Tree Down - Buffalo Shoals Rd.: Local crews are working to clear a tree that is down on Buffalo... Thu, Oct 7	2504	149
	Lake Lure Town Hall Phone Lines are Temporarily Out of Service: The phone lines in Town Hall are... Thu, Oct 21	1567	28		Warning - Flood Alert: Heavy rain in the area is causing localized flooding! Please use caution... Thu, Oct 7	1402	26
	10/19/21 COVID-19 Update: There have been (265) Total Positive COVID-19 Cases in the Lake Lure... Tue, Oct 19	967	73		NOTICE - Intermittent Delays for House Move 10/12/21: WHAT: Intermittent Delays for House... Wed, Oct 6	2313	92
	Temporary Water Shut Off on 10/18/21 - Snug Harbor: Unfortunately, a water leak has... Mon, Oct 18	1768	55		10/6/21 COVID-19 Update: There have been (257) Total Positive COVID-19 Cases in the Lake Lure... Wed, Oct 6	1420	41
	The 15 Best Lake Towns in the U.S.: If you're looking for a lake getaway that not only brings the... Mon, Oct 18	5254	530		Employment Opportunity - Police Officer: The Town of Lake Lure, NC Police Department is accepting... Wed, Oct 6	2480	168
	Board Vacancies: The Town of Lake Lure, NC encourages residents of all ages and from all background... Fri, Oct 15	740	31		Employment Opportunity - Firefighter: The Town of Lake Lure, NC is accepting applications for ... Wed, Oct 6	915	22
	Seeking Design-Build Team for Subaqueous Sanitary Sewer Replacement Project: The public ... Fri, Oct 15	1698	36		Employment Opportunity: Lake Lure ABC Store Manager: The Town of Lake Lure, NC ABC Boar... Tue, Oct 5	5431	419
	LOADED FOR BEAR AUCTION Begins Today and ends Sunday, October 24th: Members of the... Fri, Oct 15	4514	548		Please Use Caution - Fraudulent Request for Funds: Recently a local merchant received a phone... Tue, Oct 5	3126	81
	Repairs/Paving on Lake View Drive: The Town of Lake Lure, NC is working to repair and pave La... Tue, Oct 12	1619	43				

### III. COMMUNICATIONS UPDATES

1. **Everbridge:** increased Everbridge registrants by 25 **this month** with 1,038 Everbridge registrants + 1 127 Nixel registrants) as of 10/31/21. We sent out three notifications this month:
  - 10/7/21: Notification of Heavy Rain
  - 10/8/21: Flooding Alert
  - 10/17/21: Lake Drawdown Notification
2. **Illuminated Signage:** Town Council approved the new signage. The company has been notified and we are working to replace the existing sign.
3. **Lake drawdown schedule/project overview:** The lake drawdown schedule and related project summary has been updated again this month to include an update of the project timeline. This summary has been posted several times under Town News since the drawdown schedule was announced in May 2021 and has been shared via the email message referenced on page 1. The summary is posted under lake levels on the website at the following link: <https://www.townoflakelure.com/parksreclak/page/lake-levels-drawdown-schedule-and-planned-projects>
4. **Communications Plan:** developed a comprehensive communication plan based on recent budget and infrastructure developments. Numerous stakeholders for input which has been incorporated and shared with town council for their review and further input. **Update 10/31/21:** Await input regarding Town Council recommendations. May need to revise the Social Media Policy based on recommendations found through the recent research related to Facebook Comments.
5. **Facebook (FB) Comments:** Memo WAS COMPLETED AND forwarded to the Town Manager and Town Council 10/6/21 with the findings and input regarding the questions raised about Facebook comments.
6. **New Website Orientation Guide:** Working to develop an orientation video to help new users with the website.
7. **NC Governor's Advisory Council on Film, Television, and Digital Streaming:** Awaiting a copy of the footage for our own use.

### IV. Grants

1. **FEMA High Hazard Potential Dam (HHPD) Grants:**
  - A. **2020 FEMA HHPD grant:** the 2020 grant application was approved and the town was officially awarded \$121,000 for this project. The total project cost is **\$185,710**. The town must contribute 35% (**\$64,998.50**) to support completion of this project. The FEMA HHPD grant contract was reviewed and approved by the town attorney and signed and forwarded to NC DENR for their signature. **Update 10/30/21:** Quarterly report submitted 10/1/21.
  - B. **Second 2020 FEMA HHPD grant:** completed a proposal for a **conceptual design of a replacement for the lake lure dam. The total cost of this project is \$58,568**. This grant opportunity requires a 35% match. The town must contribute **\$20,498.80** to support completion of this project, if awarded the remaining **65% (\$38,070.20)**. **Update 10/31/21:** **The NC DSO advised that the National FEMA office approved this grant.** Notified the contractor and confirmed that the work order was ready for signature. Worked with the Finance Director to prepare a Budget Amendment for \$58,568 for Town Council's approval.
  - C. **FY2021 FEMA HHPD grant:** The grant application for this year was submitted 6/11/21. I worked closely with Schnabel Engineering to submit this application for the field investigation to support the dam reconstruction of the replacement dam. The cost was estimated at 1.3 million. FEMA grants awards in NC are expected to be in the \$100 – 120,000 range for this opportunity per NC DEQ DSO. **Update 10/31/21:** **We were advised by the NC DEQ DSO that we could expect a grant in the amount of \$150,000 for this project.** Worked with the contractor to revise the proposal to include the first phase of this work. The new work order was drafted for \$231,000, based on a pending grant of \$150,000. Await Town Council approval to move forward once the previous grant and budget amendment are secured.
2. **Transportation and infrastructure committee funding** - Representative Cawthorn: Worked with Commissioner Diorio and the Town Manager to submit an application for funding through representative Cawthorn's office for the Transportation and Infrastructure committee, based on the State Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP). Obtained letters of support from Senator Burr's Office, the Isothermal RPP, Rutherford County and the Mayor of Lake Lure. **Update 10/31/21:** Lake Lure's project remains on the listing for \$8,000,000. Requested a status update from Rep Cawthorn's office but as we know from the news this funding has not yet been approved.
3. **NC Safety Grant:** Working with the Police/Fire Chiefs to submit a grant for police/firefighter equipment.

### V. EVENTS/COMMUNITY OUTREACH

1. **Communications Meeting with Realtors:** awaiting dates and points of contact from Doug Kelly to schedule the realtor's forum.
2. **Round Table:** Await confirmation from Town Council to plan and coordinate the next Round Tables sessions.
3. **Veterans Day:** Working with Rumbling Bald to hold the next Veterans Day program in partnership. The Lion's Club will help support the program as well. We are pleased to have Gen John Longhouser providing special remarks and Lake Lure Classical Academy Elementary School Students participating as well.
4. **Lighting Up the Gorge** will be hosted by the Chamber and is scheduled for 11/28/21 at 4:00 in Town Center.
5. **Lighting Up Lake Lure:** The Town of Lake Lure and the Flowering Bridge Board, in partnership with Lake Lure Classical Academy will ring in the holidays with the Lighting of the Flowering Bridge 12/1/21 at 5:30.



**NAME:** Olivia Stewman

**POSITION:** Town Clerk

**REPORT DATE:** November 2, 2021

**PREPARED FOR:** Town Manager

### ACCOMPLISHMENTS

- Prepared agendas for, attended, and recorded minutes for Town Council.
- Clerked one regular Town Council Meeting and one special Town Council meeting
- Aided the ABC Board, Town Human Resources Specialist, and Town Communications Specialist with preparing documents for the purpose of seeking a new ABC Store Manager
- Clerked one Zoning and Planning Board Meeting
- Finalized all of the October minutes to be approved in November
- Participated in multiple group discussion regarding various subject matter
- Drafted and/or proofed a multitude of resolutions, ordinances, and notices
- Coordinated with various staff members and liaisons to improve or complete miscellaneous tasks.
- Began preparing for board appointments by reaching out to current members with expiring terms and past applicants not currently serving on a board, and I have created draft ballots for all boards
- Attended a 'Hot Topics in Local Government' course
- Consistently communicated with citizens to grant public requests and answer inquiries
- Worked with town staff and NCLM representatives to advertise for submissions of Requests for Qualifications (RFQ) for a design-build team related to the replacement of the subaqueous sanitary sewer system

- Networked with local government professionals with the Town of Mills River and I am set to meet with additional local clerks in the near future

## **FOLLOW UP**

- Compiled a folder containing all of received intents to submit the RFQ (discussed above) – upon the due date, I will share all submissions with the Town Manager
- Spoke with Marcus Abernethy with the NCLM – I will be setting up a date for Mr. Abernethy to visit Lake Lure and hold discussions, including a discussion regarding a 2030 vision survey assessment.

## **OTHER**

- Following Shannon Baldwin's departure on November 17<sup>th</sup>, I will be appointed as acting town manager. I will be preparing for this role in the following weeks.



**NAME: SEAN HUMPHRIES**

**Department: LAKE LURE POLICE DEPT**

**REPORT DATE:**

**CLOSE OUT MONTH:**

**PREPARED FOR:**

11/1/2021

October 2021

Town Manager

**I. ACCOMPLISHMENTS**

1. **With coordination from several Town departments, LLPD escorted four units of a home to the location on Garden Lane. The processes went as planned.**
2. **We are proud to have Dana Bradley as a new sworn officer. She will begin her FTO (Field Training Orientation) with our officers soon.**
3. **In October all full time and reserve officers completed their yearly Firearms Qualifications.**
4. **On October 28<sup>th</sup>, Officer Shuford participated in LLCA's festival, bringing goodies and treats encouraging them to stay drug free.**
5. **As we do every year at the request of Chimney Rock, our department participated in CRV Trick or Treat on Main Street. This gives our department time with our neighbors and encouraging to stay drug free with trick or treat gifts.**

**Total Police Activities for Month:** 330 (Partial Break-down below)

0	Breaking/Entering/Larcenies	24	Traffic Stops
8	Citations	17	Warning and Verbal Citations
14	Suspicious Person/Suspicious Vehicle	3	Accidents
4	Total Arrests	32	Business Checks
0	Lake – Patrols/Permit Checks	2	Lake – Total Hours Patrolling
0	Lake – Verbal Warning	0	Lake – Warning/Citation
14	Suspicious Persons/Speak with Subject	8	Residential Alarms Activated
7	Domestic/Disturbance/Disorderly Conduct	0	Warrants/Subpoenas Served

**Citations – Cumulative Total of Citations:** 8 (Hard Copies) (1 Citation may include 2 charges) (2) DWLR, (1) Inspection Violation, (1) Failure to stop, (1) No Insurance, (5) Misd Infractions

*Charges Total: 10*

**Lake Citations – Lake Totals: Citations (Permit \$125 Fine if not corrected in 7 days)** 0 Total

**Arrests – Cumulative Total of Arrests:** 4 (1 Arrest may include several charges)

*Charges Total: (1) DWLR, (5) Misd (Failure to Appear, Cyberstalking, RDO)*

\* *Public Access of this form may affect the Accomplishments and Follow Up listings due to privacy and cases that continue to be investigated.*

# Activity Log Event Summary (Cumulative Totals)

Lake Lure Police  
(10/01/2021 - 10/31/2021)

911 Hangup	1	Accident	3
Alarm activation	8	Animal Complaint	1
Assist EMS	1	Assist Fire Department	1
Assist Other Department	6	Assist other Lake Lure Officer	22
Attempt to Locate	2	BOLO	2
Call by Phone	13	Careless and Reckless Driving	3
Citation	8	Disturbance	3
Domestic Trouble	2	Escort	1
Extra Patrol	46	Follow up Investigation	11
Foot Patrol	22	Found Property	1
In Office Work	15	Interview	3
Intoxicated Subject(s)	1	Investigate	1
Investigate Suspicious Vehicle	10	Lake - Boat Permit Check	1
Lake - Stranded Boat	1	Larceny Report	2
Meet with Subject	2	Possible Prowler	1
Prisoner in Custody	4	Requested Residential Checks	4
Rutherford County Jail/Processing	4	School Patrol	5
Security Check	3	Series of Business Checks	32
Silent 911	1	Speak With Subject	14
Special Event Patrol (School, Town, Chamber...)	2	Stand By for Closing	1
Stationary Patrol	2	Stranded Motorist	3
Suspicious Person(s)	4	Traffic Stop	24
Vehicle Maintenance	10	Verbal Warning	4
Warning Citation	13	Weapon Maintenance	1
Welfare Check	3	Wildlife Issue/Injury	2

Total Number Of Events: 330



Name: Dustin Waycaster

Department: Fire

**REPORT DATE:**

November 1, 2021

**PREPARED FOR:**

Town Manager

**I. ACCOMPLISHMENTS**

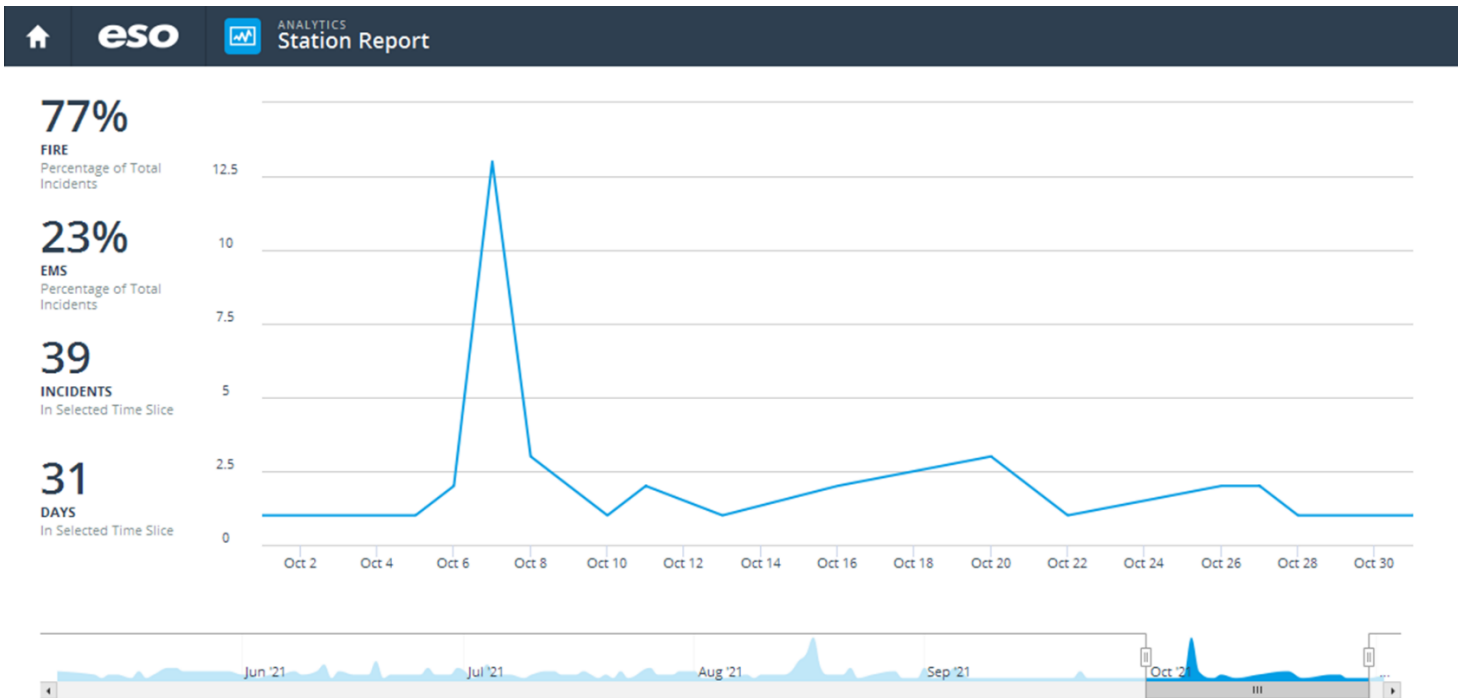
- 10/1: Investigated a report of oil sheen on the Lake near Morse Park. Written test for two applicants for the open Firefighter position.
- 10/2: Emergency Management training. Delivered supplies to Chimney Rock VFD.
- 10/3: Medical call on Memorial Hwy.
- 10/4: Confirmed Reporting and Filed Fire Reports. Tree down-Caddy Ln.
- 10/5: Olympiad follow up meeting. Fire Boat Maintenance. Inventoried and ordered Fire Prevention supplies.
- 10/6: Heavy Rain event started. Fire Alarm Mountains Blvd.
- 10/7: Ran 12 calls for service during the Heavy rain event. Multiple calls for trees down with wires. MVC at Ingles. Fire Alarm Girl Camp Rd.
- 10/8: Tree down call and public assistance on Cutaway Rd. HNG Rescue and EMS shuts down.
- 10/10: Medical call Chimney Rock state park rd.
- 10/11: MVC and Medical call at Chimney Rock State with **NO** medic unit available for the second call.
- 10/12: Ordered charger for Thermal Imaging Camera.
- 10/13: Trees down with lines Jack London Ct.
- 10/14: Staff meeting and EMT In-service. Business and Training meeting with Volunteer Firefighters.
- 10/15: Arts and Crafts Festival Inspection and Permitting.
- 10/16: Arts and Crafts Festival. Tree on a house Village Rd. Tree down blocking Boys camp rd.
- 10/17: Arts and Crafts Festival.
- 10/19: Hosted EMT Medical In-service for CRSP rangers.
- 10/20: Smoke Report Youngs MNT. Medical call CRSP. Woods Fire @ banjo and Summit Ct.
- 10/21: Assisted Public Works with maintenance on Youngs MNT. Fire Prevention Program at RBR to assist Fairfield Mnt VFD.
- 10/22: Medical call at Vista Apartments.
- 10/23: Tree Down call Youngs MNT.
- 10/24: AED maintenance.

- 10/25: Heart Monitor training.
- 10/26: Trees down on Boys Camp and also Southside Dr.
- 10/27: Tree down Bottomless Pools Rd. and Stranded Boat call.
- 10/28: Hazmat Class. Rope rigging training.
- 10/29: Smoke detector malfunction at Vista Apartments.
- 10/30: Fall call on Summer Morning Court.

## II. FOLLOW UP

1. Lake Lure Fire had **183** total hours of training for the month of September.
2. Lake Lure Fire ran 39 Fire/Medical/ Rescue calls
3. Hickory Nut Gorge EMS and Rescue is no longer servicing our area
4. Hazmat Training to finish out the whole Certified Firefighter Training Courses

## OTHER





# V

## Public Hearing

*G.S. 166A-19.24 requires the public body to allow for written comments on the subject of the public hearing to be submitted between publication of any required notice and 24 hours after the public hearing for public hearings during a remote meeting.*

**A. Ordinance No. 21-11-09** - An ordinance amending chapter 92 zoning regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.042(D) (Sec. 4) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area

**B. Ordinance No. 21-11-09A** - An ordinance amending Chapter 92 Zoning Regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.062(A) to waive a zoning review fee structure for home occupation permit applications due to the requirement to have the Board of Adjustment approve such applications as a special use, rather than administrative approval

**C. Ordinance No. 21-11-09B** - An ordinance adopting the Town of Lake Lure Boy's Camp Road Park Master Plan, and to incorporate a communications tower into the park planned for parcel #1655367

**NOTICE OF PUBLIC HEARING  
TOWN COUNCIL PUBLIC HEARING  
Town of Lake Lure**

The Lake Lure Town Council will hold a virtual public hearing on Tuesday, November 9, 2021 at 5:00 p.m., or shortly thereafter, to consider the following:

**ORDINANCE NUMBER 21-11-09: AN ORDINANCE AMENDING CHAPTER 92 ZONING REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING REVISIONS TO 92.042(D) (7) TO ADDRESS CURRENT ENGINEERING STANDARDS FOR CONSTRUCTING CELL TOWERS THAT IN CASE OF STRUCTURAL FAILURE WILL FALL WITHIN A CONFINED AREA**

**ORDINANCE NUMBER 21-11-09A: AN ORDINANCE AMENDING CHAPTER 92 ZONING REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING REVISIONS TO 92.062(A) TO WAIVE A ZONING FEE STRUCTURE FOR HOME OCCUPATION PERMIT APPLICATIONS DUE TO THE REQUIREMENT TO HAVE THE BOARD OF ADJUSTMENT APPROVE SUCH APPLICATIONS AS A SPECIAL USE, RATHER THAN ADMINISTRATIVE APPROVAL**

**ORDINANCE NUMBER 21-11-09B: AN ORDINANCE ADOPTING THE TOWN OF LAKE LURE BOY'S CAMP ROAD PARK MASTER PLAN, AND TO INCORPORATE A COMMUNICATIONS TOWER INTO THE PARK PLANNED FOR PARCEL #1655367**

**Topic:** 11-09-2021 Regular Town Council Meeting

**Time:** November 9, 2021 at 5:00 p.m.

**Zoom Link:** <https://us02web.zoom.us/j/81736880882>

**Call-in Number:** 1 312 626 6799

**Meeting ID:** 817 3688 0882

The Public is advised that it has the right to attend said public hearing and present information with regard to this matter. Written comments on the subjects of the public hearing may be submitted between publication of this notice and 24 hours prior to the scheduled time for the beginning of the public hearing. Copies of the proposed ordinance are available for review or purchase at the Lake Lure Municipal Center.

# VII

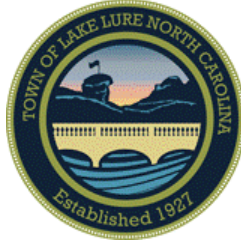
## PUBLIC COMMENT

*The public is invited to speak. Please keep comments limited to five minutes or less. If you wish to speak, wait for the Mayor to ask if anyone would like to make a comment and then unmute your phone or mic and state your name and address. Comments may also be submitted in writing to the Town Clerk, [ostewman@townoflakelure.com](mailto:ostewman@townoflakelure.com), at least one hour prior to the meeting.*

# VIII

## CONSENT AGENDA

- A. Approval of the October 12, 2021 regular meeting minutes and the October 27, 2021 special meeting minutes
- B. Resolution No. 21-11-09 – Appointing Wendy Terry Deputy Town Clerk
- C. Budget Amendment #314 to cover expenses associated with workplace investigation research/report
- D. Budget Amendment #315 for Schnable work order #8 - Conceptual design of a replacement Dam.
- E. Budget Amendment #316 for Manhole Rehabilitation Project
- F. Resolution No. 21-11-09A - Honoring the Dedicated Service of Public Works Director David Arrowood



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD TUESDAY, OCTOBER 12, 2021, 5:00 P.M. VIRTUALLY VIA ZOOM**

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

William Morgan, Jr., Town Attorney  
Shannon Baldwin, Town Manager

**ABSENT:** Commissioner Patrick Bryant

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 5:00 p.m. and gave the invocation. Council members led the pledge of allegiance.

**II. APPROVE THE AGENDA**

Commissioner John Moore made a motion to add Item C under consent agenda for the purpose of approving the request from the Chamber of Commerce to authorize this year’s annual holiday tree lighting event planned for November 26, 2021, including a waiver of the Peddler’s Ordinance for the program. Commissioner John Kilby made a motion to approve the Agenda, as amended. Commissioner David DiOrio seconded and the motion carried 3-0.

**III. MAYOR’S COMMUNICATIONS**

Mayor Carol C. Pritchett thanked the town’s lake operations crew for their successful restoration efforts following a recent severe storm.

**IV. TOWN MANAGER COMMUNICATIONS**

Town Manager Shannon Baldwin also thanked staff for their efforts in storm clean up. Manager Baldwin asked Park, Recreation, and Trail Coordinator Dana Bradley to explain the lake debris crew cleanup process. Coordinator Bradley explained that there are three crews on

## Page 2- Minutes of the October 12, 2021 Regular Council Meeting

the lake working to remove lake debris following the storm and she noted that this process is already about 80 percent done.

Manager Baldwin directed Council to review their agenda packets for additional departments' updates and projects.

### V. COUNCIL LIAISON REPORTS & COMMENTS

Commissioner John Kilby reported the activities of the ABC Board and noted that the Lake Advisory Board did not meet.

Commissioner DiOrio reported the Utilities Advisory Board did not meet this month, but will meet next month to discuss the cell tower and master plan updates.

Commissioner John Moore reported the activities of the Zoning and Planning Board.

Commissioner Patrick Bryant was not present to report the activities of the Parks and Recreation Board.

### VI. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak and no one requested to participate in public comment.

### VII. CONSENT AGENDA

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

Commissioner David DiOrio made a motion to approve the Consent Agenda, as presented. Commissioner John Moore seconded and all were in favor. Therefore, the Consent Agenda incorporating the following items was unanimously approved and adopted:

- A. Adopt the September 14, 2021 Regular Meeting Minutes, and the September 29, 2021 Regular Work Group Meeting Minutes
- B. Town Code Recodification
- C. Request from the Chamber of Commerce to authorize this year's annual holiday tree lighting event planned for November 26, 2021, including a waiver of the Peddler's Ordinance for the program.

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**VIII. UNFINISHED BUSINESS:**

There was no unfinished business to discuss

**IX. NEW BUSINESS:**

**A. LAKE LURE TOURS CONCESSION AGREEMENT – OFF-SEASON BEACH  
OPENING/CLOSING**

Coordinator Bradley discussed the background and requested information regarding the request to amend the Concession Agreement. Coordinator Bradley explained that the proposed amendment would change the closing and opening the beach to unsupervised public access. Bradley continued describing that the requested amendment includes the beach remaining closed one week after Labor Day Weekend until November 15, 2021; the beach be re-opened November 15, 2021 for complimentary, unsupervised, “no swimming” public access until the lake has been returned to “full pond” on or around April 15, 2021; and the beach then be re-closed to unsupervised public access until re-opened by Lake Lure Tours – on, or one week prior to Memorial Day Weekend. On behalf of Lake Lure Tours and Lake Lure public safety departments, Coordinator Bradley cited safety concerns and freeing the Lake Lure Police Department officers to concentrate on duties other than policing the beach as reasons for the requested amendment to the Concession Agreement

Town Manager Baldwin asked if Coordinator Bradley was able to speak with the president of Lake Lure Tours and Coordinator Bradley stated that she did not speak to the Lake Lure Tours President.

Commissioner Kilby commented that over the weekend he saw people climbing over the fence that is currently erected.

Mayor Pritchett asked if there was any other question or comments from commissioners and requested a motion to approve or deny the Lake Lure Tours Concession Agreement off-season opening and closing proposal.

Commissioner DiOrio recommended the approval of the board action regarding the Lake Lure Tours Concession Agreement off-season opening and closing proposal. Commissioner Kilby seconded and the motion passed 3-0.

**Page 4- Minutes of the October 12, 2021 Regular Council Meeting****IX. NEW BUSINESS:****B. FIRE FLY COVE WATER SUPPLY BASIS OF DESIGN AGREEMENT**

Town Manager Baldwin provided background information regarding the Fire Fly Cove Water Supply and asked that Town Engineer Kurt Wright, PE, explain the agreement proposal. Engineer Wright noted that the recommended option regarding the Fire Fly Cove water supply had been identified in July and described that this option essential would utilize additional wells. Engineer Wright informed the Board that it had been recognized that there are three wells that produce water and that one of the wells had never had a pump installed even though it was permitted to be incorporated into the system. Engineer Wright explained that the well is still in condition to operate and recommended that the next step taken be a basis of design. Town Engineer Wright described that this meant that there are issues with pumping and that the Town would evaluate pumping options, tank level, and power supply.

Engineer Wright explained that he will be working with the owner of Sturgill Associates, Randy Sturgill, PE, and Mike Poulos, PE, with Dewberry Engineers. Engineer Wright noted that the three team members, including himself, will meet with Public Works Director David Arrowood and Chuck Ammacker to conduct an evaluation and construct a basis of design. Engineer Wright asked for input from council regarding the basis of design which will be followed by plan distribution to the Asheville Regional office. Engineer Wright continued to explain that following consultation with the Asheville Regional office, the next phase would be to initiate design and permitting.

Commissioner DiOrio explained what the Fire Fly Cove water supply issue has an extensive history and detailed the issues with the formerly proposed solution of implementing a pump station for the purpose of creating a redundant feature. Commissioner DiOrio continued to explain that the efforts of Engineer Wright and Public Works staff has determined that the existing system has the ability to provide a redundant feature and can support itself. Commissioner DiOrio noted that the basis of the design recommendation should ensure redundancy and that there is enough water to provide for any expansion conceivable in Fire Fly Cove. Additionally, Commissioner DiOrio noted that initial concern will be alleviated and the system will be automated resulting in less need for man-power. Lastly, Commissioner DiOrio informed attendees that this solution will save the Town a great deal of money compared to the original solution proposed by former engineers.

Town Manager Baldwin provided additional information regarding the former WithersRavenel design and recommended solution was found to be less efficient than the design and solution identified by Kurt Wright, PE, and Public Works staff.

Mayor Pritchett requested a motion to approve or deny the agreement for the basis of design for the Fire Fly Cove water system, as proposed. Commissioner DiOrio made a motion to approve



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agreement for the basis of design for the Fire Fly Cove water system, as proposed. Commissioner Kilby seconded and the motion carried 3-0.

**IX. NEW BUSINESS:**

**C. TOWN HALL ILLUMINATED SIGN PROPOSAL**

Town Manager Baldwin explained that Communications Specialist Laura Krejci initiated the project to replace the existing town hall sign with an illuminated sign and that this has been approved within budget and there is existing budget money allocated for the project. Communications Specialist Krejci provided the background of the proposal including the recommended support of the Zoning and Planning Board and the zoning permit approval granted by the Community Development Director Michael Williams. Specialist Krejci detailed that the sign could display standard announcements, website advertisements, and will provide the Town with the ability to display real-time emergency announcements. Specialist Krejci noted that other local organizations have implemented similar signs through Stewart Signs based out of Asheville and that the Town would like to work with this company for the proposed sign. Specialist Krejci provided Council with the proposal including a visual representation of what the proposed sign would look like.

Commissioner DiOrio noted that it is beneficial for emergency messages, as well as website advertisement. Commissioner DiOrio asked how the sign would be funded. Specialist Krejci noted that Finance Director Sam Karr has allocated money for the proposed sign. Director Karr explained that the proposed sign is budgeted in general fund under capital outlay and that 19,000 dollars was budgeted for this year for a replacement sign.

Mayor Pritchett expressed her support and requested a motion. Commissioner Kilby made a motion to approve the proposed replacement of the existing town hall sign with a digital illuminated sign proposal. Commissioner DiOrio seconded and the motion carried 3-0.

**IX. NEW BUSINESS:**

**D. RESOLUTION NO. 21-10-12 – REGARDING USE OF DESIGN-BUILD DELIVERY METHOD TO COMPLETE THE SUBAQUEOUS SANITARY SEWER REPLACEMENT PROJECT**

Commissioner DiOrio explained Resolution No. 21-10-12 that was created with LaBella. Resolution is authorized by North Carolina General Statute. Commissioner DiOrio explained that a design-build delivery method is appropriate for the Town's system due to the staggered schedule and the need for modifications and requires specialized expertise. Commissioner DiOrio explained that the plan is to find a specialist agency to partner with throughout the entirety of the ten-year project through this methodology and that the Town plans to begin the bidding process. Maurice

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Walsh, PE, reiterated that this is the best approach to bringing a specialized contractor in early and this project is made for design-build delivery method and it is compliant with NC general statues and SRF funding. Engineer Walsh explained this resolution would establish a process to pick a design-build team.

Commissioner Moore made a motion to approve Resolution No. 21-10-12 regarding the use of design-build delivery method to complete the subaqueous sanitary sewer replacement project. Commissioner Kilby seconded and the motion carried 3-0.

**X. CLOSED SESSION**

Commissioner John Moore made a motion to go into closed session in accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters. Commissioner Kilby seconded and the motion carried 3-0.

During Closed Session, Council discussed a personnel matter.

Commissioner John Kilby made a motion to return to open session. Commissioner David DiOrio seconded and the motion carried 4-0.

**XI. ADJOURN THE MEETING**

With no further business, Commissioner Kilby made a motion to adjourn the meeting at 5:45 p.m. Commissioner John Moore seconded and the motion carried 3-0.

ATTEST:

\_\_\_\_\_  
Olivia Stewman,  
Town Clerk

\_\_\_\_\_  
Mayor Carol C. Pritchett



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL  
HELD WEDNESDAY, OCTOBER 27, 2021, 8:30 A.M. AT THE LAKE LURE  
MUNICIPAL CENTER/CALL-IN VIA CONFERENCE CALL**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem John W. Moore  
Commissioner Patrick Bryant  
Commissioner David DiOrio  
Commissioner John Kilby (Call-in)

Shannon Baldwin, Town Manager  
William Morgan, Jr., Town Attorney

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Carol C. 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 Patrick Bryant seconded and the motion carried 4-0.

**III. TOWN MANAGER UPDATE**

Town Manager Shannon Baldwin provided an update on the town manager transition, as his last day will be November 17, 2021. Mayor Pritchett detailed the progress regarding the search firm, S. Renee Narloch and Associates, that is working to recruit an interim and a long-term town manager. Mayor Pritchett announced that Town Clerk Olivia Stewman will be acting town manager until an interim manager is appointed.

Mayor Pritchett recognized town staff for their hard work and support.

**IV. COUNCIL DISCUSSIONS**

**A. CELL TOWER – BOYS CAMP ROAD PROPERTY MASTER PLAN UPDATE  
DISCUSSION**

## Page 2- Minutes of the October 27, 2021 Regular Town Council Work Group Meeting

Community Development Director Michael Williams provided an update on the cell tower and the Boys Camp Road master plan. Director Williams emphasized the inadequate cell service in Lake Lure and explained that a cell tower is essential to the town. Commissioner DiOrio provided additional detail regarding both the cell tower and the proposed location of the cell tower on the Boys Camp Road property. Director Williams explained that one of the next steps is obtain a photo simulation of the tower from various views to display to Council and residents. Director Williams provided Council with a drafted resolution for the Boys Camp Road Property Master Plan. Manager Baldwin invited Fire Chief Dustin Waycaster to speak on the importance of the cell tower in regard to emergency management and public safety. Chief Waycaster explained the crucial benefits of installing a cell tower for his department and for the Lake Lure Police Department. Manager Baldwin also called on Police Chief Sean Humphries. Chief Humphries discussed the negative impact that the lack of cell service has had on the police department and expressed that there is a dire need for the tower. Manager Baldwin asked Director Williams how the tower would benefit residents and visitors. Director Williams explained that the lack of cell phone and internet services has become problematic for both residents and those who visit Lake Lure and the tower will be beneficial for all involved. Mayor Pritchett expressed her support for the cell tower.

### IV. COUNCIL DISCUSSIONS

#### B. ROAD IMPROVEMENTS DISCUSSION

Town Manager invited Steve Milito to speak on behalf of the Chimney Rock Ridge Homeowners Association (CRRHOA). Mr. Milito provided a background and statistics regarding the conditions of Proctor road located within the Chimney Rock Ridge community. Mr. Milito provided Council with supporting documents detailing the background and property details. It is noted that the Town improving road conditions in this area has already been unanimously passed by Council on September 14, 2021 with the condition that the CRRHOA and Town are splitting the costs. Mr. Milito explained that an unnamed property owner is attempting to block road upgrades. Mr. Milito stated that road improvements will increase property value, and allow ingress and egress. Manager Baldwin explained that research has been conducted and that court-house documents regarding the roads have been reviewed. Town Attorney William Morgan and CRRHOA Attorney Don McIntire provided further detail regarding the legality of the roads. Attorney Morgan explained the legal background of the plats and explained that a 1984 easement enabled the Town of Lake Lure to provide public roadways and pertain right of ways to the roads in question.

Commissioner John Moore asked if the area that the gravel is being put on is considered town owned property. Manager Baldwin explained that 2<sup>nd</sup> Street and Avenue C are the roads that have been requested and approved for town initiated improvements. Attorney McIntire explained that there are not any surveying issues. Commissioner Moore made the point that even on the slight

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possibility of a grey area, there is going to be no damage done and suggested that the town proceed with placing the gravel.

Attorney McIntire explained that there is an existing deed that could confirm the town's ownership title of 2<sup>nd</sup> Street, but the only issue that may need to be addressed is Avenue C. Manager Baldwin explained that 2<sup>nd</sup> Street gravel distribution may proceed and asked Attorney Morgan's opinion on Avenue C. Manager also noted that there is a connector between 2<sup>nd</sup> Street and Avenue C in which the town has a right of way. Attorney Morgan suggested postponing gravel installment on Avenue C, but advised proceeding with 2<sup>nd</sup> Street. Attorney McIntire cited deed book 153 as being the key to Avenue C. Manager Baldwin advised Public Works Director David Arrowood to proceed with placing gravel on 2<sup>nd</sup> Street extending from Bottomless Pools Road to Proctor Road. Commissioner DiOrio asked Mr. Milito if 2<sup>nd</sup> Street improvement will relieve immediate concern in regard to a bypass option. Mr. Milito explained that it would relieve this concern for a short amount of time but further expansion via Avenue C would be beneficial for all.

#### IV. COUNCIL DISCUSSIONS

##### C. MANHOLE REHABILITATION PROJECT APPROPRIATION DISCUSSION

Town Manager Baldwin confirmed that the appropriations for the manhole rehabilitation project are present. Commissioner DiOrio confirmed that the project is ultimately funded and will take place this drawdown period. Commissioner DiOrio also explained that reimbursement in the near future may provide additional funding options, but the project is funded and scheduled to take place at this time regardless of future reimbursements. Commissioner DiOrio discussed key dates and explained that the lake drawdown period will take place until end of March and that this timeframe is necessary, but if all goes as planned there is a possibility that drawdown could end at an earlier date.

#### IV. COUNCIL DISCUSSIONS

##### D. NORTH CAROLINA GENERAL ASSEMBLY APPROPRIATION PUBLIC RELEASE STATEMENT

Town Manager Baldwin called Mr. Steve Metcalf from The Policy Group to discuss the North Carolina General Assembly appropriation public realized statement. Mr. Metcalf stated that the proposed state budget will grant the Town of Lake Lure with \$14 million for the dam and \$8 million for the sewer. Mr. Metcalf discussed the current condition of the NC budget which was currently not passed by the state. Mr. Metcalf continued to explain that there is indication that all levels of the state legislature are in agreement regarding the budget this year. Mr. Metcalf noted that the Town of Lake Lure will actually be appropriated \$16 million for the dam and \$8 million for the sewer project assuming the proposed budget passes. The Council and Town Manager Baldwin expressed their appreciation to our representatives. Commissioner DiOrio explained the

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substandard history of the town infrastructure and emphasized the immense progress that has been made due to the state and federal aid and funding. Commissioner DiOrio explained that the dam and sewer projects are beginning and if they continue to progress in good faith, more money will likely be provided.

<b>V. CLOSED SESSION</b>
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Commissioner John Moore made a motion to go into closed session in accordance with G.S. 143-318.11(a) (6) for the purpose of discussing personnel matters and G.S. 143-318.11(a) (3) for attorney client privilege or legal claims. Commissioner Patrick Bryant seconded and the motion carried 4-0.

During Closed Session, Council discussed personnel matters and legal matters.

Commissioner John Kilby made a motion to return to open session. Commissioner David DiOrio seconded and the motion carried 4-0.

<b>VI. ADJOURNMENT</b>
------------------------

With no further business, Commissioner Patrick Bryant made a motion to adjourn the meeting at 9:12 a.m. Commissioner David DiOrio seconded and the motion carried 4-0.

ATTEST:

\_\_\_\_\_  
Olivia Stewman,  
Town Clerk

\_\_\_\_\_  
Mayor Carol Pritchett

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Resolution No. 21-11-09 – Appointing Wendy Terry Deputy Town Clerk

**AGENDA INFORMATION:**

**Agenda Location:** Consent  
**Item Number:** B  
**Department:** Administration  
**Contact:** Olivia Stewman, Town Clerk  
**Presenter:** Olivia Stewman, Town Clerk

**BRIEF SUMMARY:** Under N.C.G.S § 160A-172 Council may appoint a deputy clerk who shall have full authority to exercise and perform any of the powers and duties of the city clerk that may be specified by the Council. The Town of Lake Lure administrative staff suggests the adoption of Resolution No. 21-11-09 Appointing Wendy Terry Deputy Town Clerk.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To adopt Resolution No. 21-11-09

**ATTACHMENTS:** Resolution No. 21-11-09

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the adoption of Resolution No. 21-11-09 Appointing Wendy Terry Deputy Town Clerk



**RESOLUTION NO. 21-11-09  
APPOINTING WENDY TERRY  
DEPUTY TOWN CLERK**

**WHEREAS**, a town clerk has certain statutory duties including signing, certifying and attesting various documents as the town clerk; and

**WHEREAS**, from time to time the town clerk must be absent from town hall and during the clerk's absence various documents must be signed by the town clerk; and

**WHEREAS**, the Town Council may appoint a deputy town clerk for the purpose of assuring that someone is present in town hall with authority to sign as town clerk and take further actions statutorily assigned to the appointed town clerk during the town clerk's absence; and

**NOW, THEREFORE BE IT RESOLVED** that on behalf of the Lake Lure Town Council and the citizens of the Town of Lake Lure, the Lake Lure Town Council appoints Wendy Terry as the Deputy Town Clerk. This Resolution shall become effective upon the date of adoption.

**READ, APPROVED AND ADOPTED**, this 9<sup>th</sup> day of November 2021.

ATTEST:

\_\_\_\_\_  
Olivia Stewman, Town Clerk

\_\_\_\_\_  
Mayor Carol C. Pritchett



**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Budget Amendment #314 to cover expenses associated with workplace investigation research/report (Keep Evolving Consulting).

**AGENDA INFORMATION:**

**Agenda Location:** Consent  
**Item Number:** C  
**Department:** Administration  
**Contact:** Sam Karr, Finance Director  
**Presenter:** Sam Karr, Finance Director

**BRIEF SUMMARY:** The Town entered into an agreement with an external consultant to interview employees for the purpose of better understanding the current working conditions and environment experienced by Town employees.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve BA #314, as agreement has already been signed.

**FUNDING SOURCE:** Fund Balance

**ATTACHMENTS:** Budget Amendment #314

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval of BA #314.

**Budget Amendment #314**

**TOWN OF LAKE LURE  
BUDGET AMENDMENT**

Be it ordained by the Board of Commissioners of the Town of Lake Lure that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2022:

**Department:** Administration

**Purpose:** To appropriate funds for workplace investigation research/report (Keep Evolving Consulting)

**Section 1.** To amend the General Fund, expenditures are to be changed as follows:

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
691	10-413000		\$26,775	\$73,275

To provide the additional expenditures for the above, the following revenues will be recognized:

Account Name: **Transfer from Fund Balance**  
 Account Number: **10-398604**  
 Amount: **\$ 26,775**

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

\_\_\_\_\_  
 Finance Officer

\_\_\_\_\_  
 Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Budget Amendment #315 for Schnable work order #8. Conceptual design of a replacement Dam.

**AGENDA INFORMATION:**

**Agenda Location:** Consent  
**Item Number:** D  
**Department:** Administration  
**Contact:** Sam Karr, Finance Director  
**Presenter:** Sam Karr, Finance Director

**BRIEF SUMMARY:** Initial tasks required for the replacement dam design and to provide a construction cost opinion to support funding requests.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve BA #315.

**FUNDING SOURCE:** General Fund and FEMA Grant.

**ATTACHMENTS:** Budget Amendment #315

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval of BA #315.

**Budget Amendment #315**

**TOWN OF LAKE LURE  
BUDGET AMENDMENT**

Be it ordained by the Board of Commissioners of the Town of Lake Lure that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2022:

**Department:** Dam/Watershed Protection

**Purpose:** To appropriate funds for initial tasks required for the replacement dam design and to provide a construction cost opinion to support funding requests.

**Section 1.** To amend the General Fund, expenditures are to be changed as follows:

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
190	10-472000		\$58,568	\$244,279

To provide the additional expenditures for the above, the following revenues will be recognized:

Account Name: **FEMA Grant**  
Account Number: **10-332100**  
Amount: **\$ 38,070**

Account Name: **Transfer from Fund Balance**  
Account Number: **10-398604**  
Amount: **\$ 20,498**

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Budget Amendment #316 for Manhole Rehabilitation Project

**AGENDA INFORMATION:**

**Agenda Location:** Consent  
**Item Number:** E  
**Department:** Sewer  
**Contact:** Sam Karr, Finance Director  
**Presenter:** Sam Karr, Finance Director

**BRIEF SUMMARY:** Appropriate funds for Manhole Rehabilitation. Eventually, we will need to use Water/Sewer Fund Equity, ARP monies, state funds and combinations to fund this project. These funds will be closely monitored and, if necessary, appropriate budget adjustments will be made to satisfy legal requirements throughout the project.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve BA #316.

**FUNDING SOURCE:** Water/Sewer Fund Equity, ARP, state funds.

**ATTACHMENTS:** Budget Amendment #316

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval of BA #316.

**Budget Amendment #316**

**TOWN OF LAKE LURE  
BUDGET AMENDMENT**

Be it ordained by the Board of Commissioners of the Town of Lake Lure that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2022:

**Department:** Capital Sewer Fund

**Purpose:** To appropriate funds for construction of Manhole Rehabilitation Project

**Section 1.** To amend the Water/Sewer Fund, expenditures are to be changed as follows:

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
613	53-80000		\$610,000	\$610,000

To provide the additional expenditures for the above, the following revenues will be recognized:

Account Name: **Transfer from CSLRF (ARP)**  
 Account Number: **53-398604**  
 Amount: **\$ 183,888**

Account Name: **Transfer from Fund Balance**  
 Account Number: **53-398602**  
 Amount: **\$ 426,112**

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

\_\_\_\_\_  
 Finance Officer

\_\_\_\_\_  
 Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Resolution No. 21-11-09A – Honoring the dedicated service of Public Works  
Director David Arrowood

**AGENDA INFORMATION:**

**Agenda Location:** Consent  
**Item Number:** F  
**Department:** Public Works  
**Contact:** Shannon Baldwin, Town Manager  
**Presenter:** Shannon Baldwin, Town Manager

**BRIEF SUMMARY:** Resolution No. 21-11-09A honors the dedicated service of Public Works  
Director David Arrowood.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To adopt Resolution No. 21-  
11-09A

**ATTACHMENTS:** Resolution No. 21-11-09A

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the adoption of  
Resolution No. 21-11-09A honors the dedicated service of Public Works Director David  
Arrowood.



**RESOLUTION NO. 21-11-09A**  
**HONORING THE DEDICATED SERVICE OF**  
**PUBLIC WORKS DIRECTOR**  
*David R. Arrowood*

**WHEREAS**, Public Works Director David R. Arrowood will have completed five years of exemplary service for the Town of Lake Lure from December 12, 2016 to December 1, 2021;

**WHEREAS**, Director David Arrowood was hired to oversee streets, water distribution, sewer collection and sewer treatment and was eventually assigned oversight of the dam and hydroelectric station;

**WHEREAS**, Through his work, Director David Arrowood moved the Town forward in many areas including but not limited to sewer collection, sewer treatment, water distribution, streets and the hydroelectric station;

**WHEREAS**, Director David Arrowood guided the Public Works Department through numerous serious inclement weather events and other difficult challenges;

**WHEREAS**, Director David Arrowood helped to mend relationships with NC Department of Environmental Quality in multiple ways; and

**WHEREAS**, Director David Arrowood worked closely with and maintained the trust of Town Manager Shannon Baldwin as they worked together to overcome numerous Town challenges; now

**THEREFORE BE IT RESOLVED**, that on behalf of the Lake Lure Town Council and the citizens of the Town of Lake Lure, the Lake Lure Town Council expresses deep and sincere appreciation for Director David R. Arrowood's dedicated service to the Town of Lake Lure and wishes him the best in his retirement.

**READ, APPROVED AND ADOPTED**, this 9<sup>th</sup> day of November, 2021.

ATTEST:

\_\_\_\_\_  
 Olivia Stewman, Town Clerk

\_\_\_\_\_  
 Mayor Carol Pritchett



# **IX**

# **UNFINISHED**

# **BUSINESS**

- A. Ordinance No. 21-11-09C – An ordinance adopting and enacting a Code of Ordinances recodification for the Town of Lake Lure

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Ordinance No. 21-11-09C – An ordinance adopting and enacting a Code of Ordinances recodification for the Town of Lake Lure

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** A  
**Contact:** Olivia Stewman, Town Clerk  
**Presenter:** Olivia Stewman, Town Clerk

**BRIEF SUMMARY:** The Town Attorney and former Town Clerk worked with Municode to recodify the Town Code of Ordinances. The only changes are formatting, no substantive changes were made during the recodification. Town staff members were sent copies of the new formatting to ensure that it would be easily understood prior to going before Council for approval. This matter was placed on the consent agenda for the October 12, 2021 regular Town Council meeting. Following the meeting, a Municode Attorney noted that such recodification must be adopted via ordinance. Thus, Ordinance No. 21-11-09C adopts and enacts the Code of Ordinances recodification for the Town of Lake Lure.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To adopt Ordinance No. 21-11-09C for the purpose of adopting and enacting a Code of Ordinances recodification

**ATTACHMENTS:** Ordinance No. 21-11-09C

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the adoption of Ordinance No. 21-11-09C for the purpose of adopting and enacting a Code of Ordinances recodification.

**ORDINANCE NO. 21-11-09C**

**AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES RECODIFICATION FOR THE TOWN OF LAKE LURE, NORTH CAROLINA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**BE IT ORDAINED** by the Town Council of the Town of Lake Lure, North Carolina, meeting in regular session and with a majority of town council voting in the affirmative:

**SECTION ONE.** The Code entitled "Code of Ordinances, Town of Lake Lure, North Carolina," published by Municipal Code Corporation, consisting of chapters 1 through 36, each inclusive, is adopted.

**SECTION TWO.** All ordinances of a general and permanent nature enacted on or before July 9, 2019, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**SECTION THREE.** The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**SECTION FOUR.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished according to code Section 1-10. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**SECTION FIVE.** Additions or amendments to the Code when passed in such form as to indicate the intention of the town to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**SECTION SIX.** Ordinances adopted after July 9, 2019, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**SECTION SEVEN.** This Ordinance shall become effective upon adoption.

Adopted this 9<sup>th</sup> day of November, 2021.

ATTEST:

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Olivia Stewman  
Town Clerk

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Carol C. Pritchett  
Mayor

Approved as to content & form:

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William C. Morgan, Jr.  
Town Attorney

## Certificate of Adoption

I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the town council, held on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Town Clerk

# X

## NEW BUSINESS

- A. Ordinance No. 21-11-09
- B. Ordinance No. 21-11-09A
- C. Ordinance No. 21-11-09B
- D. FEMA Grant Funding – Schnable Work Order #8 – Conceptual Design for the Dam Rehabilitation
- E. Communications Tower Agreement
- F. Certified Public Safety Personnel Compensation
- G. Manhole Rehabilitation Project Bid Award

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Ordinance No. 21-11-09 – An ordinance amending chapter 92 zoning regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.042(D) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** A  
**Department:** Community Development  
**Contact:** Michael Williams, Community Development Director  
**Presenter:** Michael Williams, Community Development Director

**BRIEF SUMMARY:** Ordinance No. 21-11-09 amends chapter 92 zoning regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.042(D) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area. Town staff has determined that this requires tower setbacks from property lines to meet the greater of twice the building setback requirements for the district or 110 percent of the engineered fall zone.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To adopt Ordinance 21-11-09

**ATTACHMENTS:**

Draft Ordinance No. 21-11-09;

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the approval of Ordinance No. 21-11-09 for the purpose of revising 92.042(D) (7) to address current engineering standards for constructing cell towers that in case of structural failure will fall within a confined area. The Ordinances has been recommended for approval by the Zoning and Planning Board and the Utility Advisory Board.

**ORDINANCE NUMBER 21-11-09**

**AN ORDINANCE AMENDING CHAPTER 92 ZONING REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING REVISIONS TO 92.042(D) (SECTION 4) (7) TO ADDRESS CURRENT ENGINEERING STANDARDS FOR CONSTRUCTING CELL TOWERS THAT IN CASE OF STRUCTURAL FAILURE WILL FALL WITHIN A CONFINED ZONE**

**WHEREAS**, The Town of Lake Lure requires a critical need to enhance cellular signal availability access for the purposes of public access to cell coverage and for public safety; and

**WHEREAS**, Town staff believes that current setback requirements of the Code of Ordinances are outdated and do not reflect standard engineered tower fall zone designs; and

**WHEREAS**, Town staff believes that the current setback requirements have had a negative impact on obtaining needed cellular coverage; now

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

**SECTION ONE.** §92.042(D) (4) (7) of the Zoning Regulation of the Town of Lake Lure are hereby amended as follows:

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

(7a) Setback requirements (engineered fall zone facilities).

(a) A tower shall be separated from other on-site and off-site towers and supporting structures such that one tower will not strike another tower or its support structure if it falls. Towers shall be set back from property lines in accordance with the twice the setback requirements for the district or 110 percent of the documented engineered fall zone, whichever is greater. Additionally, telecommunications towers must set back from any residential districts or uses a distance equivalent to the fall radius of the tower being erected times ten percent.

Adopted this 9<sup>th</sup> day of November, 2021.

ATTEST:

\_\_\_\_\_  
Olivia Stewman  
Town Clerk

\_\_\_\_\_  
Carol C. Pritchett  
Mayor



Approved as to content & form:

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William C. Morgan, Jr.  
Town Attorney



**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Ordinance No. 21-11-09A – An ordinance amending Chapter 92 Zoning Regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.062(A) to waive a zoning review fee structure for home occupation permit applications due to the requirement to have the Board of Adjustment approve such applications as a special use, rather than administrative approval

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** B  
**Department:** Community Development  
**Contact:** Michael Williams, Community Development Director  
**Presenter:** Michael Williams, Community Development Director

**BRIEF SUMMARY:** Ordinance No. 21-11-09A amends Chapter 92 Zoning Regulations of the Town of Lake Lure Code of Ordinances concerning revisions to 92.062(A) to waive a zoning review fee structure for home occupation permit applications due to the requirement to have the Board of Adjustment approve such applications as a special use, rather than administrative approval.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To adopt Ordinance No. 21-11-09A

**ATTACHMENTS:** Ordinance No. 21-11-09A; Schedule of review fees for home applications; recommended 92.062 text amendment

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the adoption of Ordinance No. 21-11-09A for the purpose of revising 92.062(A) to waive what staff feels is an inordinate zoning review fee structure for home occupation permit applications due to the requirement to have the BOA approve those applications as special use, rather than an administrative approval by staff. The Zoning and Planning Board recommends the adoption of Ordinance No. 21-11-09A.

PROPOSED TEXT AMENDMENT TO §92.046(B)(2) & §92.046(F) – **Proposed Revisions Highlighted**§ 92.062 CERTIFICATE OF ZONING COMPLIANCE REQUIRED; APPLICATIONS.

- (A) Except as otherwise provided in these Zoning Regulations, no building or other structure shall be erected, moved, added to or structurally altered, nor shall any County building permit be issued nor shall any change in the use of any building or land be made until a certificate of zoning compliance shall have been issued by the Zoning Administrator. No certificate of zoning compliance shall be issued except in conformity with the provisions of this chapter. Upon approval of a special use permit or variance by the Board of Adjustment the Zoning Administrator shall issue a certificate of zoning compliance. **The certificate of zoning compliance review fee for a Home Occupation, as defined by §92.005, that has been granted a special use permit for a Home Occupation use that will not involve the change in appearance of a building or premises, as determined by the Zoning Administrator, shall be waived. (Amended 6-12-07; 1-8-08)**
- (B) All applications for zoning compliance certificates shall be accompanied by the following: **(Amended 1-8-08)**

Review Fees for Home Occupation Applications  
(eff: 10/12/21)

<b>Permit Type</b>	<b>Review Fee(s)</b>
Zoning:Class 1 Residential	\$210
Zoning:Class 2 Residential	\$250
Zoning:Class 3 Residential	\$290
Zoning:Class 4 Commercial	\$330
Special Use	\$410
Zoning w/required SUP	\$620-\$740
Proposed Zoning/SUP	\$410

**ORDINANCE NUMBER 21-11-09A**

**AN ORDINANCE AMENDING CHAPTER 92 ZONING REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING REVISIONS TO 92.062(A) TO WAIVE THE ZONING REVIEW FEE STRUCTURE FOR HOME OCCUPATION PERMIT APPLICATIONS DUE TO THE REQUIREMENT TO HAVE THE BOARD OF ADJUSTMENT APPROVE SUCH APPLICATIONS AS A SPECIAL USE, RATHER THAN ADMINISTRATIVE APPROVAL**

**WHEREAS**, Ordinance §92.062(A) requires residents seeking a home occupation permit to obtain and pay for both a special use review fee and a zoning permit review fee; and

**WHEREAS**, Town of Lake Lure staff finds the home occupation permit application process to cause an inordinate fee structure; and

**WHEREAS**, The Zoning and Planning Board on the 19<sup>th</sup> day of October, 2021, reviewed the process and made the recommendation to waive the zoning permit review fee; and

**WHEREAS**, The Lake Lure Town Council, after due notice, conducted a public hearing on the 9<sup>th</sup> day of November, 2021, upon the question of the amending the home occupation permit application fees; now

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

**SECTION ONE.** §92.062(A) of the Zoning Regulation of the Town of Lake Lure are hereby amended as follows:

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

§ 92.062 CERTIFICATE OF ZONING COMPLIANCE REQUIRED; APPLICATIONS.

- (A) Except as otherwise provided in these Zoning Regulations, no building or other structure shall be erected, moved, added to or structurally altered, nor shall any County building permit be issued nor shall any change in the use of any building or land be made until a certificate of zoning compliance shall have been issued by the Zoning Administrator. No certificate of zoning compliance shall be issued except in conformity with the provisions of this chapter. Upon approval of a special use permit or variance by the Board of Adjustment the Zoning Administrator shall issue a certificate of zoning compliance. The certificate of zoning compliance review fee for a Home Occupation, as defined by §92.005, that has been granted a special use permit for a Home Occupation use that will not involve the change in appearance of a building or premises, as determined by the Zoning Administrator, shall be waived. (Amended 6-12-07, Amended 1-8-08, Amended 5-13-2021)

Adopted this 9<sup>th</sup> day of November, 2021.

ATTEST:

\_\_\_\_\_  
Olivia Stewman  
Town Clerk

\_\_\_\_\_  
Carol C. Pritchett  
Mayor

Approved as to content & form:

\_\_\_\_\_  
William C. Morgan, Jr.  
Town Attorney





**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Ordinance No. 21-11-09B – An ordinance adopting the Town of Lake Lure Boys Camp Road Park Master Plan, and to incorporate a communications tower into the park planned for parcel #1655367

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** C  
**Department:** Community Development  
**Contact:** Michael Williams, Community Development Director  
**Presenter:** Michael Williams, Community Development Director

**BRIEF SUMMARY:** Ordinance No. 21-11-09B adopts the Town of Lake Lure Boy's Camp Road Park Master Plan, and incorporates a communications tower into the park planned for parcel #1655367.

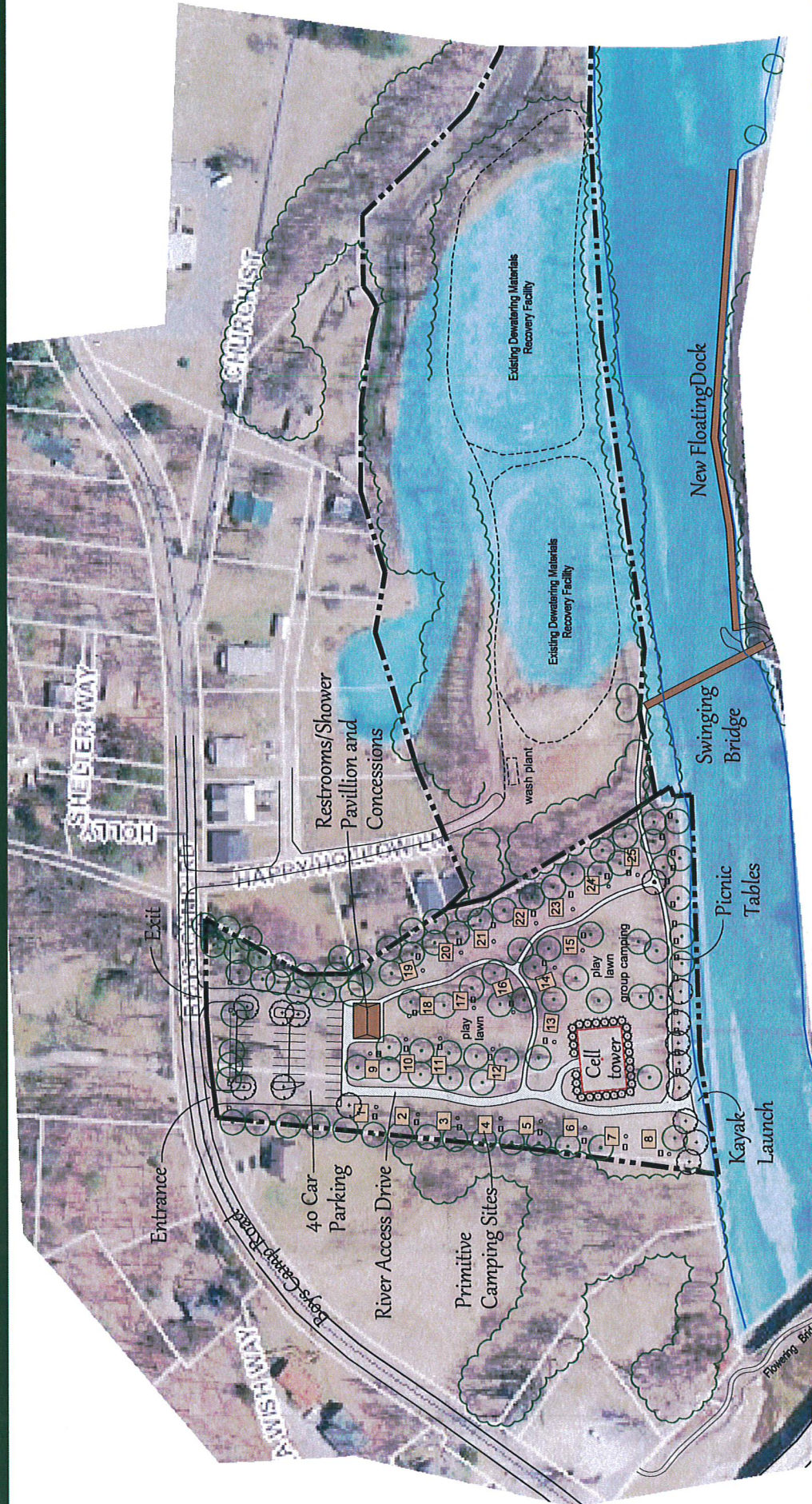
**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To Adopt Ordinance No. 21-11-09B

**ATTACHMENTS:** Ordinance No. 21-11-09B; Proposed Concept Master Plan;

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the adoption of Ordinance No. 21-11-09B for the purpose of adopting the Town of Lake Lure Boy's Camp Road Park Master Plan, and to incorporate a communications tower into the park planned for parcel #1655367. The Zoning and Planning Board recommends the adoption of Ordinance No. 21-11-09B.

# Town of Lake Lure Boys Camp Road

Proposed  
Concept Master Plan



September 20, 2021



**cds** Creative Development Solutions  
1000 Lakeshore Blvd. Suite 1000  
Lake Bluff, IL 60064  
630.270.1100 | www.cdsdesign.com



**ORDINANCE NO. 21-11-09B**  
**ORDINANCE REGARDING THE MASTER PLAN FOR THE TOWN**  
**OF LAKE LURE BOYS CAMP ROAD PARK PROJECT**

**WHEREAS**, the Town adopted a Concept Master Plan for the Town-owned parcel #1655367, also referred to as 176 Boys Camp Road, on October 31, 2018; and

**WHEREAS**, that October 31, 2018 Concept Master Plan was approved by Council motion with the intent of developing a public park with walking trails, picnic tables, kayak launch and primitive camping area with 18 camp sites; and

**WHEREAS**, that property was also dedicated to providing a storage area for the Town's dredging program, specifically a dewatering materials recovery facility; and

**WHEREAS**, technology improvements have resulted in a reduced space requirement for the dewatering materials recovery and eliminated the need for that use to be included on the park parcel; and

**WHEREAS**, reliable cellular and internet access have been identified as major needs for our community and are two of the most significant concerns expressed by both residents and visitors; and

**WHEREAS**, AT&T has committed to working with the Town to expand our cellular service and has identified this park parcel as an ideal location for a communications tower to provide 5G cellular service for our Lake Lure community; and

**WHEREAS**, lack of cellular reception was a major problem for emergency responders during the 2016 Party Rock Fire, and the Town Fire Chief and Police Chief both cite the lack of cellular signal as an ongoing issue in responding to fires, climbing and hiking trail accidents, and other emergency situations; and

**WHEREAS**, for several years, the Town has been unsuccessful in efforts to obtain a cellular carrier's commitment to build a tower to serve our area; and

**WHEREAS**, Parks and Recreation Department retained Creative Development Solutions to create a new Concept Master Plan incorporating the public park with walking trails, picnic tables, kayak launch and 25 primitive camp sites, seven more than the current Concept Master Plan, without any part of the dredge program on the park parcel, and added a communication tower within the park; and

**WHEREAS**, Lake Lure Parks and Recreation Department has recommended adopting the new Concept Master Plan incorporating a public park with walking trails, picnic tables, kayak launch and primitive camping area, with a communication tower within the park as the new Master Plan; and

**WHEREAS**, on October 19, 2021, the Lake Lure Zoning and Planning Board reviewed the Parks and Recreation site plan and recommended that the Town Council adopt it as the new Master Plan for the Town-owned parcel #1655367;

**NOW, THEREFORE BE IT RESOLVED**, on this 9<sup>th</sup> day of November, 2021, that the Lake Lure Town Council has determined that the proposed Master Plan is appropriate for the Town’s use of the property, and that the proposed Master Plan should be adopted in accordance with the requirements of §92.039 of the Town of Lake Lure Zoning Ordinance.

**READ, APPROVED AND ADOPTED** this the 9<sup>th</sup> day of November, 2021.

ATTEST:

\_\_\_\_\_  
Olivia Stewman, Town Clerk

\_\_\_\_\_  
Mayor Carol C. Pritchett

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** FEMA Grant Funding – Schnable Work Order #8 – Conceptual Design for the Dam Rehabilitation

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** D  
**Department:** Finance/Dam/Grants  
**Contact:** Laura Krejci, Communications Specialist  
**Presenter:** Laura Krejci, Communications Specialist

**BRIEF SUMMARY:** FEMA has approved a supplemental grant for an additional \$38,070 of FEMA funds that will help to fund the Conceptual Design of the Dam Rehabilitation. The total cost of the project is \$58,568 and funds must be spent prior to the end of the fiscal year which runs 10/1/21 through 9/30/22 for the rehabilitation of the existing dam. There is an accompanying Budget Amendment #315 for the total cost of the project and Work Order #8 must be approved and signed. The Town will be reimbursed \$38,070 once the project is completed and the paperwork is approved.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To approve Schnabel Work Order #8 for the purpose of a conceptual design of a replacement dam, which is being partially funded by a supplemental FEMA grant.

**FUNDING SOURCE:** General Fund and FEMA Grant

**ATTACHMENTS:** Work Order #8

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the approval of Schnabel Work Order #8 for the purpose of a conceptual design for the dam rehabilitation, which is being partially funded by a supplemental FEMA grant.



March 5, 2021

Mr. Shannon Baldwin  
Town Manager  
Town of Lake Lure  
2948 Memorial Highway  
Lake Lure, NC 28746

**Subject: 18P21021.05, Work Order No. 8, Professional Dam Engineering Services for the Conceptual Design of a Replacement Dam, Lake Lure, North Carolina**

Dear Mr. Baldwin:

**SCHNABEL ENGINEERING SOUTH, P.C.** (Schnabel) is pleased to submit this work order proposal for professional dam engineering services associated with conceptual design of a replacement dam for the Town of Lake Lure (Town).

## **BACKGROUND**

On February 9, 2021, the Town adopted a policy for proceeding towards construction of a replacement dam. During the same meeting, the Town adopted a timeline to construct the replacement dam within about 10 years. This timeline was submitted to NCDEQ Dam Safety on February 19, 2021, for review and approval.

On February 26, 2021, the Town was informed that FEMA has some additional grant funding available for FY 2021 through their Rehabilitation of High Hazard Potential Dams (HHPD) program. As a result, the Town requested that Schnabel provide a scope of work for initial tasks required for the replacement dam design. The selected scope of work, which is presented herein, includes conceptual design of a replacement dam.

## **SCOPE OF SERVICES**

As indicated above, the objectives of our services proposed under this work order are to prepare a conceptual design for the replacement dam to assist in future investigation and design planning and to provide a construction cost opinion to support funding requests. We have assumed that the replacement dam will consist of a roller compacted concrete (RCC) gravity dam constructed immediately downstream of the existing dam and designed to meet NCDEQ Dam Safety and FERC dam safety requirements. We understand the replacement dam will not include hydroelectric facilities at this time, but the Town may want to consider adding hydroelectric facilities to the dam in the future.

**Town of Lake Lure**  
**Lake Lure Dam – Work Order No. 8 Proposal**

Services for this project will be performed under the supervision of a Professional Engineer(s) licensed in the State of North Carolina. The scope of services for this phase of the project is described in detail in the following paragraphs.

We will perform preliminary hydrologic and hydraulic (H&H) analyses to determine the type(s) and size of the spillways systems required to safely pass the required design storm by NCDEQ Dam Safety. The need for energy dissipation measures at the base of the dam will also be evaluated. The hydrologic model developed during the existing conditions assessment phase will be used as the basis for these evaluations and will be updated accordingly.

We will perform global stability analyses to develop an RCC dam geometry that meets NCDEQ Dam Safety criteria, as well as FERC criteria, for overturning and sliding stability. Global stability will be evaluated through 2D sectional analysis using a proprietary spreadsheet. Up to three cross sections of the dam will be analyzed, including a spillway overflow section, a gated spillway section (if selected), and a non-overflow section. The RCC dam will need to be founded on competent bedrock. No subsurface investigations will be performed as a part of this conceptual design, and there is very limited geologic information available within the likely footprint of the replacement dam. As such, we will make assumptions regarding the bedrock profile, quality, and characteristics to support the stability analyses and the conceptual design layout discussed herein. These assumptions will be refined during subsequent design phases based on the results of future subsurface investigations and laboratory testing.

We will develop figures of the dam replacement concept, including a plan, profile, and up to four cross sections. We will utilize the 2019 topographic survey as the baseline existing conditions for development of these figures. These figures will be prepared using AutoCAD Civil 3D.

We will provide a sequence of construction to include a concept for passing storm flows through the construction area. We assume that the existing dam will be maintained during construction to serve as a cofferdam. We also assume that the reservoir will be lowered during portions of construction to facilitate construction of the new dam and decommissioning of the existing dam, with the intent of lowering the reservoir as little as possible. Our concept will provide conceptual decommissioning of the existing dam, but specific details for decommissioning the existing powerhouse will not be provided in this concept phase.

We will develop an engineer's opinion of probable construction cost (EOPCC) for the dam replacement concept. The cost opinion will be a "Class 4" estimate, according to the categories of cost estimates defined by the Association for the Advancement of Cost Engineering (AACE) International. The accuracy range for a Class 4 estimate can be expected to vary from up to 30% below to up to 50% above actual costs. An appropriate level of contingency for this estimate class, likely 20% to 30%, will be applied to the costs developed for this study.

We will also develop an estimated construction schedule for the dam replacement concept. We will also meet with an environmental consultant to discuss USACE and NCDEQ permitting requirements and expected timeframes for such required permits. We will solicit the Town's input as well as that of NCDEQ Dam Safety when formulating the schedules.

**Town of Lake Lure**  
**Lake Lure Dam – Work Order No. 8 Proposal**

We will prepare a Conceptual Design Report presenting the results of our preliminary engineering analyses and describing the proposed dam replacement concept. The Conceptual Design Report will include a discussion on key design, permitting, and construction considerations, as well as the figures, construction cost opinion, and construction schedule estimate described above. The Conceptual Design Report and attachments will be provided to the Town in PDF format for review. Review comments provided by the Town will be addressed and a final version of the Conceptual Design Report and attachments will be provided to the Town and NCDEQ Dam Safety in PDF format. Up to four hard copies will also be provided upon request.

The scope of this work order proposal includes up to two video conference calls with the Town and/or NCDEQ Dam Safety to discuss the dam replacement concept.

### **EXCLUSIONS**

Services not specifically identified above are not included in the scope of services under this agreement. The following services are specifically not included in our proposed scope:

- Field investigations
- Conceptual design of hydroelectric facilities
- Detailed dam design
- Environmental permitting
- Funding acquisition support
- Attendance at meetings, other than the two video conference calls described above

### **PROJECT FEES**

The lump sum fee for these services is **\$58,568**. A detailed breakdown of this fee is included as Attachment 1. The fee for work requested beyond the scope of services included herein will be based on our current unit prices at the time the work is authorized or a negotiated lump sum. Our current Schedule of Personnel Fees is included as Attachment 2.

### **SCHEDULE**

We will provide the draft Conceptual Design Report and attachments to the Town for review within 4 months of Notice-to-Proceed (NTP).

### **PAYMENTS**

Invoices will be submitted monthly as a percentage of completion of the lump sum fee. Payment terms will be in accordance with the Professional Services Agreement between Schnabel and the Town (Attachment 3).

### **GENERAL**

The Terms and Conditions of the Professional Services Agreement between Schnabel and the Town will apply to the services proposed herein. Your acceptance of this work order proposal by signing and returning one copy of this letter will form our agreement for these services. You may transmit your



**Town of Lake Lure  
Lake Lure Dam – Work Order No. 8 Proposal**

acceptance of this proposal electronically with the understanding that the signature on the electronic document will be considered an original signature. This work order proposal is valid for 90 days from the date shown.

We appreciate the opportunity to submit our proposal for these services and look forward to continuing to work with the Town on this project. Please contact us if you have any questions regarding this proposal.

Sincerely,

**SCHNABEL ENGINEERING SOUTH, P.C.**



Jonathan M. Pittman, PE  
Project Manager / Senior Vice President

JMP:LSF:CMJ:MEL

**Attachments:**

- (1) Detailed Fee Breakdown (1 sheet)
- (2) Schedule of Personnel Fees (1 sheet)
- (3) Professional Services Agreement and Terms and Conditions (5 sheets)

**This work order proposal is:**

**ACCEPTED BY:** \_\_\_\_\_ **TOWN OF LAKE LURE, NC**

**SIGNATURE:** \_\_\_\_\_

**PRINTED NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Lake Lure Dam - Conceptual Design for Dam Replacement

ITEM	PRINCIPAL (11)	SR. ASSOC. ENG. (21)	ASSOC. ENG. (31)	SENIOR ENG. (41)	SENIOR SCI. (43)	PROJECT ENG. (51)	CADD III (87)	CLERICAL / ADMIN (95)	TOTAL SE PERSONNEL TIME	TOTAL SE PERSONNEL COST	TOTALS
	Landis	Pittman, Ruswick	Johnson	Shearin-Feimster	Gagnon	Khodaie with Support from Others TBD	Calderon	Sherwood			
	2021 Greensboro Rates UNIT or COST as shown in column heading	\$ 283	\$ 250	\$ 218	\$ 190	\$ 190	\$ 163	\$ 126			
	HOUR	HOUR	HOUR	HOUR	HOUR	HOUR	HOUR	HOUR	HOUR		
<b>Task 01 - Conceptual Design for Replacement Dam</b>	<b>20.0</b>	<b>52.0</b>	<b>24.0</b>	<b>40.0</b>	<b>12.0</b>	<b>80.0</b>	<b>92.0</b>	<b>2.0</b>	<b>322.00</b>	<b>\$ 58,568.00</b>	<b>\$ 58,568.00</b>
Preliminary Hydraulic Analyses		4.0		24.0					28.00	\$ 5,560.00	\$ 5,560.00
Preliminary Stability Analyses and Geologic Considerations			8.0		8.0	16.0			32.00	\$ 5,872.00	\$ 5,872.00
Conceptual Design Layout - Plan and Sections		8.0	8.0			16.0	80.0		112.00	\$ 16,432.00	\$ 16,432.00
Construction Cost and Schedule Estimates		8.0				16.0	12.0		36.00	\$ 6,120.00	\$ 6,120.00
Conceptual Design Report		8.0	8.0	16.0	4.0	32.0		2.0	70.00	\$ 12,924.00	\$ 12,924.00
									-	\$ -	\$ -
									-	\$ -	\$ -
Two Video Conference Calls with the Town and NC Dam Safety	4.0	4.0							8.00	\$ 2,132.00	\$ 2,132.00
Review and QA	16.0								16.00	\$ 4,528.00	\$ 4,528.00
Project Management		20.0							20.00	\$ 5,000.00	\$ 5,000.00
<b>QUANTITY</b>	<b>20.0</b>	<b>52.0</b>	<b>24.0</b>	<b>40.0</b>	<b>12.0</b>	<b>80.0</b>	<b>92.0</b>	<b>2.0</b>	<b>322.00</b>		
<b>TOTAL COST</b>	<b>\$ 5,660.00</b>	<b>\$13,000.00</b>	<b>\$ 5,232.00</b>	<b>\$ 7,600.00</b>	<b>\$ 2,280.00</b>	<b>\$ 13,040.00</b>	<b>\$11,592.00</b>	<b>\$ 164.00</b>		<b>\$ 58,568.00</b>	<b>\$ 58,568.00</b>



**SCHEDULE OF PERSONNEL FEES – GREENSBORO, NORTH CAROLINA**  
**Effective until December 31, 2021**

Senior Consultant	\$299.00/hr
Principal	283.00/hr
Senior Associate	250.00/hr
Associate	218.00/hr
Senior Engineer/Scientist	190.00/hr
Project Engineer/Scientist	163.00/hr
Senior Staff Engineer/Scientist	139.00/hr
Staff Engineer/Scientist/Technologist	122.00/hr
Senior Technician II (see note 3)	115.00/hr
Senior Technician I (see note 3)	96.00/hr
Technician III (see note 3)	85.00/hr
Technician II (see note 3)	71.00/hr
Technician I (see note 3)	60.00/hr
CADD III	126.00/hr
CADD II	118.00/hr
CADD I	97.00/hr
Clerical/Admin	82.00/hr

**NOTES:**

1. Personnel fees will be based upon the actual hours charged times the appropriate hourly rate.
2. Travel by auto to and from jobs will be charged at the current IRS prevailing rate, plus a markup of 10% to cover handling, insurance and overhead. Travel by air or rail, lodging and meal expense for personnel in the field will be billed at cost plus a 10% markup.
3. Overtime for Technicians is time for work on Saturday, Sunday and national holidays, time in excess of 8 hours per day and time between the hours of 7:00 P.M. and 7:00 A.M. A surcharge of \$25/hr is added to the above rate for overtime.
4. Subcontractors and other non-labor project expenses are marked up 10% to cover the cost of handling, insurance and overhead.

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement"), dated as of September 12, 2018 (the "Effective Date"), is by and between the **Town of Lake Lure** (hereinafter "Client"), with an office at 2948 Memorial Highway, Lake Lure, NC 28746 and **Schnabel Engineering South, P.C.** (hereinafter "Consultant") with an office at 11-A Oak Branch Drive, Greensboro, NC 27408 (hereinafter collectively "Parties").

This Agreement is specific to services ("Services") required to rehabilitate and/or upgrade Lake Lure Dam, its hydro-electric generating facility, and appurtenances to meet NCDEQ Dam Safety requirements and extend the service life of the facility ("Project"). Services may include review of existing documents, investigation of the existing condition of the structure, analysis of existing and proposed conditions, design of repairs or modifications, bidding support, construction administration and oversight, and related services. The work will be performed in phases, and the Scope of Work, fees and method of compensation, schedule, and deliverables of service will be presented in individual Task Order Proposals for each phase. Services provided under this Agreement will be performed under the supervision of a Professional Engineer licensed in the State of North Carolina.

In consideration of the mutual agreements herein expressed, the Parties contract, covenant, and agree as follows:

### 1. SCOPE OF SERVICES/COMPENSATION.

1.1 Consultant shall perform the Services set forth in individual Task Orders, which shall be governed by this Agreement. Each executed Task Order shall include the Scope of Work, fee compensation amounts and method of billing, the schedule of performance, and descriptions of the deliverables of Services..

1.2 Client shall pay Consultant for Services rendered under this Agreement on the basis set forth in each executed Task Order.

**2. TERM OF AGREEMENT.** Upon execution by the Parties, this Agreement shall have the Effective Date as set forth above and shall remain in force until all obligations related to the Services have been fulfilled, unless sooner terminated as provided herein.

### 3. ENTIRE AGREEMENT.

3.1 The Agreement between Consultant and Client consists of this Agreement, executed Task Orders, and any exhibits or attachments attached or incorporated herein. Together these elements will constitute the entire Agreement, superseding all prior written or oral negotiations, statements, representations, correspondence, and/or agreements. The Services to be provided by Consultant pursuant to this Agreement are described in each executed Task Order and include the Scope of Work. Both Client and Consultant must mutually acknowledge any changes to this Agreement in writing. All work performed by Consultant on or relating to the Project is subject to the terms and limitations of this Agreement.

3.2 If work is performed, but the parties do not reach agreement concerning modifications to the Scope of Work or compensation, then the terms and conditions of this Agreement apply to such work. Disputes concerning modifications to Scope of Work or compensation shall be resolved pursuant to Article 15, "Dispute Resolution."

### 4. STANDARD OF CARE, DISCLAIMER OF WARRANTIES.

4.1 Consultant shall perform Services under this Agreement in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. NO OTHER REPRESENTATION AND NO WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED, IS INCLUDED OR INTENDED BY THIS AGREEMENT.

### 5. SITE ACCESS, SITE CONDITIONS, SAMPLES.

5.1 Client will provide rights of entry and access for Consultant to perform its Services.

5.2 Consultant will take reasonable precautions to avoid damage or injury to subterranean structures or utilities in the prosecution of his work. Client agrees to advise Consultant of known or

suspected underground features in the area of the work, and Consultant will not be responsible for damage to below grade features not brought to its attention, or incorrectly shown on plans provided.

5.3 Client shall promptly pay and be responsible for the removal and lawful disposal of contaminated samples and cuttings, and hazardous substances, unless other arrangements are mutually agreed in writing.

## **6. OWNERSHIP OF DOCUMENTS, RESTRICTIONS ON REUSE.**

6.1 All documents, including opinions, conclusions, certificates, reports, drawings and specifications and other documents, prepared or furnished by Consultant and Consultant's independent professional consultants pursuant to this Agreement (collectively "Documents") are instruments of Service. Consultant retains all ownership and property interests in the Documents, including all common law, statutory and other reserved rights, including copyrights, whether or not the Project is completed. Consultant will provide signed and sealed versions of the final deliverables to the Client in both hard copy and electronic format. Client may make and retain copies of them for information and reference in connection with permitting, financing, bidding and construction of renovations and facility improvements relating to the Lake Lure Dam, Hydro-electric Plant and appurtenances as addressed by this Project; however, such copies are not intended or represented to be suitable for reuse by others, and may not be used on other projects or for additions to this Project outside the Scope of the Work.

6.2 At Client's request, Client may negotiate with Consultant to acquire ownership of Documents for a mutually agreed amount. If Client acquires ownership of Documents prepared by Consultant, Client agrees: a) that any subsequent reuse or modification of them by Client or any party obtaining them through Client will be at Client's sole risk and without liability to Consultant, and b) Client will defend, indemnify and hold harmless Consultant from and against any claims, damages, and liabilities arising from or related to any use, reuse or modification of Documents by Client or any party obtaining them through Client. Client agrees that Consultant may retain copies of all documents for its files.

6.3 Electronic communications and CADD data transferred by Email, websites or computer disks (collectively "E- Data") are provided only as an accommodation by Consultant for the benefit of Client. Signed paper prints of documents constitute the contract deliverables. Client assumes the risk that E-Data may differ from the paper deliverables. Client agrees to indemnify and hold harmless Consultant from and against claims, damages, and liabilities for defects or inappropriate use of E-Data created or transmitted by Consultant.

## **7. THIRD PARTY RELIANCE UPON DOCUMENTS.**

7.1 Consultant's performance of the Services, as set forth in this Agreement, is intended solely and exclusively for the Client's benefit and use. No party may claim under this Agreement as a third party beneficiary. Client agrees not to distribute, publish or otherwise disseminate Consultant's Documents, without first obtaining Consultant's prior written consent.

7.2 No third party may rely upon Consultant's Documents including, but not limited to, opinions, conclusions, certificates, reports, drawings and specifications unless Consultant has agreed to such reliance in advance and in writing.

## **8. ASSIGNMENT, SUBCONTRACTING.**

8.1 Neither Client nor Consultant may delegate, assign, sublet, or transfer all or any part of this Agreement, including its duties or interest in this Agreement without the written consent of the other party.

8.2 Notwithstanding Section 8.1, Consultant may subcontract subsurface exploration, testing, and other supplemental services without notification or consent of Client.

## **9. TERMINATION, SUSPENSION.**

9.1 Termination for Convenience. The Client may terminate this Agreement for its convenience upon twenty-one (21) days written notice to Consultant. In the event of termination for convenience, Consultant shall be compensated for all services satisfactorily performed and costs incurred up to the effective date of termination for which Consultant has not been previously compensated. Consultant shall not be reimbursed for anticipatory profits.

9.2 Termination for Cause. The Client may terminate this Agreement upon fourteen (14) days written notice may terminate this Agreement if Consultant fails to substantially perform through no fault of Client and does not commence correction of such performance within five (5) days of written notice and

diligently complete the correction thereafter. In the event of termination for fault, Consultant shall be compensated for all services satisfactorily performed and costs incurred up to effective date of termination for which Consultant has not been previously compensated. All costs and charges incurred by Client to complete the Services beyond the total compensation available under this Agreement when terminated shall be deducted from any compensation due or which may become due to Consultant, and to the extent such deduction is insufficient to cover such costs and charges to Client, Consultant shall be and remain liable to pay Client the amount of such excess.

9.3 Client's Failure to Pay. In the event of any failure of payment by Client when due, Consultant shall have the right to suspend work on the Project and may retain any and all work products whether prepared by Consultant or submitted to Consultant by others, until payment has been brought current. In such event, Consultant shall have no liability for any damages or losses that may result from any delay associated the suspension of work or for the withholding of work products. If Client's failure to pay continues for more than sixty (60) days, Consultant may terminate this Agreement effective upon written notice to Client.

#### **10. ALLOCATION OF RISK.**

10.1 Consultant's total cumulative liability to Client (including, but not limited to, attorneys' fees and costs awarded under this Agreement) irrespective of the form of action in which such liability is asserted by Client or others, shall not exceed the total compensation received by Consultant under this Agreement or \$3,000,000, whichever is greater.

10.2 Client and Consultant agree to limit each's liability to the other in the following respects: Neither party will have liability to the other for any special, consequential, incidental, exemplary, or penal losses or damages including but not limited to losses, damages or claims related to the unavailability of the other party's property or facility, shutdowns or service interruptions, loss of use, lost profits or revenue, inventory or use, charges or cost of capital or claims of the other party's customer.

10.3 The limitations of liability of this Agreement shall survive the expiration or termination of this Agreement.

#### **11. INSURANCE.**

11.1 Consultant shall procure and maintain for the duration of the Project and three years following, with insurance carriers reasonably acceptable to the Client, the following insurance coverage:

- (a) Commercial General Liability on an occurrence form, including coverage for premises and completed operations/products, Contractual Liability, General Aggregate per Project, "xcu" coverages
  - \$1,000,000 each occurrence
  - \$ 10,000 Medical Expenses
  - \$1,000,000 Personal and Advertising Injury
  - \$2,000,000 General Aggregate
  - \$2,000,000 Products/Completed Operations Aggregate
- (b) Automobile Liability - Including coverage for Owned, Hired, and Non-Owned Autos
  - \$1,000,000 Combined Single Limit
- (c) Workers Compensation and Employer's Liability
  - Statutory Limits for Workers Compensation
  - \$500,000 each accident
  - \$500,000 each occurrence by disease
  - \$500,000 by disease - policy limit
- (d) Umbrella Liability – applying over all above-referenced policies
  - \$10,000,000 each occurrence
- (e) Professional Liability
  - \$3,000,000 each claim
  - \$3,000,000 annual aggregate

11.2 Additional Insured. Except for Workers Compensation and Professional Liability, policies shall include Client as Additional Insured on a primary and noncontributory basis, to include ongoing and completed operations.

## 12. INDEMNIFICATION.

12.1 Indemnification of Client. Subject to the provisions and limitations of this Agreement and to the extent allowable by law, Consultant agrees to indemnify and hold harmless Client, its shareholders, officers, directors, employees, and agents from and against any and all claims, suits, liabilities, damages, expenses (including without limitation reasonable attorney's fees and costs of defense) or other losses (collectively "Losses") to the extent caused by Consultant's negligent performance of its Services under this Agreement.

12.2 Indemnification of Consultant. Subject to the provisions and limitations of this Agreement and to the extent allowable by law, Client agrees to defend, indemnify and hold harmless Consultant from and against any and all claims by third parties related to services provided by Consultant under this Agreement, and against any and all Losses to the extent caused by the negligence of Client, its employees, agents and contractors. In addition, except to the extent caused by Consultant's sole negligence, Client expressly agrees to defend, indemnify and hold harmless Consultant from and against any and all Losses arising from or related to the existence, disposal, release, discharge, treatment or transportation of Hazardous Materials, or the exposure of any person to Hazardous Materials, or the degradation of the environment due to the presence, discharge, disposal, release of or exposure to Hazardous Material.

## 13. INVOICES, PAYMENTS.

13.1 Payment is due without retainage upon presentation of invoice and is past due thirty (30) days from invoice date, and will not be contingent upon receipt of funds from third parties. Client agrees to pay a service charge of one percent (1%) per month or fraction thereof on past due payments under this Agreement.

13.2 It is further agreed that in the event a lien or suit is filed to enforce overdue payments under this Agreement, Consultant will be reimbursed by Client for all costs of such lien or suit and reasonable Attorney's fees in addition to accrued service charges, where the court of appropriate jurisdiction enters a finding in favor of Consultant.

**14. NOTICE.** All notices, requests, claims, demands and other communications hereunder shall be in writing. Such notices shall be given (i) by delivery in person, (ii) by a nationally recognized commercial courier service; or (iii) by United States Postal Service, registered mail, postage prepaid and return receipt requested. Notices shall be effective upon actual delivery at the following addresses:

**Client:** Town of Lake Lure  
2948 Memorial Highway  
Lake Lure, NC 28746

**Consultant:** Schnabel Engineering South, P.C.  
11-A Oak Branch Drive  
Greensboro, NC 27407

or to that address which the receiving Party may from time to time give notice to the other Party in writing. Rejection or other refusal to accept, or the inability to deliver because of changed address of which no notice was given, shall be deemed to be receipt of the notice as of the date of such rejection, refusal to accept or inability to deliver.

## 15. DISPUTE RESOLUTION.

15.1 Claims, disputes, and other matters in controversy between Consultant and Client caused by or any way related to this Agreement will be submitted to non-binding mediation as a condition precedent to litigation. The cost for mediation including the mediator's fees, reproduction of documents, and miscellaneous out-of-pocket expenses will be borne equally by each party to this Agreement.

15.2 The law of the State of North Carolina will govern the validity of these terms, their interpretation and performance. Client and Consultant agree that venue for any litigation will be in the courts of the State of North Carolina, and Consultant and Client both hereby waive any right to initiate any action in, or remove any action to, any other jurisdiction.

**16. FORCE MAJEURE.**

16.1 Any delay in or failure of performance of, either party to this Agreement shall not constitute a default, if and to the extent such delay or failure is caused by occurrences beyond the reasonable control of the party affected, including but not limited to, acts of God or the public enemy, acts of war, public disorder, insurrection, rebellion, sabotage, flood, riot, or any causes a party is unable, with reasonable diligence, to prevent; provided, however, that a party who is prevented from performing for any reason shall immediately notify the other party in writing of the reason for the non-performance and the anticipated extent of any delay.

**17. SEVERABILITY.**

17.1 This Agreement reflects the entire agreement of the parties with respect to its terms and supersedes all prior agreements, whether written or oral. If any portion of this Agreement is void or voidable, such portion will be deemed stricken and the Agreement reformed to as closely approximate the stricken portions as the law allows.

**IN WITNESS WHEREOF**, the parties, by their duly authorized representatives, have hereunto executed this Agreement, on the day and year first above written.

**CONSULTANT:**

**Schnabel Engineering South, PC**

By: [Signature]

Name: Jonathan Pittman  
(print)

Title: Senior Vice President

Date: September 15, 2018

**CLIENT:**

**Town of Lake Lure**

By: [Signature]

Name: Kurtis J. Conkey  
(print)

Title: Mayor

Date: September 15, 2018

**Exhibits:**

None  
Rev 2018-08



**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** Certified Public Safety Personnel Compensation

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** F  
**Department:** Human Resources/Finance  
**Contact:** Jennifer Duncan, HR Specialist/Sam Karr, Finance Director  
**Presenter:** Jennifer Duncan, HR Specialist/Sam Karr, Finance Director

**BRIEF SUMMARY:** Public safety personnel submitted a brief proposal justifying an immediate pay increase for certified public safety personnel and requesting assurance that additional action will be taken July 1, 2022 based on professional pay analysis and report. An additional purpose of the brief submitted is to work towards identifying challenges and solutions to recruit and retain highly qualified certified public safety personnel to serve the Town of Lake Lure. Town staff is proposing to grant this request by providing certified public safety personnel with a five percent increase in cost in salary and benefits. This increase will become effective on December 1, 2021.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To approve certified public safety personnel compensation through a five percent increase in cost in salary and benefits, which shall become effective on December 1, 2021.

**FUNDING SOURCE:** General Fund

**ATTACHMENTS:** Certified Public Safety Personnel Pay Adjustment Justification Administration; BA #317

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends the approval of certified public safety personnel compensation through a five percent increase in cost in salary and benefits, which shall become effective on December 1, 2021. Staff recommendation of approval is based on professional pay analysis and report, and for the purpose of providing means to identifying challenges and solutions to recruit and retain highly qualified certified public safety personnel to serve the Town of Lake Lure. Staff also recommends that additional action be taken on July 1, 2022.



## Certified Public Safety Personnel Pay Adjustment Justification

### Town Manager

November 4, 2021

The primary purpose of this brief is to justify an immediate pay increase for certified public safety personnel and give assurance that additional action will be taken July 1, 2022 based on professional pay analysis and report. The secondary, but no less important, purpose of this brief is to identify the challenges and solutions to recruit and retain highly qualified certified public safety personnel to serve the Town of Lake Lure.

#### **Certified Fire Fighters/EMTs (Fire Department)**

Challenges Identified are...

- The high cost of living in Town of Lake Lure virtually eliminates fire fighters' ability to live in town.
- The isolated location of the Town results in a limited pool of possible applicants.
- Local demographics limit the numbers of individuals who volunteer.
- Personnel must commute long distances, which limits the use of personal time for which they are not getting paid.
- Surrounding jurisdictions are providing their certified public safety personnel with higher pay
- The Town of Lake Lure is an exceptionally large jurisdiction (13.5 Sq. mi) and each firefighter is responsible for an exceedingly large coverage area.
- Recent changes in availability of Rutherford County EMS / Rescue units places much greater demands on Lake Lure Fire Fighters.

- Decreasing interest in volunteering resulting in increased demand on paid staff
- Demand has increased for paid staff to remain on call when off duty
- Lake Lure Fire Fighters are required to be in extraordinary physical condition because of kind/type of rescues performed
- Lake Lure Fire Fighters are heavily recruited by surrounding agencies, such as Rutherford County, that offer higher pay.
- Fire Fighters are transitioning to other emergency services agencies due to the higher pay and less expectation to remain on call when off duty.
- Lake Lure Fire Department has been understaffed by one fire fighter since September 2021; moreover, very little interest has been expressed in the open position.
- Current staff is working considerable amounts of overtime as a result of personnel shortage.

Possible solutions to mitigate challenges are...

- Immediate 5% pay increase for full-time staff effective December 1, 2021
- Immediate pay increase to \$14.25/hour for part-time staff to effective December 1, 2021.
- Firm commitment to a professional pay analysis with a written report complete with recommendations.
- Firm commitment to implementing recommendations in the report on or by July 1, 2022

### **Certified Law Enforcement (Police Department & Park, Rec & Lake Department)**

Challenges identified are....

- High cost of living in Town of Lake Lure virtually eliminates fire fighters' ability to live in town.
- The isolated location of the Town results in a limited pool of possible applicants.
- Personnel must commute long distances, which limits the use of personal time for which they are not getting paid.
- Surrounding jurisdictions are offering higher pay. The Town of Forest City is but one concrete example.
- The response times from the Sherriff's Department for Rutherford County Section C-1 are usually very long because deputies assigned to C-1 are assisting areas with higher crime rate.

- The Town of Lake Lure is an exceptionally large jurisdiction (13.5 Sq. mi) and each officer is responsible for an exceedingly large coverage area.
- A sharp decline in persons wanting to pursue a career in law enforcement
  - Every law enforcement agency in Rutherford County (and surrounding counties) is operating below normal staff levels. Jurisdictions in South Carolina are experiencing the same trend. Florida, for example, is offering now \$5,000 relocation bonus to recruit officers from other states.
  - Winston-Salem has a billboard in Asheville for the purpose of recruiting local officers to relocate to Winston-Salem.
- Current law enforcement officers are increasingly departing from the profession.
- The demand for law enforcement professionals substantially exceeds the supply of law enforcement professionals.
- Larger jurisdictions are using non-traditional ways and means to recruit/retain law enforcement officers (sign-on bonuses, higher pay, recruitment bonuses, etc.).
- Lake Lure Police Department has been understaffed by one officer since August 2021; moreover, two highly qualified law enforcement officers interviewed (via phone) declined to pursue the open position because the pay was not competitive.

Possible solutions to mitigate challenges are.....

- Immediate 5% pay increase effective December 1, 2021
- Immediate pay increase to \$15.75/hour for reserve officers effective December 1, 2021
- Firm commitment to a professional pay analysis with a written report complete with recommendations
- Firm commitment to implementing recommendations in the report on or by July 1, 2022

**Budget Amendment #317****TOWN OF LAKE LURE  
BUDGET AMENDMENT**

Be it ordained by the Board of Commissioners of the Town of Lake Lure that the following amendment be made to the budget ordinance for the fiscal year ending June 30, 2022:

**Department:** Police, Fire, and Lake & Parks

**Purpose:** Increase Public Safety Personnel salaries 5%. Included salaries and benefits.

**Section 1.** To amend the General Fund, expenditures are to be changed as follows:

Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
100	10-431000		\$14,550	\$499,493
109	10-431000		\$1,114	\$38,213
110	10-431000		\$2,622	\$85,901
112	10-431000		\$728	\$20,728
100	10-434000		\$10,775	\$369,905
109	10-434000		\$825	\$37,924
110	10-434000		\$1,945	\$58,790
120	10-434000		\$540	\$18,497
100	10-613000		\$6,115	\$209,911
109	10-613000		\$468	\$17,359

**Budget Amendment #317**

110	10-613000		\$1,102	\$37,666
120	10-613000		\$306	\$10,496

To provide the additional expenditures for the above, the following revenues will be recognized:

Account Name: **Transfer from Fund Balance**

Account Number: **10-398604**

Amount: **\$ 41,090**

**Section 2.** I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Date

**Section 3.** Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**LAKE LURE TOWN COUNCIL  
REQUEST FOR BOARD ACTION  
Meeting Date: November 9, 2021**

**SUBJECT:** SASS Manhole Rehabilitation Project Bid Award

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** G  
**Department:** Public Works  
**Contact:** David Arrowood, Public Works Director  
**Presenter:** Maurice Walsh, PE, LaBella Associates

**BRIEF SUMMARY:** The Town of Lake Lure has solicited bids for the subject project. Bids were opened on November 8, 2021 for the project. Town staff have reviewed the bids with LaBella Associates and announced the apparent low bidder. Maurice Walsh, LaBella Associates has completed the necessary due diligence and is making a recommended action based on the responsible low bidder.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To approve/deny the recommended action based on responsible low bidder.

**FUNDING SOURCE:** Water/Sewer Fund Equity Balance & ARP Funds

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends Council action regarding the recommended responsible low bidder.

# XI

## CLOSED SESSION

*In accordance with G.S. 143-318.11(a) (3)  
for attorney client privilege or legal claims.*