

LAKE LURE TOWN COUNCIL REGULAR MEETING PACKET

Tuesday, September 12, 2023
5:00 p.m.



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

TOWN OF LAKE LURE

Town Council Regular Meeting

Tuesday, September 12, 2023 - 5:00 PM

Lake Lure Municipal Center



Agenda

I. Call to Order

- A. Pledge of Allegiance and Invocation

II. Agenda Adoption

III. Mayor's Communications

IV. Town Manager's Communications

V. Council Liaison Reports and Comments

VI. Public Comment

The public is invited to speak. Please keep comments limited to three minutes or less. Comments may also be submitted in writing to the Town Clerk, ostewman@townoflakelure.com, at least one hour prior to the meeting.

VII. Consent Agenda

- A. Approval of the August 8, 2023 Regular Town Council Meeting Minutes, the August 16, 2023 Town Council Work Session Meeting Minutes, and the September 6, 2023 Special Town Council Meeting Minutes - Page 26

- B. Approval of Suspension and Waiver Requests for the Hickory Nut Gorge Outreach Fall Arts and Crafts Festival Taking Place October 21, 2023 through October 22, 2023 - Page 71

The Hickory Nut Gorge Outreach Fall Arts and Crafts Festival will take place October 21, 2023 through October 22, 2023. The Hickory Nut Gorge Outreach has requests suspension of Chapter 8 Article II: "Peddlers" of the Code of Ordinances, wavier of the Noise Ordinance, Chapter 20 Article II, and approval of partial road closure for Bottomless Pools Road between Memorial highway and Arcade Street.

- C. Approval of Requests for the Lake Lure Community Independence Celebration with Fireworks on July 6, 2024 - Page 72

Lake Lure Tours will to host the Lake Lure Community Independence Celebration, with fireworks, on July 6, 2024. Lake Lure Tours has requested a waiver of the Noise Ordinance, Chapter 20 Article II.

VIII. Unfinished Business

IX. New Business

- A. Hearing: Request to Appeal NOV 2023033 and Citations Issued by the Community Development Department in Relation to 121 Anglers Way - Page 76
- B. Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances - Page 79
- C. Consider Approval of Advanced Data Network Solutions (ADNS) Updated Agreement - Page 82
- D. Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer - Page 103
- E. Update regarding Lake Lure Tours Proposal for the Lease of the Former ABC Store - Page 105 Property

X. Adjournment

III
MAYOR'S
COMMUNICATIONS

IV
TOWN MANAGER'S
COMMUNICATIONS



Town Manager Report August 2023

Below are the August highlights from the various departments. Full department reports are available upon request.

Public Services – The Public Service Department is busy keeping everything working as smoothly as possible, from normal maintenance to any problems the Town has that are in our realm to fix. Synago has begun removal of sludge at the Waste Water Treatment Plant.

Top accomplishments/project updates:

- Complete shoulder reconstruction has been done after paving was completed on Sunset Cove RD.
- Inspection of the Towns Generators has been completed.
- Public Services assisted Parks and Rec in picnic table movement for cycling event.
- Extensive Road cleanup was completed by Public Services from the 14th to the 17th of August.
- Public Services assisted Parks and Rec in hanging Banner brackets on poles throughout Town Center.

Community Development – Director Williams reports another active month for community development. The department issued 39 permits for the month of August as compared to 28 permits in July and performed numerous follow-ups. This includes 13 Zoning, 4 Lake Structure and 3 Land Disturbance Permits.

Top accomplishments/project updates:

- Z&P Board continues its review of Chapter 36 Zoning ordinances regarding bars, taverns, nightclubs and alcohol sales for on-premises uses. The intent is to develop our ordinance to work effectively with the State ABC Commission as well as to better meet the interests and objectives of the Town. Is back on Z&P agenda for September 19th.
- BOA reviewed, and approved, one variance requests for setback adjustments.
- Working with AT&T/Tillman Construction for tower project on actual tower zoning permit. Received permit and plans for preliminary review on August 25th, no issues at this point.
- Continuing enforcement efforts for trash/animal (bear)-resistant garbage storage, primarily with communication of requirements and potential consequences of continued violations. Focus area has been vacation rental properties, more due to being the sites of most reported problems that just being a “Vacation Rental Operator”.

- Working with Public Works and Project Manager on TOLL projects ranging from Firefly water storage tank site maintenance to removal of hazardous/condemned structure on Tryon Bay Circle.
- Rick and I met with State DEQ again in follow-up to our May audit for training and support. Also updated our Erosion and Sediment Control ordinance to the State's latest revision.

Fire / Emergency Management –It was still a busy month in August. The department responded to **58** fire/medical/rescue calls throughout the month. Firefighters completed **354** Hours of Training this month.

- Vehicle Fire on Memorial Highway.
- Truck and Apparatus Maintenance. Hosted the NC wildland Fire Training with Instructor Doug Thomson from the NC Forest Service.
- Assisted Public Works with confine space entry on Manhole #11. Maintenance on Fire Boat 1
- Hydrant Annual Inspection and Flow. Monthly Call Reviews and Quality Management.

Police – Between the cyclist, Lake Lure Olympiad and normal mass tourist for the summer, our August wrapped up to be a busy one. We stayed busy with many incidents, warrant serving and arrests, one of whom was an individual with a long history of violence, including murder. We arrested him for Assault on a Female at one of our riverside establishments. We continue to have vacation home Burglar Alarm calls as vacationers attempt to put in codes that are wrong. All calls, require an officer to go onsite.

Lake Patrol Hours: 92

Top three accomplishments in July:

- Officers continued working on their yearly required In-Service Training by the North Carolina Training and Standards Division. Every year they are required to take around 10 classes to stay up to date with laws and other matters.
- Our new Reserve Officer, Keith Morris has been released from his training and has begun working the streets and lake, which has been a great help to us along with all of our other reserve officers during the busy season.
- Officer Caleb Oates received a Region C Award after being nominated by Corporal Collins. Officer Oates provided lifesaving care to an individual who had collapsed with a heart condition. Officer Oates continued to provide care until medics reached the scene.

Parks, Recreation & Lake – Director Dean Givens and Parks & Trails Coordinator Dana Bradley continue to provide exemplary oversight of the Parks, Recreation, and Lake Department. 1. Boat permit sales 2. AmeriCorps paperwork 3. Worked on updating lake fee schedule for 2024 4. Began preparing for 2024 boat permit order 5. Researched new bear-resistant trash cans 6. PARTF conversion for Boys Camp Road property 7. Holiday lighting planning 8. Planned ribbon-cutting for new Upper Boulders Trail 9. Water fountain repair/replacement 10. Installed new slide section for playground 11. Equipment inventory 12. Dittmer-Watts Nature Trails trail

boss walked the trails, trimmer overgrowth, and reported issues – 1 volunteer; 5 volunteer hours
13. Buffalo Creek Park trail boss walked the trail, cleared small trees, and reported issues – 1
volunteer; 7 volunteer hours 14. Weed Patch Mountain trail boss walked trail and reported issues
– 1 volunteer; 7 volunteer hours 15. Carolina Climbers Coalition had 2 workdays to work on the
new Upper Boulder’s Trail at Buffalo Creek Park – 73 volunteers; 730 volunteer hours 16.
Organized a Dittmer-Watts workday on 8/24 to trim overgrowth and install Hickory Nut Gorge
State Trail markers –3 volunteers; 9 volunteer hours 2 17. Organized a Weed Patch Mountain
and Buffalo Creek Park workday on 8/22 to remove fallen trees, trim overgrowth, and install
Hickory Nut Gorge State Trail markers –2 volunteers; 16 volunteer hours 18. Planned upcoming
trail maintenance days and recruited volunteers to help 19. Checked Buffalo Creek Park,
Dittmer-Watts Nature Trails, and Weed Patch Mountain for damage 20. Utilized volunteers to
collect water samples – 5 volunteers; 30 volunteer hours 21. Attended meetings

Three notable projects/activities updates:

- Utilized a total of **804 volunteer hours, valued at \$16,080**
- Continued selling boat permits
- Continued working on PARTF conversion request for the Boys Camp Road property

Finance – Revenues and Expenditures Reports are provided as separate attachments to supplement this summary. Revenues continue to track as projected and departments also continue to efficiently use resources in regards to individual line items in the departmental budgets. This report is the last for the fiscal year but will be adjusted with year-end entries and adjustments from accounting reviews.

- The Town continued to sustain its strong financial position with an unreconciled bank balance of approximately \$9,043,345.33 for all funds other than special revenue funds (the Dam Fund) which still holds a balance of \$ 16,500,000 as well as accumulated interest of \$292,963.70 for a total balance of \$16,792,963.70.
- Melissa Hand has been performing budget and management analysis in regard to various agreements with vendors and service providers to seek any cost-saving opportunities and to eliminate unnecessary expenditures. A full report and summaries will be provided to the Town Manager with recommendations and insights.
- Preliminary FY 23 audit procedures have begun and the final report is scheduled to be completed in October/November. Due to the amount of Federal and State funding received by the Town, single audits will be part of the review process once again with the possibility of other detailed analysis.

Communications – Communications Director Krejci continues her community outreach along with progress in all areas. There were 25 news articles published with a reach of 2020 citizens. The Town of Lake Lure has 19,936 followers on Facebook as of August 2023, representing an 8% increase (+1,419) over August of 2022. Lake Lure continues to wait for the State Dam Safety Office to provide it with a grant contract for Initial Field Investigations. The amount of the grant award is \$425,921.

Top Highlights:

- Coordination of Cycle NC event, the Groundbreaking Ceremony, and the Workforce Housing Forum.
- Development of the webpage on the Lake Lure Flowering Bridge History in support of the cell tower.
- Continued expanded written communication with a 60% increase in Website Users (20,306) in August 2023 over August 2022 as well as an 8% increase in Facebook followers.
- Completion of the Town Boards Video which we hope will be a long-standing resource to help communicate the salient responsibilities and requirements for future board members.

Manager / Clerk / Admin Summary

July was a busy month including an array of staff, council, and board meetings and ever-changing day-to-day operations. We continue to work with Ruby Collins and Lebella Engineering on the new sewer system and planning. We also received delivery for one of the drain valves. It is with the Morgan Corporation.

Highlights:

- Reviewed the proposals received for the Lease and reuse of the Old ABC Store Property.
- Entered into an agreement with Enterprise Fleet Management for a new leasing program for vehicles and vehicle maintenance.
- Offered a grant from the State for an Asset Inventory Study (AIA) for the Water System.
- Initiated the Space Needs Analysis for the Fire Department with ADA Architects.

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 8 / 23

10 GENERAL FUND

Account	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
310000 TAXES					
310100 P & I - Taxes	0.00	0.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	10,000.00	10,000.00	0 %
311000 Ad Valorem Taxes-2000					
311210 AD VALOREM TAXES-2021	0.00	0.00	50,000.00	50,000.00	0 %
311220 AD VALOREM TAX 2022-	0.00	0.00	4,492,754.00	4,492,754.00	0 %
Account Group Total:	0.00	0.00	4,542,754.00	4,542,754.00	0 %
312000 Ad Valorem-Veh-2000					
312021 AD VALOREM VEH TAXES-2021	0.00	0.00	20,000.00	20,000.00	0 %
312022 Ad Valorem Vehicle Tax 2022	0.00	0.00	93,850.00	93,850.00	0 %
Account Group Total:	0.00	0.00	113,850.00	113,850.00	0 %
332000 STATE SHARED REVENUES					
332200 Beer & Wine Tax	0.00	0.00	4,950.00	4,950.00	0 %
332300 Court Costs, Fees and Chrgs	3.00	35.00	550.00	515.00	6 %
332400 Utilties Franchise Tax	0.00	0.00	201,195.00	201,195.00	0 %
332600 Powell Bill - Tax on Gas	0.00	0.00	76,600.00	76,600.00	0 %
332930 State Shared Sales Tax	0.00	0.00	1,760,000.00	1,760,000.00	0 %
332933 Solid Waste Disposal Tax	0.00	0.00	780.00	780.00	0 %
332942 Video Programming Tax	0.00	0.00	15,975.00	15,975.00	0 %
332991 NC DEQ Dredging Grant	0.00	0.00	800,000.00	800,000.00	0 %
Account Group Total:	3.00	35.00	2,860,050.00	2,860,015.00	0 %
347000 LAND USE FEES					
347100 Zoning Permits	7,920.00	15,960.00	40,000.00	24,040.00	40 %
347200 Land Disturbance Permit	0.00	0.00	6,600.00	6,600.00	0 %
347300 Sign Permit	0.00	0.00	500.00	500.00	0 %
347550 Vacation Rental Fees	0.00	0.00	10,000.00	10,000.00	0 %
347600 Lake Structure Permit/LSA	-260.00	-1,860.00	9,255.00	11,115.00	-20 %
347800 Fire Inspection	20.00	20.00	50.00	30.00	40 %
347900 Fines/Penalties - Land Use	0.00	500.00	850.00	350.00	59 %
Account Group Total:	7,680.00	14,620.00	67,255.00	52,635.00	22 %
361000 LAKE					
361201 Lake Lure Tours	55,632.13	55,632.13	60,000.00	4,367.87	93 %
361202 Lake Fines	1,200.00	3,332.00	300.00	-3,032.00	*** %
361203 Lake Comm License Fees	790.00	6,690.00	15,000.00	8,310.00	45 %
361204 Boat Permits	17,876.95	50,374.39	675,000.00	624,625.61	7 %
361205 RBR CONCESSIONS	0.00	0.00	25,000.00	25,000.00	0 %
361207 Cluster Mooring Fees	0.00	0.00	24,000.00	24,000.00	0 %
Account Group Total:	75,499.08	116,028.52	799,300.00	683,271.48	15 %
363000 BEACH					
363801 Beach-Admission Fee-Adult	0.00	0.00	65,000.00	65,000.00	0 %
363804 Beach-Concessions	0.00	0.00	10,000.00	10,000.00	0 %
Account Group Total:	0.00	0.00	75,000.00	75,000.00	0 %
364000 MARINA					
364902 Marina-Open Slip Rental	0.00	2,350.00	310,000.00	307,650.00	1 %

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 8 / 23

10 GENERAL FUND

Account	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
364905 Marina-Concessions	0.00	0.00	18,500.00	18,500.00	0 %
364908 Marina-Rentals	0.00	0.00	50,000.00	50,000.00	0 %
Account Group Total:	0.00	2,350.00	378,500.00	376,150.00	1 %
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	0.00	4,000.00	4,000.00	0 %
383200 Beer and Wine Permits	0.00	0.00	1,000.00	1,000.00	0 %
383321 Fire-Rural Fire Protection	0.00	0.00	8,592.00	8,592.00	0 %
383430 Community Center Rental	-100.00	-600.00	250.00	850.00	*** %
383440 Pavilion/Gazebo Rental	1,150.00	2,250.00	3,500.00	1,250.00	64 %
383450 Meadows Rental	0.00	1,220.00	250.00	-970.00	488 %
383500 Sale of Assets	0.00	826.00	3,500.00	2,674.00	24 %
383600 Golf Cart Permit	0.00	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	402.00	20,000.00	19,598.00	2 %
383900 Misc Revenue	42.00	82.00	1,200.00	1,118.00	7 %
383903 Town Promotional Materials	0.00	0.00	500.00	500.00	0 %
383910 Copies	5.00	10.00	500.00	490.00	2 %
383930 Recycling Collections	-102.00	-102.00	15,250.00	15,352.00	-1 %
Account Group Total:	995.00	4,148.00	60,742.00	56,594.00	7 %
398000 TRANSFERS					
398502 Installment Agreement Proceeds	0.00	0.00	385,000.00	385,000.00	0 %
398604 Transfer from Fund Balance	0.00	0.00	219,014.00	219,014.00	0 %
Account Group Total:	0.00	0.00	604,014.00	604,014.00	0 %
Fund Total:	84,177.08	137,181.52	9,511,465.00	9,374,283.48	1 %

21 Capital Reserve Fund

Account	Received		Estimated Revenue	Revenue	% Received
	Current Month	Received YTD		To Be Received	
398000 TRANSFERS					
398605 Transfer From General Fund	0.00	0.00	1,600,000.00	1,600,000.00	0 %
Account Group Total:	0.00	0.00	1,600,000.00	1,600,000.00	0 %
Fund Total:	0.00	0.00	1,600,000.00	1,600,000.00	0 %

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 8 / 23

53 WATER AND SEWER FUND

Account	Received		Estimated Revenue	Revenue	%
	Current Month	Received YTD		To Be Received	Received
371000					
371105 Chimney Rock Water	0.00	0.00	15,000.00	15,000.00	0 %
371300 Charges for Water	31,163.13	31,163.13	330,000.00	298,836.87	9 %
371400 Charges for Sewer	103,893.00	103,893.00	1,275,000.00	1,171,107.00	8 %
371500 Taps and Connect-Water	0.00	1,155.00	5,000.00	3,845.00	23 %
371600 Taps and Connect-Sewer	0.00	1,155.00	5,000.00	3,845.00	23 %
371700 Transfer Fee-Water/Sewer	60.00	60.00	1,000.00	940.00	6 %
371800 W/S - Penalty and Interest	1,375.00	1,375.00	6,000.00	4,625.00	23 %
Account Group Total:	136,491.13	138,801.13	1,637,000.00	1,498,198.87	8 %
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	0.00	1,000.00	1,000.00	0 %
383460 Water Tank Rental	0.00	0.00	12,360.00	12,360.00	0 %
Account Group Total:	0.00	0.00	13,360.00	13,360.00	0 %
Fund Total:	136,491.13	138,801.13	1,650,360.00	1,511,558.87	8 %

56 ELECTRIC FUND

Account	Received		Estimated Revenue	Revenue	% Received
	Current Month	Received YTD		To Be Received	
372000					
372300 Charges for Utilities-Electric	0.00	0.00	300,000.00	300,000.00	0 %
Account Group Total:	0.00	0.00	300,000.00	300,000.00	0 %
383000 MISCELLANEOUS REVENUES					
383100 Interest Earned on Investments	0.00	0.00	150.00	150.00	0 %
Account Group Total:	0.00	0.00	150.00	150.00	0 %
Fund Total:	0.00	0.00	300,150.00	300,150.00	0 %

TOWN OF LAKE LURE
Statement of Revenue Budget vs Actuals
For the Accounting Period: 8 / 23

75 CHIMNEY ROCK WATER FUND

Account	Received		Estimated Revenue	Revenue	% Received
	Current Month	Received YTD		To Be Received	
371000					
371300 Charges for Water	6,837.09	6,837.09	0.00	-6,837.09	** %
371800 W/S - Penalty and Interest	325.00	325.00	0.00	-325.00	** %
Account Group Total:	7,162.09	7,162.09	0.00	-7,162.09	** %
Fund Total:	7,162.09	7,162.09	0.00	-7,162.09	** %
Grand Total:	227,830.30	283,144.74	13,061,975.00	12,778,830.26	2 %

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	2,200.00	13,200.00	13,200.00	11,000.00	17 %
109	FICA	84.15	168.30	1,100.00	1,100.00	931.70	15 %
214	Supplies-Dept	0.00	0.00	6,000.00	6,000.00	6,000.00	%
215	Supplies-Materials	0.00	0.00	20,000.00	20,000.00	20,000.00	%
310	Travel and Transportation	0.00	0.00	3,500.00	3,500.00	3,500.00	%
	Account Total:	1,184.15	2,368.30	43,800.00	43,800.00	41,431.70	5 %
	Account Group Total:	1,184.15	2,368.30	43,800.00	43,800.00	41,431.70	5 %
413000	ADMINISTRATION						
413000	ADMINISTRATION						
100	SALARIES	19,769.45	56,255.73	498,000.00	498,000.00	441,744.27	11 %
103	Professional Services	3,793.75	3,793.75	65,000.00	65,000.00	61,206.25	6 %
109	FICA	1,493.60	4,247.26	38,500.00	38,500.00	34,252.74	11 %
110	Retirement	3,440.17	10,368.91	91,000.00	91,000.00	80,631.09	11 %
111	Group Insurance	1,739.32	5,218.16	67,000.00	67,000.00	61,781.84	8 %
120	401 (K) Contribution	332.46	1,010.12	25,500.00	25,500.00	24,489.88	4 %
180	Legal Services	1,734.00	5,198.50	55,000.00	55,000.00	49,801.50	9 %
190	Engineering Services	0.00	0.00	30,000.00	30,000.00	30,000.00	%
214	Supplies-Dept	525.93	525.93	9,000.00	9,000.00	8,474.07	6 %
215	Supplies-Materials	0.00	0.00	3,000.00	3,000.00	3,000.00	%
310	Travel and Transportation	146.20	348.20	9,500.00	9,500.00	9,151.80	4 %
320	Postage	313.92	627.84	5,000.00	5,000.00	4,372.16	13 %
322	Printing	0.00	0.00	1,500.00	1,500.00	1,500.00	%
324	Dues and Subscriptions	0.00	1,367.00	8,500.00	8,500.00	7,133.00	16 %
330	Utilities	0.00	0.00	30,000.00	30,000.00	30,000.00	%
350	Repairs and Maint-Buildings	768.00	768.00	50,000.00	50,000.00	49,232.00	2 %
353	Repairs and Maint-Equipment	0.00	0.00	8,000.00	8,000.00	8,000.00	%
370	Advertising	0.00	0.00	3,500.00	3,500.00	3,500.00	%
614	Lobbyist	0.00	0.00	62,000.00	62,000.00	62,000.00	%
687	Contractual - County Tax	0.00	0.00	18,000.00	18,000.00	18,000.00	%
691	Contractual Services	2,490.00	3,005.22	120,000.00	120,000.00	116,994.78	3 %
	Account Total:	36,546.80	92,734.62	1,198,000.00	1,198,000.00	1,105,265.38	8 %
	Account Group Total:	36,546.80	92,734.62	1,198,000.00	1,198,000.00	1,105,265.38	8 %
420000	CENTRAL SERVICES-Technology &						
420000	CENTRAL SERVICES-Technology & Telecommunications						
109	FICA	9.35	28.08	0.00	0.00	-28.08	%
111	Group Insurance	15.61	46.83	0.00	0.00	-46.83	%
321	Telephone	525.61	1,599.91	27,000.00	27,000.00	25,400.09	6 %
325	Internet Services	0.00	0.00	5,200.00	5,200.00	5,200.00	%
380	IT Support Services	0.00	0.00	81,000.00	81,000.00	81,000.00	%
527	TECH-Website Update	0.00	0.00	5,000.00	5,000.00	5,000.00	%
	Account Total:	550.57	1,674.82	118,200.00	118,200.00	116,525.18	1 %
	Account Group Total:	550.57	1,674.82	118,200.00	118,200.00	116,525.18	1 %

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
431000	POLICE						
431000	POLICE						
100	SALARIES	28,936.92	74,899.81	573,000.00	573,000.00	498,100.19	13 %
101	OVERTIME	147.18	742.93	5,500.00	5,500.00	4,757.07	14 %
102	Salaries-Part Time	803.25	1,086.75	28,000.00	28,000.00	26,913.25	4 %
104	Separation Allowance-Law	730.08	2,190.24	20,500.00	20,500.00	18,309.76	11 %
109	FICA	2,301.96	5,916.55	49,500.00	49,500.00	43,583.45	12 %
110	Retirement	4,423.60	12,982.18	114,000.00	114,000.00	101,017.82	11 %
111	Group Insurance	2,908.52	8,725.56	103,700.00	103,700.00	94,974.44	8 %
112	Special Benefit Fund-Police	1,108.88	3,436.80	27,185.00	27,185.00	23,748.20	13 %
212	Supplies-Fuel	0.00	0.00	27,500.00	27,500.00	27,500.00	%
214	Supplies-Dept	259.05	441.78	11,000.00	11,000.00	10,558.22	4 %
217	Supplies-Uniforms	1,109.54	1,183.69	10,000.00	10,000.00	8,816.31	12 %
220	Alcohol & Drug Ed.	0.00	0.00	1,000.00	1,000.00	1,000.00	%
310	Travel and Transportation	0.00	20.96	3,000.00	3,000.00	2,979.04	1 %
324	Dues and Subscriptions	0.00	222.00	6,300.00	6,300.00	6,078.00	4 %
333	Utilities-Boat House and Range	0.00	0.00	500.00	500.00	500.00	%
353	Repairs and Maint-Equipment	0.00	262.31	4,000.00	4,000.00	3,737.69	7 %
354	Repairs and Maint-Vehicles	336.42	2,341.56	25,000.00	25,000.00	22,658.44	9 %
490	Miscellaneous	265.00	265.00	1,000.00	1,000.00	735.00	27 %
524	Computers	0.00	0.00	10,000.00	10,000.00	10,000.00	%
691	Contractual Services	0.00	0.00	20,050.00	20,050.00	20,050.00	%
	Account Total:	43,330.40	114,718.12	1,040,735.00	1,040,735.00	926,016.88	11 %
	Account Group Total:	43,330.40	114,718.12	1,040,735.00	1,040,735.00	926,016.88	11 %
434000	FIRE						
434000	FIRE						
100	SALARIES	18,275.82	50,368.77	449,000.00	449,000.00	398,631.23	11 %
101	OVERTIME	0.00	0.00	25,000.00	25,000.00	25,000.00	%
102	Salaries-Part Time	398.25	1,181.25	37,300.00	37,300.00	36,118.75	3 %
109	FICA	1,387.58	3,820.65	38,800.00	38,800.00	34,979.35	10 %
110	Retirement	3,470.57	9,565.01	82,700.00	82,700.00	73,134.99	12 %
111	Group Insurance	2,035.32	6,105.96	83,900.00	83,900.00	77,794.04	7 %
120	401 (K) Contribution	715.91	1,937.15	23,405.00	23,405.00	21,467.85	8 %
212	Supplies-Fuel	0.00	0.00	20,000.00	20,000.00	20,000.00	%
214	Supplies-Dept	309.95	309.95	4,000.00	4,000.00	3,690.05	8 %
215	Supplies-Materials	699.00	699.00	10,000.00	10,000.00	9,301.00	7 %
217	Supplies-Uniforms	0.00	619.95	6,000.00	6,000.00	5,380.05	10 %
218	Supplies-Equipment	25.00	937.05	21,000.00	21,000.00	20,062.95	4 %
310	Travel and Transportation	0.00	0.00	6,000.00	6,000.00	6,000.00	%
324	Dues and Subscriptions	25.00	25.00	9,500.00	9,500.00	9,475.00	%
330	Utilities	0.00	0.00	12,000.00	12,000.00	12,000.00	%
351	Repairs and Maint-Grounds	0.00	0.00	6,000.00	6,000.00	6,000.00	%
353	Repairs and Maint-Equipment	120.00	618.25	16,000.00	16,000.00	15,381.75	4 %
354	Repairs and Maint-Vehicles	20,673.35	21,109.11	21,000.00	21,000.00	-109.11	101 %
490	Miscellaneous	0.00	0.00	4,000.00	4,000.00	4,000.00	%
514	Protective Clothing	134.74	134.74	16,000.00	16,000.00	15,865.26	1 %
553	RADIO REPLACEMENT	0.00	0.00	10,000.00	10,000.00	10,000.00	%
693	Fairfield Volunteer Fire Dept	33,500.00	33,500.00	67,000.00	67,000.00	33,500.00	50 %
694	Chimney Rock Volunteer Fire	17,500.00	17,500.00	35,000.00	35,000.00	17,500.00	50 %
695	Bills Creek Volunteer Fire	21,400.00	21,400.00	42,800.00	42,800.00	21,400.00	50 %

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
Account Total:		120,670.49	169,831.84	1,046,405.00	1,046,405.00	876,573.16	16 %
Account Group Total:		120,670.49	169,831.84	1,046,405.00	1,046,405.00	876,573.16	16 %
451000	PUBLIC WORKS-STREETS						
451000	PUBLIC WORKS-STREETS						
100	SALARIES	9,865.65	29,203.28	295,000.00	295,000.00	265,796.72	10 %
101	OVERTIME	0.00	0.00	16,000.00	16,000.00	16,000.00	%
109	FICA	757.55	2,235.69	26,000.00	26,000.00	23,764.31	9 %
110	Retirement	1,438.01	5,110.23	60,000.00	60,000.00	54,889.77	9 %
111	Group Insurance	1,155.19	3,756.13	65,000.00	65,000.00	61,243.87	6 %
120	401 (K) Contribution	296.10	1,101.03	22,000.00	22,000.00	20,898.97	5 %
211	Supplies-Automotive	164.61	164.61	25,000.00	25,000.00	24,835.39	1 %
214	Supplies-Dept	928.82	928.82	1,200.00	1,200.00	271.18	77 %
215	Supplies-Materials	1,636.35	1,774.60	35,000.00	35,000.00	33,225.40	5 %
217	Supplies-Uniforms	1,117.95	1,815.35	8,000.00	8,000.00	6,184.65	23 %
310	Travel and Transportation	0.00	0.00	2,000.00	2,000.00	2,000.00	%
331	Utilities-Street Lights	0.00	0.00	15,000.00	15,000.00	15,000.00	%
334	Utilities-Buildings	0.00	2,275.00	15,000.00	15,000.00	12,725.00	15 %
350	Repairs and Maint-Buildings	600.00	887.36	30,000.00	30,000.00	29,112.64	3 %
351	Repairs and Maint-Grounds	7,914.24	7,914.24	12,000.00	12,000.00	4,085.76	66 %
353	Repairs and Maint-Equipment	68.31	153.31	30,000.00	30,000.00	29,846.69	1 %
354	Repairs and Maint-Vehicles	2,751.51	3,221.23	20,000.00	20,000.00	16,778.77	16 %
691	Contractual Services	0.00	0.00	20,000.00	20,000.00	20,000.00	%
Account Total:		28,694.29	60,540.88	697,200.00	697,200.00	636,659.12	9 %
Account Group Total:		28,694.29	60,540.88	697,200.00	697,200.00	636,659.12	9 %
472000	SANITATION						
472000	SANITATION						
691	Contractual Services	0.00	14,915.00	180,000.00	180,000.00	165,085.00	8 %
692	Contractual Services-Recycling	0.00	1,544.00	15,000.00	15,000.00	13,456.00	10 %
696	Tipping Fees	0.00	3,278.99	40,000.00	40,000.00	36,721.01	8 %
Account Total:		0.00	19,737.99	235,000.00	235,000.00	215,262.01	8 %
Account Group Total:		0.00	19,737.99	235,000.00	235,000.00	215,262.01	8 %
473000	DAM/Watershed Protection						
473000	DAM/Watershed Protection						
351	Repairs and Maint-Grounds	0.00	0.00	10,000.00	10,000.00	10,000.00	%
352	Repairs and Maint-Dam	0.00	0.00	15,000.00	15,000.00	15,000.00	%
Account Total:		0.00	0.00	25,000.00	25,000.00	25,000.00	%
Account Group Total:		0.00	0.00	25,000.00	25,000.00	25,000.00	%
492000	ECONOMIC DEVELOPMENT						
492000	ECONOMIC DEVELOPMENT						
100	SALARIES	2,038.40	6,115.20	67,500.00	67,500.00	61,384.80	9 %
109	FICA	155.83	467.49	5,125.00	5,125.00	4,657.51	9 %
110	Retirement	387.09	1,161.27	12,200.00	12,200.00	11,038.73	10 %
111	Group Insurance	290.76	872.28	10,450.00	10,450.00	9,577.72	8 %
120	401 (K) Contribution	101.92	305.76	3,525.00	3,525.00	3,219.24	9 %
585	Community Branding	6,429.00	10,029.00	20,000.00	20,000.00	9,971.00	50 %
Account Total:		9,403.00	18,951.00	118,800.00	118,800.00	99,849.00	16 %
Account Group Total:		9,403.00	18,951.00	118,800.00	118,800.00	99,849.00	16 %

10 GENERAL FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
Account Group Total:							
493000	COMMUNITY DEVELOPMENT	9,403.00	18,951.00	118,800.00	118,800.00	99,849.00	16 %
493000	COMMUNITY DEVELOPMENT						
100	SALARIES	10,395.09	31,107.91	299,000.00	299,000.00	267,892.09	10 %
109	FICA	766.68	2,294.12	23,000.00	23,000.00	20,705.88	10 %
110	Retirement	1,939.12	5,802.64	54,000.00	54,000.00	48,197.36	11 %
111	Group Insurance	1,139.75	3,419.25	42,300.00	42,300.00	38,880.75	8 %
120	401 (K) Contribution	131.89	395.67	15,000.00	15,000.00	14,604.33	3 %
180	Legal Services	0.00	955.50	25,000.00	25,000.00	24,044.50	4 %
212	Supplies-Fuel	82.86	82.86	1,000.00	1,000.00	917.14	8 %
214	Supplies-Dept	0.00	0.00	6,000.00	6,000.00	6,000.00	%
310	Travel and Transportation	0.00	0.00	5,000.00	5,000.00	5,000.00	%
324	Dues and Subscriptions	0.00	0.00	2,000.00	2,000.00	2,000.00	%
370	Advertising	0.00	0.00	2,000.00	2,000.00	2,000.00	%
410	RENTS	0.00	0.00	20,000.00	20,000.00	20,000.00	%
691	Contractual Services	5,778.71	5,778.71	19,000.00	19,000.00	13,221.29	30 %
Account Total:		20,234.10	49,836.66	513,300.00	513,300.00	463,463.34	10 %
Account Group Total:							
613000	PARKS, RECREATION & LAKE	20,234.10	49,836.66	513,300.00	513,300.00	463,463.34	10 %
613000	PARKS, RECREATION & LAKE						
100	SALARIES	11,590.78	34,772.34	299,000.00	299,000.00	264,227.66	12 %
102	Salaries-Part Time	0.00	362.25	0.00	0.00	-362.25	%
109	FICA	842.40	2,554.91	24,000.00	24,000.00	21,445.09	11 %
110	Retirement	2,227.42	6,682.26	55,000.00	55,000.00	48,317.74	12 %
111	Group Insurance	1,744.56	5,233.68	62,700.00	62,700.00	57,466.32	8 %
120	401 (K) Contribution	578.39	1,735.17	15,000.00	15,000.00	13,264.83	12 %
212	Supplies-Fuel	0.00	1,378.12	15,000.00	15,000.00	13,621.88	9 %
213	Supplies-Boat Fuel & Supplies	0.00	0.00	12,000.00	12,000.00	12,000.00	%
214	Supplies-Dept	0.00	0.00	5,000.00	5,000.00	5,000.00	%
215	Supplies-Materials	245.55	245.55	25,000.00	25,000.00	24,754.45	1 %
216	Supplies-Fish Purchase	0.00	0.00	8,000.00	8,000.00	8,000.00	%
217	Supplies-Uniforms	0.00	0.00	1,500.00	1,500.00	1,500.00	%
219	Boat and Fishing Permits	0.00	0.00	6,500.00	6,500.00	6,500.00	%
310	Travel and Transportation	0.00	0.00	3,000.00	3,000.00	3,000.00	%
330	Utilities	0.00	0.00	6,700.00	6,700.00	6,700.00	%
335	Flowering Bridge Lighting	0.00	0.00	3,500.00	3,500.00	3,500.00	%
351	Repairs and Maint-Grounds	0.00	0.00	85,000.00	85,000.00	85,000.00	%
353	Repairs and Maint-Equipment	10.95	2,154.61	14,000.00	14,000.00	11,845.39	15 %
508	Rewrite Zoning & Land Dev.	0.00	0.00	40,500.00	40,500.00	40,500.00	%
691	Contractual Services	528.00	1,138.00	40,500.00	40,500.00	39,362.00	3 %
Account Total:		17,768.05	56,256.89	721,900.00	721,900.00	665,643.11	8 %
Account Group Total:							
615000	BEACH & MARINA	17,768.05	56,256.89	721,900.00	721,900.00	665,643.11	8 %
615000	BEACH & MARINA						
214	Supplies-Dept	0.00	0.00	2,000.00	2,000.00	2,000.00	%
350	Repairs and Maint-Buildings	70.00	70.00	4,000.00	4,000.00	3,930.00	2 %
351	Repairs and Maint-Grounds	1,437.12	1,437.12	10,200.00	10,200.00	8,762.88	14 %
353	Repairs and Maint-Equipment	0.00	0.00	1,300.00	1,300.00	1,300.00	%

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
	Account Total:	1,507.12	1,507.12	17,500.00	17,500.00	15,992.88	9 %
	Account Group Total:	1,507.12	1,507.12	17,500.00	17,500.00	15,992.88	9 %
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
504	VEHICLES	48,461.48	48,461.48	60,000.00	60,000.00	11,538.52	81 %
506	HVAC System/Police	0.00	220.67	0.00	0.00	-220.67	%
513	FIRE-SCBA APPARATUS	0.00	0.00	20,000.00	20,000.00	20,000.00	%
516	PUBLIC SERVICES BLDG	0.00	0.00	70,000.00	70,000.00	70,000.00	%
530	P&R-Mower	0.00	0.00	115,000.00	115,000.00	115,000.00	%
541	POLICE-Vehicles	0.00	0.00	120,000.00	120,000.00	120,000.00	%
550	Other Equipment	0.00	0.00	6,000.00	6,000.00	6,000.00	%
592	PW-Street Paving	9,800.00	9,800.00	175,000.00	175,000.00	165,200.00	6 %
691	Contractual Services	7,500.00	7,500.00	0.00	0.00	-7,500.00	%
697	Dredging & Debris Removal	400.00	400.00	1,000,000.00	1,000,000.00	999,600.00	%
	Account Total:	66,161.48	66,382.15	1,566,000.00	1,566,000.00	1,499,617.85	4 %
	Account Group Total:	66,161.48	66,382.15	1,566,000.00	1,566,000.00	1,499,617.85	4 %
910000	DEBT SERVICE						
910000	DEBT SERVICE						
504	VEHICLES	0.00	0.00	44,500.00	44,500.00	44,500.00	%
541	POLICE-Vehicles	0.00	0.00	17,225.00	17,225.00	17,225.00	%
544	Work Truck	0.00	0.00	15,000.00	15,000.00	15,000.00	%
550	Other Equipment	0.00	0.00	144,500.00	144,500.00	144,500.00	%
561	Brdwalk-Marina Bay	0.00	0.00	101,900.00	101,900.00	101,900.00	%
720	Bond Interest	0.00	0.00	58,500.00	58,500.00	58,500.00	%
	Account Total:	0.00	0.00	381,625.00	381,625.00	381,625.00	%
	Account Group Total:	0.00	0.00	381,625.00	381,625.00	381,625.00	%
920000	Non-Governmental						
920000	Non-Governmental						
130	Unemployment	0.00	0.00	5,000.00	5,000.00	5,000.00	%
450	Insurance	0.00	3,976.00	180,000.00	180,000.00	176,024.00	2 %
751	Bank Fees	0.00	0.00	3,000.00	3,000.00	3,000.00	%
	Account Total:	0.00	3,976.00	188,000.00	188,000.00	184,024.00	2 %
	Account Group Total:	0.00	3,976.00	188,000.00	188,000.00	184,024.00	2 %
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	%
	Account Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%
	Account Group Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%
	Fund Total:	346,050.45	658,516.39	9,511,465.00	9,511,465.00	8,852,948.61	7 %

21 Capital Reserve 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	1,600,000.00	1,600,000.00	1,600,000.00	%
	Account Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%
	Account Group Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%
	Fund Total:	0.00	0.00	1,600,000.00	1,600,000.00	1,600,000.00	%

53 WATER AND SEWER FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
713000	WATER						
713000	WATER						
100	SALARIES	0.00	0.00	150,000.00	150,000.00	150,000.00	%
109	FICA	0.00	0.00	11,200.00	11,200.00	11,200.00	%
110	Retirement	0.00	0.00	24,000.00	24,000.00	24,000.00	%
111	Group Insurance	0.00	0.00	20,000.00	20,000.00	20,000.00	%
120	401 (K) Contribution	0.00	0.00	7,500.00	7,500.00	7,500.00	%
214	Supplies-Dept	0.00	0.00	15,000.00	15,000.00	15,000.00	%
310	Travel and Transportation	0.00	0.00	4,000.00	4,000.00	4,000.00	%
324	Dues and Subscriptions	0.00	0.00	2,000.00	2,000.00	2,000.00	%
330	Utilities	0.00	0.00	15,000.00	15,000.00	15,000.00	%
350	Repairs and Maint-Buildings	0.00	295.00	20,000.00	20,000.00	19,705.00	1 %
353	Repairs and Maint-Equipment	0.00	0.00	60,000.00	60,000.00	60,000.00	%
358	Repairs and Maint-Lines	0.00	105.00	18,000.00	18,000.00	17,895.00	1 %
430	Equipment Rental	0.00	0.00	500.00	500.00	500.00	%
691	Contractual Services	5,778.71	5,778.71	24,000.00	24,000.00	18,221.29	24 %
	Account Total:	5,778.71	6,178.71	371,200.00	371,200.00	365,021.29	2 %
	Account Group Total:	5,778.71	6,178.71	371,200.00	371,200.00	365,021.29	2 %
714000	SEWER						
714000	SEWER						
103	Professional Services	0.00	0.00	3,000.00	3,000.00	3,000.00	%
214	Supplies-Dept	0.00	0.00	800.00	800.00	800.00	%
215	Supplies-Materials	0.00	0.00	180,000.00	180,000.00	180,000.00	%
310	Travel and Transportation	170.00	170.00	6,000.00	6,000.00	5,830.00	3 %
320	Postage	311.10	311.10	4,000.00	4,000.00	3,688.90	8 %
330	Utilities	0.00	0.00	16,000.00	16,000.00	16,000.00	%
350	Repairs and Maint-Buildings	0.00	5,295.00	25,000.00	25,000.00	19,705.00	21 %
353	Repairs and Maint-Equipment	0.00	0.00	45,000.00	45,000.00	45,000.00	%
355	Repairs and Maint-Collection	400.00	400.00	25,000.00	25,000.00	24,600.00	2 %
358	Repairs and Maint-Lines	0.00	0.00	15,000.00	15,000.00	15,000.00	%
690	Contractual Services-Sludge	0.00	0.00	160,000.00	160,000.00	160,000.00	%
691	Contractual Services	0.00	0.00	79,000.00	79,000.00	79,000.00	%
699	Contractual Services-MWTP	16,650.00	16,650.00	40,000.00	40,000.00	23,350.00	42 %
	Account Total:	17,531.10	22,826.10	598,800.00	598,800.00	575,973.90	4 %
	Account Group Total:	17,531.10	22,826.10	598,800.00	598,800.00	575,973.90	4 %
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
800000	CAPITAL OUTLAY/SPECIAL PROJECTS						
356	Repairs and Maint-Pumps and	0.00	0.00	90,000.00	90,000.00	90,000.00	%
505	HYDRO-Emergency Small	0.00	0.00	12,000.00	12,000.00	12,000.00	%
523	PW-Pickup Truck Replacement	0.00	0.00	48,000.00	48,000.00	48,000.00	%
544	Work Truck	0.00	0.00	75,000.00	75,000.00	75,000.00	%
547	CAMERAS/CAMERAS	0.00	0.00	95,000.00	95,000.00	95,000.00	%
557	FIREFLY COVE SYSTEM	20,211.43	20,211.43	0.00	0.00	-20,211.43	%
	Account Total:	20,211.43	20,211.43	320,000.00	320,000.00	299,788.57	6 %
	Account Group Total:	20,211.43	20,211.43	320,000.00	320,000.00	299,788.57	6 %

53 WATER AND SEWER FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
820000	BONUSES (PERFORMANCE & LONGEVITY						
	820000 BONUSES (PERFORMANCE & LONGEVITY	0.00	0.00	15,000.00	15,000.00	15,000.00	%
	100 SALARIES	0.00	0.00	15,000.00	15,000.00	15,000.00	%
	Account Total:						
	Account Group Total:	0.00	0.00	15,000.00	15,000.00	15,000.00	%
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	%
	Account Total:	0.00	0.00	119,945.00	119,945.00	119,945.00	%
	Account Group Total:	0.00	0.00	119,945.00	119,945.00	119,945.00	%
980000	TRANSFERS						
	980000 TRANSFERS						
	958 Transfer to Fund Balance	0.00	0.00	225,415.00	225,415.00	225,415.00	%
	Account Total:	0.00	0.00	225,415.00	225,415.00	225,415.00	%
	Account Group Total:	0.00	0.00	225,415.00	225,415.00	225,415.00	%
	Fund Total:	43,521.24	49,216.24	1,650,360.00	1,650,360.00	1,601,143.76	3 %

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	9,194.44	27,583.32	62,000.00	62,000.00	34,416.68	44 %
103	Professional Services	0.00	0.00	40,000.00	40,000.00	40,000.00	%
109	FICA	667.66	2,001.61	4,800.00	4,800.00	2,798.39	42 %
110	Retirement	1,746.02	5,238.06	12,090.00	12,090.00	6,851.94	43 %
111	Group Insurance	872.28	2,616.84	10,000.00	10,000.00	7,383.16	26 %
120	401 (K) Contribution	315.98	947.94	4,500.00	4,500.00	3,552.06	21 %
212	Supplies-Fuel	0.00	0.00	6,000.00	6,000.00	6,000.00	%
214	Supplies-Dept	0.00	0.00	6,200.00	6,200.00	6,200.00	%
321	Telephone	0.00	0.00	3,000.00	3,000.00	3,000.00	%
330	Utilities	0.00	0.00	6,000.00	6,000.00	6,000.00	%
350	Repairs and Maint-Buildings	0.00	180.00	25,000.00	25,000.00	24,820.00	1 %
352	Repairs and Maint-Dam	0.00	2,419.00	0.00	0.00	-2,419.00	%
353	Repairs and Maint-Equipment	1,108.26	1,108.26	40,000.00	40,000.00	38,891.74	3 %
691	Contractual Services	0.00	0.00	42,000.00	42,000.00	42,000.00	%
967	Transfer to Capital Reserve	0.00	0.00	38,560.00	38,560.00	38,560.00	%
	Account Total:	13,904.64	42,095.03	300,150.00	300,150.00	258,054.97	14 %
	Account Group Total:	13,904.64	42,095.03	300,150.00	300,150.00	258,054.97	14 %
	Fund Total:	13,904.64	42,095.03	300,150.00	300,150.00	258,054.97	14 %

75 CHIMNEY ROCK WATER FUND

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Commit
713000 WATER							
713000 WATER							
	968 Payments to Chimney Rock Water	7,004.26	14,042.47	0.00	0.00	-14,042.47	%
	Account Total:	7,004.26	14,042.47	0.00	0.00	-14,042.47	%
	Account Group Total:	7,004.26	14,042.47	0.00	0.00	-14,042.47	%
	Fund Total:	7,004.26	14,042.47	0.00	0.00	-14,042.47	%
	Grand Total:	410,480.59	0.00	13,061,975.00	13,061,975.00	12,298,104.87	6 %
			763,870.13				

V
COUNCIL LIAISON
REPORTS AND
COMMENTS

VI

PUBLIC COMMENT

The public is invited to speak. Please keep comments limited to three minutes or less. Comments may also be submitted in writing to the Town Clerk, ostewman@townoflakelure.com, at least one hour prior to the meeting.

VII

CONSENT AGENDA

- A. Approval of the August 8, 2023 Regular Town Council Meeting Minutes, the August 16, 2023 Town Council Work Session Meeting Minutes, and the September 6, 2023 Special Town Council Meeting Minutes
- B. Approval of Suspension and Waiver Requests for the Hickory Nut Gorge Outreach Fall Arts and Crafts Festival Taking Place October 21, 2023 through October 22, 2023
- C. Approval of Requests for the Lake Lure Community Independence Celebration with Fireworks on July 6, 2024



**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE TOWN COUNCIL
HELD TUESDAY, AUGUST 8, 2023, 5:00 P.M. AT THE LAKE LURE MUNICIPAL
CENTER**

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Michael Dydula, Project Manager
Laura Krejci, Communications Director
Stephen Ford, Finance Director
Jill Vang, Martin and Starnes Associates

ABSENT: N/A

I. CALL TO ORDER

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

II. APPROVE THE AGENDA

Commissioner Scott Doster made a motion to approve the agenda, as presented. Commissioner DiOrio seconded and the motion carried 4-0.

III. MAYOR'S COMMUNICATIONS

Mayor Pritchett thanked all individuals in attendance.

IV. TOWN MANAGER COMMUNICATIONS

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

V. COUNCIL LIAISON REPORTS & COMMENTS

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

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

Commissioner Jim Proctor reported the activities of the Parks and Recreation Board. Commissioner Proctor also mentioned that there had been infiltration issues at the green space and Project Manager Michael Dydula reported that the NCDOT should be fixing the culvert soon.

VI. PRESENTATIONS

A. AUDIT PRESENTATION

Finance Director Stephen Ford introduced Jill Vang with Martin and Starnes Associates. Ms. Vang reported the Local Government Commission (LGC) approved the audit last week. Ms. Vang presented the 2022 Audit Financial Statements (Attachment A) and reviewed audit highlights.

Commissioner DiOrio noted that he found the amount of reserve interesting and that the Town had an increase of expenditures naturally because of major infrastructure projects. Commissioner DiOrio added that because the Town is expending for the sewer project, more funds are having to be kept available outside of the reserve funds. Commissioner DiOrio noted that because of that, he believes that that should not be included as a finding since it is inevitable. Ms. Vang expressed that many times state and federal funds are reimbursements and won’t have an impact, but noted that issues such as increased debris removal may have an impact. Director Ford agreed to further follow-up on what impacted this finding.

Mayor Pritchett thanked Ms. Vang and expressed optimism for the future.

VII. PUBLIC COMMENT

Mayor Carol C. Pritchett invited the audience to speak.

Ron Nidetch, 120 Howell Road, explained that he served in the United States Air Force and had a medical retirement. Mr. Nidetch further explained that today is the third day out of his wheel chair. Mr. Nidetch noted that his wife is a nurse practitioner in Colorado, so she is back and

forth between states. Mr. Nidetch expressed concern that he and his wife are not able to enjoy the beach and kayaking because he is not a Lake Lure resident even though he has a Lake Lure address. Mr. Nidetch added that he and his wife volunteer throughout the community and their property line is right outside of town limits. Mr. Nidetch requested the having the boat permit benefits of a Lake Lure residents since his address is in Lake Lure. Mr. Nidetch thanked Council and expressed that he hopes that his request considered.

There were no further comments from the public.

VIII. CONSENT AGENDA

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

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

- A. Approval of the July 11, 2023 Regular Town Council Meeting Minutes, the July 26, 2023 Special Town Council Meeting Minutes, the July 26, 2023 Town Council Work Session Meeting Minutes, and the July 28, 2023 Special Town Council Meeting Minutes
- B. Resolution No. 23-08-08 Approving LaBella Task 5 Amendment
- C. Budget Amendment #353 for LaBella Task 5 Amendment
- D. Resolution No. 23-08-08A Supporting Foothills Rural Planning Organization (RPO) Prioritization 7 Submittals
- E. Budget Amendment #352 for Lake Lure Flowering Bridge Parking Lot

RESOLUTION NO. 23-08-08

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE APPROVING LABELLA TASK 5 AMENDMENT

WHEREAS, the Town of Lake Lure entered into a Professional Services Agreement with LaBella Associates for on-call engineering services on January 14, 2020; and

WHEREAS, the Town of Lake Lure approved and signed LaBella Task 5 for Administrative Services on June 18, 2021; and

WHEREAS, LaBella Associates submitted a proposal letter for an extension of budget for various on-call services not specifically addressed by other approved Tasks and previously addressed by Task 5; and

WHEREAS, LaBella Associates is proposing to add \$25,000 to the Task 5 Budget, for a total amount of \$50,000 for Task 5.

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

SECTION ONE. Town Council approves Amendment #1 to LaBella Task 5 for Administrative Services.

SECTION TWO. LaBella Associates and the Town of Lake Lure shall adhere to all guidelines detailed in Task 5 and in Amendment #1 to Task 5.

READ APPROVED AND ADOPTED this 8th day of August, 2023

RESOLUTION NO. 23-08-08A

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE SUPPORTING FOOTHILLS REGIONAL RPO PRIORITIZATION 7 SUBMITTALS

WHEREAS, the Town of Lake Lure, the Foothills Rural Planning Organization, and The North Carolina Department of Transportation actively worked to develop comprehensive transportation submittals for Your Government and the Foothills Rural Planning Organization region; and

WHEREAS, the Town of Lake Lure, The Foothills Rural Planning Organization, and The North Carolina Department of Transportation are submitting transportation projects in accordance with the North Carolina Strategic Transportation Investments Law; and

WHEREAS, the Town of Lake Lure wishes to improve all modes of transportation for the region; and

WHEREAS, after full study of the submittals, the Town of Lake Lure wishes to support these submittals to the State Transportation Improvement Program during Prioritization 7.

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

SECTION ONE. The Town of Lake Lure supports Prioritization 7 submittals to the State Transportation Improvement Program.

READ APPROVED AND ADOPTED this 8th day of August, 2023.

IX. UNFINISHED BUSINESS

There was no unfinished business to discuss.

X. NEW BUSINESS

A. RESOLUTION NO. 23-08-08B APPROVING CHANGE ORDER TO SYNAGRO AGREEMENT FOR LAKE LURE WASTEWATER TREATMENT FACILITY SLUDGE REMOVAL

Manager Perkins explained the change order to the agreement with Synagro for the wastewater treatment facility sludge removal was discussed at the July work session and welcomed any questions.

Commissioner Proctor made a motion to approve Resolution No. 23-08-08B. Commissioner DiOrio seconded and all voted in favor. Resolution No. 23-08-08B was adopted as follows:

RESOLUTION NO. 23-08-08B

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE APPROVING CHANGE ORDER TO SYNAGRO AGREEMENT FOR LAKE LURE WASTEWATER TREATMENT FACILITY SLUDGE REMOVAL

WHEREAS, the Town of Lake Lure entered into a Materials Management Agreement with Synagro for the Lake Lure Wastewater Treatment Facility sludge removal in 2020; and

WHEREAS, Synagro has submitted a proposed change order to the 2020 agreement; and

WHEREAS, sludge removal is curcual to the success of operations at the Lake Lure Wastewater Treatment Facility; and

WHEREAS, the scope included in the change order is for the removal of sludge, piping, and disposing of material at a local land fill adhering to state and federal regulations; and

WHEREAS, the scope also includes supplying uninterrupted access to the project site for the duration of the project during normal working hours, supplying potable water to the project site within 50 ft. at 100 gpm 60psi; and

WHEREAS, Pricing includes a one-time \$23,529 fee for mobilization and demobilization, and \$1,360 per dry ton associated with hauling and land application; and

WHEREAS, the total price estimate for the completion of the sludge removal is \$100,000.

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

SECTION ONE. Town Council approves the proposed change order to the Synagro Agreement for Lake Lure Wastewater Treatment Facility Sludge Removal

READ APPROVED AND ADOPTED this 8th day of August, 2023

X. NEW BUSINESS

B. BUDGET AMENDMENT #354 FOR SYNAGRO AGREEMENT CHANGE ORDER

Manager Perkins explained that the budget amendment was related to the resolution that was passed under the previous agenda item for the Synagro agreement change order.

Commissioner Bryant asked if fund will be from the Water/Sewer funds and Manager Perkins answered yes.

Commissioner Bryant made a motion to approve Budget Amendment #354 for Synagro Agreement change order. Commissioner DiOrio seconded and all voted in favor.

X. NEW BUSINESS

C. BUDGET AMENDMENT #355 FOR 177 TRYON BAY CIRCLE DEMOLITION

Manager Perkins explained that there was a bid opening for the demolition at 177 Tryon Bay Circle and DH Griffin was the responsible low bidder. Mr. Perkins noted that the contract does not require Council approval, but a Council approved budget amendment is necessary.

Commissioner Doster made a motion to approve Budget Amendment #355 for 177 Tryon Bay Circle Demolition. Commissioner DiOrio seconded and all voted in favor.

Mr. Garland Pruitt noted that he lives next to the property and everyone in the Tryon Bay Cove has had a huge jump in morale because the demolition is finally taking place. Mr. Pruitt expressed that this Council has made more progress on the demolition than any others in 14 years. Mr. Pruitt also expressed excitement for the completion of the demolition and thanked Council.

Commissioner Doster asked Project Manager Dydula if he has a time frame for completion. Project Manager Dydula stated that the project schedule is three to four weeks and if everything goes well he hopes the demolition to begin on August 14th. Project Manager Dydula added that work will not be done on Fridays in order to avoid traffic. Manager Perkins noted that

Communications Director Laura Krejci will be working to communicate with homeowners in Tryon Bay and will post details on the Town website.

X. NEW BUSINESS

D. RESOLUTION NO. 23-08-08C AMENDING 2023-2024 LAKE DRAWDOWN SCHEDULE

Project Manager Dydula explained that several months ago he asked Council for a five-month drawdown, but since then the reservoir drain project has been delayed due to materials not being procurable until mid-December. Project Manager Dydula stated that as a result, he is now asking for a drawdown period extending from January 1, 2024 to March 31, 2024. There were no concerns expressed.

Mayor Pritchett noted that Council will only drawdown the lake when necessary and that the Town will maintain communication with the public regarding drawdowns.

Commissioner Bryant made a motion to adopt Resolution No. 23-08-08C Amending 2023-2024 Lake Drawdown Schedule. Commissioner Doster seconded and all voted in favor. Resolution No. 23-08-08C was adopted as follows:

RESOLUTION NO. 23-08-08C

**RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE
AMENDING THE 2023-2024 LAKE DRAWDOWN SCHEDULE**

WHEREAS, the Town Council of the Town of Lake Lure adopted the initial 2023-2024 Lake Drawdown Schedule on June 13, 2023; and

WHEREAS, it has been determined that there is a scheduling conflict between the original 2023-2024 lake drawdown schedule and the installation of the Lake Lure Dam reservoir drain valve; and

WHEREAS, the installation of the Lake Lure Dam reservoir drain valve is crucial to the future of Lake Lure's infrastructure; and

WHEREAS, the Town has coordinated with key players involved in both the installation of the reservoir drain and the sewer replacement project; and

WHEREAS, all key players have deemed it appropriate to reduce the span of the originally adopted 2023-2024 Lake Drawdown Schedule in order for all projects to successfully progress.

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

SECTION ONE. Town Council hereby amends the 2023-2024 Lake Drawdown Schedule beginning with the drawdown of the lake on January 1, 2024 and refill beginning on March 31, 2024.

READ APPROVED AND ADOPTED this 8th day of August, 2023.

X. NEW BUSINESS

E. AMEND 2023 TOWN COUNCIL MEETING SCHEDULE TO HOLD THE AUGUST WORK SESSION MEETING ON AUGUST 16TH

Manager Perkins noted that the original date was for the August work session meeting was the 23rd, but will now be held on the 16th at 8:30.

Commissioner Proctor made a motion to amend the 2023 Town Council meeting schedule to hold the August work session meeting on August 16th. Commissioner DiOrio seconded and all voted in favor.

XI. CLOSED SESSION

Commissioner Doster made a motion to enter into closed session in accordance with G.S. 143-318.11(a) (3) for attorney client privilege and G.S. 143-318.11(a) (5) for the purpose of discussing property acquisition. Commissioner Bryant seconded and all voted in favor.

During closed session, Council members discussed possible properties of interest for future infrastructure projects and an encroachment concern.

Commissioner Bryant made a motion to return to open session. Commissioner Doster seconded and all voted in favor.

XII. ADJOURNMENT

With no further business, Commissioner Proctor made a motion to adjourn the meeting at 6:35 p.m. Commissioner Bryant seconded and the motion carried 4-0.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

Town of Lake Lure

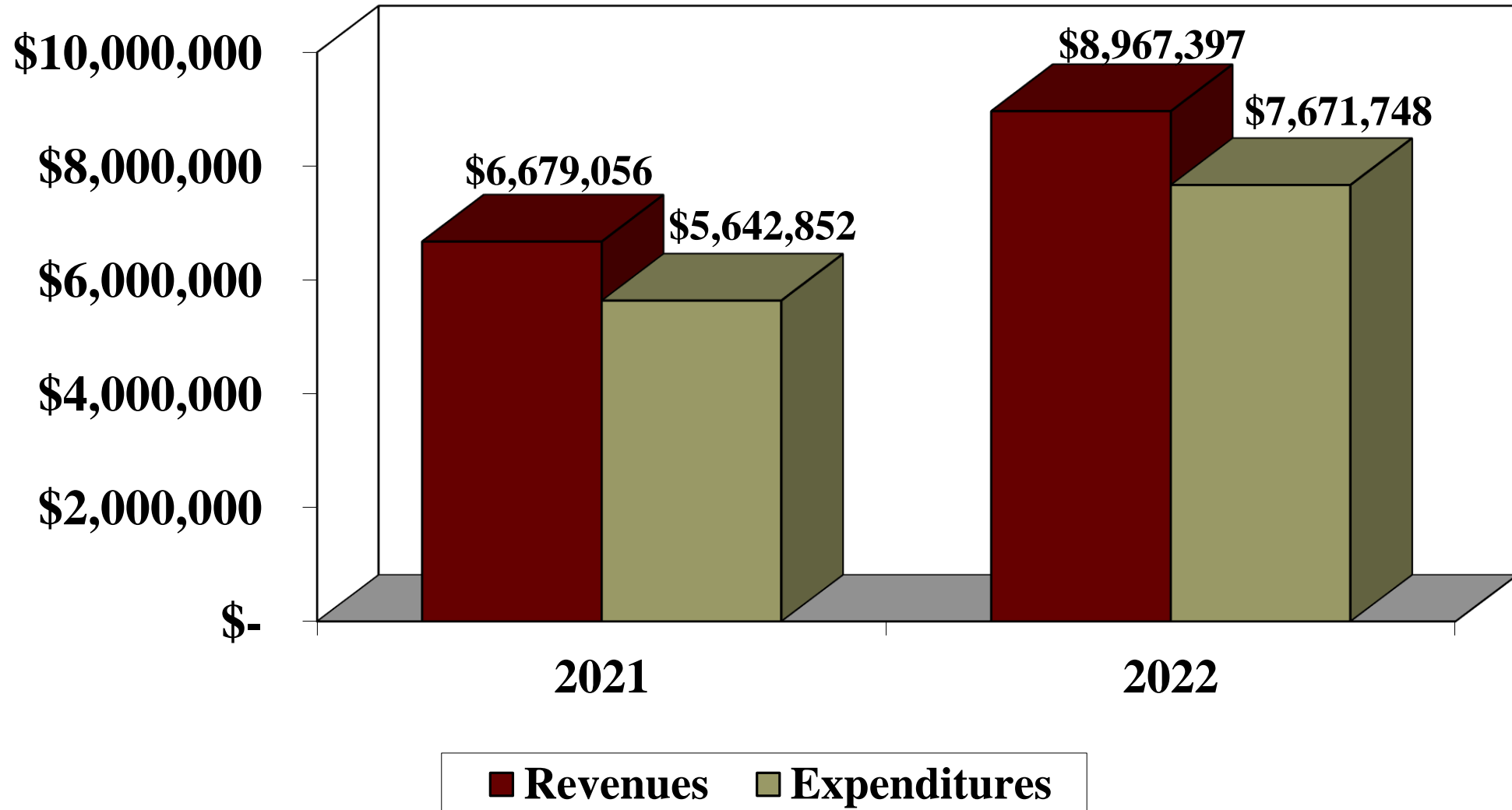
2022 Audit Financial Statements



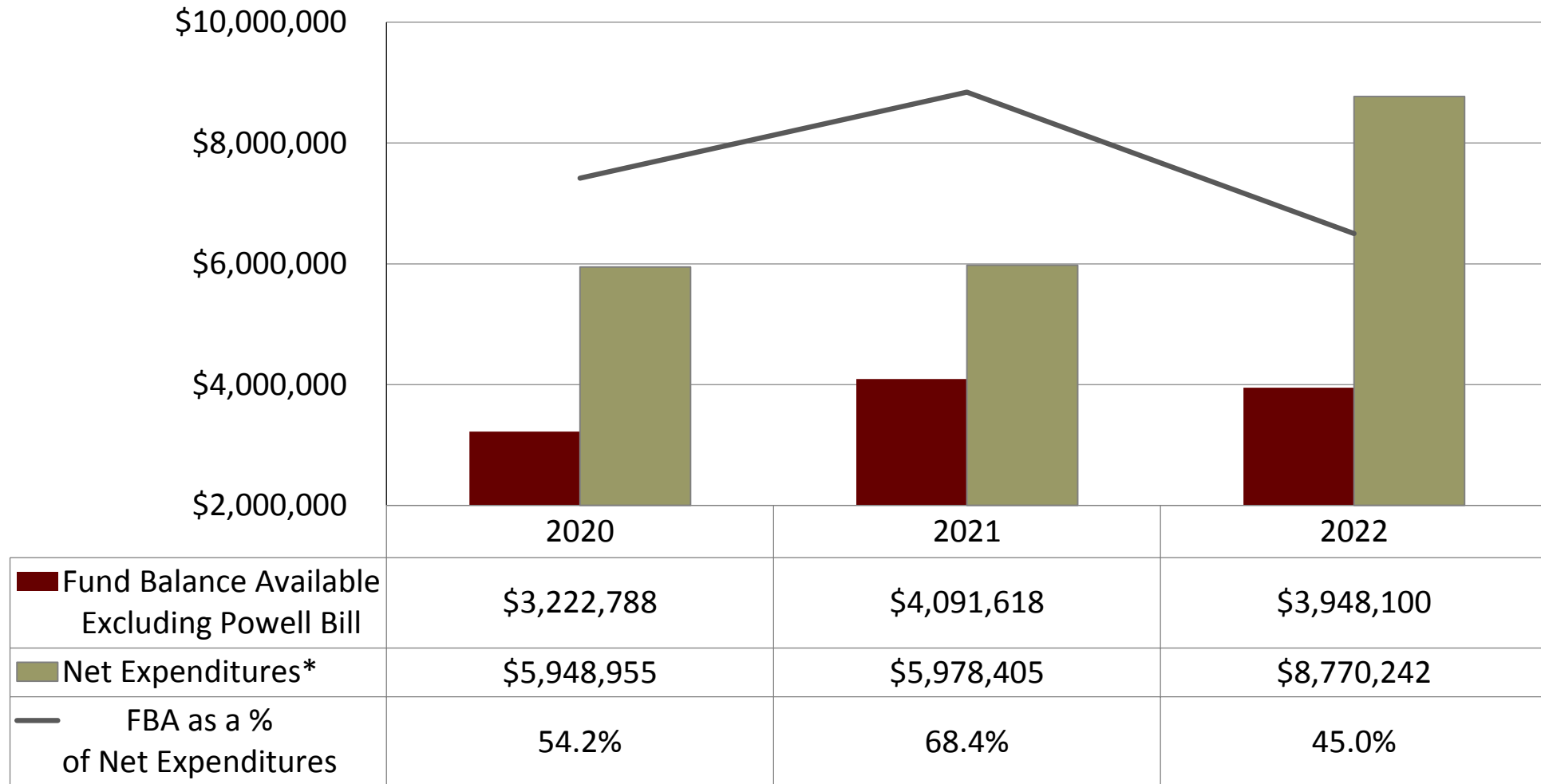
Audit Highlights

- ❑ **UNMODIFIED OPINION**
- ❑ **SINGLE AUDIT REPORTING**
 - ❑ **2022 TESTED 2 PROGRAMS**
- ❑ **GASB 87 IMPLEMENTED (LEASES)**
- ❑ **PERFORMANCE INDICATORS & FINDINGS**
 - ❑ **SELF REPORTING**

GENERAL FUND SUMMARY

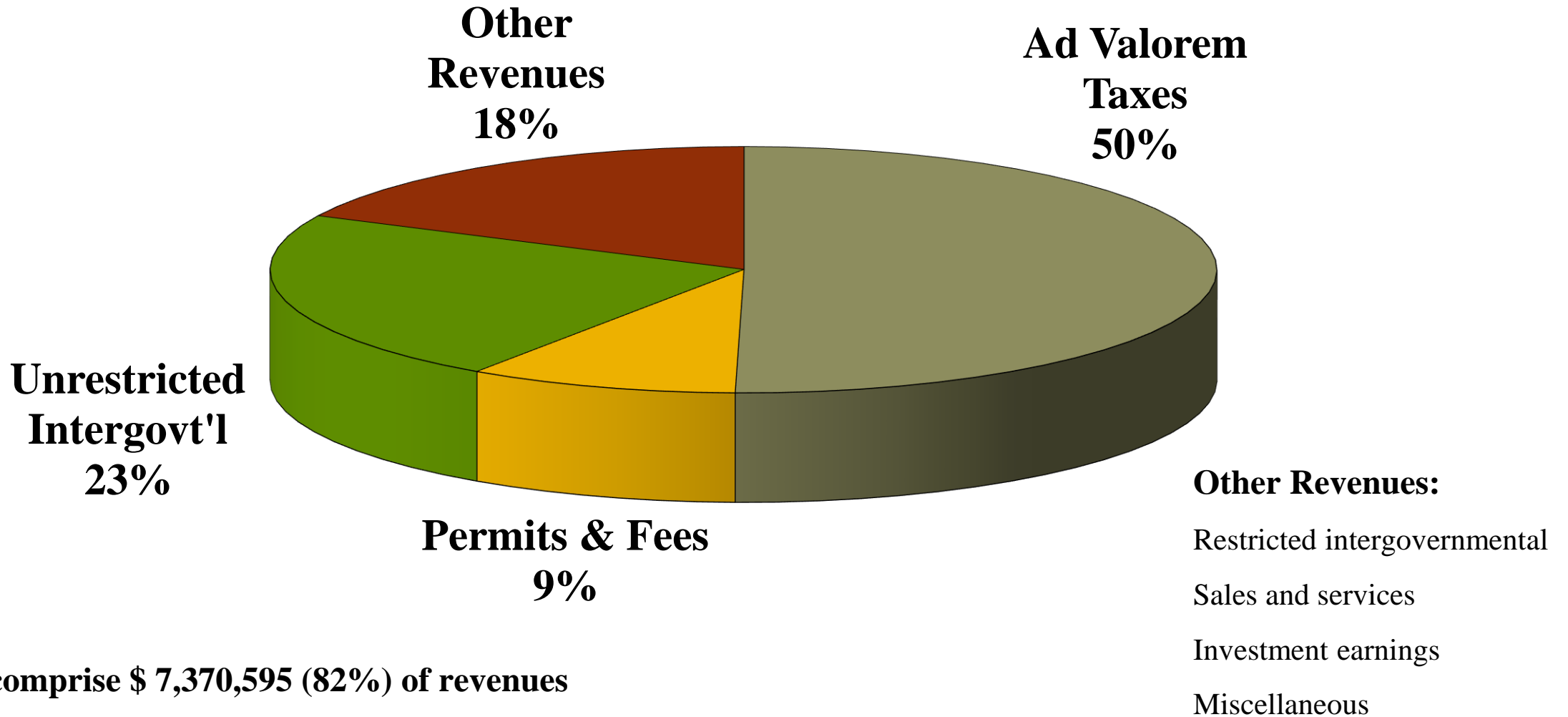


FUND BALANCE-GENERAL FUND



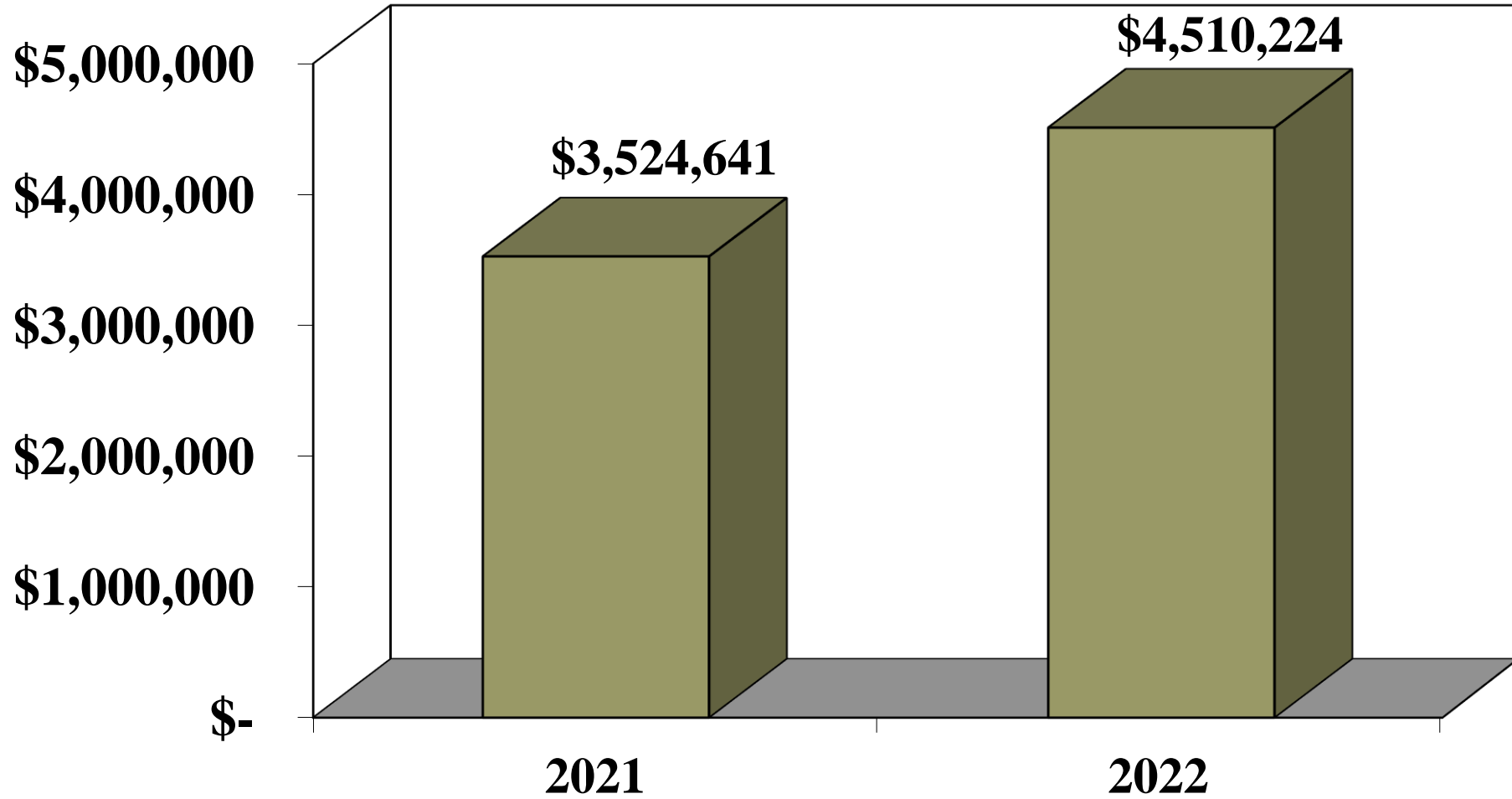
*Net expenditures = Total expenditures + Transfers out – Debt proceeds – Powell Bill
 Powell Bill funds are excluded from Available Fund Balance in this calculation.

TOP 3 REVENUES: GENERAL FUND

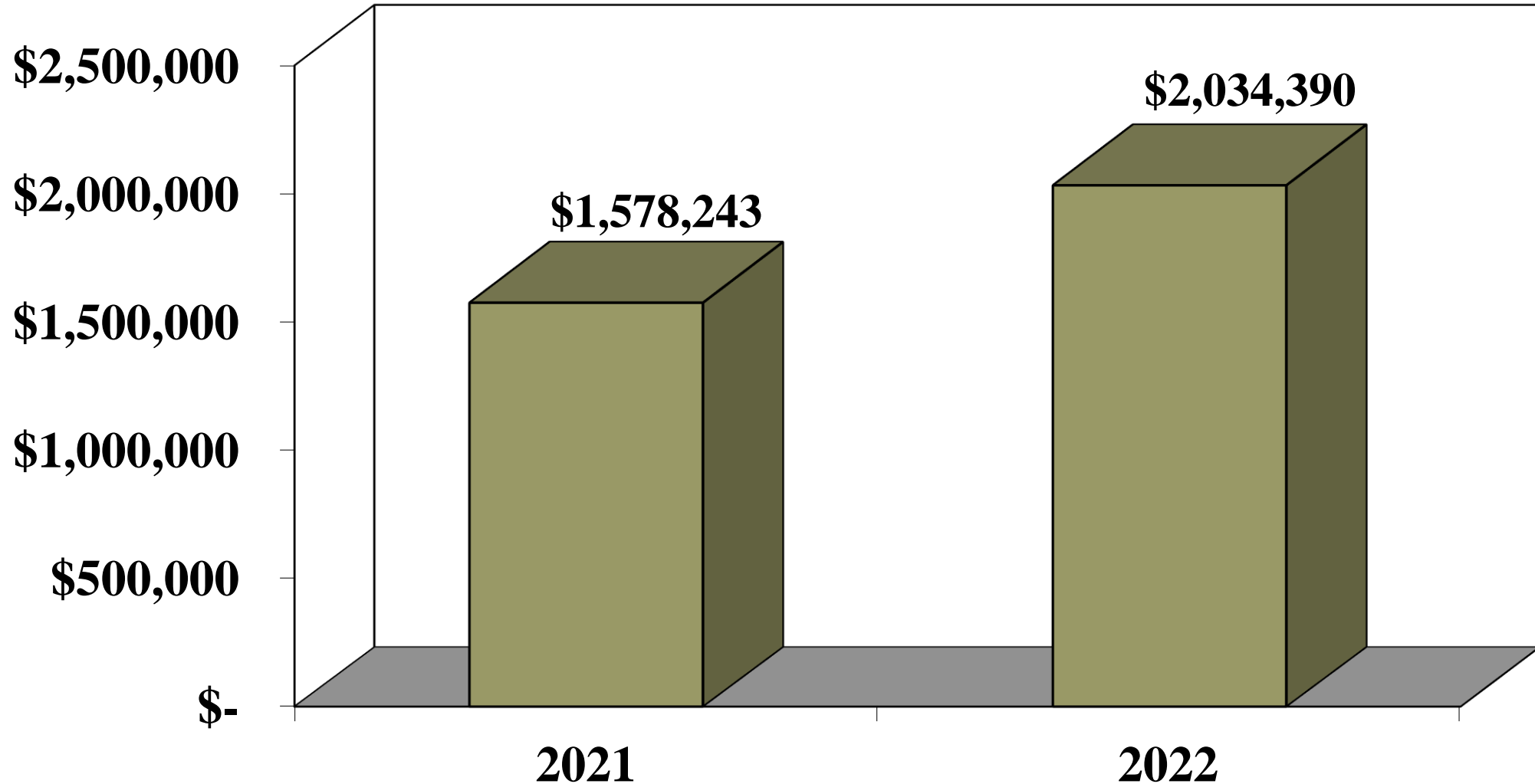


Top 3 comprise \$ 7,370,595 (82%) of revenues

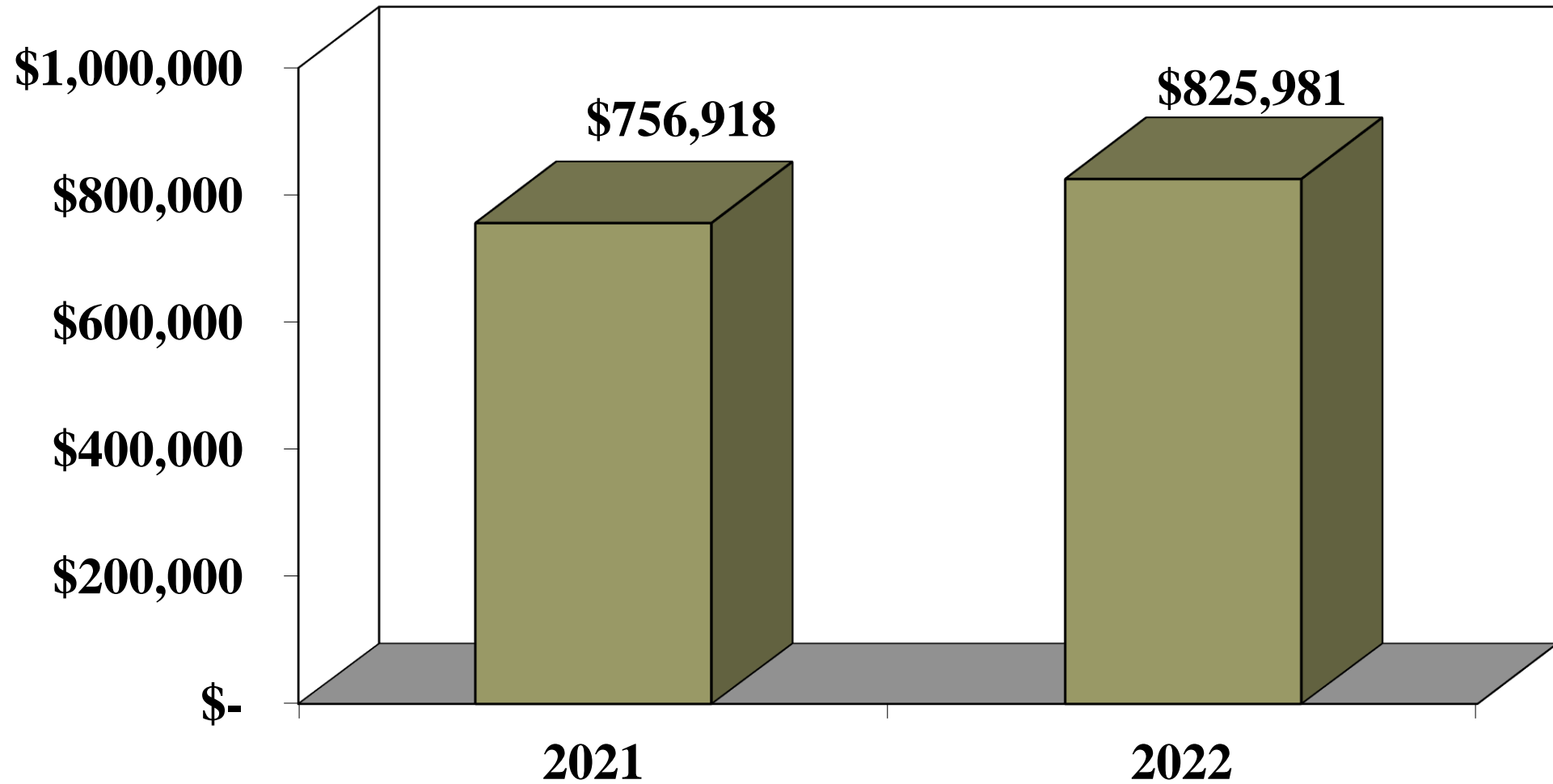
AD VALOREM TAXES



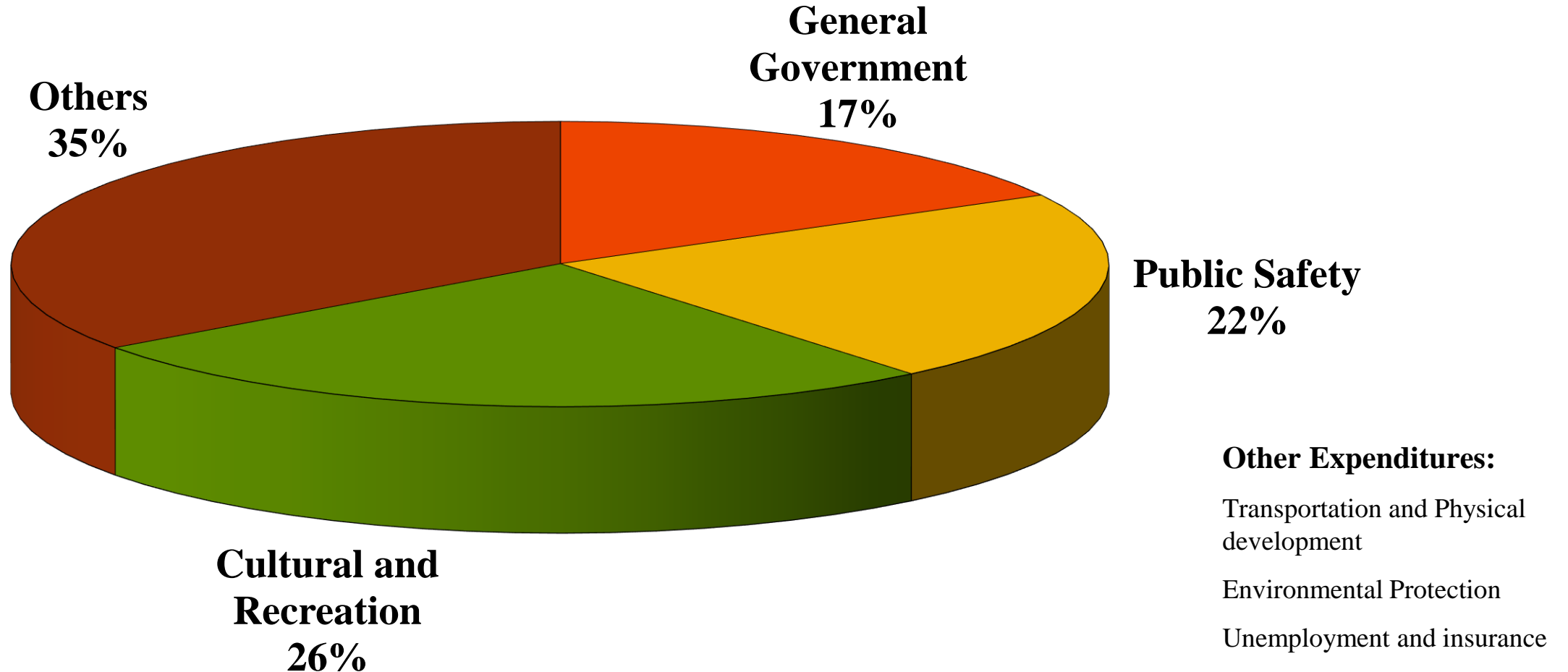
UNRESTRICTED INTERGOVERNMENTAL REVENUES



PERMITS & FEES



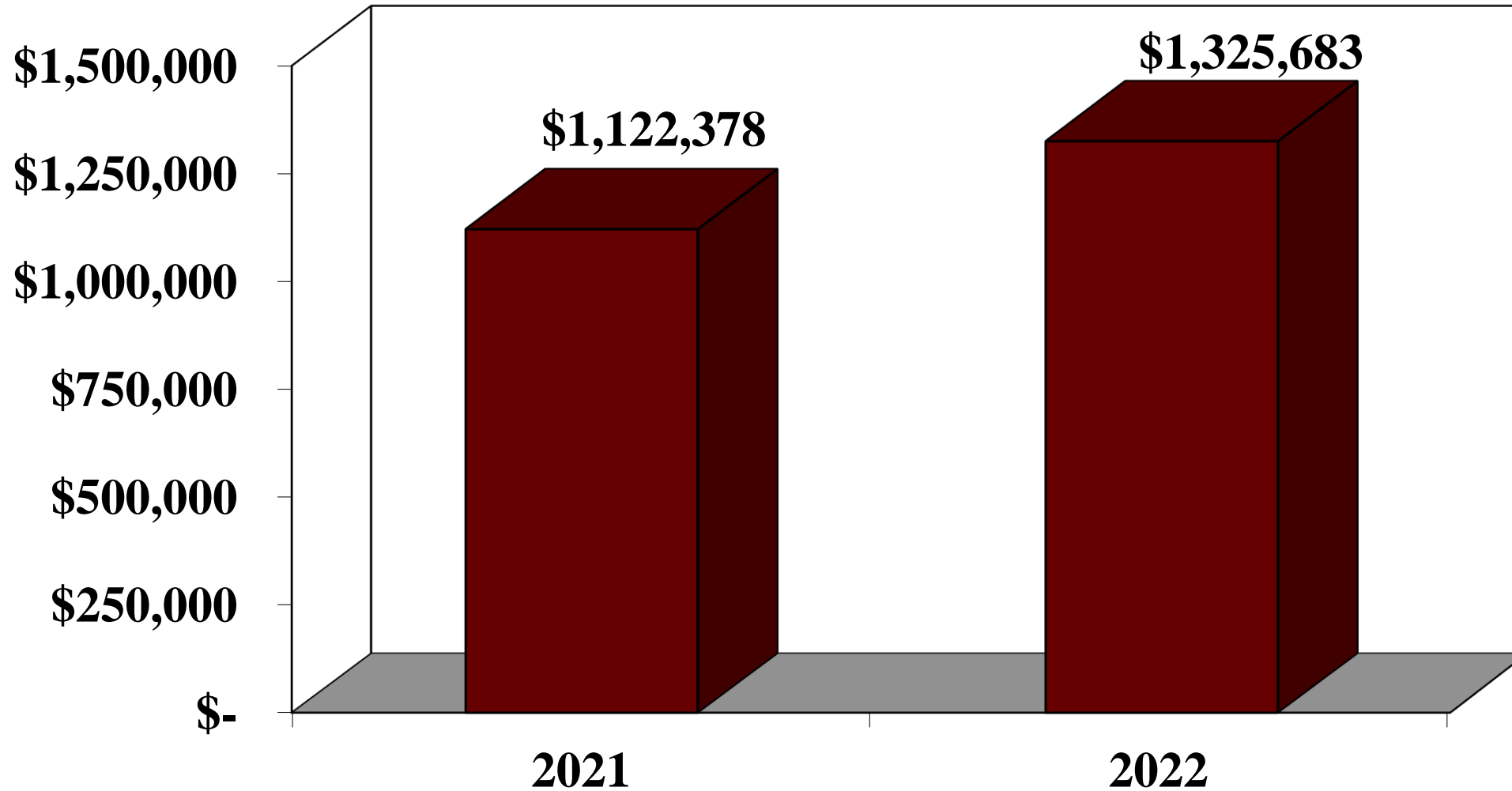
TOP 3 EXPENDITURES: GENERAL FUND



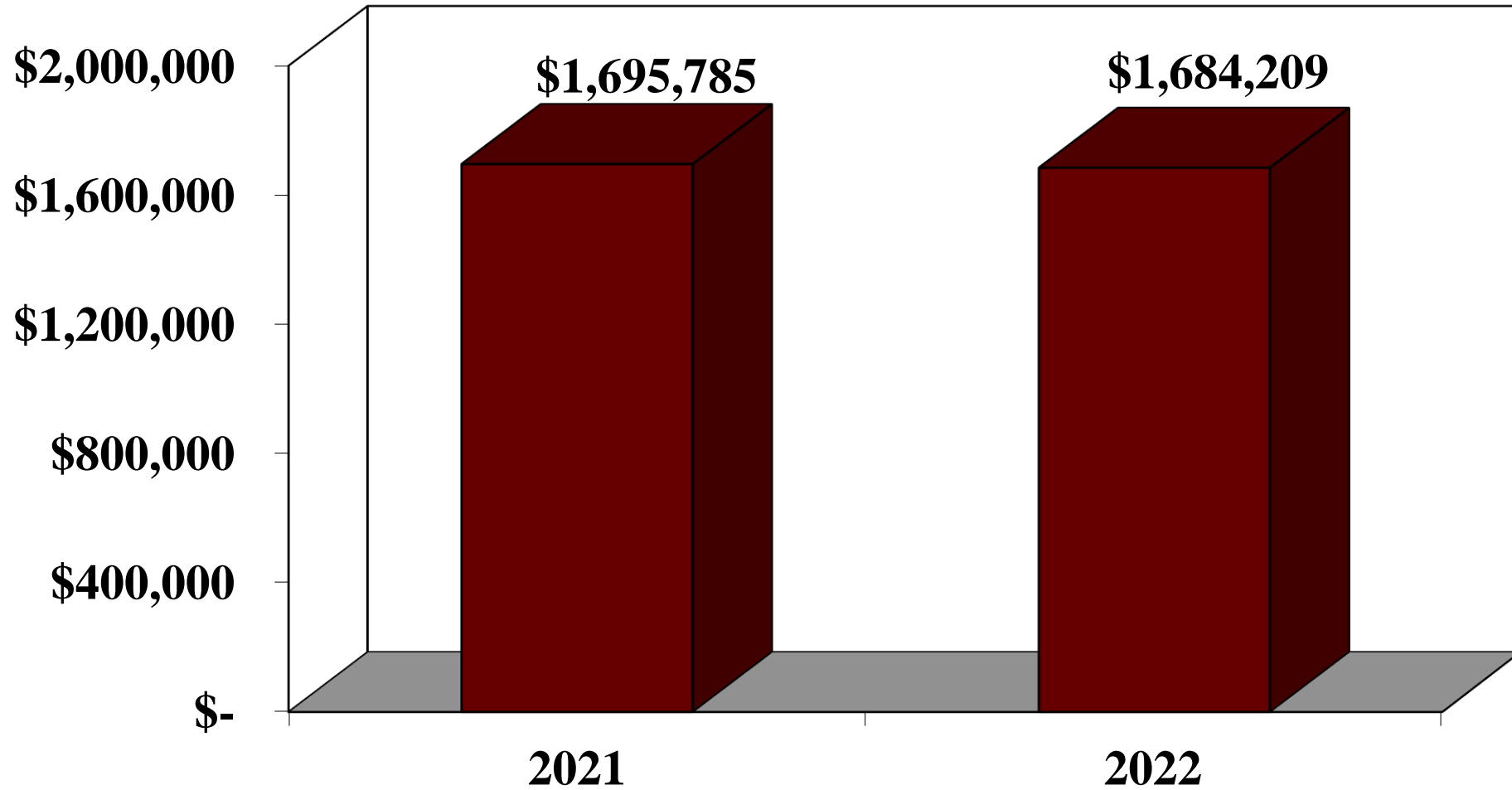
- Other Expenditures:**
- Transportation and Physical development
 - Environmental Protection
 - Unemployment and insurance
 - Special projects
 - Debt service

Top 3 comprise \$ 5,028,247 (65%) of expenditures

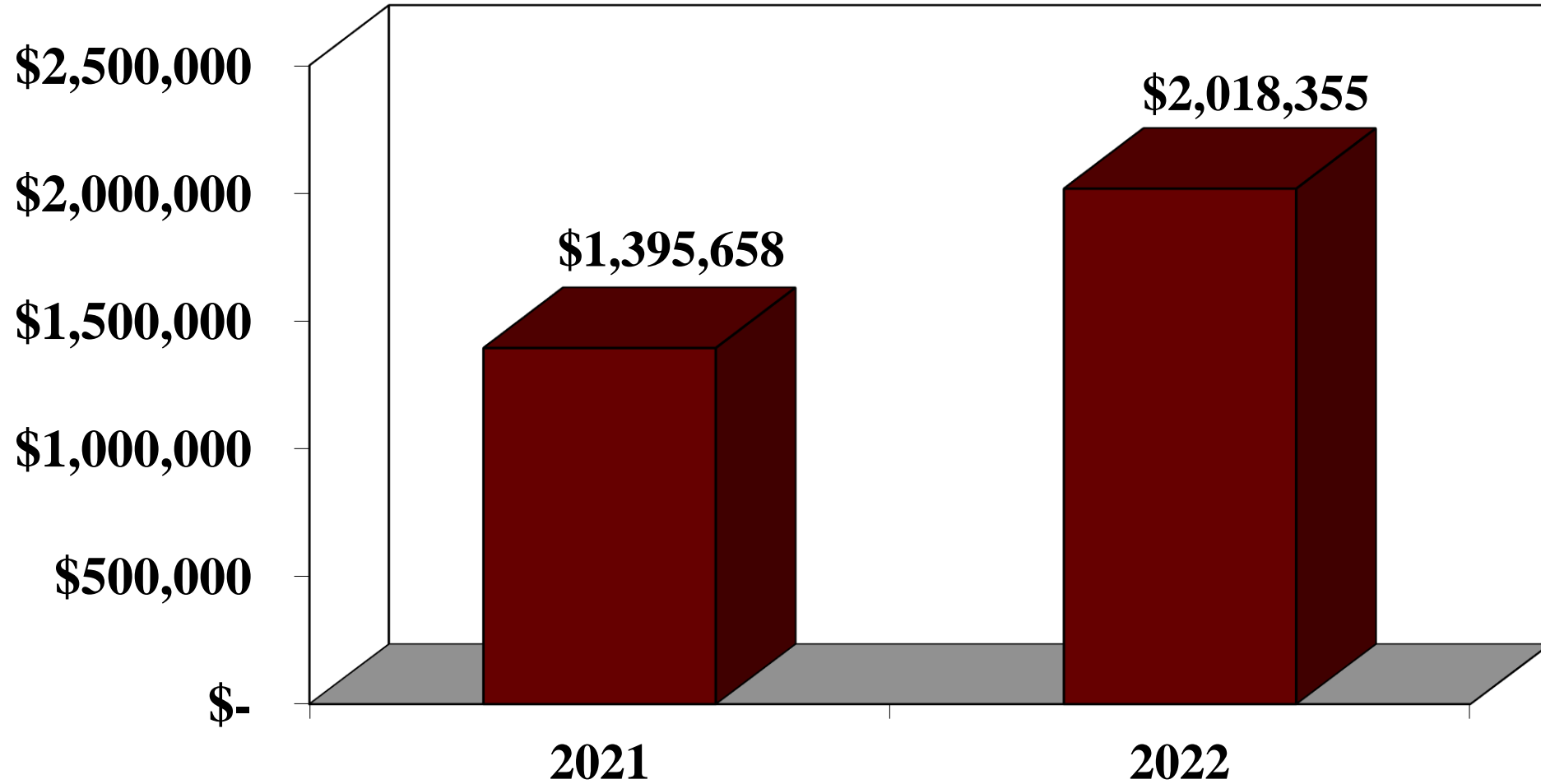
GENERAL GOVERNMENT EXPENDITURES



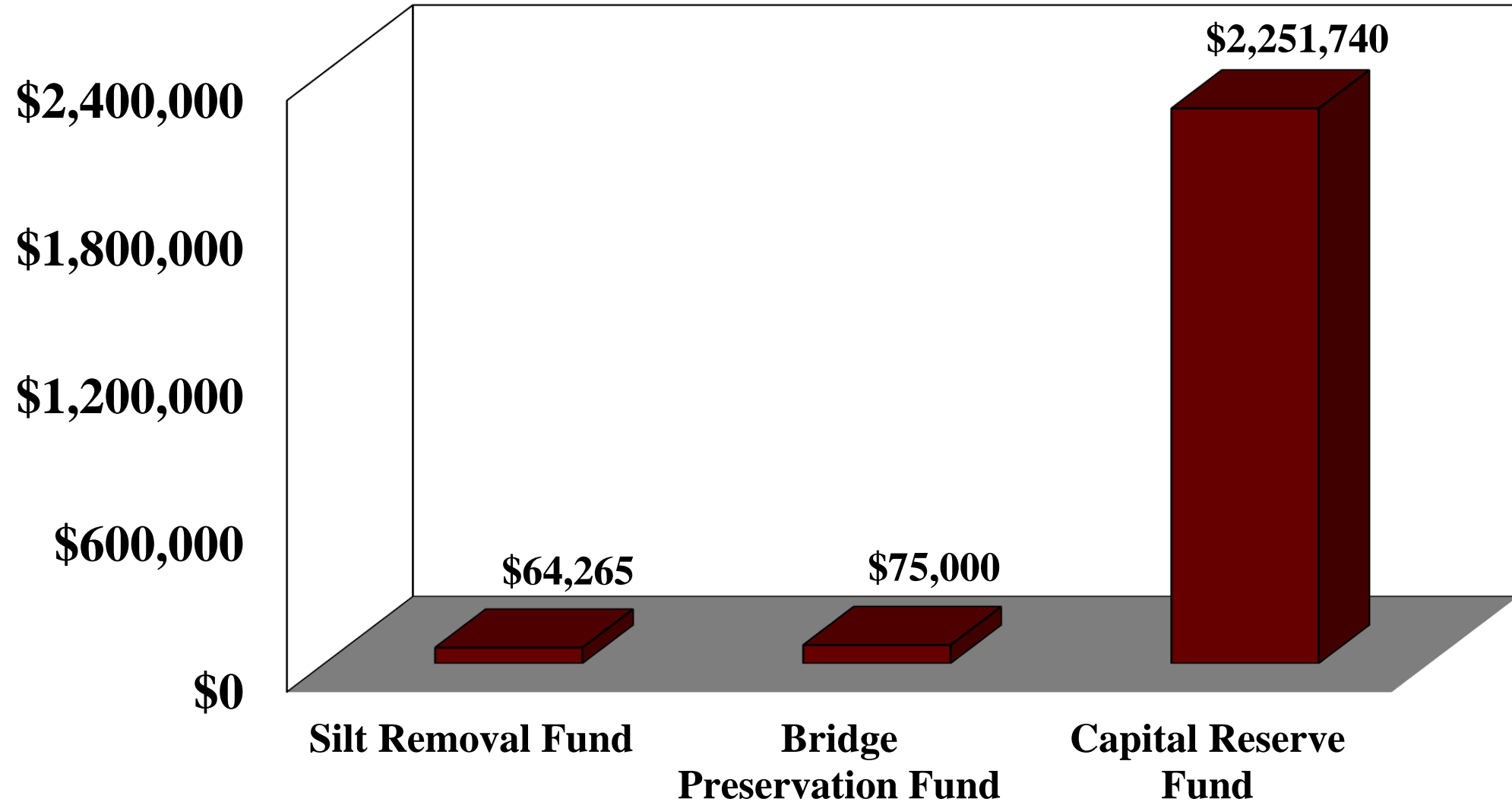
PUBLIC SAFETY EXPENDITURES



CULTURAL & RECREATION EXPENDITURES



RESERVE FUNDS



ELECTRIC FUND

June 30, 2022

**Charges
For Services**

\$ 321,999

**Unrestricted
Net Position**

\$ (448,740)

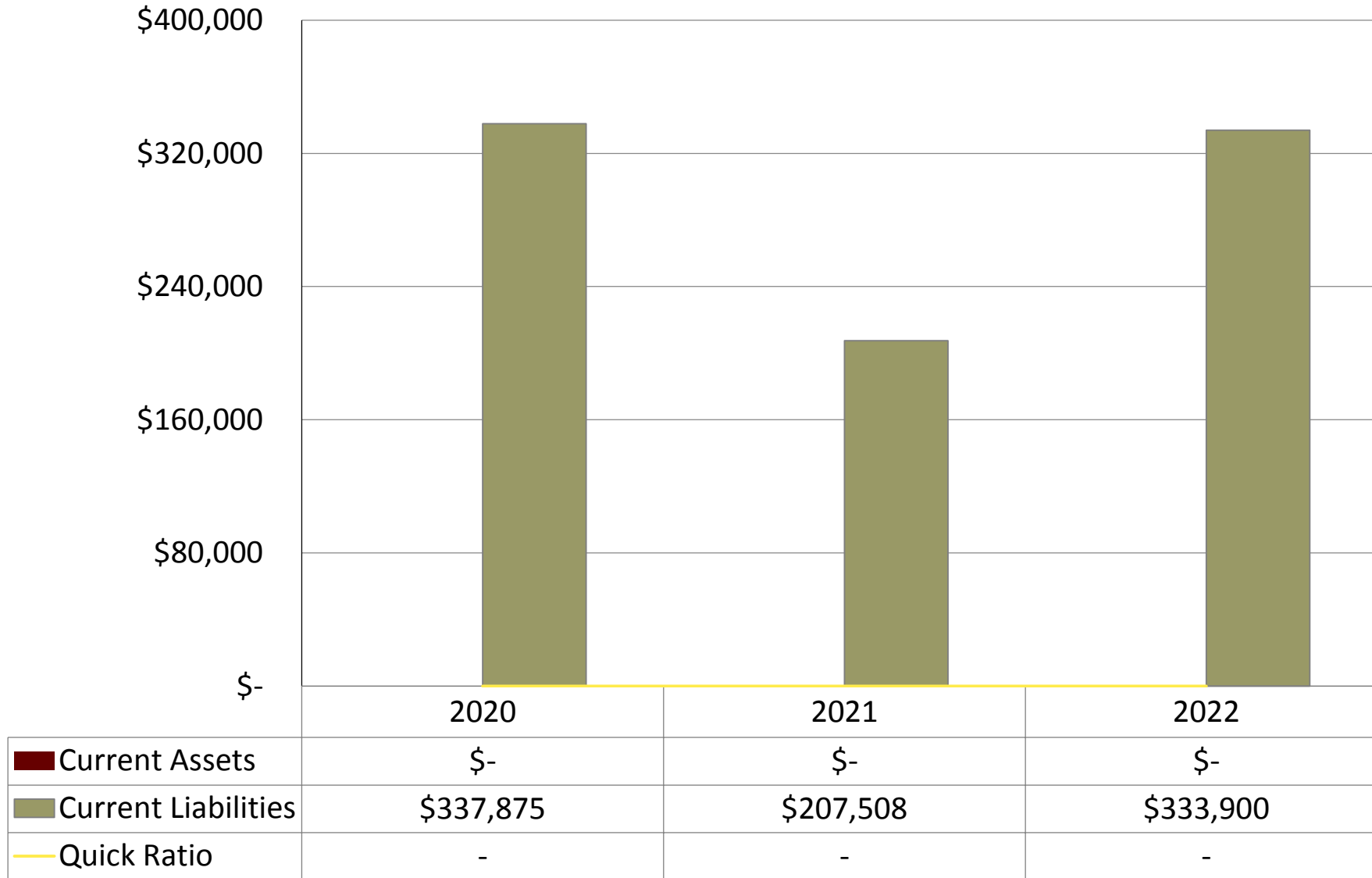
Comparison to June 30, 2021

\$ 727,802

\$ (342,551)



QUICK RATIO – ELECTRIC

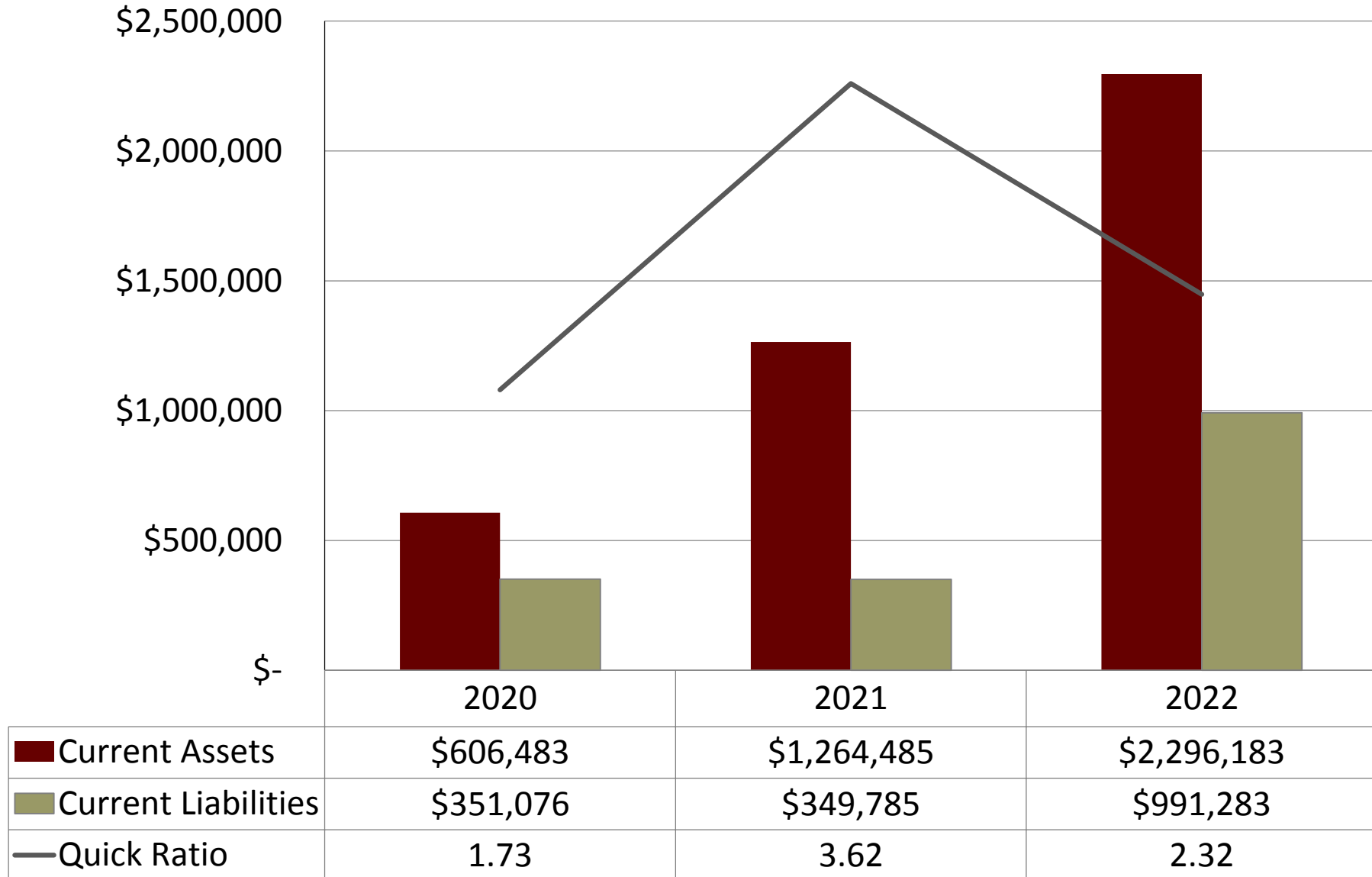


WATER & SEWER FUND

	<u>June 30, 2022</u>	
<u>Required Debt Service</u>	<u>Charges For Services</u>	<u>Unrestricted Net Position</u>
\$ 126,393	\$ 1,564,834	\$ 1,267,843
 <u>Comparison to June 30, 2021</u>		
\$ 127,682	\$ 1,611,096	\$ 883,581



QUICK RATIO – WATER & SEWER FUND



KEY PERFORMANCE INDICATORS

- ❖ Performance Indicators/Findings – Response Required
 - ❖ Audit submitted after LGC deadline
 - ❖ Segregation of Duties
 - ❖ Bank Reconciliation
 - ❖ Significant Audit Adjustments
 - ❖ Compliance Findings
 - ❖ Electric Fund Quick Ratio



KEY PERFORMANCE INDICATORS

- ❖ Positive performance indicators
 - ❑ GF available fund balance %
 - ❑ W&S fund quick ratio
 - ❑ Stable property tax valuation & collection %
 - ❑ W&S operating net income and cash to expense ratio





Questions?

Jill Vang



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jvang@msa.cpa



www.msa.cpa





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

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

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

ABSENT:

I. CALL TO ORDER

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

II. AGENDA ADOPTION

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

III. UPDATE AND DISCUSSION WITH THE POLICY GROUP

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

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

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

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

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

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

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

V. REVIEW STAFF REQUEST REGARDING BOAT TRAILER PARKING

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

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

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

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

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

VIII. DISCUSS ADDITIONAL SRF LOAN FOR GLS PROJECT

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

IX. REVIEW RECOMMENDED CHANGES TO THE LAKE USE REGULATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

XIII. DISCUSS ENTERPRISE FLEET SERVICES

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

XIV. PROJECT MANAGER UPDATES

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

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

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

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

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

XV. TOWN MANAGER UPDATES

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

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

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

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

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

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

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

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

XVI. ADJOURNMENT

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

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

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett



**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL
HELD WEDNESDAY, SEPTEMBER 6, 2023, 8:30 A.M. AT THE LAKE LURE
MUNICIPAL HALL**

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

William Morgan, Jr., Town Attorney
William Hank Perkins, Jr., Town Manager
Michael Dydula, Project Manager

ABSENT: Commissioner Patrick Bryant

I. CALL TO ORDER

Mayor Carol C. Pritchett called the special meeting to order at 8:30 a.m.

II. AGENDA ADOPTION

Commissioner Jim Proctor made a motion to adopt the agenda, as presented. Commissioner Scott Doster seconded and the motion carried 3-0.

III. PARKS AND RECREATION TRUST FUND (PARTF) / BOYS CAMP ROAD

Town Manager Hank Perkins summarized past discussions that had taken place with Council regarding the Town being non-compliant with Parks and Recreation Trust Fund (PARTF) guidelines for the Boys Camp Road property due to the upcoming construction of a cell tower on the property. Manager Perkins provided Council members with a letter from the PARTF representative detailing two options. The options were as follows:

Option 1: The Town may replace, at its own expense, the 2.5 +/- acres acquired with PARTF assistance with land of at least equal current fair market value and recreational

usefulness. Replacement areas shall also be within the Town's service area; provide or be part of a viable recreation area; and be to the maximum extent possible, consistent with all current PARTF application requirements. The replacement recreation property may not be in public ownership at the time of the conversion.

Option 2: If the Town can demonstrate to DNCR's satisfaction that no viable replacement property can be found, the Town has two options to repay the Parks and Recreation Trust Fund.

- a) The Town may repay the trust fund in full the approved appraised value of the 2.5 +/- acres at the time of conversion or the original award amount, whichever is greater, or*
- b) The Town may repay the trust fund in installments the approved appraised value of the 2.5 +/- acres at the time of conversion or the original award amount, whichever is greater. The terms of the payment plan can be negotiated. The Town would not be eligible to apply for a PARTF grant until payment is made in full.*

Manager Perkins noted that staff's recommendation based on expediency is option two for reimbursement.

Commissioner DiOrio asked where the Town would get the money to pay for the reimbursement and Manager Perkins answered the general fund.

Commissioner DiOrio noted that this is not in the budget. Commissioner DiOrio asked how this would impact the cell tower and Manager Perkins answered that the cell tower will not be impacted at all and that it only impacts our ability to apply for additional PARTF grants.

Commissioner DiOrio noted that there is a two-segment property that the Town is interested in purchasing for infrastructure purposes and suggested that the property owner had already expressed that they are interested in working with the town to use a portion of the property for recreational and memorial purposes. Commissioner DiOrio recommended that a portion of that property be used in the Boys Camp property conversion detailed in option one.

Commissioner Proctor asked how cumbersome the process would be to convert a new piece of property and Manager Perkins answered that his understanding is that the Town would need to develop a new park plan, have a 30 day public comment period, a public hearing, and park approval. Manager Perkins noted that it would be a longer process than reimbursement.

Manager Perkins noted that there is also going to have to be a conversion for the Town's Land and Water Conservation Fund (LWCF) at some point. Manager Perkins noted that LWCF guidelines are more stringent than PARTF and expressed that PARTF is more urgent.

Commissioner DiOrio expressed that the property that the town is already interested in is a viable solution and noted that the only thing impact that will be had while the conversion process takes place would be a temporary hold on applying for additional PARTF funds. Commissioner DiOrio also noted that there are other benefits that could come from the property. Commissioner

DiOrio reiterated his proposal and recommended contacting the property owner to see how they feel about this option.

Commissioner Doster noted that the most important factor is that the Town can still move forward with the construction of the cell tower. Commissioner Doster asked how the Town did not know that a cell tower would put the Town out of compliance with PARTF. Commissioner DiOrio noted that a former a PARTF employee had advised the Town with incorrect information. Commissioner Doster noted that the Town needs to fully understand the details of grants moving forward. Manager Perkins noted that he thinks there was verbal indication between a former Town employee and former PARTF employee that the cell tower would not be an issue, but there was no written correspondences proving this.

Mayor Pritchett asked for verification that the timeline for the cell tower construction would not be impacted if the Town proceeds with option one and Manager Perkins confirmed that the cell tower project would not be impacted.

Commissioner Diorio expressed that cell tower is technically going towards recreational use because it increases safety on trails and other recreational facility sites, but noted that it is not considered that way by PARTF. Commissioner DiOrio and Mayor Pritchett agreed that the cell tower is the biggest priority.

Commissioner Doster expressed that the Town needs to begin proceeding and complete necessary steps before the next PARTF application cycle in order to apply for funds for Morse Park.

Manager Perkins noted that if it is consensus of the board, Town staff can tell PARTF that the Town wishes to pursue option one at this time. There was consensus to pursue option one at this time.

Council discussed how to proceed with a park plan for that property.

Manager Perkins added that he would research whether or not the property could be used for LWCF, as well.

Commissioner Doster made a motion to pursue option one presented by PARTF. Commissioner DiOrio seconded and all voted in favor.

IV. DREDGING CONTRACT CHANGE ORDER

Manager Perkins that the Town had planned to proceed with the dredging contract through change orders after the auditors confirmed that there was a paperwork issue but now agree that the Town can proceed with the existing contract. Manager Perkins added that met with Tim Edwards and Parks, Recreation, and Lake Staff and everyone is on-board. Manager Perkins noted that the issue is that there is still the question as to whether or not Mr. Edwards is required to hold a general contractor license because there are uncertainties as to whether or not dredging operations are considered maintenance or construction. Manager Perkins noted that Project Manager Michael

Dydula had been in contact with Frank Wiesner with the North Carolina Licensing Board for General Contractors and it was recommended that Town Attorney William Morgan speak with Mr. Wiesner about this issue. Manager Perkins stated that dredging operations can proceed if Mr. Edwards is able to complete the work without a general contractor license. Manager Perkins added that if operations proceed, there would be a price increase because prices haven't changed in five years and expressed that he thinks the new prices would be acceptable. Manager Perkins also added that if operations proceed, he would recommend that the contract termination date extend until June 2025 and coincide with the end of the fiscal year.

Project Manager Dydula noted that he had spoken with Kevin Hart with NCDEQ and he was informed that the dredging grant can be extended for one year. Mayor Pritchett asked if the Town could apply for another dredging grant simultaneously and Project Manager Dydula answered yes.

Commissioner Proctor asked if the Town would need advertise for bids for dredging and Manager Perkins noted that this will depend on the outcome of conversation between Attorney Morgan and Mr. Wiesner.

Commissioner DiOrio asked if it was possible to request for bids for general contractors and have a general contractor subcontract with Tim Edwards since operations had been successful in the past under Mr. Edwards. Project Manager Dydula answered that this would not be doable because the Town cannot determine who a general contractor uses as a subcontractor.

Manager Perkins stated that more information should be known after communications take place between Attorney Morgan and Mr. Wiesner.

**V. PROPOSAL FOR THE LEASE OF THE FORMER ABC STORE PROPERTY
LOCATED AT 2654 MEMORIAL HIGHWAY**

Manager Perkins explained that the Town had closed out accepting proposals for the lease of the former ABC Store property following Council review of four proposals. It was noted that Council had requested further information from Lake Lure Tours (LLT) in regard to their proposal, so Manager Perkins and Commissioner DiOrio met with Mr. George Wittmer to discuss additional details. Manager Perkins explained that LLT was interested in utilizing the boat house located on the property and that Council's concern with this was that the Police Department currently stores their boat at this location. It was further explained that following additional conversation, Mr. Wittmer expressed that LLT would be willing to allow Police to continue to use the boat house until a second phase occurs and the Town has the ability to relocated the boat. Manager Perkins noted that Mr. Wittmer also amended LLT's initial proposal to include the allowance of up to six food trucks on the Pool Creek Park property. Manager Perkins added that this would not restrict the public's use of Pool Creek Park. Manager Perkins detailed that LLT had also proposed to install two restroom facilities in Pool Creek Park and make improvements to the boat docks. It was also detailed that additional parking was requested for the use of Pool Creek Park. Manager Perkins explained that LLT would be paying the Town \$5,000 for the use of the building, boat house and docks, and Pool Creek Park. Manager Perkins added that the proposal would incorporate the

existing concession agreement for the purpose of out boarding tour boat passengers and use of the boat ramp for non-motorized boat rentals.

Commissioner DiOrio noted that when reviewing all of the proposals, Council looked at financial and recreational aspects. Commissioner DiOrio summarized that LLT proposal was almost double the financial amount of other proposals and that LLT proposal had fully incorporated the full space for recreational activities for the community. Commissioner DiOrio detailed that the church located near the property will not be impacted nor will church services. Commissioner DiOrio added that LLT proposal was more comprehensive than the other proposals.

Manager Perkins noted that he had reviewed LLT proposal with Parks, Recreation, and Lake Department staff and that it may be beneficial to consult with the Parks and Recreation Board. Manager Perkins also noted that he had spoken with Community Development Director Michael Williams who had expressed that there are no zoning conflicts. Commissioner Doster asked if there were any existing restrictions related to the property and Manager Perkins answered that he and other staff could not find any restrictions.

Mayor Pritchett asked about LLT replacing the bridge in Pool Creek Park and Manager Perkins noted that this is something that LLT will need to work on with Community Development. Commissioner Proctor noted that when the bridge was built, it was a part of the beach and it was removed whenever the two were separated and anyone could access the beach without payment. Commissioner Doster expressed the necessity for getting approval from all staff and necessary boards. Commissioner Doster also expressed that the rowing club accesses a part of that property for their operations and that he would like to ensure that the rowing club can continue successful operations in Lake Lure. Mayor Pritchett noted that would be between LLT and the Rowing Club.

Manager Perkins noted that he and Town Attorney William Morgan had discussed that it is their opinion to avoid entering into a commercial lease for the park property and only entering into one for the ease of the building while expanding the existing concession agreement to include Pool Creek Park. Commissioner DiOrio noted that this could change the financial structure and terms. Manager Perkins noted that the Town could incorporate a \$2,000 monthly payment as a concession along with the \$3,000 rent and concession percentages.

Commissioner DiOrio expressed support for the addition of food trucks to the proposal and asked for the opinions of other Council members. Commissioner Proctor expressed that he would like to see a visual of what the food trucks might look like on the property to ensure that the property will maintain attractiveness. Commissioner Doster agreed. Commissioner DiOrio noted that not all six food trucks would always be operating at once and Commissioner Proctor added that the Code of Ordinances would not allow for the food trucks to remain at that location permanently. Director Williams explained that the Pool Creek Park property is located in a flood plain and reiterated that the food trucks could not stay there permanently. Director Williams added that he had spoken with Mr. Wittmer and it was determined that an emergency response plan would be required in case a flood occurs. Commissioner DiOrio expressed that he thinks that all six food trucks would only be operating simultaneously during special events and holidays. Commissioner Proctor reiterated that he would like to see a visual to ensure that the property's views are not impacted.

Council members discussed that it is the Town's property and it is not being sold nor are zoning rights being impacted.

Commissioner DiOrio expressed support for the expansion of docks for the next phase and for the construction of restrooms. Commissioner DiOrio noted that the restrooms can easily connect to an existing manhole which would be no issue.

Commissioner Doster asked how long the lease terms would be and if LLT is wanting the lease to be in the same length as the existing concession. It was noted that this question requires follow-up. Manager Perkins noted that lease terms will need to be discussed.

Commissioner Doster read the proposal's section about parking and expressed that the language could be clearer. Other Council members agreed. Council members discussed parking and bridge access. Mayor Pritchett noted that LLT would be responsible for monitoring any illegal use of the parking lot. Commissioner DiOrio mentioned that the property may need more parking and recommended that the Town assess the demand.

Mayor Pritchett noted that the next step would be to hold an additional meeting with LLT. Commissioner DiOrio added that Council would need to official accept the proposal from LLT. It was recommended that Council allow the Parks and Recreation Board to review the proposal and provide input. Commissioner Proctor noted that the Parks and Recreation Board meets tomorrow and that they can review the proposal then.

Council members discussed implementing rules for food trucks to ensure view remains attractive. Manager Perkins noted that LLT is not interested in taking away business from any brick and mortars.

Commissioner DiOrio made a motion to accept LLT's proposal and request that Parks and Recreation Board complete an analysis of the proposal for incorporation during negotiations. Commissioner Proctor expressed that he is not ready to vote until the Parks and Recreation Board has had the opportunity to provide input. Other agreed and Commissioner DiOrio rescinded his motion. There was consensus to proceed with getting Parks and Recreation Board input and Mayor Pritchett noted that consideration for acceptance of the proposal should be on the regular September meeting agenda.

VI. DISCUSS ASSET AND INVENTORY ASSESSMENT (AIA) GRANT FOR WATER DISTRIBUTION SYSTEM AND CONSIDER ADOPTION OF RESOLUTION NO. 23-09-06 FOR 2023 FALL AIA GRANT APPLICATION

Manager Perkins explained that this is a similar grant opportunity to what was granted for the sewer and includes a study and inventory of the water system. Manager Perkins noted that Resolution No. 23-09-06 would need to be adopted by Town Council to move forward with the AIA grant application.

Commissioner Doster made a motion to adopt Resolution No. 23-09-06 for 2023 Fall AIA Grant Application. Commissioner Diorio seconded and all voted in favor. Resolution No. 23-09-06 was adopted as follows:

RESOLUTION NO. 23-09-06

RESOLUTION BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE FOR FALL 2023 AIA GRANT APPLICATION

WHEREAS, The Town of Lake Lure has need for and intends to conduct a study on a project described as an Asset and Inventory Assessment of the water distribution system to aid the Town of Lake Lure in becoming more viable and to take a more proactive approach to the management and financing of the water distribution system, and

WHEREAS, The Town of Lake Lure intends to request State AIA grant assistance for the project.

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

SECTION ONE. That the Town of Lake Lure, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

SECTION TWO. That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

SECTION THREE. That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

SECTION FOUR. That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Lake Lure to make a scheduled repayment of the loan, to withhold from the Town of Lake Lure any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

SECTION FIVE. That William H. Perkins, Jr, Town Manager, the **Authorized Representative**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

SECTION SIX. That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

SECTION SEVEN. That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

VII. ADJOURNMENT

Commissioner Proctor made a motion to adjourn. Commissioner DiOrio seconded and all voted in favor. The meeting was adjourned at 9:35 a.m.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Approval of Suspension and Waiver Requests for the Hickory Nut Gorge Outreach Fall Arts and Crafts Festival Taking Place October 21, 2023 through October 22, 2023

AGENDA INFORMATION:

Agenda Location: Consent Agenda

Item Number: B

Department: Communications

Contact: Laura Krejci, Communications Director

Presenter: Laura Krejci, Communications Director

BRIEF SUMMARY:

The upcoming Hickory Nut Gorge Outreach Fall Arts and Crafts Festival will take place October 21, 2023 through October 22, 2023.

In the past, Town Council has suspended Chapter 8 Article II: “Peddlers” of the Lake Lure Code of Ordinances and waived the Noise Ordinance, Chapter 20 Article II, for the Hickory Nut Gorge Outreach event being held on Town property. The festival will feature onsite displays, live music, and local food. The event serves as the major fundraiser for HNG Outreach. HNG Outreach is a nonprofit organization that provides food and outreach services to low-income families throughout the Gorge. HNG Outreach is requesting the following:

- 1) Suspension of Chapter 8 Article II: “Peddlers” of the Code of Ordinances
- 2) Wavier of the Noise Ordinance, Chapter 20 Article II
- 3) Approval of partial road closure for Bottomless Pools Road (Between Memorial Highway and Arcade Street.)

HNG Outreach has obtained all necessary permitting and approvals from Town staff.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve Suspension and Waiver Requests for the Hickory Nut Gorge Outreach Fall Arts and Crafts Festival Taking Place October 21, 2023 through October 22, 2023

ATTACHMENTS:

N/A

STAFF’S COMMENTS AND RECOMMENDATIONS:

Staff recommends approval.

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Approval of Requests for the Lake Lure Community Independence Celebration with Fireworks on July 6, 2024

AGENDA INFORMATION:

Agenda Location: Consent Agenda

Item Number: C

Department: Communications

Contact: Laura Krejci, Communications Director

Presenter: Laura Krejci, Communications Director

BRIEF SUMMARY:

Lake Lure Tours plans to host the Lake Lure Community Independence Celebration, with fireworks, on July 6, 2024. The event will be held at the Lake Lure Beach. There will be a cover charge for a southern style cook-out banquet, a cash bar located on the Beach, and the event will include a small fire work show. Ticket prices are as follows:

Advanced Purchase:

Adults - \$19.95

Kids - \$9.95

Kids under 6 years of age - Free

Walk on Purchases:

Adults - \$24.95

Kids - \$9.95

Kids under 6 years of age - Free

The Town of Lake Lure will receive 15% of the cover charge proceeds.

Lake Lure Tours has worked with Town staff to obtain all required permits and will ensure that all appropriate public safety measures will be taken.

Lake Lure Tours is requesting a waiver of the Noise Ordinance, Chapter 20 Article II.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve requests for the Lake Lure Community Independence Celebration with fireworks on July 6, 2024

ATTACHMENTS:

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends approval.

VIII
UNFINISHED
BUSINESS

IX

NEW BUSINESS

- A. Hearing: Request to Appeal NOV 2023033 and Citations Issued by the Community Development Department in Relation to 121 Anglers Way
- B. Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances
- C. Consider Approval of Advanced Data Network Solutions (ADNS) Updated Agreement
- D. Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer
- E. Update regarding Lake Lure Tours Proposal for the Lease of the Former ABC Store Property

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Resolution No. 23-08-08 Approving LaBella Task 5 Amendment

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:

Property owners of 121 Anglers Way had been issued three Notices of Violation (NOV) and citations by the Community Development Department. The NOV's are in relation to soil and erosion control violations that had taken place in the midst of rebuilding a residential structure. The Property Owners have submitted a written request for Town Council to hold a hearing to appeal the citations associated with NOV 2023033. The Code of Ordinances require that a hearing on a civil penalty shall be conducted by the town council within 31 days after the date of the written demand for the hearing. The decision of Council shall be final.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To grant/deny the request to appeal citations associated with NOV 2023033.

ATTACHMENTS:

Email Request from Property Owner

STAFF'S COMMENTS AND RECOMMENDATIONS:

N/A.

Olivia Stewman

From: Richard Carpenter
Sent: Monday, August 28, 2023 8:13 AM
To: Olivia Stewman
Cc: Michael Williams
Subject: Fw: 121 Anglers Way. Lake Lure, NC Case # Nov 2023033 Town Of Lake Lure Civil Penalty Citations

Good morning,

Alyson Garner would like to be added to the next available town council meeting. She is seeking to appeal 3 notices of violation and citations by the planning department.

Cheers,

Rick Carpenter, CZO
Development and Environmental Review Specialist Town of Lake Lure
828.625.9983 EXT 107

From: ALYSON SCOTT GARNER <allyscott3@aol.com>
Sent: Friday, August 25, 2023 5:30 PM
To: Michael Williams
Cc: Richard Carpenter
Subject: 121 Anglers Way. Lake Lure, NC Case # Nov 2023033 Town Of Lake Lure Civil Penalty Citations

To whom it may concern:

I am writing this letter to appeal the 3 Notices of Violation, July 27, 2023, in which also includes 3 Civil Penalty Citations. The Case Number for all three of the citations is Nov2023033. The citation dated 08/17/2023 reflects the number of previously issued violations for the same offense was "4" yet we have only received a Notice of Violation back in the beginning of our rebuild, October 1, 2020, and NO Civil Penalty Citation accompanied it. Since beginning the rebuild of our home that caught fire due to Duke Energy not cutting the three limbs over the power lines, we have had 4 different Environmental employees of Lake Lure whom we were working with. First was Mike Williams, then it was Garrett Murphy, then it was Mitchell Anderson, and now Rick Carpenter. Mitchell Anderson was notified that my husband Tim had been hit by a car on February 13th, 2022 while driving his motorcycle up to the pharmacy for me. I had just had back and neck surgery, and returned home from Duke Hospital. The individual whom hit Tim was speeding and ran a stop sign causing him to loose his right leg- foot and calf. Tim would not be able to see him for awhile, but informed him that the workers and his brother were there to continue as much as they could with out Tim. We had no problems whatever, and asked for assistance from everyone we knew up there to keep a check on the silt fences. Our property survived 3 hurricanes and no sediment got into the lake. Mitchell approved to have the black plastic to be placed over the soil, embankments, etc. We had silt fencing that was dot approved, with wooden stakes. Garrett and Mitchell also had told us to use hay bales to assist with catching any sediment. All of these that we were previously approved with was not approved by Rick, and therefore Tim then had to replace it all solely as we could not find anyone to help, or work for pay rather. Tim has been diligently working on 121 Anglers Way, but he is now slower than before because of his prosthetic, and because of the nerves that are exposed. He canceled having nerve surgery to take care of our property because he couldn't find anyone to do so. He had his chest, and other leg

swell up so bad that he was back in the hospital, and had numerous testings and dr. visits, but still continued to go up there himself to check on the property. We both have worked to make sure our home/work site was done properly. In April, our dump truck was stolen which has hindered us in being able to do things with the build also. It was totaled when found by police. The police called Buster's towing when they retrieved it and we had to pay Buster to bring it back to our home. The problem was that Buster did not place it back where we told him, and the vehicle was damaged so much, (wires were pulled out of the dashboard to Hotwire) it would not start, and Buster would not return our calls to move it. It is moved now though which was also included in a violation.

All of our chain saws, and generators were also taken and we have had to go to court to assist the Lake Lure police with their case.

The violations that we received, also just gave us 10 days. We did not receive them for 4-5 day after the dates, and it appears to be because they were sent from Greenville, SC according to the postal service. The letters have Greenville, SC stamping on the envelopes.

I feel as though the violations we received were because Rick did not approve of what Mitchell and Garrett did. One silt fence was filled on the right side of our property that was mentioned, but that meant it was doing its job.

I do not know what failure to follow approved plans meant as we always went above and beyond to do everything by the book... getting engineers for one, and that comes to the steep slope. Rick has been informed of the engineer Michon from Asheville. She is coming back to help with the steep slope. One cannot do it without an engineer. The Army Corp of Engineers are also coming out, so that this can be done properly.

Tim did not dismiss these violations that Rick sent, nor did he not try and get them completed. It required Tim to redo everything though as Rick did not approve of what Mitchell had told us to do. He and I tried hiring help to get it done quickly , but it ended with Tim diligently working alone to get it completed and when we were given a notice of violation in October of 2020, 30 days were given, not 10, and no civil penalty citation was cited. 30 days definitely needed to be given to do the work that Rick wants, and actually a little more to obtain the new silt fencing, ground covering, and to dig the ditches in front of the silt fencing.

Thank you for your time, and I look forward to hearing back from you.

Sincerely,
Alyson S. Garner
Sent from my iPhone

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: B

Department: Police

Contact: Dana Bradley, Parks, Recreation, and Trails Coordinator

Presenter: Michael Williams, Community Development Director

BRIEF SUMMARY:

Town staff has experienced issues related to vehicles parking in spaces designated for vehicles with trailers only. On the signage detailing such designation, it is noted that all other vehicles will be towed. The Code of Ordinances do not allow staff to write citations or have vehicles towed to enforce this issue. Parks, Recreation, and Trails Coordinator Dana Bradley submitted a request to amend the Code of Ordinances to address boat trailer parking and has provided recommended language to be incorporated into Section 30 of the Code of Ordinances. Town Council reviewed and discussed the proposed ordinance during the August 16th work session meeting.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances.

ATTACHMENTS:

Ordinance No. 23-09-12 Chapter 30 (“Traffic and Vehicles”) Article III (“Parking Violations: Enforcement”) Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) and Section 30-63 (“Penalties”) of the Town of Lake Lure Code of Ordinances

STAFF’S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.

ORDINANCE NO. 23-09-12

AN ORDINANCE AMENDING CHAPTER 30 (“TRAFFIC AND VEHICLES”) ARTICLE III (“PARKING VIOLATIONS: ENFORCEMENT”) SECTION 30-57 (“STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES”) SECTION 30-62 (“PARKING AND USE OF ELECTRIC VEHICLE CHARGING STATIONS”) AND SECTION 30-63 (“PENALTIES”) OF THE TOWN OF LAKE LURE CODE OF ORDINANCES

WHEREAS, Town staff has identified three issues within the Town’s parking regulations that need to be addressed in the Town Code of Ordinances and has made recommendations to the Board of Commissioners on how the two issues should be addressed; and,

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF LAKE LURE:

Section 1. Section 30-57 (“Stopping, Standing, or Parking Prohibited in Specified Places”) is amended by the inclusion of a new subsection (11) and Section 30-57 shall now read as follows:

Sec. 30-57. Stopping, standing, or parking prohibited in specified places.

No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or a traffic control device in any of the following places:

- (1) On the sidewalk.
- (2) Within an intersection.
- (3) On a crosswalk.
- (4) Within 30 feet of any flashing beacon, stop sign, or traffic control signal located at the side of a street or roadway.
- (5) Alongside or opposite any street excavation or obstruction, when such stopping, or standing, or parking would obstruct traffic.
- (6) Upon any bridge or other elevated structure, or within any underpass.
- (7) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanitorium, or other public building.
- (8) Upon any area designated as a no parking area when said areas are appropriately marked.
- (9) Upon any town property between the hours of 10:00 p.m. and 8:00 a.m. without permission to do so.
- (10) Upon any town property at any time for the purpose of camping, unless prior written permission is secured from the board of commissioners.
- (11) In a parking space designated for a specific purpose, (e.g., “vehicles with trailers only”) unless it is being used for the designated purpose.

Section 2. Section 30-62 (“Parking and Use of Electric Vehicle Charging Stations”) subsection (d) (“Enforcement”) is amended to read as follows:

(d) Enforcement. A violation of this section shall be enforceable pursuant to the procedures for penalties in section 30-63 ~~68~~.

Section 3. Section 30-63 is amended to read as follows:

Sec. 30-63. Penalty.

Any person, firm, or corporation violating any of the provisions of this article or failing or neglecting or refusing to comply with same, shall be issued a civil penalty citation in an amount not to exceed \$50.00, as set by the Town Council, payable at the Lake Lure Town Hall within thirty (30) days of issuance. Each day that any of the provisions of this article are violated shall constitute a separate offense. Civil penalty citations become past due if not paid within thirty (30) calendar days of the issuance of the citation, and the offender shall be assessed an additional penalty of \$25.00 and thereafter, every 30 day period the citation remains will result in an additional assessment of \$50.00. Citations and corresponding late fee(s) that remain unpaid after 30 days of issuance may be recovered by the Town in a civil action in the nature of a debt. Parking in violation of any or the provisions of this article shall make the vehicle and/or other property left thereon subject to towing.

(Code 1989, § 71.99; Ord. of 7-9-1974; Ord. of 12-13-2022)

Section 4. All ordinances, resolutions, or policies of the Town in conflict with the amendments herein adopted are void to the extent of the conflicts.

Section 5. This Ordinance shall become effective upon adoption.

This ___ day of September 2023.

ATTEST:

Olivia Stewman, Town Clerk

Carol Pritchett, Mayor

Approved as Form:

William C. Morgan, Jr.
Town Attorney

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Consider Approval of Advanced Data Network Solutions (ADNS)
Updated Agreement

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: C
Department: Administration
Contact: Stephen Ford, Finance Director
Presenter: Stephen Ford, Finance Director

BRIEF SUMMARY:

Advanced Data Network Solutions (ADNS) is proposing an updated Managed IT Service Agreement. The main recommended changes per ADNS include a security add-on and cloud email archiving. All proposed terms and conditions can be found in the attached proposal from ADNS.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To approve Advanced Data Network Solutions (ADNS) Updated Agreement.

ATTACHMENTS:

ADNS Proposed Updated Agreement

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends approval.



advanced
data & network solutions

Managed IT Service Agreement



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WELCOME LETTER

Dear Hank,

We are pleased to inform you that it is time to renew your Managed IT Service contract with us. We are grateful for your continued loyalty and trust in our services, and we want to take this opportunity to express our appreciation for your business.

We understand that your needs may have evolved since the last time you signed up for our services, and we have taken steps to enhance our offerings to better meet those needs. Our team of professionals is dedicated to providing you with exceptional service, and we are committed to ensuring that you receive the highest level of satisfaction possible.

As part of the renewal process, we will review your current service agreement and make any necessary adjustments to ensure that it reflects your current requirements. We will also work with you to identify any new services or features that may benefit your business.

We value your business and look forward to continuing our partnership with you. Please don't hesitate to contact us if you have any questions or concerns about the renewal process. Thank you for choosing our services.

Best regards,


Alex Newman & The Team @ Advanced Data

Managed IT Services - Proposal Items

Commitment Term:

The commitment term of this agreement is for: **12 Months**

Current Agreement Renewal

Description	Price	Quantity	Amount
<p>Monthly Recurring</p> <p>Flat Fee IT - User Support Flat Fee IT - Premium User Support</p> <p>Monitoring and Maintenance: System audit/asset management Customer portal case management Patch Management Weekly maintenance tasks Monthly onsite maintenance</p> <p>Support: 8am-5pm Remote Support 8am-5pm Onsite Support After hours emergency Support</p> <p>Managed Security: Local Firewall administration Antivirus Monitoring & Updating Anti-virus subscription/software Backups - Local and offsite backups of critical data and systems Email SPAM Gateway</p> 	\$160.00	38	\$6,080.00
	Each		
<p>Monthly Recurring</p> <p>Microsoft 365 Apps for Business Microsoft 365 Apps for Business</p> <p>Includes Desktop version of Microsoft Word</p>	\$9.96	9	\$89.64
	Per Month		

Microsoft Excel
 Microsoft PowerPoint
 Microsoft Outlook
 Microsoft Access
 Microsoft Publisher



Monthly Recurring

Hosted WiFi - Pro AP

Pro access point monthly rental including license
 Ruckus R610 AP
 802.11ac Three-stream MIMO 3x3:3
 Concurrent dual-band (5GHz/2.4GHz) support
 1300 Mbps (5 GHz) and 450 Mbps (2.4 GHz) of user
 throughput
 Capable of supporting up to 512 clients
 Mobile device ready: Tri polarized adaptive antennas with
 512 antenna patterns per radio for ultra-reliability

\$35.00	2	\$70.00
Each		



Additional Available Add-Ons

Setup Fees May Apply

Description	Price	Quantity	Amount
-------------	-------	----------	--------

Monthly			\$6,239.64
Tax			\$6.27
Total			\$6,245.91

AGREEMENT DETAILS

You **Town of Lake Lure**,

located at 2948 Memorial Hwy, Lake Lure, North Carolina, 28746 (“You”, “Yourself” or “Your”)

are engaging us **Advanced Data**

of 60 Ravenscroft Dr, Asheville, NC, 28801 (“We”, “Us” or “Our”)

to provide:

The services to you as outlined in this Agreement for the pricing as outlined in our Proposal.

OUR GENERAL TERMS AND CONDITIONS

All of the Terms in this Agreement are in addition to Our *General Terms and Conditions*, which can be found at <https://www.adnsolutions.com/legal>.

By signing this Agreement, you also agree to those *General Terms and Conditions*.

For any terms that exist in both, the terms in this Agreement will override.

COMMITMENT TERM

The minimum term that You have agreed to use Our Services is outlined in Our Proposal to you and is referred to as the Commitment Term.

The Commitment Term begins from the first day of the next month (after the date of accepting Our Proposal).

After the expiry of the Committed Term, an extension of the Term will automatically renew equal to the period of the original Committed Term, unless earlier terminated as outlined in the ‘Termination’ section below.

PRICE ADJUSTMENT

(a) The monthly price will change up or down depending on the actual number of devices under management for a given month. A device is considered under management if it is active in our management system for any day of that month.

(b) Commencing one (1) year after the Effective Date of this Agreement, and at each subsequent anniversary, the price of client Agreement will be increased automatically in line with the latest publicly advertised CPI figure (Consumer Price Index) by the Federal Government. Notwithstanding the foregoing, in no event shall Managed Services Monthly Fees be reduced for any year as a result of a CPI adjustment made as provided herein, and in no event shall Managed Services Monthly Fees increase by more than ten percent (10%) for any year as a result of a CPI adjustment made as provided herein. We reserve the right to not raise prices at these intervals.

TERMINATION

You agree that if You need to Terminate this Agreement before the end of the Commitment Term, You agree to pay Us the current Agreement Fee multiplied by the number of months left in the current Commitment Term within 14 days of providing Us Notification of Termination.

Should there be any pricing adjustments made to this Agreement during a Commitment Term, the Plan Fee used to calculate any Termination Payment will be based on the latter of the original Proposal or any updated Pricing adjustments made in writing from Us to You.

All Termination requests must be made in writing to:

Accounts Department
60 Ravenscroft Dr
Asheville, NC 28801

ESCALATION

While We strive to provide You with the best possible support at all levels, We leave an open communication channel right up to “the big boss” for You in the event You ever need to Escalate an issue further

If you ever need to escalate a Service Request or Issue, you agree to use the following escalation order to ensure quickest possible resolution time.

1. **Team Leader**

Name: Michael Homlish
Email: michael@adnsolutions.com
Phone: 828-210-8802

2. **Service Manager**

Name: David Rose
Email: david@adnsolutions.com
Phone: 828-210-8808

3. **Managing Director / CTO**

Name: Brian Scheewe
Email: brian@adnsolutions.com
Phone: 828-210-8810

Please note that these Escalation Points are not to be used for lodging Service Requests.

All Service Requests must be lodged through the normal methods as outlined in our General Terms and Conditions.

If You lodge a Service Request through one of these Escalation Channels, this will be treated as an “Emergency Upgrade” Service Request and will be charged at the “Emergency Upgrade” rate found on our Rate Schedule.

OUR RESPONSIBILITIES

OUR RESPONSE TIME GUARANTEE

We agree to respond to your Service Requests within the Maximum time frames set out in **Appendix A**.

If the response time to an incident exceeds the times set out in **Appendix A** and provided that you reported the incident to Us via the methods as set out in Our General Terms and Conditions, You may make a claim for credit within 7 days of the incident in writing to:

Accounts Department
60 Ravenscroft Dr
Asheville, NC 28801

If We agree Your claim is valid, You will be credited 5% of the monthly Agreement amount (this does not include any additional charges incurred in that month) of the month of the incident, to a maximum of 20% per month.

If the support request is lodged outside Our Business Hours Our Response Time Guaranteed does not apply. We will still work on your Service Request as fast as possible, however it will be on a best effort basis.

Response Times are calculated as per the Definition as outlined in **Appendix E**.

Response Times are Guaranteed maximum times to respond to a Service Request.

Please see **Appendix B** for a list of the types of Service Requests that our Response Time Guarantee does not apply to.

SERVICE REQUEST PRIORITIES

We classify Service Request priorities as shown in **Appendix A**.

These priorities tie directly in with Our Response Time Guarantee to provide you with information about how quickly We will respond to Your issues.

If you require a Service Request that would normally be classed as a High, Medium or Low priority to be escalated and remediated as a Critical Priority – then You can request for an “Emergency Upgrade”. Please see our Rate Schedule for more information on “Emergency Upgrades”.

As we know, not everything in life fits into a box so the final decision on classifying the priority of an issue will be made by Our responding technician.

WHAT’S COVERED

As part of this Agreement, we endeavor to include all the day to day IT support items that are typically required to run a typical Business Technology Baseline Infrastructure.

You can see a list of all the items we will cover under this Agreement in **Appendix C**.

It's important to note that anything not included in **Appendix C** is explicitly excluded from Your Agreement and will be billed at our normal rates as found on our Rate Schedule.

From time to time, we may provide support for items not explicitly included in **Appendix C** without charge – however we will do this at our sole discretion.

REPORTING

Throughout the service period we gather metrics and data on your system. We have the ability to report on this data. We can generate reports that may be helpful to track and manage your business and better inform you to make decisions. In most cases we will generate these reports and present them to you during our normal meeting schedule, however if you would like to receive additional reporting, please communicate that to your vCIO who will accommodate these requests as best we can.

QUARTERLY BUSINESS REVIEWS

At least quarterly We will provide to You to a Quarterly Business Review Session. Think of this session as meeting with your Virtual IT Manager.

In this session, we run through items such as, but not limited to, the following:

- Last Quarters Metrics
- Your Plans for the next Quarter
- Refresh Cycle Update / Minimum Standards
- Technology Budget Update
- Technology Update
- Anything else you need to raise / discuss related to your IT

You agree to allocate your time for each of these sessions to ensure that We can provide our Service to You at the world class levels that We strive for.

You agree to give us at least 5 Business Days' notice if you need to re-schedule or amend an upcoming Quarterly Business Review. If You don't give us at least 7 Business Days' notice, that quarters Business Review will still be counted as used.

YOUR RESPONSIBILITIES

MINIMUM STANDARDS

There are some Hardware and Software requirements that You need to have in place in order for Us to meet Our Service obligations, these can be found here <https://www.adnsolutions.com/rtp>. We will update this list from time to time as certain technologies age and other technologies are released and tested by us.

If You do not have all of these Minimum Standards in place before Your Agreement start date, we will work with you on a plan to bring your Network up to our Minimum Standards.

We understand that this may take some time depending on timing and budgets so we will do our best to support any items that do not currently meet Our Minimum Standards.

However, if an item requiring support does not meet our Minimum Standards, it will be at our sole discretion whether we charge You for any time incurred for supporting that Item.

APPROVED BUSINESS SOFTWARE

The list in **Appendix D** shows all of the Approved software that can be installed on any of the Computers or Devices covered by this Agreement.

This doesn't mean that all other software can't be installed – it simply means that if other software is installed, then it's up to our sole discretion whether we cover any Service Requests related any other Software under the scope of this Agreement.

If We deem any Service Requests to be Out of the scope of This Agreement, We will ask for Your approval before performing any work.

This list may change over the time we work together under this Agreement. We will email any updates to this list to Your Primary IT Contact.

LODGING OF SERVICE REQUESTS

The process for lodging Service Requests is outlined in Our General Terms and Conditions as referenced in the General Section of this Agreement.

Critical and High Priority Service Requests must be lodged via phone only otherwise Our Response Time Guarantee will only be applicable at Our Medium priority level for these .

It's important You and Your team follow this process to ensure You are guaranteed to receive the support at the levels We have promised.

You agree to make sure Your team is aware of any restrictions You have in place regarding who is authorised to lodge Service Requests, as all requests received by us will be chargeable and/ or allocated against this Agreement.

ACCESS REQUIREMENTS

You agree to allow Us full and free access to Your computers, associated equipment. Your premises and Your team for the purposes of providing the Services in this Agreement.

If there is anything that interferes with our access, we may in our absolute discretion charge You for any extra time incurred.

PRIMARY IT CONTACTS

You agree to nominate from Your team a Primary IT Contact and a Secondary IT Contact (who We will treat as the Primary IT Contact should the current Primary IT Contact not be available).

When issues of Critical and High Priority are happening, your Team are to channel all communication through these people during business hours.

This allows Our team to work most effectively in restoring Your services as fast as possible, instead of fielding calls from multiple sources about the same problem.

The Primary IT Contact is to inform all staff at these times, to ensure fast resolutions.

The role of the Primary IT Contact is to also assist Our team to be the eyes and hands onsite, to allow them to remotely diagnose and solve issues in the fastest possible manner.

You will be asked to provide the details of your nominated Primary and Secondary IT Contacts during your Onboarding process and you agree to update us if and when these Contacts change during the Term of this Agreement.

THIRD PARTY AUTHORIZATIONS

In order to be able to assist You quickly in times of need, You need to make sure We are authorized to work with all of Your external Vendors that We may require to work with to provide you Our Service.

This includes but is not limited to Your Internet Service Provider, Your Web and Domain Hosting Provider and Your Telephony Provider.

During your Onboarding process We will run through with You to determine all the Vendors You will need to give authorization to. You can use the template found in **Appendix F** to assist.

If We are not Authorized for a particular Vendor, We may in Our absolute discretion, charge You extra for any Time it takes us to obtain authorization for Us to deal with that Vendor on Your behalf when needed.

If You start working with any new Vendors that We will need to interact with after We start work on this Agreement, You agree to make sure that We are authorized to act on Your behalf on commencement of Your relationship with the new Vendor.

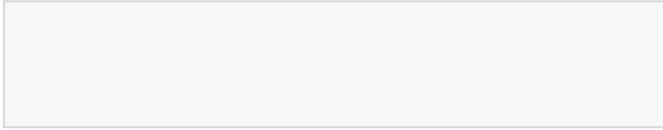
SIGNATURE / ACCEPTANCE

IN WITNESS WHEREOF, the parties hereto have caused this Managed Service Agreement to be signed by their duly authorised representatives as of the date set forth below.

Accepted by:

Advanced Data, Supplier

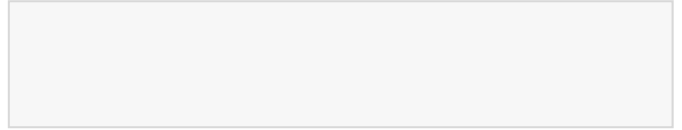
Town of Lake Lure, Customer



(Alex)

Alex Newman

Design Desk Specialist



(Hank)






Hank Perkins

Town Manager

APPENDIX A

GUARANTEED RESPONSE TIMES & PRIORITY LEVELS

The following table shows the Guaranteed Response times for each priority level and provides priority level examples.

PRIORITY	EXAMPLES	GUARANTEED RESPONSE TIMES
 Critical	Your Main Server is offline and all users are unable to work.	2 Hour
	One of your Network Switches has failed and stopped half the company from working.	
	A VPN link between 2 x offices is offline causing one office to be unable to work.	
 High	Your Internet Connection is offline, users can still work locally	4 Hours
	Your CEO's computer has stopped working	
	Your main Accounting Software has stopped working	
 Medium	A user's desktop won't turn on so they can't work	8 Hours
	One of the main printers is not working, but users can print to another one	
	A user is having problems connecting to the Wireless network	
 Low	Printing is slower than normal	2 Business Days
	A single user is unable to scan	
	A user needs a program installed on their PC	
 No Priority	Pro-Active maintenance of systems	N/A

APPENDIX B

RESPONSE TIME GUARANTEE EXCLUSION LIST

The Response Time Guarantee does not apply to:

- Additions, moves or changes to users, devices, configurations, or network
- Issues lodged in any other manner than specified in this Agreement and our *General Terms and Conditions*
- Issues lodged outside Our Business Hours
- Items caused by Hardware or Software not meeting our Minimum Standards
- Service Requests related to Software not on our Approved Software List (see Appendix D)
- Service Requests for issues that have been caused by You not acting on advice or recommendations given by Us
- Service Requests for Issues caused by You or third parties modifying any Hardware or Software Configuration
- Service Requests for issues related to user-initiated Virus and Malware Infections
- Service Requests for Issues involving the sourcing of hardware/software
- Service Requests for Hardware and Software issues of items that are not under current warranty or maintenance coverage

APPENDIX C

AGREEMENT INCLUSION LIST

DESCRIPTION	FREQUENCY	INCLUDED
CONSULTING		
Onsite Quarterly Business Review (QBR)	Quarterly	YES
End-User Office365 Training Program	24x7x365 Via Portal	YES
DESKTOP, LAPTOPS AND SERVERS		
Setup New Profiles on Desktops and Laptops	As Needed	YES
Add / Edit / Delete User Accounts	As Needed	YES
Forgotten Password Resets	As Needed	YES
Archive Old User Accounts (Backup Email & Files)	As Needed	YES
Setup & Maintain Security Groups	As Needed	YES
Setup & Maintain Network Drives	As Needed	YES
Restore Files from Backups ⁽¹⁾	As Needed	YES
Troubleshoot Operating System Not Working	As Needed	YES
Troubleshoot Microsoft Office Not Working	As Needed	YES
Troubleshoot Anti-Virus Not Working	As Needed	YES
Reboot Servers	As Needed	YES
Troubleshoot Hardware Issues ⁽³⁾	As Needed	YES
Hard Drive Clean-up (Remove Temp & Unnecessary Files)	As Needed	YES
Warranty Claim Processing ⁽³⁾	As Needed	YES
Microsoft Patch Management (Service Packs & Updates)	Weekly	YES
Update Approved 3 rd Party Applications (Adobe Flash, Adobe Reader, PDF Creator, Java, 7-Zip)	Weekly	YES
Monitor all Critical Server and Computer Services and Fix	24x7x365	YES
Monitor Anti-Virus Running & Protection Enabled	24x7x365	YES
Monitor Anti-Virus Definitions +Updating Correctly	24x7x365	YES
Monitor Anti-Malware Running & Protection Enabled	24x7x365	YES
Monitor Anti-Malware Definitions Updating Correctly	24x7x365	YES
Monitor Hard Disk Health + Space & Defrag if Necessary	24x7x365	YES
Monitor High CPU Usage	24x7x365	YES
Monitor Security and Event Logs	24x7x365	YES
Roll out our Best Practice Security Policies	On-Going	YES
BACKUPS AND DISASTER RECOVERY		
Monitor Server and Computer Backups ⁽¹⁾	24x7x365	YES
Troubleshoot Server and Computer Backup Failures ⁽¹⁾	As Needed	YES
Monitor Office365 Backups ⁽¹⁾	24x7x365	YES
Troubleshoot Office365 Backup Failures ⁽¹⁾	As Needed	YES
Manual Test Restore & Report of All Approved Backups ⁽¹⁾	Monthly	YES

PRINTERS		
Clear & Reset Printer Queues	As Needed	YES
Troubleshoot Printer Issues	As Needed	YES
Add / Edit / Delete Printer Mapping Group Policies	As Needed	YES
Add / Edit / Delete Printer Drivers for Existing Printers	As Needed	YES
Troubleshoot Printer Hardware Issues ⁽³⁾	As Needed	YES
Warranty Claim Processing ⁽³⁾		
NETWORK		
Troubleshoot Internet Service Provider Issues & Outages	As Needed	YES
Troubleshoot Network Switch Issues	As Needed	YES
Troubleshoot Wi-Fi Access Point Issues	As Needed	YES
Update Wi-Fi SSID / Keys	As Needed	YES
Troubleshoot Router Issues	As Needed	YES
Troubleshoot Firewall Issues	As Needed	YES
Firewall Security Audit and Adjustment	Monthly	YES
Monitor Network Switches Operations & Availability	24x7x365	YES
Monitor Wi-Fi Access Points Operations & Availability	24x7x365	YES
Monitor Router Operations & Availability	24x7x365	YES
Monitor Firewall Operations & Availability	24x7x365	YES
Warranty Claim Processing ⁽³⁾		
DOMAIN NAMES		
Add / Edit / Delete MX Records	As Needed	YES
Add / Edit / Delete TXT Records	As Needed	YES
Add / Edit / Delete PTR Records	As Needed	YES
Add / Edit / Delete CNAME Records	As Needed	YES
Add / Edit / Delete A Records	As Needed	YES
MOBILE PHONES & TABLETS		
Configure Outlook or Mail App ⁽²⁾	As Needed	YES
Configure Skype for Business App ⁽²⁾	As Needed	YES
Configure OneDrive for Business App ⁽²⁾	As Needed	YES
Configure Teams for Business App ⁽²⁾	As Needed	YES

OFFICE 365		
Add / Edit / Delete User Accounts	As Needed	YES
Add / Edit / Delete User and Security Groups	As Needed	YES
Add / Edit / Delete Shared Mailboxes	As Needed	YES
Add / Edit / Delete Distribution Groups	As Needed	YES
Forgotten Password Resets	As Needed	YES
Archive Old User Accounts (Backup Email & OneDrive)	As Needed	YES
Restore Files from Backups ⁽¹⁾	As Needed	YES

Install & Connect OneDrive Desktop Client ⁽²⁾	As Needed	YES
Install & Connect Skype for Business Desktop Client ⁽²⁾	As Needed	YES
Install & Connect Teams Desktop Client ⁽²⁾	As Needed	YES

(1) Only applies to when using the Backup Platforms in our Recommended Technology Platform.

(2) This assumes that you already have the back-end systems and company-wide configurations all setup and configured for this product. If you don't, then We will discuss with You the scope of any potential Project and send You a separate Proposal for your review.

(3) As you can appreciate, it's hard to build a profitable and sustainable business offering "Unlimited Support" at a reasonable price for items that we didn't recommend, sell and install.

As such, if the Hardware we are troubleshooting was not purchased from us and/or the device is not currently covered by the Manufacturer's warranty, a care pack or a maintenance agreement, then it is in Our sole discretion as to whether We will cover this work under the Scope of this Agreement or set it as Billable Out of Scope work.

APPENDIX D

APPROVED SOFTWARE LIST

- Microsoft Software – *Microsoft Office Suite*
- Google *Chrome*
- Adobe Applications – *Reader, Air, Shockwave*
- Java Runtime Environment
- PDF Creator
- 7 Zip
- FileZilla
- SentinelOne EDR Protection
- Axcient Backup

APPENDIX E

DEFINITIONS & INTERPRETATIONS

“Agreement” means any arrangement between Us and You (whether alone or in conjunction with any other person) for Services and/or the provision of Goods provided by Us under an arrangement in connection with Work agreed to be done or progressed for or on behalf of You or any other person at Your request, including as set out in this Agreement and any corresponding Proposal;

“Plan Fee” means a quote provided to You by Us;

“Proposal” means a Quote or Proposal provided to You by Us;

“Rate Schedule” means the schedule of rates, charges and conditions for the services of Ours as set, and as may be varied, by Us from time to time in Our absolute discretion;

“Recommended Technology Platform” is the list of Software and Hardware found at <https://www.adnsolutions.com/rtp> and updated by Us from time to time.

“Response Time” Response Time is measured as the difference between the time We are first notified of a New Service Request as per the process outlined in our *General Terms and Conditions* and the time that We start providing Service on the Service Request. We do not count any triage, scheduling or dispatch work when calculating Response Times;

"Services" means the provision of any services by Us including Work, advice and recommendations;

"Service Request" means any request for work that either you ask us to perform, or we perform proactively on your behalf;

“Software” includes software and any installation, update, associated software and any services provided in connection with any of these things;

APPENDIX F

LETTER TO VENDORS FOR AUTHORIZATION

Copy and paste this text on to your letterhead and then modify to suit each vendor that We will need to work with while We support You.



EMAIL SCRIPT EXAMPLE

To Whom It May Concern,

This letter is to inform you that we have contracted Advanced Data to manage our IT and Technology needs.

To be able to do this effectively, Advanced Data needs to be able to support and manage all of our technology suppliers on our behalf.

As such, this letter authorizes anyone from the team at Advanced Data to access and modify all aspects of our account and all the products and services that we have with <vendor name> effective immediately.

This authorization is valid until we give you written notice otherwise.

Should you require any further details, please let us know.

Regards,

Hank Perkins
Town Manager

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: D

Department: Finance

Contact: Stephen Ford, Finance Director

Presenter: Stephen Ford, Finance Director

BRIEF SUMMARY:

Finance Director Stephen Ford has requested that Town Council appoint Town Manager Hank Perkins as Deputy Finance Officer. The purpose of the Deputy Finance Officer is to allow for actions statutorily assigned to the appoint Finance Officer to be taken during the Finance Officer's absence. Resolution No. 23-09-12A appoints Hank Perkins as Deputy Finance Officer.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

To adopt Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer.

ATTACHMENTS:

Resolution No. 23-09-12A Appointing Hank Perkins as Deputy Finance Officer

STAFF'S COMMENTS AND RECOMMENDATIONS:

Staff recommends adoption.



**RESOLUTION NO. 23-09-12A
APPOINTING HANK PERKINS
DEPUTY FINANCE OFFICER**

WHEREAS, a Finance Officer has certain statutory duties including as detailed in North Carolina General Statute § 159-25; and

WHEREAS, from time to time the Finance Officer must be absent from town hall and during the Finance Officer's absence various duties must be performed; and

WHEREAS, the Town Council may appoint a Deputy Finance Officer for the purpose of ensuing that someone is present in town hall with authority to perform actions statutorily assigned to the appointed Finance Officer during the Finance Officer'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 William H. Perkins, Jr. as the Deputy Finance Officer. This Resolution shall become effective upon the date of adoption.

READ, APPROVED AND ADOPTED, this 12th day of September, 2023.

ATTEST:

Olivia Stewman, Town Clerk

Mayor Carol C. Pritchett

**LAKE LURE TOWN COUNCIL
AGENDA ITEM REQUEST FORM**

Meeting Date: September 12, 2023

SUBJECT: Update Regarding Lake Lure Tours Proposal for the Lease of the Former ABC Store Property

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E
Department: Administration
Contact: Hank Perkins, Town Manager
Presenter: Hank Perkins, Town Manager

BRIEF SUMMARY:

Following recent deliberations by both Town Council and the Parks and Recreation Board regarding Lake Lure Tours' proposal for the lease of the former ABC Store property, Lake Lure Tours has rescinded their most current proposal. At this time, Town Council will continue to accept and review proposals for the lease of the property.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

N/A

ATTACHMENTS:

LLT Proposal Resentence Letter

STAFF'S COMMENTS AND RECOMMENDATIONS:

None at this time.

LAKE LURE TOURS, INC

P.O. BOX 10043

FLEMING ISLAND, FL 32006

Reference:

A REVISED PROPOSAL for the RE-USE of the
FORMER ABC STORE and TOWN PROPERTY
addressed at 2654 Memorial Highway and 2662 Memorial Hwy, Lake Lure, NC
(Parcel #1616937 and Parcel #1616938)

Mr. Hank Perkins, Town Manager
Town of Lake Lure
2948 Memorial Highway
P.O. Box 255
Lake Lure, NC 28746

September 8, 2023

Hank:

Please accept this notice of our rescinding the above referenced proposal.

Lake Lure Tours, Inc. is deliberating a potential alternative proposal and may adjust the rescinded proposal's financial and activities framework in order to maximize the benefit(s) to our community.

Thank you and other, solid Town leaders for your professional and worthwhile attention to and assistance in this matter.

Best regards,
LAKE LURE TOURS, INC.


George Wittmer

X

ADJOURNMENT